

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1

A RESOLUTION SETTING TIME AND PLACE FOR HEARING APPEAL OF MR. & MRS. DARRELL IRELAND FROM BOARD OF ZONING ADJUSTMENT DENIAL OF REQUEST FOR H-1 USE PERMIT TO PERMIT OUTDOOR SWIMMING POOL DISPLAY AND SALES AREA ON EAST SIDE OF McHENRY BETWEEN BOWEN AVENUE AND SHEILA COURT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 25, 1971 , at 7:40 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of appeal of Mr. & Mrs. Darrell Ireland from Board of Zoning Adjustment denial of request for H-1 Use Permit to permit outdoor swimming pool display and sales area on east side of McHenry between Bowen Avenue and Sheila Court


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of January, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-2

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (531 Melrose Ave., Lots 9 and 10 of Block 584 - Mr. Samuel C. Bailey - \$142.50)  
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 curb and gutter may be required, and

WHEREAS, the Council did, on August 3, 1970 adopt its Resolution No. 70-734, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$142.50.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$142.50 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 9 and 10 of Block 584 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 584, Stanislaus County Records

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-3

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (1442 College Avenue, Lot 15 of  
Block 6670 - Mr. John A. Carvalho - \$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 construc-  
tion of                   sidewalk                   may be required, and  
   WAIVED BY PROPERTY OWNER  
WHEREAS, the Council did, on                   -----                  , 19 --  
adopt its Resolution No.                   -----                  , directing the Superin-  
tendent of Streets to give notice requiring the construction of  
                  sidewalk                   along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of                   sidewalk                    
   as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS,           January 4          , 19  71  , at           4:05           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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of           \$160.00           .

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$160.00 Dollars, be assessed in 3 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 15 of Block 6070 of Roosevelt Center as per map filed September 8, 1950 in Volume 17 of Maps, Page 12, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 4th day of January, 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by

Councilman Smith, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-4

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (On Crescent Dr. at 1402 Oakwood Dr.,  
Lot 1 of Block 6035 - Mr. Howard C. Coffee - \$175.00)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on AUGUST-10, 1970-  
adopt its Resolution No. 70-763, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, January 4, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$175.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$175.00 Dollars, be assessed in 3 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 6035 of College Center as per map filed May 29, 1952 in Volume 17 of Maps, Page 36, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 4th day of January, 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by

Councilman Smith, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-5

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 (434 Smith Avenue, portion of Lot 62 of Block 704 - Mr. A. Dale Dunkel - \$111.75)  
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 sidewalk may be required, and

WHEREAS, the Council did, on July 6, 1970 adopt its Resolution No. 70-635, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$111.75.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$111.75 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 55.115 feet of the North one-half of Lot 62 of Block 704 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 704, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-6

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 (On Wildwood Dr. and Samsome Court at 2008 Wildwood Dr., Lot 19 of Block 6715 - Mr. F.R. Enriken - \$268 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 sidewalk may be required, and

WHEREAS, the Council did, on -----, 19 -- WAIVED BY PROPERTY OWNER adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk ----- as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$268.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$268.00 Dollars, be assessed in 5 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 19 of Block 6715 of College Village No. 2 as per map filed May 21, 1953 in Volume 17 of Maps, Page 58, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 4th day of January, 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by

Councilman Smith, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-7

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (Griswold Ave. at 825 Enslin Ave., Lot 1 of Block 715 - Mr. C. Dexter Hogin - \$431.25) 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 sidewalk may be required, and

WHEREAS, the Council did, on July 6, 1970 adopt its Resolution No. 70-632, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$431.25.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$431.25 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 715 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 715, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-8

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (E Street at 427 7th Street, Lots 1 through 4, inclusive, of Block 29 - Mr. Tony Isola - \$1,332.10) 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 curb and gutter and sidewalk may be required, and  
WHEREAS, the Council did, on                      <sup>WAIVED BY PROPERTY OWNER</sup>, 19--  
adopt its Resolution No.                     , directing the Superintendent of Streets to give notice requiring the construction of curb and gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$1,332.10.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$1,332.10 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1, 2, 3 and 4 of Block 29 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 29, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-9

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (1538 Maplewood Drive, Lot 2 of  
Block 6023 - Mr. John D. Loflin - \$114.50)

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 construc-  
tion of \_\_\_\_\_ sidewalk \_\_\_\_\_ may be required, and

WHEREAS, the Council did, on August 10, 1970  
adopt its Resolution No. 70-760, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
\_\_\_\_\_ sidewalk \_\_\_\_\_ along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of \_\_\_\_\_ sidewalk \_\_\_\_\_  
\_\_\_\_\_ as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, January 4, 1971, 19, at 4:05 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$114.50.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$114.50 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 of Block 6023 of College Fig Garden as per map filed March 4, 1953 in Volume 17 of Maps, Page 50, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-10

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (Lucern Ave. & Ramona Ave. at 601 Ramona Ave., Lot 4 of Block 608 - Mr. Raymond J. Lucchesi - \$500.25) 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 curb and gutter may be required, and

WHEREAS, the Council did, on August 10, 1970 adopt its Resolution No. 70-756, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$500.25.

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

SECTION 1. That the cost of the aforesaid work, being the amount of     \$500.25     Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 4 of Block 608 of Melrose Tract as per map filed May 28, 1940 in Volume 11 of Maps, Page 75, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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.

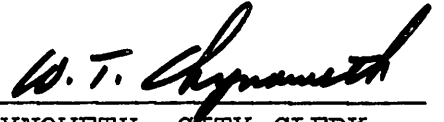
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_



W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_

Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-11

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 (Ulrich Ave. at 1125 Ulrich Ave., Lot 8 of Block 6031 - Mr. Robert W. Pearson - \$159.60)  
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 sidewalk may be required, and

WHEREAS, the Council did, on August 3, 1970 adopt its Resolution No. 70-731, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$159.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$159.60 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 6031 of College View Tract as per map filed December 6, 1951 in Volume 17 of Maps, Page 29, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-12

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (Bodem Street at 621 E. Morris Ave., E. 90 feet of Lots 23 and 24 of Block 592 - Mr. Vernon N. Reed - \$169.50) 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 curb and gutter may be required, and

WHEREAS, the Council did, on August 3rd, 1970 adopt its Resolution No. 70-737, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4th, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$169.50.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$169.50 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 90 feet of Lots 23 and 24 of Block 592 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 592, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-13

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (1011 Lucern Avenue, Lot 11 of Block 607 - Mr. Keary E. Stafford - \$142.50)

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 curb and gutter may be required, and

WHEREAS, the Council did, on August 10, 1970 adopt its Resolution No. 70-757, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4th, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$142.50.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$142.50 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 of Block 607 of Melrose Tract as per map filed May 28, 1940 in Volume 11 of Maps, Page 75, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-14

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 (Del Vale Avenue at 1537 W. Roseburg Ave., portion of Block 6018 - Mr. Ottavio Trombetta - \$208.00)  
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 sidewalk may be required, and

WHEREAS, the Council did, on August 10, 1970 adopt its Resolution No. 70-767, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, January 4th, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$208.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$208.00 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The Northern 94 feet of the Southern 124 feet of the Eastern 200 feet of the Western 230 feet of Lot 4 of Chiquita Colony as per map filed March 17, 1904 in Volume 1 of Maps, Page 43, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 4th day of January 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-15

A RESOLUTION GRANTING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO ROBERT C. WHEELER TO OPERATE A LIMITED AMBULANCE SERVICE IN THE CITY OF MODESTO UNDER THE NAME OF DOCTOR'S AMBULANCE.

WHEREAS, Robert C. Wheeler, doing business as Doctor's Ambulance, has filed an application for a permit to operate a limited ambulance service in the City of Modesto pursuant to the provisions of Chapter 9 of Title III of the Modesto Municipal Code, and

WHEREAS, a public hearing was set for January 4, 1971, at 4:10 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 Chief of Police 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 requires the operation of the limited ambulance service for which application has been made by Robert C. Wheeler, and such service will promote the convenience, safety and welfare of the general public.

2. That the vehicle described in the application and proposed to be used is appropriate for the purpose of carrying or transporting injured or sick persons.

3. That the color scheme, insignia, name, monogram or other distinguishing characteristics proposed to be used upon such limited ambulance is not in conflict with and does not imitate any color scheme, insignia, name, monogram or other distinguishing characteristics used by any other person, in such a manner as to mislead or tend to mislead, deceive, or defraud the public.

4. That further limited ambulance service in the City is required by the public convenience and necessity and that the applicant is fit, willing and able to perform limited ambulance service and to conform to the provisions of this chapter, and such rules and regulations as may be promulgated by the Council.

BE IT FURTHER RESOLVED that a Certificate of Public Convenience and Necessity is hereby granted to Robert C. Wheeler to operate a limited ambulance service in the City of Modesto under the name of Doctor's Ambulance. A total number of one limited ambulance may be operated under said certificate.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby authorized to issue a permit to Robert C. Wheeler, doing business as Doctor's Ambulance, for one limited ambulance authorized hereby after the applicant has complied with all of the requirements of Chapter 9 of Title III 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 4th day of January, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

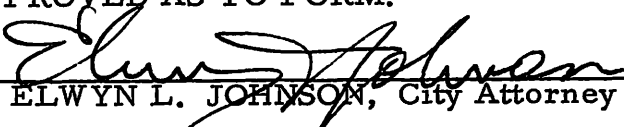
ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
\_\_\_\_\_  
ELWYN L. JOHNSON, City Attorney

A RESOLUTION SETTING FORTH THE CITY'S  
POLICY ON ENVIRONMENTAL PROBLEMS.

WHEREAS, citizens of Modesto and of the entire state and nation are becoming increasingly more concerned with the quality of our environment, and

WHEREAS, the Citizens' Environmental Committee of the City of Modesto has recommended that the City Council adopt a Resolution setting forth the City's policy on environmental problems,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Modesto that it hereby declares it to be the policy of the City of Modesto to take whatever steps are feasible to assure the citizens of the City clean air, pure water, freedom from excessive noise, a broader variety of housing, sound urban developments, the rehabilitation of existing buildings and the enjoyment of scenic, historic, natural and aesthetic assets in the community.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit copies of this Resolution to the Citizens' Environmental Committee, the Planning Commission, the Board of Zoning Adjustment, the Library and Cultural Commission and the Board of Appeals.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of January, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED AS TO FORM:

  
ELWYN L. JOHNSON,  
City Attorney

ATTEST:   
W. T. CHYNOWETH,  
City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-17

A RESOLUTION DETERMINING THE GENERAL PREVAILING RATES OF PER  
DIEM WAGES IN THE LOCALITY OF THE CITY OF MODESTO FOR THE  
CALENDAR YEAR 1971

WHEREAS, Section 1773 of the Labor Code of the State of California requires that if the awarding body chooses to refer to a copy of the prevailing rate of per diem wages on file at its principal office, in lieu of specifying them in each call for bids, the awarding body shall publish its determination of the prevailing rate of per diem wages in a newspaper of general circulation at least one time during each year, and, if there is any change in the prevailing rate during the course of any year, the awarding body shall specify the changes in the first call for bids made by the awarding body thereafter, and

WHEREAS, Section 1773.3 of the Labor Code of the State of California requires that the awarding body of each city shall file, annually, with the Director of Industrial Relations, its determination made pursuant to Section 1773 of the Labor Code, of the general prevailing rates of per diem wages in the locality in which the public work is to be performed.

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

1. The general prevailing rates of per diem wages in the locality of the City of Modesto for the calendar year 1971 is hereby determined to be those shown on the document attached hereto, marked "Exhibit A," dated January 1, 1971 and hereby made a part of this resolution.

2. The City Clerk is hereby instructed to publish once in the Modesto Bee, a newspaper of general circulation, the above-mentioned wage rate schedule marked "Exhibit A."

3. The City Clerk is hereby instructed to transmit a copy of this resolution, with attachment, to the Director of Industrial

Relations of the State of California for filing in compliance with Section 1773.3 of the Labor 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 January, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

JANUARY 1, 1971

Trade	Journeyman Hourly Wage Rate	Vac.	Wage Supplements		Premium Pay	
			Pens.	H. & W.	Sun. & Sat.	Hol.
(cents per hour)						
ASBESTOS WORKERS	\$7.32	<sup>a</sup> \$0.90	\$0.35	\$0.40	2X	2X
ASPHALT IRONERS & RAKERS	5.185	0.50	0.50	0.40	1½X	2X
BRICKLAYER	5.55	0.25	0.15	0.25	2X	2X
CARPENTER	7.025	0.50	0.50	0.37	2X	2X
CEMENT MASON	5.62	0.60	0.75	0.36	2X	2X
COMBINATION BACKHOE & LOADER	7.46	0.50	0.65	0.43	1½X	2X
COMBINATION ROAD OILER- BOOTMAN	4.945	<sup>a</sup> 0.35	0.25	0.375	1½X	2X
COMPRESSOR	5.99	<sup>a</sup> 0.51	0.65	0.43	1½X	2X
CONCRETE LABORER	5.035	0.60	0.60	0.50	1½X	2X
CONCRETE MIXER (up to 1 yed)	5.99	0.50	0.65	0.43	1½X	2X
CONSTRUCTION LABORER	4.935	0.60	0.60	0.50	1½X	2X
DUMPTRUCKS, LESS THAN 4 YDS	4.505	<sup>a</sup> 0.20	0.25	0.385	1½X	2X
DUMPTRUCKS, 4YDS.BUT LESS THAN 6 YDS.	4.60	0.20	0.25	<sup>d</sup> 0.385	1½X	2X
DUMPTRUCKS, 6 YDS. BUT LE THAN 8 YDS.	4.80	0.20	0.25	<sup>d</sup> 0.385	1½X	2X
DUMPTRUCKS, 8 YDS. AND INCL. 12 YDS.	5.04	0.20	0.25	<sup>d</sup> 0.385	1½X	2X
DUMPTRUCKS, OVER 12 YDS. AND INCL. 18 YDS.	5.08	0.20	0.25	<sup>d</sup> 0.385	1½X	2X
ELECTRICAL WORKER	<sup>b</sup> 7.19	<sup>c</sup>	1%	0.32	2X	2X
FENCE ERECTOR	6.28	0.25	0.325	0.33	2X	2X
GLAZIERS	<sup>b</sup> 5.85	8%	0.25	0.15	2X	2X
HARDWOOD FLOORLAYERS, SHINGLERS, POWER SAW OPERATORS, SAW FILERS & PATENT SCAFFOLD EPECTORS	6.55	0.50	0.50	0.37	2X	2X
HOD CARRIERS, BRICK	5.375	0.60	0.60	0.50	2X	2X
HOD CARRIERS, PLASTER	5.45	0.60	0.60	0.50	2X	2X
IRONWORKER, REINFORCING	6.37	0.25	0.325	0.33	2X	2X
IRONWORKER, STRUCTURAL	6.48	0.25	0.325	0.33	2X	2X
LATHERS	5.20	----	----	----	2X	2X
PAINTERS, BRUSH	5.30	0.25	----	0.20	1½X	1½X
PAINTERS, SPRAY	5.55	0.25	----	0.20	1½X	1½X
PAVEMENT BREAKER	6.68	0.50	0.65	0.43	1½X	1½X
PIPELAYER, CAULKER, BANDER	4.425	0.30	0.30	0.30	1½X	2X
PLASTERERS	5.40	0.50	0.35	0.30	2X	2X
PLUMBERS, PIPE & STEAM- FITTER	<sup>c</sup> 7.85	<sup>c</sup>	0.69	<sup>d</sup> 0.55	2X	2X
POWER BLADE OPERATOR	7.54	<sup>a</sup> 0.50	0.65	0.43	1½X	2X
POWER SHOVELS, CLAMSHELLS DRAGLINES, BACKHOES, GRADALLS (up to & incl. 1 yd.)	7.54	<sup>a</sup> 0.50	0.65	0.43	1½X	2X

EXHIBIT "A"

JANUARY 1, 1971

TRADE	Journeyman Hourly Wage Rate	Vac.	Wage Supplements.			Premium Pay	
			Pens.	H. & W.	Sun. & Sat.	Hol.	
(cents per hour)							
POWER SHOVELS, ETC. (over 1 yd & incl. 7 yds.)	\$7.65	a \$0.50	\$0.65	\$0.43	1½X	2X	
ROLLERS	5.44	a 0.25	0.40	0.32	1½X	2X	
ROOFER	5.39	0.75	0.10	0.20	2X	2X	
SELF-PROPELLED BOOM TYPE LIFTING DEVICE	6.88	a 0.50	0.65	0.43	1½X	2X	
SHEET METAL WORKERS	5.86	8%	0.40	0.36	2X	2X	
SINGLE UNIT FLAT RACK (2 axle unit)	4.60	a 0.35	0.25	0.375	1½X	2X	
SINGLE UNIT FLAT RACK (3 axle unit)	4.70	0.35	0.25	0.375	1½X	2X	
TILE SETTERS	5.00	----	----	----	1½X	2X	
TRACTORS (BOOM)	7.32	a 0.50	0.65	0.43	1½X	2X	
TRACTORS	7.16	a 0.50	0.65	0.43	1½X	2X	
TRANSIT MIX (under 6 yds.)	4.655	a 0.20	0.25	0.385	1½X	2X	
TRANSIT MIX, 6 yds. & under 8 yds.	4.755	a 0.20	0.25	0.385	1½X	2X	
TRENCHING MACHINE	7.16	a 0.50	0.65	0.43	1½X	2X	
TRC -TYPE LOADER	6.88	a 0.50	0.65	0.43	1½X	2X	
WATER TRUCKS UNDER 2500g.	4.615	0.20	0.25	d 0.385	1½X	2X	
WATER TRUCKS OVER 2500 g. & UNDER 4,000 g.	4.715	0.20	0.25	d 0.385	1½X	2X	

a Includes employer contribution for paid holidays.

b 6% of gross wages withheld and sent to vacation fund.

c Hourly vacation pay included in the hourly wage rate.

d Includes dental plan.

Per diem wages to be paid are determined to be those set forth in collective bargaining agreements for Stanislaus County. All work is to be paid for at the rates of pay effective at the time work is performed.

Copies of all collective bargaining agreements relating to the work are on file and available for inspection in the office of the California Department of Industrial Relations, Division of Labor Statistics and Research, 455 Golden Gate Avenue, San Francisco, California.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-18

A RESOLUTION CONTINUING THE PETTY CASH ACCOUNT IN THE PARKING FUND ACCOUNT FOR PURPOSES OF MAKING CHANGE ON OFF-STREET PARKING LOTS WHICH ARE ATTENDANT OPERATED.

WHEREAS, Resolution No. 63-547 established a Petty Cash Account in the Parking Fund Account for purposes of making change on off-street parking lots which are attendant operated, and

WHEREAS, five (5) off-street parking lots in the City of Modesto have been made into attendant operated lots, and

WHEREAS, authorization is necessary to increase the amount of money to be maintained in the Petty Cash Account in the Parking Fund Account for the purpose of providing money to the attendants employed on said lots in order that they may make change when collecting parking fees, and also to provide money to be kept in the office of the Parking and Traffic Department in order to make full rolls out of the loose coins when the revenue from the validated lots is counted each morning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Petty Cash Account in the Parking Fund Account be continued and that the amount to be maintained therein be increased to the sum of Ninety and no/100ths (\$90.00) Dollars, for the purpose of providing money to make change on the five (5) attendant operated off-street parking lots and providing money to be kept in the office of the Parking and Traffic Department to make full rolls out of the loose coins when the revenue from the validated lots is counted.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

BE IT FURTHER RESOLVED that this resolution supersedes Resolution No. 63-547 adopted by the Council on December 9, 1963.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of January, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

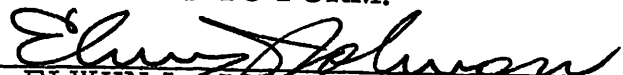
ABSENT: Councilmen: Robinson

(SEAL)

ATTEST:

  
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-19

A RESOLUTION ENDORSING THE CONCEPT OF ADEQUATE LEGAL REPRESENTATION FOR THE POOR AND REQUESTING THAT A THOROUGH INVESTIGATION BE CONDUCTED TO DETERMINE IF THE CALIFORNIA RURAL LEGAL ASSISTANCE PROGRAM IS PROVIDING SUCH REPRESENTATION.

WHEREAS, the Federal Office of Economic Opportunity funds programs which provide legal assistance for the poor, and

WHEREAS, the California Rural Legal Assistance, hereinafter referred to as CRLA, is such a Federally funded program, and

WHEREAS, questions have arisen regarding the effectiveness of the CRLA program and whether it should continue to receive Federal funds,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it endorses the concept of adequate legal representation for the poor.

BE IT FURTHER RESOLVED that the Council asks the Federal Office of Economic Opportunity to thoroughly investigate the CRLA program to ascertain if it is serving the legal needs of the poor in California, and including in such investigation a study of ways that such program can be made more effective.

BE IT FURTHER RESOLVED that this Council asks that other appropriate agencies and groups investigate CRLA and its request for continued Federal funding to ascertain if CRLA is serving the legal needs of the poor, and including in such investigation studies of ways that such program can be made more effective.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to send copies of this resolution to Mr. Frank Carlucci, Director of the Office of Economic Opportunity, Washington, D. C., the State Bar of California, and the State Board of Trustees of CRLA.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of January, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

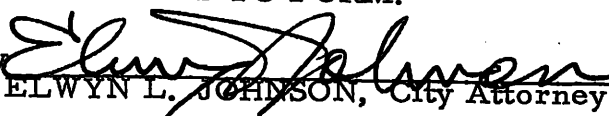
ABSENT: Councilmen: Robinson

(SEAL)

ATTEST:

  
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-20

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUBTRUNK SEWER IN  
HERNDON ROAD TO MANCINI PARK (CERTIFIED SEWER, INC.)

WHEREAS, a report has been filed by the Director of  
Public Works that the construction of subtrunk sewer in  
Herndon Road to Mancini Park  
has been completed by Certified Sewer, Inc.

in accordance with the contract agreement dated November 9, 1970

NOW, THEREFORE, BE IT RESOLVED that the construction of  
subtrunk sewer in Herndon Road to Mancini Park  
be accepted from said contractor, Certified Sewer, Inc.

that notice of completion be filed with the Recorder of Stan-  
islaus County and that payment of amounts due in the amount  
of \$5,413.75 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  
11th day of January, 1971, by Councilman  
Smith, who moved its adoption, which motion being  
duly seconded by Councilman Simon, was upon roll  
call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-21

A RESOLUTION APPROVING PURCHASE OF FORMER LOOMIS FLORAL-CANTON  
GRILL PROPERTY ON 10TH STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the purchase of the former Loomis Floral - Canton Brill property located on 10th Street for \$30,000 is approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1971 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-22

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$41,336 FOR PURCHASE AND CONSTRUCTION OF A PARKING LOT ON THE EAST SIDE OF 10th BETWEEN J AND K

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

PARKING FUND (209)

FROM:	General Reserve (60-209)	\$41,336
TO:	Parking Lot #32 - Purchase and Construction (6150-57-209)	\$41,336

(For purchase and construction of a parking lot on the east side of 10th between J and K)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January 1971 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-23

A RESOLUTION EXPRESSING CONCERN AND PROTEST REGARDING  
THE OPPRESSIVE TREATMENT OF JEWISH PEOPLE IN THE  
SOVIET UNION.

BE IT RESOLVED by the Council of the City of Modesto that it expresses  
its concern and protest regarding the oppressive treatment of Jewish people in the  
Soviet Union, and especially the so-called "Leningrad 11", who have been denied  
rights granted to other minorities in the Soviet Union.

BE IT FURTHER RESOLVED that this Council urges that everything  
possible be done to get the Soviet Government to abide by its signature to the Universal  
Declaration of Human Rights of the United National Commission on Human Rights,  
which declaration includes the right of individuals to emigrate freely to the country  
of their choice.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to  
send copies of this resolution to the President of the United States, Senators Alan  
Cranston and John V. Tunney, Congressman John J. McFall, and Secretary of State  
William P. Rogers, with a request that they forward it on through proper channels to  
the Soviet Government, in order that the Soviet Government will know of this Council's  
concern and protest as expressed above.

The foregoing resolution was introduced at a regular meeting of the  
Council of the City of Modesto held on the 11th day of January, 1971, by  
Councilman Dixon, who moved its adoption, which motion being duly  
seconded by Councilman Newton, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-24

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (OAKDALE-FLOYD ADDITION)

WHEREAS, there has been annexed to the City of Modesto on December 14, 1970, certain territory known as Oakdale-Floyd Addition, and

WHEREAS, the inclusion of the area contained in Oakdale-Floyd Addition 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 Oakdale-Floyd Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 69.

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

SECTION 5. Monday, March 1, 1971, at the hour of 4:05 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 judgment 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. 69.

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) 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) On the North side of Floyd Avenue at Rose Avenue.
- (2) On the Northwest corner of Floyd Avenue and Old Oakdale Road.
- (3) On the West side of Old Oakdale Road 1300 feet North of Floyd Avenue.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 69, 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 11th day of January, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Rosemond  
Public Works Department

## OAKDALE - FLOYD ADDITION

All that real property in the State of California, County of Stanislaus, being the North half of the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being all of the Robinson Tract as per map filed September 30, 1910, in Volume 5 of Maps, Page 15, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being the North quarter corner of Section 15; thence along the North line of Section 15, North  $89^{\circ} 36' 50''$  East, 2625.60 feet, to the Northeast corner of Section 15 which is also on the center line of a public road known as Old Oakdale Road; thence along said center line, South  $0^{\circ} 53' 48''$  East, 1321.53 feet, to the South line of the North half of the Northeast quarter of Section 15, said line also being on the center line of a public road known as Floyd Avenue; thence along said center line, South  $89^{\circ} 38' 20''$  West, 2624.12 feet, to the West line of the Northeast quarter of Section 15; thence along said quarter section line, North  $0^{\circ} 57' 40''$  West, 1320.40 feet, to the point of beginning, containing 79.596 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 11, 1971, 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 Councilman Smith, seconded by Councilman Simon, and adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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 12, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California  
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-25

A RESOLUTION ACKNOWLEDGING RECEIPT OF A COPY OF NOTICE OF INTENTION TO CIRCULATE A PETITION FOR THE ANNEXATION OF INHABITED TERRITORY TO THE CITY OF MODESTO (NORWEGIAN NO. 1 ADDITION) WITH ACCOMPANYING STATEMENT, AND AN AFFIDAVIT OF PUBLICATION THEREOF AND APPROVING THE CIRCULATION OF A PETITION.

WHEREAS, on January 4, 1971, there was filed with the City Clerk of the City of Modesto a copy of Notice of Intention to Circulate a Petition for the Annexation of Inhabited Territory to the City of Modesto (NORWEGIAN NO. 1 ADDITION) with accompanying statement, under the Annexation Act of 1913, as amended, together with an affidavit of publication showing that said notice and statement were published on December 31, 1970, in The Modesto Bee, and

WHEREAS, the Annexation Act of 1913, as amended, provides that the legislative body may within fifteen (15) days after such filing adopt a resolution acknowledging receipt of the notice and accompanying statement and approving the circulation of the petitions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the receipt of said notice with accompanying statement and affidavit be, and the same is hereby acknowledged, and that approval be, and is hereby given for the circulation of the petition for annexation of that certain territory designated as the NORWEGIAN NO. 1 Addition, twenty-one (21) days after the publication of said notice and statement, provided the petition contains a request that the question to be submitted to the electors residing in the territory proposed to be annexed shall be whether the territory shall be annexed to and incorporated in and made a part of the City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: W. T. Chynoweth  
City Clerk

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-26

A RESOLUTION AUTHORIZING PURCHASE OF PROPERTY FROM MODESTO HIGH SCHOOL DISTRICT FOR ADDITION TO MUNICIPAL CORPORATION YARD

BE IT RESOLVED by the Council of the City of Modesto that the purchase of property from the Modesto High School District to be used for expansion of the corporation yard, is hereby authorized.

BE IT FURTHER RESOLVED that the purchase price to be paid by the City of Modesto for the above mentioned property located on Elm Street is \$47,500.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-27

A RESOLUTION APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT AS THE REPRESENTATIVE OF THE PLANNING COMMISSION FOR A TERM EXPIRING JANUARY 1, 1972 (Dr. Kenneth Marple)

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: Term expires January 1, 1972

Dr. Kenneth Marple  
217 Lois Avenue  
Modesto, California 95350

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 January 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-28

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,250 TO PROVIDE  
ADDITIONAL FUNDS FOR SPECIAL INVESTIGATIONS

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

GENERAL FUND (101)

FROM: General Reserve (60)	\$1,250
TO: Other Special Charges (429-22-101)	\$1,250

(To provide additional funds for special investigations.  
The additional money is needed due to the continued nar-  
cotics enforcement program as reported by the Chief of  
Police to the City Manager December 24, 1970.)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 11th day of January  
1971 by Councilman Smith , who moved its adoption, which motion  
being duly seconded by Councilman Simon , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-29

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF MRS. INEZ PETERSON FROM THE CITIZENS' ENVIRONMENTAL COMMITTEE

WHEREAS, Mrs. Inez Peterson was appointed a member of the Citizens' Environmental Committee on May 1, 1968; and

WHEREAS, Mrs. Inez Peterson has tendered her resignation from the Citizens' Environmental Committee effective January 18, 1971; and

WHEREAS, Mrs. Peterson has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Mrs. Peterson from the Citizens' Environmental Committee is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Mrs. Peterson for her outstanding service to the community.

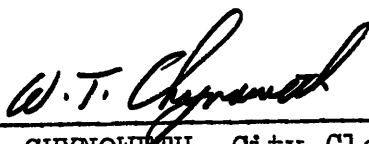
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-30

A RESOLUTION ENDORSING THE RETENTION OF REGION VII  
NORTH ADVISORY BOARD AS OUR CRIMINAL JUSTICE PLANNING  
BODY.

WHEREAS, the California Council on Criminal Justice has proposed that  
Region VII North Advisory Board be combined with Region VII South Advisory  
Board into one region, and

WHEREAS, Region VII North Advisory Board has rejected such merger  
based on such factors as the functional and geographical interrelationships currently  
existing with Region VII North both at the criminal justice operational level and  
at the planning level, and also, city and county legislative bodies within the  
region are in the process of endorsing in principle the Region VII North Advisory  
Board as the recognized criminal justice planning body,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto, that for the reasons hereinabove set forth, it endorses the retention of  
Region VII North Advisory Board as our Criminal Justice Planning Body.

BE IT FURTHER RESOLVED that the California Council on Criminal  
Justice is hereby requested to grant a hearing as requested by the Region VII  
North Advisory Board.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to  
send copies of this resolution to the California Council on Criminal Justice and to  
Region VII North Advisory Board.

The foregoing resolution was introduced at a regular meeting of the  
Council of the City of Modesto held on the 18th day of January, 1971,  
by Councilman Dixon, who moved its adoption, which motion being  
duly seconded by Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-31

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF J. S. WEST & COMPANY FOR CHANGE IN STREET IMPROVEMENTS REQUIRED IN CONNECTION WITH BUILDING PERMIT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 25, 1971 , at 7:45 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 of J. S. West & Company for change in street improvements required in connection with building permit


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-32

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATER LINES IN APPLGATE NO. 1. SUBDIVISION

WHEREAS, Resolution No. 70-1265 adopted by the Council of the City of Modesto on December 28, 1970 approved the plans and specifications for the installation of water lines in Applegate No. 1 Subdivision and authorized the call for bids, and

WHEREAS, the bids received for the installation of water lines in Applegate No. 1 Subdivision were opened at 10:00 A.M. on January 12, 1971 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 Construction in the amount of \$5,526.00

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 Construction in the amount of \$5,526.00

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 18th day of January/ 1971 by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-33

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR CARPETING IN CENTRAL LIBRARY BUILDING

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

SECTION 1. The plans and specifications for carpeting in the central library 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 February 16, 1971 at 10:15 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 18th day of January 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-34

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNITURE, SHELVING AND COUNTERS IN CENTRAL LIBRARY BUILDING

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

SECTION 1. The plans and specifications for furniture, shelving and counters in central library 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 February 16, 1971 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 18th day of January 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-35

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. ( STANDIFORD ADDITION)

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 7, 1970, duly adopted Resolution No. 70-1205 (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. 65 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, January 18, 1971, at the hour of 4.05 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:

<u>Name</u>	<u>Address</u>
Jobelle J. Martin	3404 West Point Drive, Modesto
Marvin A. Kaminska	3400 West Point Drive, Modesto
Nona E. Kaminska	3400 West Point Drive, Modesto
Darryl D. Torre	3401 West Point Drive, Modesto
Odette M. Torre	3401 West Point Drive, Modesto
David L. England, Jr.	3405 West Point Drive, Modesto
Glenn H. Kreger	3413 West Point Drive, Modesto
Reva La Mara Kreger	3413 West Point Drive, Modesto
Bette W. Swann	3408 West Point Drive, Modesto
James L. Hanson	412 Standiford Avenue, Modesto
Elouise Hanson	412 Standiford Avenue, Modesto
Roy Eggleston	348 Standiford Avenue, Modesto
Wilna Eggleston	348 Standiford Avenue, Modesto
I. L. Gish	336 Standiford Avenue, Modesto
Vivian Gish	336 Standiford Avenue, Modesto
Raymond Stuck	332 Standiford Avenue, Modesto
Mrs. Ellen Stuck	332 Standiford Avenue, Modesto
Ernesto Addimando	220 Standiford Avenue, Modesto
Mary Addimando	220 Standiford Avenue, Modesto
Ralph E. Carpenter	400 Standiford Avenue, Modesto
La Frances Carpenter	400 Standiford Avenue, Modesto
Ralph R. Knippel	3409 West Point Drive, Modesto
Aldina Rodrigues	424 Standiford Avenue, Modesto

The property owners hereinabove mentioned represent the area of the Standiford Addition east of the alley which is across Standiford Avenue from Columbine Drive.

In a written communication, they stated that they did not want to be included in the annexation at this time.

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. 65 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. 65 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. 65, 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. 65, 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

18th day of January, 1971, by Councilman Dixon,  
who moved its adoption, which motion being duly seconded by Coun-  
cilman Smith, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Hasegood  
Public Works Department

JLC  
12-22-70

March 18, 1970

STANDIFORD ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of the Southeast quarter of Section 8, 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 Northeastern corner of the LEVELAND ADDITION (221), as per description filed August 14, 1968, as Instrument 25254, Stanislaus County Records; thence along the existing City Limits on the Northern line of the Leveland Addition (221), North  $89^{\circ} 35'$  West, 501.60 feet, to the Northwestern corner of the Leveland Addition (221); thence along the existing City Limits on the Western line of the Leveland Addition (221), South  $1^{\circ} 20'$  East, 5.18 feet, to the Northeastern corner of the WOODROW NO. 2 ADDITION (202), as per description filed July 26, 1967, as Instrument 23305, Stanislaus County Records; thence along the existing City Limits on the Northern line of the Woodrow No. 2 Addition (202), North  $89^{\circ} 35'$  West, 251.70 feet, to the Northwestern corner of the Woodrow No. 2 Addition, said point being also the Northeastern corner of the WOODROW ADDITION (174), as per description filed March 23, 1965, as Instrument 11330, Stanislaus County Records; thence along the existing City Limits on the Northern line of the Woodrow Addition (174), North  $89^{\circ} 35'$  West, 250.80 feet, to the Northwestern corner of the Woodrow Addition (174); thence along the existing City Limits on the Western line of the Woodrow Addition (174), South  $01^{\circ} 13'$  East, 735.38 feet to the Northeastern corner of property conveyed to the City of Modesto by Deed recorded August 23, 1961, as Instrument 26556, Stanislaus County Records; thence along the existing City Limits on the Northern line of said City property, North  $89^{\circ} 30'$  West, 46.92 feet, to the Northwestern corner of the City property; thence along the existing City Limits on the Western line of the City Property, South  $00^{\circ} 30'$  West, 112.95 feet, to a point on the Northern line of the NORTHLAND ESTATES ADDITION (147), as per description filed February 5, 1963, as Instrument 4469, Stanislaus County Records; thence along the existing City Limits on the Northern line of the Northland Estates Addition (147), North  $89^{\circ} 30'$  West, 510.12 feet, to a point on the Eastern line of the Tidewater Southern Railway Company right of way, said point being 30.00 feet, measured at right angles, Easterly from the North-South quarter section line of said Section 8, and said point being also on an Easterly line of the GREENWOOD ESTATES ADDITION (173) as per description filed March 17, 1965, as Instrument 10621, Stanislaus County Records; thence along the existing City Limits along said Easterly line of Greenwood Estates Addition (173) and the Eastern line of said right of way, North  $01^{\circ} 19'$  West, 1301.23 feet, to a point on the East-West quarter section line and the center line of Standiford Avenue, said point being on a Southerly line of the Greenwood Estates Addition (173); thence along the existing City Limits on the East-West quarter section line and center line of Standiford Avenue, South  $89^{\circ} 35'$  East, 1115.77 feet, to a Southeasterly corner of the Greenwood Estates Addition (173); thence continuing along said quarter section line and center line of Standiford Avenue, South  $89^{\circ} 35'$  East, 1490.42 feet, to the East quarter corner of Section 8, said point being on the section line common to Section 8 and 9; thence along said section line, South  $01^{\circ} 20'$  East, 448.44 feet; thence along a line parallel with that East-West quarter section line, North  $89^{\circ} 35'$  West, 1040.34 feet, to the point of beginning, containing 37,738 Acres more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-36

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. (EAST ORANGEBURG-COFFEE ADDITION)

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 7, 1970, duly adopted Resolution No. 70-1206 (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. 66 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, January 18, 1971, at the hour of 4:10 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. 66 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. 66 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. 66, 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. 66, 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

18th day of January, 1971, by Councilman Newton,  
who moved its adoption, which motion being duly seconded by Coun-  
cilman Smith, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By P. C. Hayward  
Public Works Department

12-22-70

EAST ORANGEBURG-COFFEE ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 21, 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 Northwestern corner of the DOWNEY PARK NO. 2 ADDITION (188), as per description filed May 3, 1966, as Instrument 15774, Stanislaus County Records, said point being the center line of a 40.00 foot public road known as Orangeburg Avenue; thence along the existing City Limits on the boundary of said Addition (188), South  $00^{\circ} 36' 00''$  East, 461.26 feet; thence South  $89^{\circ} 46' 33''$  West, 436.00 feet, to the center line of a 50.00 foot public road known as Coffee Road; thence along said center line and existing City Limits, South  $00^{\circ} 36' 00''$  East, 527.83 feet, to the Northeastern corner of the DOWNEY PARK NO. 4 ADDITION (204), as per description filed September 19, 1967, as Instrument 29499, Stanislaus County Records; thence North  $89^{\circ} 41' 50''$  West, 660.04 feet, along the existing City Limits on the Boundary of said Addition (204) to the Northwestern corner of said Addition (204); thence along the existing City Limits on the Western boundary of said Addition (204) South  $00^{\circ} 40' 00''$  East, 131.67 feet, to the Northeastern corner of the EL VECINO ADDITION (115), as per description filed December 29, 1960, as Instrument 36791, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said Addition (115), North  $89^{\circ} 35' 30''$  West, 528.87 feet, to the Northeastern corner of the EL VECINO NO. 2 ADDITION (182), as per description filed September 28, 1965, as Instrument 37540, Stanislaus County Records; thence continuing North  $89^{\circ} 35' 30''$  West 132.52 feet, to the center line of a 60.00 foot road known as El Vecino Avenue; thence along the center line of El Vecino Avenue and existing City Limits, North  $00^{\circ} 39' 30''$  West, 476.11 feet to the Southeastern corner of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits and Eastern boundary of said Addition (206), North  $00^{\circ} 39' 30''$  West, 156.26 feet; thence South  $49^{\circ} 30' 00''$  West, 58.10 feet; thence North  $39^{\circ} 35' 00''$  West, 113.79 feet; thence North  $50^{\circ} 25' 00''$  East, 6.96 feet; thence North  $39^{\circ} 35' 00''$  West, 183.20 feet; thence South  $51^{\circ} 39' 30''$  West, 90.71 feet, thence South  $50^{\circ} 25' 00''$  West, 239.32 feet; thence South  $00^{\circ} 40' 20''$  East, 162.62 feet; thence South  $89^{\circ} 08' 40''$  West, 177.00 feet along the existing City Limits on the boundary of said Addition (206), to the center line of 60 foot public road known as Sarah Avenue; thence North  $00^{\circ} 40' 20''$  West, 8.57 feet along said center line and existing City Limits on the boundary of said Addition (206) to the Southeastern corner of the JOHN SUTTER SCHOOL ADDITION (236), as per description filed July 7, 1969, as Instrument 23267, Stanislaus County Records; thence continuing along the existing City Limits on the Eastern boundary of said Addition (236) North  $00^{\circ} 40' 20''$  West, 1584.96 feet to the Southeastern corner of the EAST COOLIDGE ADDITION (244), as per description filed December 1, 1969, as Instrument 39360, Stanislaus County Records; thence along the existing City Limits on the Eastern boundary of said Addition (244) North  $00^{\circ} 40' 20''$  West 395.73 feet; thence South  $89^{\circ} 34' 20''$  East 330.94 feet along the existing City Limits on the boundary of said Addition (244) to the Northerly extension of the Eastern line of a part width 14 foot alley in Block 1221 of GENEVA HEIGHTS as per map filed June 28, 1955, in Volume 18 of Maps, Page 29 Stanislaus County Records; thence leaving the existing City Limits and along said extension of said Eastern alley line, South  $00^{\circ} 39' 20''$  East 1319.45 feet to the center line of a 40.00 foot public road known as Orangeburg Avenue which is also the East-West quarter, quarter line of Section 21; thence along said quarter, quarter Section line, South  $89^{\circ} 41' 30''$  East, 1652.73 feet to the center line of a 50.00 foot public road known as Coffee Road which is also the North quarter, quarter corner common to Sections 21 and 22; thence along the center line of said Orangeburg Avenue which is also the East-West quarter, quarter line of Section 22, North  $89^{\circ} 45' 00''$  East, 436.00 feet to the point of beginning, Containing 53.909 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-37

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. (MC HENRY-RUMBLE ADDITION)

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 7, 1970, duly adopted Resolution No. 70-1207 (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. 67 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, January 18, 1971, at the hour of 4:15 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. 67 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. 67 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. 67, 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. 67, 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

18th day of January, 1971, by Councilman Smith,  
who moved its adoption, which motion being duly seconded by Coun-  
cilman Dixon, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Hargrave  
Public Works Department

JLC  
12-22-70

McHENRY - RUMBLE ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Sections 8, 9, 16 and 17, 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 Western line of the CROCCO ADDITION (171), as per description filed March 17, 1965, as Instrument 10620, Stanislaus County Records, said point being the Section Corner common to Sections 8, 9, 16 and 17, and said point also being on the center line of a public road known as McHenry Avenue; thence along the existing City Limits on the Section Line common to Sections 16 and 17 and the center line of said McHenry Avenue, South  $00^{\circ} 47' 40''$  East, 243.23 feet; thence leaving the City Limits, South  $89^{\circ} 12' 20''$  West, 255.00 feet; thence North  $00^{\circ} 47' 40''$  West, 199.41 feet, to a point on the Southern line of the proposed 60.00 foot public right of way known as West Rumble Road said point being on a curve concave to the South; thence along a radial line of said curve, North  $05^{\circ} 19' 17''$  West, 60.00 feet, to a point on the Northern line of said proposed Rumble Road; thence along said Northern line on a tangent curve, concave to the South, having a Radius of 1360.00 feet, a Central Angle of  $6^{\circ} 22' 52''$  and an Arc Length of 151.47 feet; thence along a tangent line, South  $88^{\circ} 56' 25''$  East, 37.87 feet; thence along a tangent curve, concave to the Northwest, having a Radius of 15.00 feet, a Central Angle of  $91^{\circ} 55' 55''$  and an Arc Length of 24.07 feet, to its point of tangency on a line which is parallel with and 55.00 feet, measured at right angles, Westerly from the center line of said McHenry Avenue; thence along a radial line of said curve, North  $89^{\circ} 07' 40''$  East, 55.00 feet, to a point on the Western line of the Crocco Addition (171) on the Section Line common to Sections 8 and 9 and the center line of McHenry Avenue; thence along the existing City Limits and said Section Line and center line, South  $00^{\circ} 52' 20''$  East, 33.38 feet, to the point of beginning, containing 1.558 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 70-38

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. (MEMORIAL HOSPITAL NORTH ADDITION)

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 7, 1970, duly adopted Resolution No. 70-1208 (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. 68 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, January 18, 1971, at the hour of 4:20 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:

Dale M. Salter  
1117 E. Orangeburg Avenue  
Modesto, California

KTRB Broadcasting Company, Inc.  
c/o Arthur R. Friedman  
Friedman & Sauls  
1012 I Street  
Modesto, California

In written communications, they stated they did not want to be included in the annexation.

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. 68 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. 68 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. 68, 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. 68, 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

18th day of January, 1971, by Councilman Simon,  
who moved its adoption, which motion being duly seconded by Coun-  
cilman Smith, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Hasegood  
Public Works Department

JCC  
17-25-70

MEMORIAL HOSPITAL NORTH ADDITION

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 15, Southeast quarter of Section 16, Northeast quarter of Section 21, and the Northwest quarter of Section 22, 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 Southwestern corner of the COFFEE NO. 2 ADDITION (205), as per description filed September 15, 1967, as Instrument 29181, Stanislaus County Records, said point being the center line of a 40.00 foot public road known as Norwegian Ave; thence along said center line and existing City Limits, South  $89^{\circ} 12' 33''$  East, 65.24 feet, to the Northwestern corner of the COFFEE ADDITION (191), as per description filed June 14, 1966, as Instrument 21017, Stanislaus County Records; thence along the existing City Limits on the Western boundary of said ADDITION (191), South  $3^{\circ} 47' 10''$  East, 1354.33 feet, to the Southwestern corner of said ADDITION (191); thence along the existing City Limits on the Southern boundary of said ADDITION (191), South  $89^{\circ} 54' 40''$  East, 482.73 feet; thence North  $00^{\circ} 30' 40''$  West, 20.13 feet; thence North  $89^{\circ} 29' 20''$  East, 189.67 feet, to the Southeastern corner of said ADDITION (191) and the section line common to Sections 15 and 16; thence along the Eastern line of said ADDITION (191) and said section line, North  $00^{\circ} 59' 40''$  West, 1237.67 feet, to the Southwestern corner of the SHERWOOD MEADOWS ADDITION (178), as per description filed July 13, 1965, as Instrument 27284, Stanislaus County Records; thence along the existing City Limits on the Southern boundary of said ADDITION (178), North  $89^{\circ} 47' 15''$  East, 1311.70 feet, to the Southeastern corner of said ADDITION (178); thence leaving the existing City Limits and along the North-South quarter, quarter line of the Southwest quarter of Section 15, South  $00^{\circ} 52' 30''$  East, 1320.03 feet, to the section line common to Sections 15 and 22; thence along said section line, South  $89^{\circ} 56' 05''$  West, 1311.46 feet, to the center line of a 50 foot public road known as Coffee Road and the section corner common to Sections 15, 16, 21, and 22; thence along the East line of Section 21, South  $00^{\circ} 36' 00''$  East, 1320.68 feet, to the center line of a 50.00 foot public road known as East Orangeburg Avenue which is also the East-West quarter, quarter line of the Northeast quarter of Section 21; thence along said quarter, quarter Section line, North  $89^{\circ} 41' 30''$  West, 1652.73 feet, to the Eastern line of Geneva Heights as per map filed June 28, 1955 in Volume 18 of Maps, Page 29, Stanislaus County Records; thence along said Eastern line, North  $00^{\circ} 39' 20''$  West, 1319.45 feet, to the most Southeastern corner of the EAST COOLIDGE ADDITION (244), as per description filed December 1, 1969 as Instrument 39360, Stanislaus County Records; thence along the existing City Limits on the Eastern boundary of said ADDITION (244), North  $00^{\circ} 39' 20''$  West, 25.82 feet, to the most Northeastern corner of said ADDITION (244); thence along the existing City Limits on the Northeastern boundary of said ADDITION (244), North  $69^{\circ} 35' 00''$  West, 376.75 feet, to the Southerly extension of the Eastern line of Regina Heights as per map filed January 20, 1953 in Volume 17 of Maps, Page 48, Stanislaus County Records; thence along said extension and Eastern line, North  $00^{\circ} 34' 28''$  West, 1261.69 feet, to the center line of Norwegian Avenue; thence along said center line, South  $89^{\circ} 12' 33''$  East, 1194.37 feet, to the point of beginning, containing 132.049 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-39

A RESOLUTION EXPRESSING APPRECIATION IN REGARD TO  
THE STANISLAUS COUNTY COMMUNITY ACTION COMMISSION.

WHEREAS, the Modesto City Council has been concerned and has been attempting to obtain better operating procedures for the Stanislaus County Community Action Commission, and

WHEREAS, in this regard, invaluable assistance was rendered by Mr. Roger Betts, Regional Director of the Office of Economic Opportunity; Mrs. Sue Oliver of the Office of Economic Opportunity; and local board members of the Community Action Commission,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby expresses its thanks and appreciation to Mr. Roger Betts, Regional Director of the Office of Economic Opportunity; Mrs. Sue Oliver of the Office of Economic Opportunity; and the local board members of the Community Action Commission for their invaluable assistance to the Stanislaus County Community Action Commission in enabling the Commission to obtain better operating procedures,

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to furnish copies of this resolution to Mr. Roger Betts, Mrs. Sue Oliver and the board members of the Community Action Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-40

A RESOLUTION DECLARING A 100 H.P. ELECTRIC PUMP MOTOR SURPLUS TO  
NEEDS OF CITY AND AUTHORIZING SALE TO LOPEZ ELECTRIC COMPANY

WHEREAS, the Director of Finance in a memorandum dated January 8, 1971 has declared as surplus to the needs of the City of Modesto a General Electric Motor, Type 556-8-100-900, 440 volts, 3-phase, 60 cyl., 118 AMP, RPM 870, Serial No. 4520255, 100 H.P., and

WHEREAS, the Director of Finance has requested authorization to sell the surplus motor to Lopez Electric Company for \$100.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that sale of the surplus 100 H.P. electric pump motor to Lopez Electric Company for \$100.00 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 January, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-41

A RESOLUTION ACCEPTING IMPROVEMENTS IN GREENFIELD VILLAGE NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, Wolverine Building Service, Inc., subdividers of Greenfield Village No. 1 Subdivision, have filed an Instrument of Credit in the amount of \$79,600 to guarantee improvements in Greenfield Village No. 1 Subdivision; and

WHEREAS, The Director of Public Works in a memorandum dated January 12, 1971 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$79,600 upon expiration of the statutory lien period.

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

1. The improvements in Greenfield Village No. 1 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$79,600 upon expiration of the statutory lien period, filed by the Subdividers to guarantee improvements in Greenfield Village No. 1 Subdivision, upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-42

A RESOLUTION APPROVING THE ANNEXATION OF JACKSON AVENUE ANNEXATION NO. 2 TO CITY OF RIVERBANK

WHEREAS, the Riverbank City Council has requested approval of the Jackson Avenue Annexation No. 2 Addition to the City of Riverbank; and

WHEREAS, the Jackson Avenue Annexation No. 2 will place the city limits of Riverbank within two and one-quarter miles of the city limits of Modesto; and

WHEREAS, state annexation laws require that when a strip annexation is within three miles of the city limits of a neighboring city, approval must be received from the neighboring city before the annexation can be considered completed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the annexation of Jackson Avenue Annexation No. 2 to the City of Riverbank 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 January, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-43

A RESOLUTION APPROVING SUBMISSION OF APPLICATION TO THE CALIFORNIA DEPARTMENT OF AERONAUTICS FOR CALIFORNIA AIRPORT AID PROGRAM FUNDS FOR FISCAL YEAR 1972-73

BE IT HEREBY RESOLVED by the Council of the City of Modesto that submission of an application to the California Department of Aeronautics for California Airport and Program Funds for fiscal year 1972-73 in the amount of \$152,000.00 for acquisition of land for the clear zone required in conjunction with the proposed Instrument Landing System (ILS) on Runway 28R, 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 January, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-44

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE CELESTE NO. 3 ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on November 20, 1970, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Celeste No. 3 Addition,

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

That the annexation of said uninhabited territory designated as Celeste No. 3 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY R. C. Rosemond  
Public Works Department

RAM  
1-13-71

## CELESTE NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of the Southeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Parcel "D" as per map filed in Volume 7 of Parcel Maps, Page 68, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the CELESTE NO. 2 ADDITION (246), as per description filed December 29, 1969, as Instrument 42493, Stanislaus County Records, said point being on the East-West quarter line of Section 15, said point also being the Northwestern corner of said Parcel "D"; thence along said quarter line and Northern line of said Parcel "D", South  $89^{\circ} 22' 05''$  East, 778.25 feet, to the East quarter corner of Section 15, said point being on the center line of a 40 foot Public Road known as Oakdale Road; thence along the East line of Section 15 and said center line of Oakdale Road, South  $00^{\circ} 01' 26''$  West, 645.67 feet, to the Northeastern corner of the ROSE ACRES ADDITION (181), as per description filed September 27, 1965, as Instrument 37370, Stanislaus County Records, said point being on the Easterly extension of the Northern line of the Tradewinds Subdivision, as per map filed March 8, 1966, in Volume 21 of Maps, Page 41, Stanislaus County Records; thence along the existing City Limits on the Northern line of the Rose Acres Addition (181) and the Tradewinds Subdivision, North  $89^{\circ} 41' 49''$  West, 1312.22 feet, to a point on the East line of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1968, as Instrument 29381, Stanislaus County Records; thence along the existing City Limits on the East line of the Rose Acres No. 2 Addition (222), North  $00^{\circ} 01' 05''$  East, 125.00 feet, to the Southwestern corner of the Celeste No. 2 Addition (246); thence along the existing City Limits on the South line of the Celeste No. 2 Addition (246), South  $89^{\circ} 41' 49''$  East, 531.46 feet, to the Southeastern corner of Celeste No. 2 Addition (246); thence along the existing City Limits on the Eastern line of th Celeste No. 2 Addition (246) North  $00^{\circ} 18' 11''$  East, 525.14 feet, to the point of beginning, containing 13.123 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-45

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$8,000 TO PROVIDE FUNDS FOR CURB AND GUTTER PROGRAM FOR THE REMAINDER OF FISCAL YEAR

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$8,000
TO: Curbs & Gutters (5301-51-101)	\$8,000

(An amount of \$15,000 was originally budgeted in this account to cover the cost of the City's curb, gutter and drainage work in conjunction with new curb and gutter constructed by property owners. To date we have expended \$12,000 from this account and we anticipate that if construction by the private property owners continues at the pace it has, an additional \$8,000 will be required in this account)


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of January 1971 by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-46

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$4,000 TO PROVIDE  
ADDITIONAL FUNDS TO COMPLETE WORK AT PUMP STATION NO. 37

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$4,000
TO: Well & Pump Station, Rose Avenue (6809-50-101)	\$4,000

(Additional funds are needed to complete work at Pump  
Station No. 37 (block wall, concrete slab, dry well, etc.)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 18th day of January  
1971 by Councilman Dixon , who moved its adoption, which motion  
being duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-47

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$500 FOR CONTINUATION OF DOWNTOWN CLEAN-UP PROGRAM

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

DOWNTOWN IMPROVEMENT DISTRICT FUND (218)

FROM:	Beautification Account (5399-218)	\$500
TO:	Wages & Salaries, (120-218)	\$200
	Part Time	
	Custodial Supplies (304-218)	\$300

(To reallocate the Downtown Improvement District appropriation for 1970-71 to provide sufficient amounts to continue the vacant store clean up program)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-48

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO, CALIFORNIA  
APPROVING APPLICATION FOR PRELIMINARY LOAN FOR LOW-RENT PUBLIC  
HOUSING

"PROGRAM RESERVATION"

WHEREAS, it is the policy of this locality to eliminate sub-standard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of a decent home in a suitable living environment for all of its citizens; and

WHEREAS, under the provisions of the United States Housing Act of 1937, as amended, the United States of America, acting through the Secretary of Housing and Urban Development (herein called the "Government"), is authorized to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of low-rent housing projects that will assist in meeting this goal; and

WHEREAS, the Act provides that there shall be local determination of need for low-rent housing to meet needs not being adequately met by private enterprise and that the Government shall not make any contract with a public housing agency for preliminary loans for surveys and planning in respect to any low-rent housing projects unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such preliminary loan; and

WHEREAS, the Housing Authority of the County of Stanislaus (herein called the "Local Authority") is a public housing agency and is applying to the Government for a preliminary loan to cover the costs of surveys and planning in connection with the development of low-rent housing;

NOW, THEREFORE, be it resolved by the Council of the City of Modesto as follows:

1. That there exists in the City of Modesto a need for such low-rent housing which is not being met by private enterprise;

2. That the application of the Local Authority to the Government for a preliminary loan in an amount not to exceed \$80,000.00 for surveys and planning in connection with low-rent housing projects of not to exceed approximately 200 dwelling units 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 January, 1971, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-49

A RESOLUTION APPROVING DRIVEWAY VARIANCE FOR J. S. WEST & CO.  
TO PERMIT FULL WIDTH DRIVEWAY ACROSS PROPERTY FRONTAGE OF EX-  
ISTING FURNITURE STORE AT 820 H STREET

WHEREAS, J. S. West & Co. has requested a variance to per-  
mit a full width driveway at its existing furniture store at  
820 H Street; and

WHEREAS, section 401(a) of the municipal code provides  
that the maximum width of any driveway shall not be more than  
forty-one (41') feet as measured at the top of the curbing;  
and

WHEREAS, the width of the driveway as requested by J. S.  
West Co. is ninety (90') feet; and

WHEREAS, the Director of Public Works has indicated that a  
full width driveway across the property frontage of the existing  
furniture store will permit continued use of existing parking  
arrangements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto that it hereby approves a driveway variance for  
J. S. West & Co. to permit a full width driveway across property  
frontage of the existing furniture store at 820 H Street.

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 25th day  
of January, 1971, by Councilman Simon, who moved its adoption,  
which motion being duly seconded by Councilman Dixon, was upon  
roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-50

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR FOR COOPERATIVE AGREEMENT FOR INVESTIGATION OF WATER RESOURCES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Geological Survey, United States Department of the Interior for cooperative agreement for investigation of water resources 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 January 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-51

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE CHARMIN PAPER PRODUCTS COMPANY FOR WATER SERVICE TO P & G PROPERTY, WHITMORE AND CROWS LANDING ROADS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and The Charmin Paper Products Company for water service to P & G property, Whitmore and Crows Landing Roads 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 January 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 52

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN  
FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted by 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 by resolution of the City Council,

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

SECTION 1. The Position Classification Plan of the City of Modesto is hereby amended to abolish certain classes of positions and create a new position as follows:

CLASSIFICATIONS ABOLISHED

Parks Superintendent  
Recreation Supervisor II

CLASSIFICATION CREATED

Parks and Recreation Superintendent

SECTION 2. The specifications for the classification 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.

SECTION 3. Revised specifications for the four professional planning positions known as Director of Planning, Senior Planner, Associate Planner and Assistant Planner, as shown on the attached Exhibits "B", "C", "D", and "E", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

(SEAL)

ATTEST:

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

APPROVED AS TO FORM:

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

## PARKS AND RECREATION SUPERINTENDENT

### Definition

**Parks Assignment** - Under direction, to assist in planning, directing, and supervising the maintenance, operation, construction, and development of the City park system, the City tree program, and golf courses.

**Recreation Assignment** - Under direction, to assist in the coordination of all City recreation programs; direct personally some major programs and facilities.

Both above will assist with administrative assignments and departmental programs as directed, and will do related work as required.

### Typical Tasks

**Parks Assignment** - Organizes, supervises, and reports on the construction and maintenance of the City park system and landscaped areas, facilities, street tree operation, and golf courses; assists in planning future facilities; assists in the preparation and execution of budgets; develops and initiates tree planting, cutting, and removal; reviews and acts upon citizen complaints, requests, or suggestions; supervises, evaluates, trains, and assigns personnel; authorizes purchases.

**Recreation Assignment** - Assists in determining and recommending programs to meet the general recreational needs for the community and carries out approved programs including publicity. Assists in planning future facilities. As directed, meets with interested groups and individuals to discuss recreation programs and facilities; assists in recruiting, selecting, assigning, training, and evaluating of all recreation personnel; maintains inventory of all recreational and vocational supplies and requisitions supplies; assists in preparing budget; plans, organizes, publicizes, coordinates schedules, and supervises the operation of all sports programs, including the after school recreation program; assists in planning programs for senior citizens.

### Employment Standards

**Parks Assignment** - Graduation from a four year college with specialization in landscaping, horticulture, forestry, park management, or an allied field, and four years of increasingly responsible technical experience in the operation and maintenance of public parks, tree planting programs, and golf courses, two years of which must have been in a supervisory capacity.

**Recreation Assignment** - Graduation from college with specialization in recreation, physical education, or group work and four years of increasingly responsible experience, two of which must have been in a supervisory capacity.

Both assignments require registration with the California Board of Park and Recreation Personnel.

## Desirable Qualifications

**Parks Assignment - Knowledge of plants, materials, methods, equipment, and standards used in the construction, operation, and maintenance of public parks, swimming pools, landscaped areas; planting and maintenance of trees; maintenance of golf courses, and integration of park and recreation facilities and ability to operate and maintain same; develop maintenance schedules; knowledge of equipment and budget preparation and knowledge of construction and planting plans and specifications.**

**Recreation Assignment - Knowledge of the principles and techniques of recreational activities for a well-rounded municipal recreational program involving sports, crafts, dramatics, games, and group activities; ability to deal effectively with the public, and ability to schedule and coordinate a variety of activities.**

## DIRECTOR OF PLANNING

### Definition

Subject to legislative and administrative determination of policy, to be responsible for the administrative and technical phases of city planning; and to do related work as required.

### Typical Tasks

Plans, supervises and participates in the technical and administrative functions of the Planning Department as defined by the Municipal Code and the State Planning Act; acts as Secretary to the Planning Commission and Board of Zoning Adjustment; advises and makes recommendations to them; and represents them before the City Council and at other public meetings; secures information and does research work for the City Manager on planning and related subjects; prepares work program and annual budget for department for review and approval of the City Manager; prepares draft ordinances; consults with citizens and officials on planning problems; maintains liaison related to planning matters with state, county and other agencies.

### Employment Standards

A master's degree in city planning and five years of governmental planning work, including two years in a responsible supervisory capacity.

### Desirable Qualifications

Knowledge of the principles and practices of governmental planning; knowledge of the trends and statistics affecting public planning; knowledge of state and local laws and regulations affecting planning and zoning; knowledge of engineering drawing and topographic mapping; ability to collect, analyze, and interpret data pertaining to planning and zoning situations; ability to supervise and train others; ability to establish and maintain effective working relationships with other officials and the public; full membership in the American Institute of Planners.

Exhibit "B"

City of Modesto

1971

## SENIOR PLANNER

### Definition

Under direction, to assist in the development and implementation of a comprehensive city planning program; and to do related work as required.

### Typical Tasks

Assists the Planning Director in the development of department programs, including a general plan, neighborhood design and planning, zoning, annexations, capital improvement program; assists the Planning Director in the preparation of the department work program; coordinates the administration of such programs and functions; provides technical and administrative supervision over professional, technical, and clerical staff; carries out difficult and complex planning assignments; assists in the training and orientation of technical and professional staff and in the evaluation of staff performance; interprets department objectives and procedures to public, to other departments and to staff; represents the department in meetings, and represents the department in the absence of the Planning Director.

### Employment Standards

A master's degree in planning and three years of professional planning experience, including two years in a supervisory capacity.

### Desirable Qualifications

Knowledge of the principles, practices, techniques, philisophies, and objectives of city planning; knowledge of research methods as applied to the collection, tabulation, analysis, and interpretation of statistics as they affect city planning; knowledge of the fundamentals, objectives, principles, and standards of the development and execution of a general plan; knowledge of the techniques, principles, and practices of municipal administration. Ability to organize, supervise, and review the work of a technical, professional, and clerical staff; ability to recognize and analyze basic area, community and neighborhood problems as they affect immediate and future city plans and programs; ability to establish and maintain effective working relationships with subordinates, supervisors, administrative staff, and the general public.

Exhibit "C"

City of Modesto

1971

## ASSOCIATE PLANNER

### Definition

Under direction, to assist in the general supervision of departmental activities; to be responsible for one or more major departmental program, function, or project; and to do related work as required.

### Typical Tasks

Participates in the development of departmental programs, including a general plan, subdivision, zoning, annexations, capital improvement program; assists in preparation of departmental work program, and helps administer work programs and functions; supervises staff assigned to him; personally handles difficult and complex planning assignments; assists in the general training and orientation of technical staff and in the evaluation of their performance; interprets assigned planning programs and projects to public, to other departments and to the staff; may represent department in meetings.

### Employment Standards

A master's degree in planning and one year of professional planning experience.

### Desirable Qualifications

Knowledge of the principles, practices, and trends of public planning; knowledge of research methods as applied to the collection, analysis, summary and interpretation of statistics affecting public planning; knowledge of state and local laws and regulations affecting planning and zoning; knowledge of mapping; ability to collect, analyze, and interpret data pertaining to planning and zoning situations; ability to maintain effective working relationships with fellow employees and the public.

Exhibit "D"

City of Modesto

1971

## ASSISTANT PLANNER

### Definition

Under direction, to do professional planning work of average difficulty; to be responsible for an assigned program or function; and to do related work as required.

### Typical Tasks

Carries responsibility for the administration of a departmental program or function, such as zoning administration, subdivision administration and development of neighborhood plans, supervision of annexation proceedings; conducts or supervises special projects and studies, such as land use analysis, as assigned; supervises subordinate technical staff and assists in the evaluation of their performance; interprets assigned program, function or project to public, to other departments and to assigned staff; may represent the department in meetings concerned with an assigned program, function, or project.

### Employment Standards

Graduation from college in planning or a closely related field and one year of experience in planning.

### Desirable Qualifications

Knowledge of principles, practices, and trends in city planning; knowledge of statistics and graphic presentation; knowledge of engineering drawing and ability to interpret plan drawings; ability to collect, tabulate and evaluate economic and planning statistics, and to prepare reports presenting such data; ability to meet and deal with the public.

Exhibit "E"

City of Modesto

1971

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-53

A RESOLUTION AMENDING EXHIBIT "B" OF RESOLUTION NO. 70-622 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE", AS AMENDED BY RESOLUTION NO. 70-1202.

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

SECTION 1. AMENDMENT TO RESOLUTION NO. 70-622 AS AMENDED BY RESOLUTION NO. 70-1202. Exhibit "B" entitled "Personnel Office Alphabetical Listing of Classifications in Modesto City Service 1970-71", attached to Resolution No. 70-662 entitled "A Resolution Establishing Salary Schedules and Fixing Compensation for Positions in the City Service" as amended by Resolution No. 70-1202, is hereby amended as shown on the Amended Exhibit "B", which is attached hereto and made a part hereof as though set forth in full herein. Said Amended Exhibit "B" adds the position of Parks and Recreation Superintendent, Range No. 28.5, and deletes the positions of Parks Superintendent, Range 29, and Recreation Supervisor II, Range 25.5.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

Personnel Department

ALPHABETICAL LISTING

OF

CLASSIFICATIONS IN MODESTO CITY SERVICE

1970-71

(Effective 6/30/70, amended 7/13/70 and 1/25/71)

<u>Title of Classification</u>	<u>Range No.</u>	<u>Title of Classification</u>	<u>Range No.</u>
Account Clerk	14.5	Electrician	23.5
Account Clerk, Senior	18.5	Electrician Leadman	24.5
Accountant	26	Engineering Aide	20.5
Accountant, Junior	22.5	Engineering Aide, Junior	17.5
Accountant, Senior	29	Engineering Aide, Principal	26
Administrative Assistant	26	Engineering Aide, Senior	23.5
Airport Manager	26.5	Equipment Mechanic	21.5
Assistant City Clerk	20.5	Equipment Serviceman	18.5
Assistant City Engineer	34		
Asst. Dir. of Public Works	34	Fire Chief	35.5
Assistant Fire Chief	31.5	Fire Engineer	23.5
Assistant Planner	26	Fire Lieutenant	25.5
Assistant Poundmaster	17.5	Fireman	22.5
Assistant to City Manager- Personnel Officer	31.5	Golf Course Maint. Foreman	25
Associate Civil Engineer	32		
Associate Planner	29	Heavy Equipment Operator	20.5
Battalion Chief	28.5	Janitor	14.5
Building Inspector	25	Junior Civil Engineer	26
Building Inspector, Senior	27		
Building Maint. Foreman	22	Laboratory Technician	20.5
		Laborer	16.5
Chief Building Official	32		
Chief Electrician	27	Office Machine Operator	15
Chief of Police	36.5	Office Machine Supervisor	18.5
City Attorney	N/A		
City Clerk & Auditor	30.5	Parking Meter Svc. & Reprmn.	18.5
City Manager	N/A	Park and Recreation Supt.	28.5
Civil Engineering Assistant	28	Parks Foreman	25
Clerk, Intermediate	13	Parks Leadman	22
Clerk, Junior	10	Parks Maintenance Man	18.5
Construction Inspector	25	Parks Maint. Mechanic	19.5
		Planning Aide	20.5
Data Processing Supervisor	22.5	Planning Aide, Junior	17.5
Deputy City Manager	39.5	Planning Aide, Senior	23.5
Director of Finance	35.5	Police Captain	31
Director of Park. & Traffic	36	Police Lieutenant	29
Dir. of Parks & Recreation	35	Police Property Clerk	17.5
Director of Planning	36	Police Records Supervisor	24.5
Director of Public Works and City Engineer	39.5	Police Sergeant	27
		Policeman	24.5

<u>Title of Classification</u>	<u>Range No.</u>
Policewoman	24.5
Poundmaster	20.5
Public Works Foreman	25
Public Works Leadman	22
Public Works Maint. Man	18.5
Public Works Maint. Mechanic	19.5
Public Works Maint. Supt.	27
Purchasing Officer	27.5
Radio-Telephone Operator	19.5
Recreation Supervisor I	23.5
Secretary	18.5
Secretary to City Attorney	20.5
Secretary to City Manager	21.5
Senior Planner	32
Service Division Superintendent	27
Shop Foreman	23.5
Stenographer Clerk, Inter.	14.5
Stenographer Clerk, Junior	11
Stores & Equipment Clerk	19.5
Supervisor of Gen. Services	23.5
Telephone Oper.-Receptionist	13
Traffic Painter	20.5
Tree Foreman	25
Tree Leadman	22
Tree Trimmer	20.5
Typist Clerk, Intermediate	13
Typist Clerk, Junior	10
Water Service Foreman	25
Water Quality Control Foreman	25
Water Quality Control Oper. I	18.5
Water Quality Control Opr. II	21.5
Water Quality Control Supt.	29
Zoning Inspector	25

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-54

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 (WALLY Deve)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 19, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 7-3-9 of the zoning map to prezone to two-family residential zone, R-2, the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-<sup>7</sup>~~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 7-3-9 of the Zoning Map be set for Tuesday, Feb. 16, 1971 at 4:10 PM in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

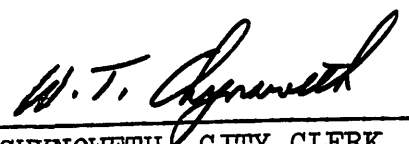
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

All that portion of the northeast quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the northeast corner of said Section 7; thence South  $1^{\circ} 14' 15''$  East along the east line of said Section 7 (centerline of Tully Road) a distance of 327.50 feet to the true point of beginning of this description; thence continuing South  $1^{\circ} 14' 15''$  East along said east line of Section 7 (centerline of Tully Road) a distance of 568.35 feet; thence at right angles South  $88^{\circ} 45' 45''$  West a distance of 50.00 feet; thence North  $62^{\circ} 44' 15''$  West a distance of 65.00 feet; thence North  $30^{\circ} 03' 07''$  West a distance of 243.16 feet; thence North  $0^{\circ} 39' 15''$  East a distance of 110.00 feet; thence North  $0^{\circ} 06' 26''$  West a distance of 63.05 feet; thence North  $8^{\circ} 33' 26''$  West a distance of 160.54 feet to the south line of Parcel A as shown on the map filed in Volume 10 of Parcel Maps at Page 22, Stanislaus County Records; thence South  $89^{\circ} 20' 45''$  East along said south line of Parcel A and its easterly prolongation thereof a distance of 240.03 feet to the point of beginning.

CONTAINING: 1.663 net acres

INCLUDING also all of Parcel A as shown on that map filed in Book 10 of Parcel Maps, at Page 22, Instrument No. 38880, and the westerly 50.03 feet of Tully Road immediately adjacent to said Parcel A.

Exhibit "A"

Dec 26 7 3..9

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-55

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 (45) (MODESTO SWIM AND RACQUET CLUB)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 19, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D (45) to clarify and define the uses and functions permitted the Modesto Swim and Racquet Club on its premises ~~the following described property as described below~~ located on the south side of Norwegian Avenue approximately 1,000 feet east of McHenry Avenue;

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-7 recommending to the Council that ~~rezoning of the property described above~~ <sup>amendment to P-D (45)</sup> 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 PD(45) of the~~ <sup>Section PD(45)</sup> ~~Zoning Map~~ <sup>4:15 P.M.</sup> be set for Tuesday, February 16, 1971 at / in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed ~~rezoning~~ <sup>amendment</sup> 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 25th day of January, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-56

A RESOLUTION EXPRESSING FEELINGS OF MODESTO CITY COUNCIL AS TO  
OPEN SPACE CONTRACT APPLICATIONS

WHEREAS, several Open Space Contract Applications have been referred to the City of Modesto for consideration; and

WHEREAS, in areas where sanitary sewer mains exist an agricultural freeze on lands would result in city funds being tied-up in areas where benefits could not be received by the proper use of city facilities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the portion of Open Space Contract Application No. 71-164 which pertains to lands within the existing sewer service area of the City of Modesto be, and hereby is, opposed.

BE IT FURTHER RESOLVED that the applications within the ultimate sewer service area are not opposed at this time, but that an annual review of these contracts shall be made; these applications being as follows: 71-107, 71-108, 71-264, 71-278, 71-279, 71-280, 71-371, 71-387 and 71-411.

BE IT FURTHER RESOLVED that Application No. 71-277 is not opposed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of January, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-57

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 (HARLEY D. BRANNAN)

WHEREAS, the Modesto City Planning Commission held a public hearing on January 19, 1971, 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 one-family residential zone, R-1, to two-family residential zone, R-2, the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-8 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 Tuesday, February 16, 1971 at / 4:20 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 25th day of January, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

All that certain real property situate in portion of Lots 4 and 5 of the Knapp Tract, according to the Official Map thereof, recorded in Volume 2 of Maps, at Page 2, Stanislaus County Records, described as follows:

Beginning at the Southeast corner of said Lot 4 of the Knapp Tract, said corner being on the centerline of Carver Road; thence South 0° 12' 25" East along said centerline of Carver Road 162.08 feet to its intersection with the centerline of Rumble Road; thence North 88° 36' 15" West along said centerline of Rumble Road 1318.09 feet to the West line of said Lot 5; thence North 0° 13' 15" West along said West line of Lot 5 a distance of 102.70 feet; thence North 89° 46' 45" East 127.00 feet; thence North 0° 13' 15" West 20.77 feet to a point which is 127.00 feet northerly of said centerline of Rumble Road; thence South 88° 36' 15" East along a line parallel with and 127.00 feet from said centerline of Rumble Road 1064.02 feet to a point which is 127.00 feet Westerly of said centerline of Carver Road; thence North 0° 12' 25" West along a line parallel to and 127.00 feet from said centerline of Carver Road 491.67 feet; thence North 89° 47' 35" East 17.00 feet; thence North 0° 12' 25" West 115.00 feet to the South line of the Prescott Community Hall Association property as described in Deed recorded in Volume 246 of Deeds, at Page 597, Stanislaus County Records; thence South 88° 32' 55" East along said South line of the Prescott Community Hall Association property 110.05 feet to said centerline of Carver Road; thence South 0° 12' 25" East along said centerline of Carver Road 572.01 feet to the point of beginning.

Including also the easterly 20 feet of Carver Road immediately adjacent to the above described property.

Acres = 4.17 net

Exhibit "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-58

RE  
A RESOLUTION/APPOINTING MEMBER OF THE PLANNING COMMISSION FOR A TERM  
ENDING JANUARY 1, 1975 - DR. MERRILL ALEXANDER

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/<sup>re</sup>appointed to the  
Planning Commission for the respective  
term as indicated: Term ending January 1, 1975

Dr. Merrill Alexander  
1137 Princeton Avenue  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy  
of this resolution to the newly/<sup>re</sup>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 25th day of  
January 19 71, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Mitchell  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-59

A RESOLUTION TERMINATING LEASE FOR PARKING LOT AT NORTHEAST CORNER OF 12TH AND I STREETS, AND WAIVING 120-DAY NOTICE OF TERMINATION

WHEREAS, Title Insurance and Trust Company and the City of Modesto entered into an agreement dated January 4, 1961 for the lease of a parking lot located at 12th and I Streets; and

WHEREAS, terms of the agreement provide that the parties may terminate the lease at any time during the term by giving written notice of such termination to the City at least 120 days prior to the date such termination shall become effective; and

WHEREAS, the lessor in a letter dated January 26, 1971 has requested termination of the lease as soon as possible in order to construct a building on said leased land.

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

1. Termination of the lease for the parking lot located at 12th and I Streets, leased by the City of Modesto from Title Insurance and Trust Company, is hereby terminated.
2. Waiver of the 120-day notice to effect such termination 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 February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-60

A RESOLUTION REFERRING REQUEST FOR ABANDONMENT OF ALLEY IN BERNARD TRACT TO PLANNING COMMISSION FOR REPORT AND RECOMMENDATION

WHEREAS, the law firm of Jensen & Pendergrass, on behalf of several property owners, has requested abandonment of an alley located in the Bernard Tract.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Jensen & Pendergrass for abandonment of an alley located in the Bernard Tract is hereby referred to the Modesto City Planning Commission for report and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-61

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR DEMOLITION OF NEW CANTON GRILL AND LOOMIS FLORAL BUILDING ON EAST SIDE OF 10TH STREET BETWEEN J AND K STREETS AND CONSTRUCTION OF A PARKING LOT

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

SECTION 1. The plans and specifications for demolition of New Canton Grill and Loomis Floral building on east side of 10th Street between J and K Streets and construction of a parking lot 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 23, 1971 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 1st day of February 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-62

A RESOLUTION ACCEPTING THE BID OF FERRERO ELECTRIC, INC. FOR CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT CARVER AND BRIGGSMORE

WHEREAS, Resolution No. 70-1235 adopted by the Council of the City

of Modesto on December 21, 1970 approved the plans and specifications for the construction of traffic signals and street lighting at

Carver and Briggsmore

and authorized the call for bids, and

WHEREAS, the bids received for the construction of traffic signals and street lighting at Carver and Briggsmore

were opened at 2:00 P.M. on January 26, 1971 and later tabulated by

the Director of Parking & / <sup>Traffic</sup> for the consideration of the Council,

and

WHEREAS, the Director of Parking & / <sup>Traffic</sup> has recommended that the bid of Ferrero Electric, Inc. in the amount of \$7,845.00

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, Inc. in the amount of \$7,845.00

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 February, 1971 /

by Councilman Smith who moved its adoption, which motion being

duly seconded by Councilman Newton, was upon roll call

carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-63

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$130 FOR SIGNS DESIGNATING FREE PARKING FOR BICYCLE RIDERS ON VALIDATED PARKING LOTS

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

PARKING FUND (209)

FROM:	General Reserve (60-57-209)	\$130
TO:	Validated Parking Lots (322-57-209)	\$130

(For signs designating free parking for bicycle riders on validated parking lots)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-64

A RESOLUTION GRANTING CONSENT FOR THE CONSOLIDATION OF CERTAIN SCHOOL DISTRICT ELECTIONS WITHIN THE BOUNDARIES OF THE MODESTO HIGH SCHOOL DISTRICT WITH THE MODESTO GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 20, 1971

WHEREAS, the Stanislaus County Superintendent of Schools is required by law to call and conduct certain school district elections to be held on Tuesday, April 20, 1971; and

WHEREAS, the California Education Code permits consolidation or partial consolidation of school district elections with municipal elections and provides for apportionment of the cost and expense of such consolidations between the city and district; and

WHEREAS, the City of Modesto will hold a General Municipal Election, which will include the area within the entire Modesto High School District, on April 20, 1971.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto that consent is hereby given for the consolidation of the following school district elections to be held on Tuesday, April 20, 1971 with the Modesto General Municipal Election to be held on April 20, 1971 in all Stanislaus County Election Precincts located entirely within the exterior boundaries of the territory included within the area in which the Modesto General Municipal Election will be held:

1. The Yosemite Junior College School District Governing Board Member Biennial Election;
2. The Stanislaus County Board of Education Regular Biennial Election;
3. The Regular Governing Board Member Biennial Elections in the following school districts:

Empire Union  
Hart Ransom Union  
Paradise  
Salida Union  
Shiloh  
Stanislaus Union  
Sylvan Union

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-65

A RESOLUTION PROPOSING CHARTER AMENDMENTS ON THE MOTION OF THE COUNCIL, CALLING A SPECIAL MUNICIPAL ELECTION IN THE CITY OF MODESTO TO BE HELD ON TUESDAY, APRIL 20, 1971, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY PROPOSALS TO AMEND THE CHARTER OF SAID CITY BY AMENDING SECTION 703 OF ARTICLE VII RELATING TO COMPENSATION FOR THE MAYOR AND COUNCILMEN; AMENDING SECTION 801 OF ARTICLE VIII RELATING TO THE POWERS AND DUTIES OF THE CITY MANAGER; AMENDING SECTION 1109 OF ARTICLE XI RELATING TO THE POWERS AND DUTIES OF THE PERSONNEL COMMISSION; AMENDING SECTION 1500 OF ARTICLE XV RELATING TO THE BOARD OF EDUCATION; AND ADDING SECTION 1604 TO ARTICLE XVI RELATING TO REVIEW OF THE CHARTER; FIXING THE MANNER OF HOLDING SAID ELECTION AND PROVIDING FOR NOTICE THEREOF; AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTION TO BE HELD ON SAID DATE.

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

SECTION 1. The Council of the City of Modesto, on its own motion, proposes to amend the Charter of the City of Modesto by amending Section 703 of Article VII relating to compensation for the Mayor and Councilmen; amending Section 801 of Article VIII relating to the powers and duties of the City Manager; amending Section 1109 of Article XI relating to the powers and duties of the Personnel Commission; amending Section 1500 of Article XV relating to the Board of Education; and adding Section 1604 to Article XVI relating to review of the Charter, said sections to read as set forth in the notice entitled "Proposed Amendments to the Charter of the City of Modesto" hereinafter set forth in Section 3 of this resolution.

SECTION 2. The Council of the City of Modesto hereby proposes to and does hereby on its own motion submit to the qualified electors of the City of Modesto, at the special municipal election hereinafter provided for, the proposals to amend the Charter of the City of Modesto as set forth in said notice hereinafter set forth in Section 3 of this resolution and hereby designates and refers to said proposals as the proposals to be set forth in the form of ballot hereinafter prescribed for use at said special municipal election.

SECTION 3. The City Clerk of the City of Modesto is hereby ordered and directed to cause said proposed amendments to the Charter of the City of Modesto to be published once, not less than forty (40) and not more than sixty (60) days prior to the date of the special municipal election hereinafter provided for in THE MODESTO BEE, the official newspaper of said City, and in each edition thereof, during the day of publication, said newspaper being a newspaper of general circulation published daily in said City of Modesto; and such publication may be in substantially the following form, to wit:

to

## THE CHARTER OF THE CITY OF MODESTO

Special Municipal Election April 20, 1971

## Proposition A.

The Council of the City of Modesto hereby proposes on its own motion to amend Section 703 of Article VII of the Charter of the City of Modesto to read as follows:

## ARTICLE VII. THE COUNCIL

Section 703. Compensation. The Mayor and Councilmen shall ~~receive no compensation for their services as such except to the extent heretofore or hereafter approved by the electorate.~~ each receive Twenty-five and no/100ths (\$25.00) Dollars per meeting for each Council meeting attended not to exceed One Hundred and no/100ths (\$100.00) Dollars per month. The Mayor and members of the Council shall receive reimbursement for traveling and other expenses incurred in the performance of their official duties. The Mayor and Councilmen shall also receive reimbursement for expenses incurred while performing official duties of their office.

## Proposition B.

The Council of the City of Modesto hereby proposes on its own motion to amend Section 801 of Article VIII of the Charter of the City of Modesto to read as follows:

## ARTICLE VIII. THE CITY MANAGER

Section 801. Powers and Duties. The City Manager shall be head of the Administrative Branch of the City government. He shall be responsible to the Council for the proper administration of all affairs of the City and to that end, subject to the personnel provisions of this Charter, he shall have power and shall be required to:

(a) Appoint and, when necessary for the good of the service, discipline and remove all officers and employees of the City except as otherwise provided by this Charter, and except as he may authorize the head of any department or office to appoint or remove subordinates in such department or office.

(b) Prepare the budget annually and submit it to the Council and be responsible for its administration after its adoption.

(c) Prepare and submit to the Council as of the end of the fiscal year, a complete report on the finances and administrative activities of the City for the preceding year.

(d) Review procedures relating to the assessment, levy and collection of ad valorem property taxes and make recommendations regarding the same to the Council if deemed appropriate.

(e) Establish a centralized purchasing system for all City offices, departments and agencies.

(f) Establish and enforce specifications for supplies, materials and equipment required by the City.

(g) Cause all supplies purchased by the City to be inspected and a determination made that the same comply with specifications.

(h) Prepare rules and regulations governing the contracting for, purchasing, storing inventory, distribution or disposal of all supplies, materials and equipment required by any office, department or agency of the City government and recommend them to the Council for its adoption by ordinance. Preference shall be given to the purchase of supplies, materials and equipment from local merchants, quality and price being equal.

(i) Enforce the laws of the State pertaining to the City, the provisions of this Charter and the ordinances, franchises and rights of the City.

(j) Keep the Council advised of the financial conditions and future needs of the City and make such recommendations on any matter as may to him seem desirable.

(k) Make and execute contracts on behalf of the City, involving budgeted or appropriated expenditures of \$2,500, \$3,500, or less.

(l) Appoint advisory boards, without compensation, to assist him in the performance of his duty, if he deems it necessary.

(m) Interchange employees between or among departments if he deems it proper so to do.

(n) Immediately upon taking office, and annually thereafter, inventory and place a value on all real estate, buildings, furniture and fixtures, supplies and movable property of every kind and nature belonging to the City; and to require each officer or department head to inventory the same or any portion thereof. One copy of such inventory shall be filed with the Council and one with the Auditor.

(o) Be responsible for the custody and control of all City property, the custody and control of which has not otherwise been provided for by this Charter.

(p) Perform such other duties as may be prescribed by this Charter or required of him by the Council not inconsistent with this Charter.

The City Manager shall have the authority to transfer equipment and supplies between departments, and with the approval of the Council, sell obsolete, unused or surplus personal property of the City.

The City Manager shall be accorded a seat at the Council table and shall be entitled to participate in the deliberations of the Council, but shall not have a vote. The Council shall appoint one of the other officers of the City to serve as Manager Pro Tempore during any absence or disability of the City Manager.

The Council shall have the right to instruct the City Manager in the matters of policy and any action, determination or omission of the City Manager shall be subject to review by the Council, but no such action, determination or omission

shall be overruled or modified by a vote of less than four-sevenths (4/7) of the members of such Council.

### Proposition C.

The Council of the City of Modesto hereby proposes on its own motion to amend Section 1109 of Article XI of the Charter of the City of Modesto to read as follows:

#### ARTICLE XI. APPOINTIVE BOARDS AND COMMISSIONS

Section 1109. Personnel Commission, Powers and Duties. The Personnel Commission shall have power and be required to:

(a) Act in an advisory capacity to the Council and the City Manager on personnel administration;

~~(b) Recommend to the Council after a public hearing thereon, the adoption, amendment or repeal of personnel rules and regulations;~~

~~(c) (b) Hear appeals of any person in the classified service relative to any suspension, demotion or dismissal;~~

~~(d) (c) Make any investigation which it may consider desirable concerning the administration of personnel in the municipal service and report its findings to the Council and the City Manager;~~

~~(e) (d) Perform such other duties with reference to personnel administration not inconsistent with this Charter as the Council may require by ordinance or resolution.~~

### Proposition D.

The Council of the City of Modesto hereby proposes on its own motion to amend Section 1500 of Article XV of the Charter of the City of Modesto to read as follows:

#### ARTICLE XV. SCHOOL SYSTEM

Section 1500. Board of Education. The control, management and administration of the public schools of the City of Modesto, and the territory that is now or may hereafter be annexed thereto for school purposes, in accordance with the Constitution and general laws of the State of California, are hereby vested in a Board of Education. In all matters not specifically provided for in this Article, the Board shall be governed by the provisions of the general law relating to such matters and shall be vested with all the powers and charged with all the duties provided by the laws of the State for city boards of education. The Board of Education shall be the governing body of the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County. ~~and the Modesto Junior College District of Stanislaus County.~~ The Board of Education shall consist of five (5) members who shall serve without compensation. The members of the Board of Education shall be elected at large from the territory within the boundaries of the school district or districts which are under the jurisdiction of the Board. The members of the Board of Education shall hold office for a period of four (4) years from and after the first Tuesday following their election and continuing until their successors are elected and have qualified. No person shall be eligible to be nominated for or to hold office as a member of the Board of Education unless he is and shall have been for at least three (3) years preceding his election or appointment

a resident and registered elector of the school district or districts which are under the jurisdiction of the Board of Education.

If a vacancy shall occur on the Board of Education, the Board shall forthwith appoint a person to fill such vacancy. Said appointee shall hold office until his successor is duly elected at the next general municipal election and has qualified. The members of the Board of Education shall be subject to recall as provided in this Charter.

All territory included within the limits of any school district or districts which are under the jurisdiction of the Board of Education, but not within the City limits, shall be deemed a part of the City for the purpose of holding municipal elections and shall constitute one or more separate election precincts, and the qualified electors therein shall vote only for members of the Board of Education and on questions submitted to a vote of the people at special or general elections pertaining to school matters.

The members of the Board of Education in office at the time this Charter takes effect shall continue in office until the expiration of their terms. Their successors shall be elected for a term of four (4) years at the general municipal election to be held during the year each of said respective terms expires, it being the intention of this section that the terms of the five (5) members shall be staggered, three (3) members being elected at the General Municipal Election to be held in 1963, and two (2) members being elected at the General Municipal Election to be held in 1965, and staggered accordingly successively thereafter at each General Municipal Election.

Proposition E.

The Council of the City of Modesto hereby proposes on its own motion to add Section 1604 to Article XVI of the Charter of the City of Modesto to read as follows:

ARTICLE XVI. MISCELLANEOUS

Section 1604. Review of Charter. The Council shall cause this Charter to be reviewed at least every ten (10) years commencing with the year 1980.

NOTE: All of the above wording which is stricken out is now in the Charter and would be removed by these propositions. All of the above wording which is underlined would be added to the Charter by these propositions.

The Council of the City of Modesto hereby proposes to and does hereby on its own motion submit to the qualified electors of the City of Modesto at a special municipal election to be held in said City of Modesto on Tuesday, April 20, 1971, (which said election will be consolidated with the General Municipal Election to be held in said City of Modesto on April 20, 1971,) the following proposals to amend Section 703 of Article VII; Section 801 of Article VIII; Section 1109 of Article XI; Section 1500 of Article XV; and add Section 1604 to Article XVI of said Charter as follows:

: <u>Proposition A</u>	Shall the Charter of the City of Modesto	:	:
: City of Modesto	be amended to provide that the Mayor and:	YES	:
: Charter Proposal:	Councilmen receive \$25.00 per Council	:	:
:	meeting attended, not to exceed \$100.00	NO	:
:	per month, plus expenses?	:	:
:	:	:	:
<hr/>			
: <u>Proposition B</u>	Shall the Charter of the City of Modesto	:	:
: City of Modesto	be amended to permit the City Manager	YES	:
: Charter Proposal:	to make and execute contracts on behalf	:	:
:	of the City, of \$3,500.00 or less?	NO	:
:	:	:	:
:	:	:	:
<hr/>			

: <u>Proposition C</u>	Shall the Charter of the City of Modesto	: YES :
: City of Modesto	be amended to delete the provision requir-	: :
: Charter Proposal:	ing the Personnel Commission to hold	: NO :
:	public hearings on adoption, amendment	: :
:	or repeal of personnel rules and	: :
:	regulations?	: :
<hr/>		
: <u>Proposition D</u>	Shall the Charter of the City of Modesto	: YES :
: City of Modesto	be amended to omit reference to	: :
: Charter Proposal:	Modesto Junior College District?	: NO :
:		: :
<hr/>		
: <u>Proposition E</u>	Shall the Charter of the City of Modesto	: YES :
: City of Modesto	be amended to provide for review	: :
: Charter Proposal:	of Charter at least every ten (10)	: NO :
:	years?	: :
:		: :
<hr/>		

I hereby certify that the foregoing Charter amendment proposals were ordered submitted to the qualified electors of the City of Modesto by the Council of the City of Modesto.

Dated: February 1, 1971.

(SEAL)

W. T. CHYNOWETH  
City Clerk of the City of Modesto

SECTION 4. (a) A special municipal election is hereby called to be held in the City of Modesto, on Tuesday, April 20, 1971, for the purpose of submitting to the qualified electors of said City said proposals set forth in Section 3 of this resolution to amend the Charter of said City as in said proposals and in this resolution provided and as hereby submitted by the Council of the City of Modesto on its own motion.

(b) Said special municipal election hereby called shall be held and conducted, and the votes thereat canvassed and the returns thereof made, and the results thereof ascertained and determined as herein provided, and in all particulars not prescribed in this resolution, said special municipal election shall be held as provided for in the Charter of said City and in all particulars not provided for therein said election shall be held as provided by law for the holding of special municipal elections in the City of Modesto and otherwise in accordance with the Elections Code of the State of California.

(c) All persons qualified to vote at municipal elections in said City of Modesto on the day of said special municipal election herein provided for shall be qualified to vote upon said amendments hereby proposed by the Council of the City of Modesto on its own motion and submitted at said special municipal election.

(d) The polls at the polling places hereinafter referred to for said special municipal election shall be opened at 7:00 A. M. (P. S. T.) of said day of election, and shall be kept open continuously thereafter until 8:00 P. M. (P. S. T.) of said day of election, when the polls shall be closed (except as provided in Section 14436 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(e) Said special municipal election shall be and is hereby consolidated with the General Municipal Election to be held in the City of Modesto on the date of said special municipal election hereby called, and the election precincts, polling places and voting booths shall in every case be the same, and there shall be only one set of election officers in each of said precincts; and the precincts, polling places and officers of election within said city for said special municipal election shall be the same as those selected or to be selected and designated by the Council of the City of Modesto for said General Municipal Election and set forth or to be set forth in the notice of election officers and polling places for said General Municipal Election published or to be published by the City Clerk of said City, as required by law, to which notice reference is hereby specifically made for a designation of the precincts, polling

places and election officers for said special municipal election hereby called. Only qualified voters of said City shall be permitted to vote at said special municipal election hereby called. The City Clerk of the City of Modesto is hereby ordered to and shall canvass the returns of said special municipal election, at the Office of the Stanislaus County Clerk, in Room 105 in the Courthouse, Modesto, California, pursuant to the Elections Code of the State of California, Section 22932.5, and to certify the results to the Council. The Council shall meet at its usual meeting place and confirm said canvass by the City Clerk on Tuesday, April 27, 1971, at the hour of 4:00 o'clock P. M. (P. S. T.) and declare the results of said election.

(f) On the ballots and voting machines to be used at said General Municipal Election and said special municipal election hereby consolidated therewith, in addition to all other matters required by law to be printed thereon, shall appear the proposals set forth in Section 3 hereof.

(g) Where ballots are used, to vote in favor of said proposals to amend the Charter of the City of Modesto, a voter shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of said proposals, and to vote against said proposals a voter shall stamp a cross (X) in the blank space opposite the word "NO" on the ballot to the right of said proposals.

Where voting machines are used, said voting machines shall be so arranged that to vote in favor of said proposals to amend the Charter of the City of Modesto a voter shall pull down a voting pointer over the word "YES" near said proposals appearing on cardboard, paper or other material placed on the front of the machine, and pull an operating lever, and to vote against said proposals a voter shall pull down a voting pointer over the word "NO" near said proposals appearing on cardboard, paper or other material placed on the front of the machine, and pull an operating lever.

The votes cast for and against each proposal to amend the Charter of the City of Modesto shall be counted separate and apart from all other measures to be submitted at said General Municipal Election and said special municipal election hereby called, and if a majority of the qualified voters voting on each proposed Charter amendment vote in favor thereof, said Charter amendment shall be deemed approved.

SECTION 5. The City Clerk of the City of Modesto is hereby authorized to prepare and sign a notice of propositions to be voted on, in the form required by law, relating to said special municipal election hereby called, and said City Clerk is

hereby authorized and directed to publish said notice in the time and manner required by law in THE MODESTO BEE, the official newspaper of said City and a newspaper of general circulation printed and published in said City.

SECTION 6. The City Clerk of the City of Modesto is hereby authorized and directed (1) to cause copies of the text of said proposed Charter amendments to be printed in convenient pamphlet form and in type of not less than ten-point and to cause copies thereof to be mailed to each of the qualified electors of said City, and (2) until the day fixed for said special municipal election to advertise daily in THE MODESTO BEE, a newspaper of general circulation in said City, a notice that copies of said pamphlet may be had on application therefor. Said notice shall be in substantially the following form:

NOTICE OF AVAILABILITY OF CHARTER AMENDMENTS

NOTICE IS HEREBY GIVEN to the qualified electors of the City of Modesto that copies of the Amendments proposed by the Council on its own motion, to the Charter of the City of Modesto, in pamphlet form, are on file in the office of the City Clerk, City Hall, 801 Eleventh Street, Modesto, California, and may be had upon application therefor.

---

W. T. CHYNOWETH  
City Clerk of the City of Modesto

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PASSED AND ADOPTED this 1st day of February, 1971, by the following vote, upon motion of Councilman Smith, seconded by Councilman Newton, viz:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:



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W. T. CHYNOWETH  
City Clerk of the City of Modesto, California


CLERK'S CERTIFICATE

I. W. T. CHYNOWETH, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Council of said City duly and regularly held at the regular meeting place thereof on the 1st day of February, 1971, of which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Smith and read in full, and was thereupon, upon motion by Councilman Smith, seconded by Councilman Newton, adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

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

WITNESS my hand and the seal of said City of Modesto, this 1st day of February, 1971.

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk of the City of Modesto,  
California

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-66

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
JESSE IBARRA FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT  
705 Lombardo

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Jesse Ibarra  
for sewer service to property outside the city at 705 Lombardo  
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  
February, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Newton  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-67

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRANK GARCIA AND MARY GARCIA FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 702 and 702 $\frac{1}{2}$  ERICKSON

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Frank Garcia and Mary Garcia

for sewer service to property outside the city at 702 and 702 $\frac{1}{2}$  Erickson

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 February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-68

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND EDDIE DE LEON AND MARY DE LEON FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 716 ERICKSON

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Eddie DeLeon and Mary DeLeon for sewer service to property outside the city at 716 Erickson 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 February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-69

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JACK M LIMON AND HELEN F. LIMON FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 561 BYSTROM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Jack M. Limon and Helen F. Limon for sewer service to property outside the city at 561 Bystrom

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 February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-70

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (RIVERSIDE NO. 4 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on December 28, 1971, certain territory known as Riverside No. 4 Addition, and

WHEREAS, the inclusion of the area contained in Riverside No. 4 Addition 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 Riverside No. 4 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 70.

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

SECTION 5. Monday, March 22, 1971, at the hour of 7:35 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 judgment 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. 70.

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) 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) On the East side of North Riverside Drive at Haddon Avenue.
- (2) On the Northeast corner of the intersection of Yosemite Boulevard and North Riverside Drive.
- (3) On the North side of Yosemite Boulevard at the East boundary of the Riverside No. 4 Addition.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 70, 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 1st day of February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Rosegard  
Public Works Department

J.L.C.  
1-29-71

August 12, 1970  
Corrected  
December 29, 1970

RIVERSIDE NO. 4 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 26, and the North-east quarter of Section 35, 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 Southeastern corner of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records, said point being on the South line of a 66.00 foot public road known as Yosemite Boulevard; thence along the Eastern boundary of said Addition (228) and the Eastern line of a 40.00 foot public road known as Riverside Drive and its Southerly extension, North  $00^{\circ} 33' 30''$  West, 1323.33 feet; thence South  $89^{\circ} 53' 24''$  East, 1601.95 feet, to the East line of the West half of the West half of the East half of the Southeast quarter of Section 26; thence along said line, and its Southerly extension, South  $00^{\circ} 32' 50''$  East, 1323.33 feet, to the Southern line of Yosemite Boulevard; thence along said Southern line, North  $89^{\circ} 53' 24''$  West, 1601.69 feet, to the point of beginning, containing 48.659 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 1, 1971, 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 Councilman Smith, seconded by Councilman Newton, and adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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 2, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California

W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-71

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
AND ELMO H. AND MABEL E. WADE FOR GRANT OF EASEMENT DEED TO CITY  
OF MODESTO FOR PUBLIC WATER PIPE LINE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Elmo H. and  
Mabel E. Wade

for Grant of Easement Deed to City of Modesto for public water  
pipe line (Land Acquisition Project No. 70-25)

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  
February, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Newton  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-72

A RESOLUTION ADOPTING A POLICY IN REGARD TO STORM DRAINAGE

WHEREAS, the Council of the City of Modesto has given consideration to various methods of handling drainage for surface waters.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following order of priority for methods of handling surface drainage is hereby adopted as the policy of the Council:

- 1.(a) Positive drainage to a river, stream, creek, or other natural water course;
  - (b) Drainage into an Irrigation District facility, either by gravity or pumping;
  - (c) Utilization of drainage ponds either in an individual lot within the subdivision or in the case of larger developments, within a depressed portion of a common area (such as might be found in a condominium development).
  - (d) Utilization of dry wells within depressed areas of the street for those subdivisions or portions of subdivisions of such a size that one of the above solutions is not feasible.
2. In the development of commercial and industrial properties, on-site drainage shall be contained within the property with every effort made to drain the adjoining road in a manner satisfactory for the denser development, but utilizing dry wells as a last resort.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-73

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$416 TO PROVIDE AN ADDITIONAL CONTRIBUTION TO THE MODESTO CENTENNIAL COMMITTEE

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$416
TO: Centennial Promotion (470-61-101)	\$416

(To provide an additional contribution to the Modesto Centennial Committee for various fees described in 1/27/71 memo from the Director of Finance to the City Manager. Appropriation approved by Council Resolution 2/1/71)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 74

A RESOLUTION AMENDING THE 1970-71 BUDGET TO ADJUST INTERFUND TRANSFERS RESULTING FROM ADDITIONAL AVIATION GAS TAX REFUNDS AND MATCHING REQUIREMENTS.

WHEREAS, the Legislature has revised the formula for allocating unrefunded motor vehicle fuel tax funds to airport owning political subdivisions, and

WHEREAS, the maximum annual subvention to any one airport has been increased from \$2,500.00 to \$5,000.00, and

WHEREAS, the City of Modesto must provide a like amount to match the State subvention, and

WHEREAS, the total amount of subvention and matching funds are to be identified and expended solely for airport and aviation capital improvements,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an appropriation of \$2,500.00 be made from the subsidiary account, General Reserve (Account 60) to the subsidiary account, Intertransfers Out (Account 940) in the Special Fund for Capital Outlays (Fund 321) to provide additional matching funds.

BE IT FURTHER RESOLVED that the accounts in the Special Aviation Fund (Fund 306) and in the Airport Fund (Fund 230) be adjusted to reflect the additional \$2,500.00 estimated revenue and matching amount,

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 1st day of February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

(SEAL)

ATTEST:

  
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-75

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,440 FOR PAYMENT OF FEES AT THE NEW DUMP

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$1,440
TO: Services, Prof. & other	
(235-35-101)	\$ 600
(235-36-101)	\$ 640
(235-37-101)	\$ 100
(235-38-101)	\$ 100

(These amounts will be necessary for payment of fees at the new dump. At the time the budget was prepared, we did not allow for this)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of February, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies .

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-76

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATER LINES IN RIVERSIDE NORTH NO. 3 SUBDIVISION - VALLEY CONSTRUCTION COMPANY

WHEREAS, a report has been filed by the Director of Public Works that the construction of water lines in Riverside North No. 3 Subdivision has been completed by Valley Construction Company

in accordance with the contract agreement dated November 2, 1970

NOW, THEREFORE, BE IT RESOLVED that the construction of water lines in Riverside North No. 3 Subdivision be accepted from said contractor, Valley Construction Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$1,744.08 as provided in the contract, be authorized.

The foregoing resolution was introduced at <sup>adjourned</sup> ~~a~~/regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-77

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$6,500 FOR DRILLING, CASING, TESTING AND DEVELOPMENT OF WELL NO. 38 LOCATED AT THE PROCTER & GAMBLE PLANT SITE

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$6,500
TO: Well & Pump Station, Procter & Gamble (6806-50-101)	\$6,500

(Provide funds to drill a well at the Procter & Gamble plant site)

adjourned

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-78

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR DRILLING, CASING, TESTING AND DEVELOPMENT OF WELL NO. 38 LOCATED AT THE PROCTER AND GAMBLE PLANT SITE

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

SECTION 1. The plans and specifications for drilling, casing, testing and development of Well No. 38 located at the Procter & Gamble plant site

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 23, 1971 at 10:10 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 <sup>adjourned</sup> ~~an~~/regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-79

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN WHITMORE, CROWS LANDING AND TIDEWATER SOUTHERN EASEMENT

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

SECTION 1. The plans and specifications for installation of water lines in Whitmore, Crows Landing and Tidewater Southern easement

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 23, 1971 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 <sup>adjourned</sup> ~~a~~/regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-80

A RESOLUTION COMMENDING FRANK C. DAMRELL, JR. FOR SERVICES AS  
ASSISTANT CITY ATTORNEY

WHEREAS, Frank C. Damrell, Jr. has served as assistant  
City Attorney of the City of Modesto for approximately two and  
one-half years; and

WHEREAS, Mr. Damrell has rendered invaluable help to the  
City by assisting the City Attorney in the normal work routine,  
by representing the City in Court and by acting as City Attorney  
when the City Attorney was absent.

WHEREAS, Mr. Damrell has resigned effective February 28,  
1971.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto that the resignation of Frank C. Damrell, Jr. be,  
and hereby is, accepted with regret, and

BE IT FURTHER RESOLVED that Frank C. Damrell, Jr. is here-  
by commended for a "job well done."

The foregoing resolution was introduced at <sup>adjourned</sup> ~~ay~~/regular meet-  
ing of the Council of the City of Modesto held on the 10th day  
of February, 1971, by Councilman Dixon, who moved its adoption,  
which motion being duly seconded by Councilman Smith, was upon  
roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell  
NOES: Councilmen: None  
ABSENT: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 81

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN  
FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted by 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 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 by resolution of the City Council,

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

SECTION 1. The Position Classification Plan of the City of Modesto is hereby amended to create a new position as follows:

CLASSIFICATION CREATED

Assistant City Attorney

SECTION 2. The specifications for the classification 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.

The foregoing resolution was introduced at <sup>adjourned</sup> ~~an~~ regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

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

(SEAL)

APPROVED AS TO FORM:

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

Definition

Under direction, provides legal information and counsel on all matters pertaining to the legality of municipal governmental operations; and performs related work as required.

Typical Tasks

Assists the City Attorney as counsel for the city in a variety of legal actions; conducts legal research in connection with assigned projects; prepares complaints, examines and analyzes court rulings and legislation relative to their effect on city affairs; prepares opinions, briefs, and similar actions in connection with assigned cases, drafts ordinances, resolutions, charter amendments, contract documents, and other materials required of the city attorney's office; prepares legal briefs and pleadings; acts as legal advisor to boards, commissions, and city officials as assigned. Acts for the City Attorney in his absence.

Employment Standards

Membership in the California State Bar and two years of experience in the practice of law, preferably with emphasis on administrative law.

Desirable Qualifications

Knowledge of principles of civil, constitutional, and administrative law; ability to analyze and draw logical conclusions from statements, court decisions, and legal documents. Ability to prepare, present, and handle legal cases clearly and logically in oral or written form; exercise judgment and tact in dealing with the public and city officials.

**Exhibit "A"**

City of Modesto

1971

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 82

A RESOLUTION AMENDING EXHIBIT "B" OF RESOLUTION NO. 70-622 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE", AS AMENDED BY RESOLUTION NO. 71-53.

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

SECTION 1. AMENDMENT TO RESOLUTION NO. 70-622 AS AMENDED BY RESOLUTION NO. 71-53. Exhibit "B" entitled "Personnel Office Alphabetical Listing of Classifications in Modesto City Service. 1970-71", attached to Resolution No. 70-662 entitled "A Resolution Establishing Salary Schedules and Fixing Compensation for Positions in the City Service" as amended by Resolution No. 71-53, is hereby amended as shown on the Amended Exhibit "B", which is attached hereto and made a part hereof as though set forth in full herein. Said Amended Exhibit "B" adds the position of Assistant City Attorney, Range No. 34.

The foregoing resolution was introduced at <sup>adjourned</sup> ~~a~~ regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

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

(SEAL)

APPROVED AS TO FORM:

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

## ALPHABETICAL LISTING

OF

## CLASSIFICATIONS IN MODESTO CITY SERVICE

1970-71

(Effective 6/30/70, amended 7/13/70, 1/25/71, &amp; 2/8/71)

<u>Title of Classification</u>	<u>Range No.</u>	<u>Title of Classification</u>	<u>Range No.</u>
Account Clerk	14.5	Electrician	23.5
Account Clerk, Senior	18.5	Electrician Leadman	24.5
Accountant	26	Engineering Aide	20.5
Accountant, Junior	22.5	Engineering Aide, Junior	17.5
Accountant, Senior	29	Engineering Aide, Principal	26
Administrative Assistant	26	Engineering Aide, Senior	23.5
Airport Manager	26.5	Equipment Mechanic	21.5
Assistant City Attorney	34	Equipment Serviceman	18.5
Assistant City Clerk	20.5		
Assistant City Engineer	34	Fire Chief	35.5
Asst. Dir. of Public Works	34	Fire Engineer	23.5
Assistant Fire Chief	31.5	Fire Lieutenant	25.5
Assistant Planner	26	Fireman	22.5
Assistant Poundmaster	17.5		
Assistant to City Manager- Personnel Officer	31.5	Golf Course Maint. Foreman	25
Associate Civil Engineer	32		
Associate Planner	29	Heavy Equipment Operator	20.5
Battalion Chief	28.5	Janitor	14.5
Building Inspector	25	Junior Civil Engineer	26
Building Inspector, Senior	27		
Building Maint. Foreman	22	Laboratory Technician	20.5
		Laborer	16.5
Chief Building Official	32	Office Machine Operator	15
Chief Electrician	27	Office Machine Supervisor	18.5
Chief of Police	36.5		
City Attorney	N/A	Parking Meter Svc. & Reprmn.	18.5
City Clerk & Auditor	30.5	Parks and Recreation Supt.	28.5
City Manager	N/A	Parks Foreman	25
Civil Engineering Assistant	28	Parks Leadman	22
Clerk, Intermediate	13	Parks Maintenance Man	18.5
Clerk, Junior	10	Parks Maint. Mechanic	19.5
Construction Inspector	25	Planning Aide	20.5
		Planning Aide, Junior	17.5
		Planning Aide, Senior	23.5
Data Processing Supervisor	22.5	Police Captain	31
Deputy City Manager	39.5	Police Lieutenant	29
Director of Finance	35.5	Police Property Clerk	17.5
Director of Park. & Traffic	36	Police Records Supervisor	24.5
Dir. of Parks & Recreation	35	Police Sergeant	27
Director of Planning	36	Policeman	24.5
Director of Public Works and City Engineer	39.5	Policewoman	24.5

<u>Title of Classification</u>	<u>Range No.</u>
Poundmaster	20.5
Public Works Foreman	25
Public Works Leadman	22
Public Works Maint. Man	18.5
Public Works Maint. Mechanic	19.5
Public Works Maint. Supt.	27
Purchasing Officer	27.5
Radio-Telephone Operator	19.5
Recreation Supervisor I	23.5
Secretary	18.5
Secretary to City Attorney	20.5
Secretary to City Manager	21.5
Senior Planner	32
Service Division Supt.	27
Shop Foreman	23.5
Stenographer Clerk, Inter.	14.5
Stenographer Clerk, Junior	11
Stores & Equipment Clerk	19.5
Supervisor of Gen. Services	23.5
Telephone Oper.-Receptionist	13
Traffic Painter	20.5
Tree Foreman	25
Tree Leadman	22
Tree Trimmer	20.5
Typist Clerk, Intermediate	13
Typist Clerk, Junior	10
Water Service Foreman	25
Water Quality Control Foreman	25
Water Quality Control Oper. I	18.5
Water Quality Control Oper. II	21.5
Water Quality Control Supt.	29
Zoning Inspector	25

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-83

A RESOLUTION GRANTING AN H-1 USE PERMIT TO DARRELL IRELAND TO ALLOW AN OUTDOOR SWIMMING POOL AND CHILDREN'S PLAY EQUIPMENT DISPLAY AND SALES AREA ON THE EAST SIDE OF MC HENRY AVENUE BETWEEN BOWEN AVENUE AND SHEILA COURT.

WHEREAS, an application for an H-1 use permit to allow an outdoor swimming pool and children's play equipment display and sales area on the east side of McHenry Avenue between Bowen Avenue and Sheila Court was filed by Darrell Ireland on November 23, 1970, and

WHEREAS, Section 10-2.2903 of the Municipal Code authorizes the granting of H-1 use permits by the Board of Zoning Adjustment after a public hearing, and

WHEREAS, said application was set for a public hearing before the Board of Zoning Adjustment in the Council Chambers located in the City Hall, 801 11th Street in the City of Modesto at 10:10 A.M. on December 10, 1970, and

WHEREAS, said hearing was held at the above time and place and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, thereafter, the Board of Zoning Adjustment adopted Resolution No. 381 denying an H-1 use permit to Darrell Ireland to allow an outdoor swimming pool and children's play equipment display and sales area on the east side of McHenry Avenue between Bowen Avenue and Sheila Court, and

WHEREAS, an appeal was filed with the City Clerk on December 24, 1970, and

WHEREAS, by Resolution No. 71-1 adopted on January 4, 1971, the Council set January 25, 1971, at 7:40 o'clock P.M. in the Council Chambers as the time and place for a public hearing on the appeal, and

WHEREAS, said public hearing was held on the above-mentioned date and was continued to February 1, 1971, and

WHEREAS, on February 1, 1971, said public hearing was closed and the matter was continued to February 8, 1971, and February 10, 1971, for further discussion and action, and

WHEREAS, thereafter, upon the evidence, both oral and documentary taken and introduced at said hearing, the Council found and determined that the decision of the Board of Adjustment should be overruled.

NOW, THEREFORE, BE IT RESOLVED by the City Council that it hereby finds and determines that granting of the H-1 use permit is required by public necessity, convenience, and general welfare for the following reasons:

1. The proposed H-1 use permit will allow the outdoor expansion of a previous use conducted in the existing building.
2. The proposed use will be compatible with surrounding uses by virtue of landscaping and adherence to other H-1 zone development standards.

BE IT FURTHER RESOLVED by the City Council that an H-1 use permit be granted to Darrell Ireland to allow an outdoor swimming pool and children's play equipment display and sales area on the east side of McHenry Avenue between Bowen Avenue and Sheila Court, subject to the following conditions:

1. That all development be in accordance with the plans titled, "Ireland's Pools - H-1 Use Permit", dated February 8, 1971, as amended in red on their faces and on file in the offices of the City Clerk and the Planning Director.
2. That prior to applicant exercising any rights granted by this permit, the owners of the real property, which is the subject of this use permit, shall enter into an agreement with the City of Modesto regarding the dedication of five (5) additional feet of right-of-way along the McHenry Avenue frontage of said property.
3. That prior to applicant exercising any rights granted by this permit, the owners of the real property, which is the subject of this use permit, shall agree in writing that they and their heirs, successors, and assigns will remove the fence as requested by condition No. 4 below, if the applicant fails or refuses to do so.
4. A six (6') foot high chain link fence shall be erected as indicated on the above referred to plan, set back fifteen (15')

from the existing front property line. Applicant or his successors or assigns shall remove said fence at such time as the property ceases to be used for the purpose for which the H-1 use permit is granted.

5. That the fifteen (15') foot set back area between the existing property line and the chain link fence shall be landscaped. The applicant may install temporary landscaping for one year in said area, consisting of potted plants, shrubs and ground cover such as colored rock. If at the expiration of one year from the date of this use permit, the applicant or his successors or assigns, is still exercising the rights granted by this use permit, he shall, within sixty (60) days after the expiration of said one year period, install permanent landscaping in said fifteen (15') foot set back area. Prior to the installation of said permanent landscaping, the applicant shall submit a landscaping and irrigation plan for approval by both the Director of Parks and Recreation and the Planning Director. The landscaping and irrigation shall be installed and maintained in accordance with the approved landscaping and irrigation plan and all irrigation shall be by underground sprinklers.

6. That all landscaping,, fences, and walls shall be maintained and that the area be kept free of weeds, trash, and other debris.

7. That prior to exercising any rights granted by this permit, the applicant shall submit for approval by the Planning Director four (4) copies of a revised plot plan showing all the required changes and adjustments in design and the limitations set on the development as shown on the plot plans amended in red and on file in the offices of the City Clerk and the Planning Director.

Failure to comply with the above conditions shall constitute grounds for revocation of this H-1 use permit.

This use permit shall become null and void if not exercised within thirty (30) days from the date of granting.

The foregoing resolution was introduced at an <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

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

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-84

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND JESSIE S. BAKER AND ACCEPTING GRANT DEED (Needham Street Widening)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Jessie S. Baker for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at <sup>adjourned</sup> ~~an~~/regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-85

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND ARTHUR J. DUGDALE AND ACCEPTING GRANT DEED (Needham Street Widening)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Arthur J. Dugdale for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at <sup>adjourned</sup> ~~an~~ regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-86

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND IDA A. LUNDQUIST AND ACCEPTING GRANT DEED (Needham Street Widening)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Ida A. Lundquist for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at <sup>adjourned</sup> ~~an~~ regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-87

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND BARBARA T. ABERNETHY AND ACCEPTING GRANT DEED (Needham Street Widening)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Barbara T. Abernethy for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at <sup>adjourned</sup> ~~an~~ regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-88

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND ALBERT D. HAGOPIAN AND ACCEPTING GRANT DEED (Needham Street Widening)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Albert D. Hagopian for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at <sup>adjourned</sup> ~~a~~/regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote: ,

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton, Robinson, Mayor Davies

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-89

A RESOLUTION ESTABLISHING FEES FOR PRINTS MADE BY ITEK MACHINE AND  
MICROFILM SLIDES MADE WITH THE 3-M CAMERA

The following fees for prints made by the Itek Machine and  
microfilm slides made with the 3-M camera are hereby established:

For one microfilm slide	50¢
For each duplicate copy of the microfilm slide made at the same time	25¢
For 1st print on the Itek machine, 18" x 12" size	\$1.00
For each additional print on the Itek machine, 18" x 12" size, made at the same time	50¢
For the first print on the Itek Machine, 18" x 24" size	\$1.50
For each additional print on the Itek Machine, 18" x 24" size, made at the same time	75¢

The foregoing resolution was introduced at an adjourned reg-  
ular meeting of the Council of the City of Modesto held on the 10th  
day of February, 1971 by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Dixon  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-90

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE  
CITY OF MODESTO TO CALL A SPECIAL ELECTION TO  
ANNEX TERRITORY TO THE CITY OF MODESTO.  
(COLLIER-TROMBETTA ADDITION)

WHEREAS, on the 8th day of February, 1971, a petition proposing that the following described new territory, to wit, Collier-Trombetta Addition, be annexed to the City of Modesto, was duly received by the Council of the City of Modesto, and

WHEREAS, said petition is signed by not less than one-fourth (1/4) of the qualified electors residing within said described territory as shown by the County registration of voters, and

WHEREAS, said petition contains said description of the said new territory proposed to be annexed to said City of Modesto,

NOW, THEREFORE, it is hereby resolved that it is the intention of this Council to call a special election for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election. Said territory is described as attached hereto.

Said territory shall be designated and referred to upon election ballots as Collier-Trombetta Addition.

Any person owning real property within the said described territory may appear before the Council of the City of Modesto on the 22nd day of March, 1971, at the hour of 7:40 o'clock P.M., at the Council Chambers located in the City Hall, 801 - 11th Street, Modesto, California, concerning written protest against the annexation filed pursuant to Government Code Section 35120.

The foregoing resolution was introduced at an <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 10th day of February, <sup>1971</sup>~~1967~~, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. a. Blossard  
Public Works Department

R.M.  
2-3-71

August 11, 1970

COLLIER-TROMBETTA ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 21, 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 Eastern line of the EAST ORANGEBURG ADDITION (112), as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue which is also a Southern line of the EAST ORANGEBURG NO. 2 ADDITION (219), as per description filed July 30, 1968, as Instrument 23319, Stanislaus County Records; thence along the existing City Limits on said Southern line of Addition (219), South  $89^{\circ} 46'$  East, 640.86 feet to a Western line of said Addition (219); thence along said Western line and the existing City Limits, South  $0^{\circ} 52' 45''$  East, 214.45 feet to the Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (206), the following courses and distances; South  $0^{\circ} 52' 45''$  East, 1013.66 feet; thence North  $89^{\circ} 47' 45''$  West, 152.44 feet; thence North  $0^{\circ} 54' 20''$  West, 12.50 feet; thence North  $89^{\circ} 47' 45''$  West, 172.50 feet; thence South  $0^{\circ} 54' 20''$  East, 10.00 feet; thence North  $89^{\circ} 47' 45''$  West, 152.50 feet; thence North  $0^{\circ} 54' 20''$  West, 0.22 feet; thence North  $89^{\circ} 47' 20''$  West, 162.43 feet; thence North  $0^{\circ} 55' 30''$  West, 235.02 feet; thence North  $89^{\circ} 47' 20''$  West, 10.00 feet to a point on the Eastern line of the HELM ADDITION (142), as per description filed December 13, 1962, as Instrument 46565, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Addition (142), North  $0^{\circ} 55' 30''$  West, 330.24 feet to a point on the Southern line of the PINE CONE ADDITION (209), as per description filed January 29, 1968, as Instrument 3054, Stanislaus County Records; thence along the existing City Limits and the Southern line of said Addition (209), South  $89^{\circ} 46' 50''$  East, 10.00 feet to the Eastern line of said Addition (209); thence along the existing City Limits and the Eastern line of said Addition (209), North  $0^{\circ} 55' 30''$  West, 330.23 feet to a point on the Southern line of the EAST ORANGEBURG ADDITION (112); thence along the existing City Limits and the Eastern line of said Addition (112), North  $0^{\circ} 55' 30''$  West, 330.23 feet to the point of beginning, containing 18.061 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-91

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
ERNEST ADCOX AS CARETAKER FOR MANCINI PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Ernest Adcox  
~~for~~ as Caretaker for Mancini Park

be, and it is hereby approved.

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

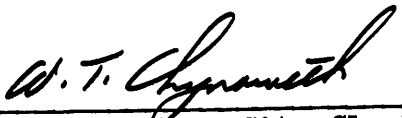
The foregoing resolution was introduced at <sup>adjourned</sup> a/regular meeting  
of the Council of the City of Modesto held on the 10th day of  
February 1971, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Dixon  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchehl

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-92

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS EAST ORANGEBURG NO. 4 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one-fourth (1/4) of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus was filed with the Council of the City of Modesto on January 25, 1971, requesting annexation of the hereinafter described territory to said City.
2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as East Orangeburg No. 4 Addition, and described as attached hereto and made a part hereof as though set forth in full herein.
3. That the matter of the proposed annexation to the City of Modesto of said territory has been referred to the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission did on January 20, 1971, approve the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code.
4. That no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.
5. NOTICE IS HEREBY GIVEN that the 5th day of April, 1971, at the hour of 4:05 o'clock P. M. of said day, in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, 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. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the

owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and shall also cause a copy of this resolution to be published in the Ceres Courier, being a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. 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 <sup>at a</sup> regular meeting of the Council of the City of Modesto held on the 10th day of February, 1971.

by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Rosa Campbell  
Public Works Department

R  
8-11

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot 5 of the Broughton Colony as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, said point being the quarter corner common to Sections 21 and 22; thence along the section line common to Sections 21 and 22 and on the Eastern boundary of said Addition (261), North  $0^{\circ} 27' 00''$  West, 329.91 feet, to the Westerly extension of the South line of the GARDEN ACRES TRACT, as per map filed November 18, 1940, in Volume 14 of Maps, Page 9, Stanislaus County Records; thence along said extension and the Southern line of said Garden Acres Tract and its Easterly extension, North  $89^{\circ} 55' 35''$  East, 1314.12 feet, to the Eastern line of Lot 5 of the Broughton Colony; thence along said Eastern line, South  $0^{\circ} 36' 14''$  East, 329.31 feet, to the Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 1, 1965, as Instrument 1768, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said Addition (170), South  $89^{\circ} 54' 00''$  West, 328.01 feet, to the Northeastern corner of the DOWNEY PARK NO. 2 ADDITION (188), as per description filed May 3, 1966, as Instrument 15774, Stanislaus County Records; thence along said City Limits on the Northern boundary of said Addition (188), South  $89^{\circ} 54' 00''$  West, 550.99 feet, to the Northeastern corner of the EAST ORANGEBURG-COFFEE ADDITION (262), as per description filed November 3, 1970, as Instrument 36116, Stanislaus County Records; thence continuing along said City Limits on the Northern boundary of said Addition (262), South  $89^{\circ} 54' 00''$  West, 436.00 feet, to the point of beginning, containing 9.947 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-93

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$110,000 TO PROVIDE ADDITIONAL FUNDS FOR NEEDHAM-McHENRY TO HACKBERRY PROJECT

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

SPECIAL GAS TAX FUND (207)

FROM:	Paradise/Franklin to 1st (6648-207)	\$110,000
TO:	Needham/McHenry to Hackberry (6663-207)	\$110,000

(More work than originally anticipated is required to complete this project, thus requiring additional funds)

adjourned

The foregoing resolution was introduced at ~~an~~ regular meeting of the Council of the City of Modesto held on the 10th day of February 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-94

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$75,000 TO PROVIDE  
ADDITIONAL FUNDS FOR MISCELLANEOUS RIGHT OF WAY ACQUISITION

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

SPECIAL GAS TAX FUND (207)

FROM:	"G" St/1st to 16th (6750-207)	\$54,000
	"K" St/6th to 9th (6745-207)	\$21,000
TO:	Misc. Right of Way (6647-207)	\$75,000

(Additional funds are needed to cover right of way costs on  
both the Needham Street and Sunrise-Bodem projects)

adjourned

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 71 by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Dixon , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-95

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$9,000 TO PROVIDE  
ADDITIONAL FUNDS FOR SUNRISE-BODEM CONNECTION

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

SPECIAL GAS TAX FUND (207)

FROM:	Briggsmore/McHenry to Coffee (6714-207)	\$4,000
	Paradise/Franklin to First Street (6648-207)	\$5,000
TO:	Bodem/Sunrise Connection (6680-207)	\$9,000

(More work than originally anticipated is required to complete  
this project, thus requiring additional funds)

The foregoing resolution was introduced at an <sup>adjourned</sup> regular meeting of  
the Council of the City of Modesto held on the 10th day of February  
19 71 by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Dixon , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Simon, Smith, Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Mayor Davies

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-96  
AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
TOM BERGLUND FOR SERVICES AS EXECUTIVE SECRETARY OF DOWNTOWN IM-  
PROVEMENT DISTRICT

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
amended  
that the/agreement between the City of Modesto and Tom Berglund

for services as Executive Secretary of Downtown Improvement  
District


be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
amended  
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  
February, 19 71, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Simon  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-97

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF MODERNIZATION OF ELECTRICAL CONTROLS AT PUMP STATIONS 11, 12, 13 and 14

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

SECTION 1. The plans and specifications for construction of modernization of electrical controls at Pump Stations 11, 12, 13 and 14

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 9, 1971 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 16th day of February 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-98

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF STREET LIGHTS ON NEECE DRIVE FROM ROUSE AVENUE TO FAIRWAY DRIVE

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

SECTION 1. The plans and specifications for the installation of street lights on Neece Drive from Rouse Avenue to Fairway 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 March 2, 1971 at 10:10 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.

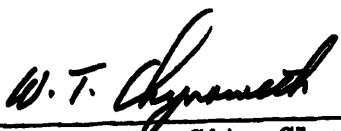
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of February 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-99

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF 16TH STREET (H TO J) SEWER

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

SECTION 1. The plans and specifications for construction of 16th Street (H to J) Sewer

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 2, 1971 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 16th day of February 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-100

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY COMMUNITY ACTION COMMISSION, INC. FOR LEASE OF ROOMS IN THE MODESTO COMMUNITY SERVICE CENTER DESIGNATED AS ROOM NOS. 200, 201, 203, 205, 206 and 207 FOR A TERM OF FIVE (5) YEARS BEGINNING MARCH 1, 1971 AND ENDING FEBRUARY 29, 1976

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County Community Action Commission, Inc.

for lease of rooms 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 16th day of February 19 71 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-101

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D 83.

WHEREAS, a verified application for an amendment to Section 28-3-9 of the Zoning Map was filed by Modesto Affiliated Church Housing Corporation on November 13,, 1970, to reclassify from Multiple-family Residential to Planned-Development Zone, P-D, the following described property:

All that portion of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, being more particularly described as follows: Lots 17 through 24 inclusive in Block 131 of the City of Modesto, of Stanislaus County, State of California.

Including also the northeasterly 40 feet of 17th Street, the northwesterly 50 feet of I Street, all being immediately adjacent to the above described property.

WHEREAS, after public hearing held on December 15, 1970, 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. A definite need exists in Modesto for elderly housing units.
2. A downtown location such as that proposed provides close walking proximity to the bus system, retail stores and services, medical and other professional offices.
3. The proposed use is one of the few intensive urban uses that does not generate heavy vehicular traffic, a definite asset at this location.
4. The purpose of the downtown P-D Zone is "to encourage the development of high density residential units."

WHEREAS, after a public hearing held on December 15,  
1970, the Council found and determined that the application of  
Modesto Affiliated Church Housing Corporation

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 Multiple -family Residential,  
to Planned-Development Zone, P-D83,

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-D83, is hereby approved in accordance  
with the plan titled "Modesto Affiliated Church Housing Corporation"

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and as amended in red on its face  
dated December 15, 1970, which said plan is on file in the  
office of the Planning Director, subject to the following condi-  
tions:

1. That all development be in accordance with the plan referred to above.
2. That the developer shall install street lights to City of Modesto subdivision standards along the street frontages of the parcel and submit street light improvement plans to the City of Modesto Public Works Department for approval by the City Engineer.
3. That 100% of the roof area be devoted to a roof garden for use by residents and their guests for common open space purposes. Said roof garden area shall be accessible by at least one elevator in the structure. Prior to the issuance of a building permit the plan for the roof garden shall be reviewed and approved by both the Director of Planning and the Director of Parks and Recreation.
4. That prior to issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. 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.
5. That all landscaping, fences, and walls shall be maintained and the premises be kept free of weeds, trash, and other debris.

6. That all parking and driveway areas shall be approved in accordance with the provisions of Section 10-2.1305 and 10-2.1307 of the Municipal Code. Drainage facilities shall be constructed in accordance with the requirements of the Director of Public Works.
7. That prior to the issuance of a building permit, the applicant shall submit 5 copies each of six plot plans: The site plot plan at 1/16" = 1'; three plot plans of the residential structure at 1/8" = 1', specifically the ground floor plan, typical floor plan and roof plan; and two plot plans of the off-street parking facilities at 1/8" = 1', specifically the subterranean plan and surface plans. Said plot plans shall show the exact location and dimensions of proposed buildings, landscaped areas and parking areas.
8. That all required street lights shall be installed or security posted prior to the issuance of a building permit.
9. That prior to the issuance of a building permit, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit in the amount to be determined by the City Engineer, may be filed with the City Clerk to guarantee installation of required street lights by January 1, 1973, or prior to occupancy of the structure, whichever occurs first.
10. That any sign to be erected as part of this Planned Development Zone shall be governed by that part of the Zoning Ordinance pertaining to the Multiple-family Residential (R-3) Zone.
11. That this development shall be designed specifically for occupancy by the elderly with occupancy limited to persons 62 years of age and older, their spouses and persons who are physically handicapped.
12. That prior to the issuance of a building permit, the developer shall install two fire hydrants in accordance with the requirements and to the specifications of the Fire Chief and the Director of Public Works.
13. That at least one elevator in the structure shall have an emergency over-ride circuit for Fire Department use.
14. That at least two stairway shafts shall extend from the first floor through the roof to provide for ventilation of the building for fire fighting purposes.
15. That a U. L. listed heat and smoke detection system to be connected to the Municipal Fire Alarm Circuit shall be provided throughout the structure.
16. An automatic sprinkler system shall be installed throughout the entire building. The installation shall comply with the minimum standards contained in The Uniform Building Code and Uniform Building Code Standard No. 38-1. The system shall provide for the transmission of a coded signal to the municipal fire alarm center any time there is a change in the static condition or the control valves.
17. That a minimum of 20 off-street parking spaces be designated for staff and visitor parking only and shall not be allocated as permanent parking for residents.
18. That prior to the issuance of a building permit, an agreement shall be entered into between the applicant and the City of Modesto regarding the development and maintenance of the two adjacent City parks for use by residents of the subject project and the public in general.

19. That the permitted beauty shop and gift shop be oriented by design to serve only the residents and visitors of the subject housing complex and that there be no exterior signing regarding these non-residential uses.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D 83 :

That the entire construction program be accomplished in one phase with construction to begin on or before December 15, 1971, and be completed not later than June 15, 1973.

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 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 83 becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of February, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY John P. Dwyer  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-102

RENEWAL OF LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
THE ESTATE OF GERTRUDE M. RUDDY FOR ONE YEAR - WOODROW PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
renewal of lease  
that the/agreement between the City of Modesto and the Estate of  
Gertrude M. Ruddy

for one year - Woodrow Park Site (includes corners of three  
different crop fields, two varieties of grapes and one open field)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
lease  
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  
February 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Simon  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-103

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. VERNON N. LOFORTI AND ACCEPTING GRANT DEED (Bodem-Sunrise Connection)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. Vernon N. LoForti for Bodem-Sunrise Connection is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 16th day of February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-104

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MARY A. JOHNSON AND ACCEPTING GRANT DEED (Needham Street Widening)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mary A. Johnson for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 16th day of February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-105

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND GORDON F. YOUNG AND ACCEPTING GRANT DEED (Needham Street Widening)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Gordon F. Young for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 16th day of February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-106

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LEROY AND MARVELENE H. EVANS FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1109 GARDEN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Leroy and Marvelene H. Evans for sewer service to property outside the City at 1109 Garden 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 16th day of February 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-107

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CUSHMAN MOTOR SALES, INC. TO PROVIDE GOLF CARS, DRYDEN GOLF COURSE AND ADVANCE FUNDS TO BUILD GOLF CAR STORAGE SHED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Cushman Motor Sales, Inc.

~~for~~ to provide golf cars, Dryden Golf Course and advance funds to build golf car storage shed 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 February, 19 71, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-108

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ANDY SILVA TO OPERATE GOLF CARS, COLLECT FEES, AND TURN MONEY IN TO CITY, AND PERFORM OTHER DUTIES ASSIGNED TO CITY UNDER AGREEMENT WITH CUSHMAN COMPANY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Andy Silva

~~for~~ to operate golf cars, collect fees, and turn money in to City, and perform other duties assigned to City under Agreement with Cushman Company 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 February, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-109

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE OF CALIFORNIA FOR GRANT OF \$52,224, LAND AND WATER CONSERVATION, 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 the State of California

for grant of \$52,224, land and water conservation, 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 16th day of February 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-110

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$450 TO PROVIDE ADDITIONAL FUNDS FOR MAINTENANCE REPAIR BUILDINGS AND GROUNDS

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

PARKING FUND (209)

FROM:	General Reserve (60-57-209)	\$450
TO:	Maintenance Repair Buildings and Grounds (224-57-209)	\$450

(Unexpected damage to the attendant houses and ticket spitter gate on the 9th Street parking lot have depleted this account.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of February 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-111

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,000 TO PROVIDE  
ADDITIONAL FUNDS FOR MAINTENANCE REPAIR EQUIPMENT, OTHER

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

PARKING FUND (209)

FROM: General Reserve (60-57-209)	\$1,000
TO: Maintenance Repair Equipment, Other (223-57-209)	\$1,000

(Meter vandalism has resulted in over \$1,000 worth of damage  
to our parking meters since July, 1970)


The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 16th day of February  
1971 by Councilman Smith , who moved its adoption, which motion  
being duly seconded by Councilman Simon , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-112

A RESOLUTION APPOINTING MEMBER OF THE PERSONNEL COMMISSION FOR A TERM ENDING JANUARY 1, 1975 (Algin C. Hurst)

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 Personnel Commission for the respective term as indicated: Term ending January 1, 1975

Algin C. Hurst  
1212 Wellington Dr.  
Modesto, California

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Personnel 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 16th day of February 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mitchell was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-113

A RESOLUTION APPROVING ANNEXATION OF PROPERTY TO EMPIRE SANITARY DISTRICT FOR THE PURPOSE OF FURNISHING SANITARY SEWER SERVICE TO SAID DISTRICT.

WHEREAS, the City of Modesto and Empire Sanitary District entered into an agreement May 19, 1969 whereby the City of Modesto agreed to accept sewage from the Empire Sanitary District; and

WHEREAS, said agreement provides that the Empire Sanitary District shall receive prior consent of the City of Modesto before changing its boundaries to permit others to connect to the District's system; and

WHEREAS, Empire Sanitary District in a letter dated February 11, 1971 has requested permission to annex the following described property for the purpose of furnishing it sanitary sewer service:

23 acres in the Swanger-Sherman  
Addition, known as Tempo Homes  
No. 1

and

WHEREAS, the Director of Public Works in a memorandum dated February 18, 1971 has recommended that the annexation be approved.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Empire Sanitary District to annex the above described property to the Empire Sanitary District 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 February, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-114

A RESOLUTION ACCEPTING THE BID OF HOUSE OF CARPETS FOR FURNISHING  
AND INSTALLATION OF CARPET AT THE MODESTO-STANISLAUS LIBRARY

WHEREAS, Resolution No. 71-33 adopted by the Council of the City  
of Modesto on January 18, 1971 approved the plans and specifications  
for the furnishing and installation of carpet at the Modesto-Stan-  
islaus Library  
and authorized the call for bids, and

WHEREAS, the bids received for the furnishing and installation  
of carpet at the Modesto-Stanislaus Library  
were opened at 10:15 A.M. February 16, 1971 and later tabulated by  
the Director of Public Works for the consideration of the Council,  
and

WHEREAS, the Director of Public Workshas recommended that the bid  
of House of Carpets in the amount of \$39,846.00  
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of House of Carpets in the amount of \$39,846.00

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 February / 1971  
by Councilman Mitchell who moved its adoption, which motion being  
duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-115

A RESOLUTION REQUESTING CONTINUED FEDERAL REFUNDING  
FOR THE STANISLAUS COUNTY LEGAL ASSISTANCE PROGRAM.

WHEREAS, the Office of Economic Opportunity has informed the Stanislaus County Community Action Commission that it has made a tentative decision to not provide new assistance to the Stanislaus County Legal Assistance, Inc. after February 28, 1971, and

WHEREAS, if such program is discontinued, the County of Stanislaus' poverty program could be seriously damaged as a result of legal aid being denied to persons who cannot afford to hire their own attorneys, and

WHEREAS, ending such a worthwhile program will inflict an injustice on the poor people of the County of Stanislaus in addition to creating a real hardship upon them, and

WHEREAS, the poor and needy require legal aid in much the same way as medical assistance is required,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby urges the continuance of Federal refunding for the Stanislaus County Legal Assistance, Inc. program in order that the poor people of the County of Stanislaus will not be denied needed legal aid which they cannot afford to pay for out of their own funds.

BE IT FURTHER RESOLVED that copies of this resolution shall be sent to the Director of National Legal Services, Washington, D. C., the Regional Services Director of the Office of Economic Opportunity, San Francisco, California, and the Stanislaus County Community Action Commission, Modesto, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of February, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

(SEAL)

ATTEST:   
W. T. CHYNOWETH City Clerk

APPROVED AS TO FORM:

  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 116

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING LOTS IN THE CITY OF MODESTO, PROVIDING FOR CONTROL THEREON, AND RESCINDING RESOLUTION NO. 70-1228.

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

SECTION 1. PARKING METER LOTS. (a) The following municipal off-street parking lots shall be controlled by parking meters:

- (1) PML-1 11th and G Street parking lot (PM-5 Zone)
- (2) PML-3 12th and I Street parking lot (southeast corner) (PM-9 Zone)
- (3) PML-4b 11th Street between H and I Streets (lower Level) parking lot (PM-7 Zone)
- (4) PML-7 12th and I Street parking lot (northeast corner) (PM-6 Zone)
- (5) PML-9 13th Street between J and K Street parking lot (PM-3 Zone)
- (6) PML-11 10th and H Street parking lot (PM-8 Zone)
- (7) PML-12 9th Street between J and K Street parking lot (PM-2 Zone)
- (8) PML-21 11th and K Street parking lot (PM-11 Zone)
- (9) PML-24 9th and J Street parking lot (PM-2 Zone)
- (10) PML-25 9th and I Street parking lot (Claremont Hotel Property) (PM-2 Zone)
- (11) PML-26 East side of 10th Street between K and L Streets (PM-2 Zone)
- (12) PML-27 Southern Pacific Depot between I and K Streets (PM-4 Zone)
- (13) PML-28 11th Street between I and J Street parking lot (PM-2 Zone)

(b) The municipal off-street parking lots which are controlled by meters are shown on the Parking Meter Zoning Map adopted by Section 3-2.1501 of the Modesto Municipal Code. The time limits and rates of fees for parking in said parking meter zones are as set forth in Section 3-2.1504 of said Code.

SECTION 2. ATTENDANT LOTS. (a) The following municipal off-street parking lots are hereby established as attendant lots:

- (1) PAL-2 9th Street between I and J Street parking lot
- (2) PAL-4a 11th Street between H and I Street (street level) parking lot
- (3) PAL-5 10th Street between K and L Street parking lot
- (4) PAL-17 Bank of California parking lot at 12th and J Streets
- (5) PAL-18 Seely Tower parking lot at 12th and J Streets
- (6) PAL-22 Sears parking lot, 11th Street between K and L Streets

(b) Vehicular parking on said municipal off-street parking lots shall be controlled and regulated by parking attendants as follows:

(1) PAL-2, PAL-4a, PAL-5 and PAL-18.

From 9:00 A. M. to 9:00 P. M. , Monday through Saturday.

(2) PAL-17

From 9:00 A. M. to 9:00 P. M. on Saturdays and bank holidays only. Attendant parking may be used on any such additional special occasions as may be deemed appropriate by the City Manager.

(3) PAL-22

From 9:00 A. M. to 6:00 P. M. on Tuesdays, Wednesdays and Saturdays, and from 9:00 A. M. to 9:00 P. M. on Mondays, Thursdays and Fridays, and on such special days as may be mutually agreed upon by the Director of Parking and Traffic of the City of Modesto and Sears Roebuck and Company.

(c) The rate of ten (10¢) cents 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 attendant parking lots PAL-2, PAL-4a, PAL-5, PAL-17, PAL-18 and PAL-22.

(d) The price for validation stamps to be used with the validation system on attendant parking lots as provided by Section 3-2.1604 of the Modesto Municipal Code shall be ten (10¢) cents per stamp.

(e) The rate of five (5¢) cents per hour, or fraction thereof, when validated by the Stanislaus County Clerk for parking by persons serving on trial juries, is hereby established for said attendant parking lot PAL-2.

(f) The Director of Parking and Traffic may designate spaces in attendant parking lots for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

SECTION 3. PARKING TICKET LOTS. (a) The following municipal off-street parking lots shall be controlled by ticket dispensing devices:

(1) PTL-20      10th Street between G and H Street parking lot  
(Old City Hall)

(2) PTL-23      10th Street between G and H Street parking lot  
(Brack-Griffin)

(b) Vehicular parking on said municipal off-street parking lots PTL-20 and PTL-23, shall be controlled by means of ticket dispensing devices from 9:00 A. M. to 4:30 P. M. , Monday through Saturday.

(c) The rate of twenty-five (25¢) cents per day or fraction thereof is hereby established for said parking ticket lots, PTL-20 and PTL-23.

SECTION 4. FREE LOTS. The following municipal off-street parking lots shall be free lots:

(a) PL-10                      8th Street between I and K Streets

- (b) PL-15                      Fire Station parking lot (north side)
- (c) PL-16                      Fire Station parking lot (south side)

SECTION 5. MONTHLY PARKING PASSES. Monthly parking passes may be authorized by the Director of Parking and Traffic on any attendant or metered lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be as follows:

PML-25	9th and I Streets Parking Lot (Claremont Hotel Property)	\$ 5.00
PML-27	Southern Pacific Depot Parking Lot between I and K Streets	\$ 4.00
All other attendant or metered lots		\$10.00

Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot. The charge for such passes shall be at the rate of Five and no/100ths (\$5.00) Dollars per month.

SECTION 6. REPEALS. Resolution No. 70-1228 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 February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:                      Councilmen:    Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES:                     Councilmen:    None

ABSENT:                  Councilmen:    Newton, Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-117  
LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MUSGRAVE, INC. FOR AIRPORT EMERGENCY CRANE SERVICE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
letter  
that the/agreement between the City of Modesto and Musgrave, Inc.

for airport emergency crane service

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
letter  
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  
February 1971, by Councilman Dixon, who moved its  
adoption, which motion being duly seconded by Councilman Mitchell  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-118

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (CELESTE NO. 3 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on January 18, 1971, certain territory known as \_\_\_\_\_  
Celeste No. 3 Addition, and

WHEREAS, the inclusion of the area contained in \_\_\_\_\_  
Celeste No. 3 Addition 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 \_\_\_\_\_  
Celeste No. 3 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 71.

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

SECTION 5. Monday, April 12, 1971, at the hour of 7:35 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 judgment 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. 71.

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) 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) On the East end of Wolcott Way on the West line of the Addition.
- (2) On the West line of Oakdale Road on the North line of the Addition.
- (3) On the West line of Oakdale Road on the South line of the Addition.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 71, 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 22d day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Hazard  
Public Works Department

*R.H.H.*  
*2-18-71*

## CELESTE NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of the Southeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Parcel "D" as per map filed in Volume 7 of Parcel Maps, Page 68, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the CELESTE NO. 2 ADDITION (246), as per description filed December 29, 1969, as Instrument 42493, Stanislaus County Records, said point being on the East-West quarter line of Section 15, said point also being the Northwesterly corner of said Parcel "D"; thence along said quarter line and Northern line of said Parcel "D", South 89° 22' 05" East, 778.25 feet, to the East quarter corner of Section 15, said point being on the center line of a 40 foot Public Road known as Oakdale Road; thence along the East line of Section 15 and said center line of Oakdale Road, South 00° 01' 26" West, 645.67 feet, to the Northeastern corner of the ROSE ACRES ADDITION (181), as per description filed September 27, 1965, as Instrument 37370, Stanislaus County Records, said point being on the Easterly extension of the Northern line of the Tradewinds Subdivision, as per map filed March 8, 1966, in Volume 21 of Maps, Page 41, Stanislaus County Records; thence along the existing City Limits on the Northern line of the Rose Acres Addition (181) and the Tradewinds Subdivision, North 89° 41' 49" West, 1312.22 feet, to a point on the East line of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1968, as Instrument 29381, Stanislaus County Records; thence along the existing City Limits on the East line of the Rose Acres No. 2 Addition (222), North 00° 01' 05" East, 125.00 feet, to the Southwestern corner of the Celeste No. 2 Addition (246); thence along the existing City Limits on the South line of the Celeste No. 2 Addition (246), South 89° 41' 49" East, 531.46 feet, to the Southeastern corner of Celeste No. 2 Addition (246); thence along the existing City Limits on the Eastern line of the Celeste No. 2 Addition (246) North 00° 18' 11" East, 525.14 feet, to the point of beginning, containing 13.123 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 Feb. 22, 1971, 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 Councilman Simon, seconded by Councilman Smith, and adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

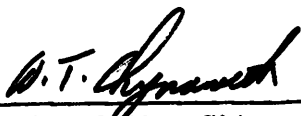
NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson

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 23, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California

W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-119  
LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE REED, DBA SILVAIR FLYING SERVICE, FOR THE WEST HALF OF HANGAR NO. 1, CITY-COUNTY AIRPORT (Effective March 1, 1971)

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
lease  
that the/ agreement between the City of Modesto and George Reed,  
dba Silvair Flying Service  
for the west half of Hangar No. 1, City-County Airport

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/ agreement  
lease  
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 February 19 71 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-120

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRANK F. AND LOUISE A. WHITCOMB FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 233 EL VISTA AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Frank F. and Louise A. Whitcomb for sewer service to property outside the City at 233 El Vista 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 22nd day of February 19 71 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-121

A RESOLUTION APPROVING THE FINAL MAP OF THE  
GREENBRIER NO. 4 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Alfred L. Flory and Gertrude E. Flory,  
husband and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 5.30 acres, known as the  
Greenbrier No. 4 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 17th day of September,  
19 68, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Greenbrier No. 4  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Greenbrier No. 4  
Subdivision 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 in the amount of One Thousand, Two  
Hundred Thirty-Six and 70/100ths (\$1,236.70) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Twenty-  
Eight Thousand, and no/100ths (\$28,000.00) Dollars.

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 22nd day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson

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

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson  
ELWYN L. JOHNSON City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-122  
LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. THOMAS FONTANA, JR. FOR ROBERTSON ROAD PARK SITE FOR A ONE YEAR PERIOD

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
lease  
that the/agreement between the City of Modesto and Mr. Thomas  
Fontana, Jr.

for Robertson Road Park Site for a one year period

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
lease  
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  
February 1971 , by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Smith ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-123

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GLEN E. AND LOIS A. BORTON FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 2031 LANCE STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Glen E. and Lois A. Borton for sewer service to property outside the City at 2031 Lance 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 22nd day of February 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-124

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 TO REZONE FROM MULTIPLE-FAMILY RESIDENTIAL ZONE , R-3, TO PLANNED DEVELOPMENT ZONE, P-D (James E. Price)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 16, 1971 , 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 Multiple-family Residential Zone, R-3, to Planned Development Zone, P-D to allow a 132-unit, two-story apartment complex on property located on the north side of Brighton Ave. between Coffee Road and Granada Way. the following described property:

(SEE EXHIBIT "A" Attached)

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-19 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 15, 1971 at 4:05 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 22nd day of February , 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of Lot 13 of the Broughton Colony as shown on the map filed in Volume 1 of Maps at Page 78, Stanislaus County Records and lying in the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the intersection of the West line of Section 22 and the North line of Lot 13 of the Broughton Colony; thence North  $89^{\circ} 53' 05''$  East along the North line of said Lot 13 a distance of 18.16 feet to the true point of beginning of this description; thence continuing North  $89^{\circ} 53' 05''$  East along said North line of Lot 13 a distance of 869.02 feet; thence South  $0^{\circ} 29' 40''$  East a distance of 59.34 feet; thence in a southeasterly direction along a curve concave to the northeast through a central angle of  $21^{\circ} 19' 40''$ , having a radius of 250.00 feet, a curve distance of 93.06 feet; thence South  $21^{\circ} 49' 20''$  East a distance of 72.19 feet; thence in a southwesterly direction along a curve concave to the southeast from a tangent bearing South  $68^{\circ} 10' 40''$  West thru a central angle of  $49^{\circ} 38' 17''$ , having a radius of 250.00 feet, a curve distance of 216.59 feet; thence South  $18^{\circ} 32' 23''$  West a distance of 167.71 feet; thence North  $71^{\circ} 27' 37''$  West a distance of 345.00 feet; thence in a northwesterly direction along a curve concave to the northeast through a central angle of  $54^{\circ} 21' 38''$ , having a radius of 600.00 feet, a curve distance of 569.26 feet to the point of beginning.

Containing 6.293 acres.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-125

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 10-3-9 OF THE ZONING MAP TO REZONE FROM MULTIPLE-FAMILY RESIDENTIAL ZONE, R-3, TO PLANNED DEVELOPMENT ZONE, P-D, PROPERTY LOCATED AT THE NORTHEAST CORNER OF COFFEE AND RUMBLE ROADS (Tom Sutter Apartments)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 16, 1971, 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 Multiple-family Residential Zone, R-3, to Planned Development Zone, P-D, property located at the northeast corner of Coffee and Rumble Roads  
the following described property:

(SEE EXHIBIT "A" Attached)

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-21 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 March 15, 1971 at 4:10 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 22nd day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

All that portion of the southwest quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

All of lots 1, 2, 3, 4 and 5 in Block 12500 of Coffee Terrace No. 1, being a subdivision of land, as shown on the face of the map thereof filed May 20, 1970, in Volume 22 of Maps, at Page 47, in the Stanislaus County Records.

Including also all of Rumble Road and the easterly 50 feet of Coffee Road immediately adjacent to the above described property.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-126

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 9-3-9 OF THE ZONING MAP TO REZONE FROM ONE-FAMILY ZONE, R-1, TO TWO-FAMILY RESIDENTIAL ZONE, R-2, PROPERTY LOCATED ON THE NORTH SIDE OF RUMBLE ROAD EAST OF LANCELOT LANE (Allen Grant)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 16, 1971, 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 One-family Zone, R-1, to Two-family Residential Zone, R-2, property located on the north side of Rumble Road east of Lancelot Lane

the following described property:

(SEE EXHIBIT "A" Attached)

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-18 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 March 15, 1971 at 4:15 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 22nd day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of the Southwest quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

All of lots 6, 7, 8, 9, and 10 in Block 12307 of King Arthur's Camelot being a Subdivision Map recorded June 8, 1965, in Volume 21 of Maps, at Page 13, in the County of Stanislaus Records.

Including also the Northerly 30 feet of Rumble and the Easterly 30 feet of Lancelot Lane immediately adjacent to the above described property; and

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-127

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16-3-9 OF THE ZONING MAP TO REZONE FROM ONE-FAMILY RESIDENTIAL ZONE, R-1, TO PLANNED DEVELOPMENT ZONE, P-D, PROPERTY LOCATED ON THE NORTH SIDE OF NORWEGIAN AVENUE, WEST OF COFFEE ROAD (Robert M. Weeks)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 16, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the zoning map to rezone from One-family Residential Zone, R-1, to Planned Development Zone, P-D to allow a 48-unit, 1 and 2 story apartment complex on property located on the north side of Norwegian Avenue, west of Coffee Road the following described property:

(SEE EXHIBIT "A" Attached)

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-20 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 16-3-9 of the Zoning Map be set for March 15, 1971 at 4:20 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 22nd day of February, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of the north half of the southeast quarter of Section 16, Township 3 south, Range 9 east, Mount Diablo Base and Meridian, situated in the County of Stanislaus, State of California, more particularly described as follows:

Commencing at the point of intersection of the centerline of Coffee Road with the centerline of Norwegian Avenue; thence north  $88^{\circ} 39'$  west along the centerline of Norwegian Avenue 804.04 feet to the true point of beginning; thence, north  $0^{\circ} 01'$  west 615.54 feet to the north boundary line of the property conveyed to Michael Mancini, et ux, by deed recorded August 11, 1944, Instrument No. 11466; thence, north  $88^{\circ} 37'$  west along the north line of said Mancini property 247.65 feet; thence south  $0^{\circ} 01'$  east 615.60 feet to the centerline of Norwegian Avenue; thence, south  $88^{\circ} 39'$  east along the centerline of Norwegian Avenue 247.65 feet to the true point of beginning.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-128

RE  
A RESOLUTION/APPOINTING MEMBER OF THE PERSONNEL COMMISSION FOR A TERM  
ENDING JANUARY 1, 1975 (Donald J. Mayol)

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/<sup>re</sup>appointed to the  
Personnel Commission for the respective  
term as indicated: Term ending January 1, 1975

Donald J. Mayol  
610 Fleetwood Drive  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy  
of this resolution to the newly/<sup>re</sup>appointed member of the  
Personnel 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  
February 1971, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Mitchell  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-129

RE

A RESOLUTION/APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT FOR  
A TERM ENDING JANUARY 1, 1975 (Clifton Rooker)

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/<sup>re</sup>appointed to the  
Board of Zoning Adjustment for the respective  
term as indicated: Term ending January 1, 1975

Clifton Rooker  
340 Covena Avenue  
Modesto, California 95351

SECTION 2. The City Clerk is hereby directed to transmit a copy  
of this resolution to the newly/<sup>re</sup>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  
February 1971, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Mitchell  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-130

**RE**  
A RESOLUTION/APPOINTING MEMBER OF THE BOARD OF HEATING & COOLING EX-AMINERS FOR A TERM ENDING JANUARY 1, 1975 (John Hochstatter)

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 <sup>re</sup>appointed to the Board of Heating & Cooling Examinters for the respective term as indicated: Term ending January 1, 1975

John Hochstatter  
1002 Columbia Way  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly <sup>re</sup>appointed member of the Board of Heating & Cooling Examiners 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 February 19 71, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Mitchell was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-131

RE  
A RESOLUTION/APPOINTING MEMBER OF THE LIBRARY & CULTURE COMMISSION FOR  
A TERM ENDING JANUARY 1, 1975 (Mrs. Jean Dunlap)

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<sup>re</sup>/appointed to the  
Library & Culture Commission for the respective  
term as indicated: Term ending January 1, 1975

Mrs. Jean Dunlap  
318 Brook Way  
Modesto, California 95354

SECTION 2. The City Clerk is hereby directed to transmit a copy  
of this resolution to the newly<sup>re</sup>/appointed member of the Library &  
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  
February, 1971, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Mitchell  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-132

A RESOLUTION APPOINTING MEMBER OF THE FARM-CITY ADVISORY COMMITTEE FOR  
A TERM ENDING JANUARY 1, 1975 (Michael C. Van Andel)

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  
Farm-City Advisory Committee for the respective  
term as indicated: Term ending January 1, 1975

Michael C. Van Andel  
3542 Ladd Road  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy  
of this resolution to the newly appointed member 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 22nd day of  
February, 1971, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Mitchell  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-133

A RESOLUTION ACCEPTING THE BID OF B. G. ENGINEERING CONTRACTORS, INC.  
FOR DEMOLITION OF BUILDING AND CONSTRUCTION OF PARKING LOT ON 10TH STREET

WHEREAS, Resolution No. 71-61 adopted by the Council of the City  
of Modesto on February 1, 1971 approved the plans and specifications  
for the demolition of building and construction of parking lot  
on 10th between J and K Streets  
and authorized the call for bids, and

WHEREAS, the bids received for the demolition of building and  
construction of parking lot on 10th between J and K Streets  
were opened at 2:00 P.M. on February 23, 1971 and later tabulated by  
the Director of Parking and / <sup>Traffic</sup> for the consideration of the Council,  
and

WHEREAS, the Director of Parking and <sup>Traffic</sup> / has recommended that the bid  
of B. G. Engineering Contractors, Inc. in the amount of \$11,500  
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. G. Engineering Contractors, Inc. in the amount  
of \$11,500  
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 1st day of March, 1971  
by Councilman Dixon who moved its adoption, which motion being  
duly seconded by Councilman Simon, was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-134

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,500 FOR ADDITIONAL FUNDS NEEDED FOR DEMOLITION OF THE NEW CANTON GRILL AND LOOMIS FLORAL BUILDING AND CONSTRUCTION OF A PARKING LOT

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

PARKING FUND (209)

FROM: General Reserve (60-57-209)	\$2,500
TO: Parking Lot #32 (6150-57-209)	\$2,500

(Additional funds needed for demolition of the New Canton Grill and Loomis Floral building and construction of a parking lot. Low bid exceeded estimate by \$2,500)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March 19 71 by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-135

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN GREENBRIER NO. 4 AND ROSE TERRACE NO. 3 SUBDIVISIONS

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

SECTION 1. The plans and specifications for installation of water lines in Greenbrier No. 4 and Rose Terrace No. 3 Subdivisions 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 16, 1971 at 10:10 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 1st day of March 19 71, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-136

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINE TO CITY HOSPITAL AND SCENIC HOSPITAL

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

SECTION 1. The plans and specifications for installation of water line to City Hospital and Scenic Hospital

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 16, 1971 at 10:15 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 1st day of March 19 71, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-137

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND  
STREET LIGHTING AT ORANGEBURG AND SUNRISE

WHEREAS, a report has been filed by the Director of Parking  
and Traffic that the construction of traffic signals and  
street lighting at Orangeburg and Sunrise  
has been completed by Ferrero Electric, Inc.

in accordance with the contract agreement dated September 28, 1970

NOW, THEREFORE, BE IT RESOLVED that the construction of  
traffic signals and street lighting at Orangeburg and Sunrise  
be accepted from said contractor, Ferrero Electric, Inc.

that notice of completion be filed with the Recorder of Stan-  
islaus County and that payment of amounts due in the amount  
of \$10,760 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 March, 1971, by Councilman  
Smith, who moved its adoption, which motion being  
duly seconded by Councilman Newton, was upon roll  
call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-138

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPLACEMENT OF CURB AND GUTTER ON CORONADO WAY AND BALBOA WAY FROM ENSLEN AVENUE TO SHERWOOD AVENUE

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

SECTION 1. The plans and specifications for replacement of curb and gutter on Coronado Way and Balboa Way from Enslen Avenue to Sherwood 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 16, 1971 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 1st day of March 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-139

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION CO. FOR INSTALLATION OF WATER LINES IN WHITMORE AVENUE, CROWS LANDING RD. & TSRR EASE.  
WHEREAS, Resolution No. 71-79 adopted by the Council of the City

of Modesto on February 10, 1971 approved the plans and specifications for the installation of water lines in Whitmore Avenue, Crows Landing Road and Tidewater Railroad Easement and authorized the call for bids, and

WHEREAS, the bids received for the installation of water lines in Whitmore Avenue, Crows Landing Road and Tidewater Railroad Easement were opened at 10:00 A.M. on February 23, <sup>1971</sup> / 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 Construction Co. in the amount of \$17,651.35

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 Construction Co. in the amount of \$17,651.35

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 March, 1971 by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-140

A RESOLUTION ACCEPTING THE BID OF OSTERBERG & STEWART FOR THE DRILLING, CASING, TESTING AND DEVELOPMENT OF WELL NO. 38 (P & G plant site) WHEREAS, Resolution No. 71-78 adopted by the Council of the City

of Modesto on February 10, 1971 approved the plans and specifications for the drilling, casing, testing and development of Well No. 38, located at the Procter & Gamble plant site and authorized the call for bids, and

WHEREAS, the bids received for the drilling, casing, testing and development of Well No. 38, located at the Procter & Gamble plant site were opened at 10:10 A.M. on February 23, <sup>1971</sup> / and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Workshas recommended that the bid of Osterberg & Stewart

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Osterberg & Stewart

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 March, 1971 by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-141

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS FOR 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 for 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 March 16, 1971 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 1st day of March 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-142

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. ( OAKDALE-FLOYD ADDITION)

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 11, 1971, duly adopted Resolution No. 71-24 (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. 69 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, March 1, 1971, at the hour of 4:05 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. 69 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. 69 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. 69, 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. 69, 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

1st day of March, 1971, by Councilman  
Newton, who moved its adoption, which motion being  
duly seconded by Councilman Smith, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By [Signature]  
Public Works Department

R.H.  
3-1-71

## OAKDALE - FLOYD ADDITION

All that real property in the State of California, County of Stanislaus, being the North half of the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being all of the Robinson Tract as per map filed September 30, 1910, in Volume 5 of Maps, Page 15, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being the North quarter corner of Section 15; thence along the North line of Section 15, North  $89^{\circ} 36' 50''$  East, 2625.60 feet, to the Northeast corner of Section 15 which is also on the center line of a public road known as Old Oakdale Road; thence along said center line, South  $0^{\circ} 53' 48''$  East, 1321.53 feet, to the South line of the North half of the Northeast quarter of Section 15, said line also being on the center line of a public road known as Floyd Avenue; thence along said center line, South  $89^{\circ} 38' 20''$  West, 2624.12 feet, to the West line of the Northeast quarter of Section 15; thence along said quarter section line, North  $0^{\circ} 57' 40''$  West, 1320.40 feet, to the point of beginning, containing 79.596 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-143

A RESOLUTION URGING A SAN JOAQUIN VALLEY ROUTE FOR RAILROAD  
PASSENGER SERVICE

WHEREAS, the Modesto City Council has been informed that railroad passenger service shall be provided between Seattle and San Diego by the National Railroad Passenger Corporation; and

WHEREAS, it will be the responsibility of the Corporation to choose a route between Los Angeles and Northern California which will either be along the California coast or through the San Joaquin Valley; and

WHEREAS, the San Joaquin Valley route would serve an estimated 3.8 million persons compared with an estimated 2.5 million persons along the coast (excluding the Counties of Los Angeles and San Francisco).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto of Stanislaus County, State of California, that the National Railroad Passenger Corporation be urged to select the San Joaquin Valley route for service north of Los Angeles.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 144

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING LOTS IN THE CITY OF MODESTO, PROVIDING FOR CONTROL THEREON, AND RESCINDING RESOLUTION NO. 71-116

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

SECTION 1. PARKING METER LOTS. (a) The following municipal off-street parking lots shall be controlled by parking meters:

- (1) PML-1 11th and G Street parking lot (PM-5 Zone)
- (2) PML-3 12th and I Street parking lot (southeast corner) (PM-9 Zone)
- (3) PML-4b 11th Street between H and I Streets (lower level) parking lot (PM-7 Zone)
- (4) PML-9 13th Street between J and K Street parking lot (PM-3 Zone)
- (5) PML-11 10th and H Street parking lot (PM-8 Zone)
- (6) PML-12 9th Street between J and K Street parking lot (PM-2 Zone)
- (7) PML-21 11th and K Street parking lot (PM-11 Zone)
- (8) PML-24 9th and J Street parking lot (PM-2 Zone)
- (9) PML-25 9th and I Street parking lot (Claremont Hotel Property) (PM-2 Zone)
- (10) PML-26 East side of 10th Street between K and L Streets (PM-2 Zone)
- (11) PML-27 Southern Pacific Depot between I and K Streets (PM-4 Zone)
- (12) PML-28 11th Street between I and J Street parking lot (PM-2 Zone)
- (13) PML-32 10th Street between J and K Street parking lot (PM-2 Zone)

(b) The municipal off-street parking lots which are controlled by meters are shown on the Parking Meter Zoning Map adopted by Section 3-2.1501 of the Modesto Municipal Code. The time limits and rates of fees for parking in said parking meter zones are as set forth in Section 3-2.1504 of said Code.

SECTION 2. ATTENDANT LOTS. (a) The following municipal off-street parking lots are hereby established as attendant lots:

- (1) PAL-2 9th Street between I and J Street parking lot
- (2) PAL-4a 11th Street between H and I Street (street level) parking lot
- (3) PAL-5 10th Street between K and L Street parking lot
- (4) PAL-17 Bank of California parking lot at 12th and J Streets
- (5) PAL-18 Seely Tower parking lot at 12th and J Streets
- (6) PAL-22 Sears parking lot, 11th Street between K and L Streets

(b) Vehicular parking on said municipal off-street parking lots shall be controlled and regulated by parking attendants as follows:

(1) PAL-2, PAL-4a, PAL-5 and PAL-18.

From 9:00 A.M. to 9:00 P.M., Monday through Saturday

(2) PAL-17

From 9:00 A.M. to 9:00 P.M. on Saturdays and bank holidays only. Attendant parking may be used on any such additional special occasions as may be deemed appropriate by the City Manager

(3) PAL-22

From 9:00 A.M. to 6:00 P.M. on Tuesdays, Wednesdays and Saturdays, and from 9:00 A.M. to 9:00 P.M. on Mondays, Thursdays and Fridays, and on such special days as may be mutually agreed upon by the Director of Parking and Traffic of the City of Modesto and Sears Roebuck and Company

(c) The rate of ten (10¢) cents 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 attendant parking lots PAL-2, PAL-4a, PAL-5, PAL-17, PAL-18 and PAL-22.

(d) The price for validation stamps to be used with the validation system on attendant parking lots as provided by Section 3-2.1604 of the Modesto Municipal Code shall be ten (10¢) cents per stamp.

(e) The rate of five (5¢) cents per hour, or fraction thereof, when validated by the Stanislaus County Clerk for parking by persons serving on trial juries, is hereby established for said attendant parking lot PAL-2.

(f) The Director of Parking and Traffic may designate spaces in attendant parking lots for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

SECTION 3. PARKING TICKET LOTS. (a) The following municipal off-street parking lots shall be controlled by ticket dispensing devices:

(1) PTL-20 10th Street between G and H Street parking lot (Old City Hall)

(2) PTL-23 10th Street between G and H Street parking lot (Brack-Griffin)

(b) Vehicular parking on said municipal off-street parking lots PTL-20 and PTL-23, shall be controlled by means of ticket dispensing devices from 9:00 A.M. to 4:30 P.M., Monday through Saturday.

(c) The rate of twenty-five (25¢) cents per day or fraction thereof is hereby established for said parking ticket lots, PTL-20 and PTL-23.

lots shall be free lots:

- (a) PL-10                      8th Street between I and K Streets
- (b) PL-15                      Fire Station parking lot (north side)
- (c) PL-16                      Fire Station parking lot (south side)
- (d) PL-31                      Lincoln School site

SECTION 5. MONTHLY PARKING PASSES. Monthly parking passes may be authorized by the Director of Parking and Traffic on any attendant or metered lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be as follows:

PML-25	9th and I Streets Parking Lot (Claremont Hotel Property)	\$ 5.00
PML-27	Southern Pacific Depot Parking Lot between I and K Streets	\$ 4.00
All other attendant or metered lots		\$10.00

Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot. The charge for such passes shall be at the rate of Five and no/100ths (\$5.00) Dollars per month.

SECTION 6. REPEALS. Resolution No. 71-116 adopted by the Council on February 22, 1971, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:                      Councilmen:    Dixon, Newton, Simon, Smith, Mayor Davies

NOES:                     Councilmen:    None

ABSENT:                  Councilmen:    Mitchell, Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-145

A RESOLUTION ACKNOWLEDGING RECEIPT OF A COPY OF NOTICE OF INTENTION TO CIRCULATE A PETITION FOR THE ANNEXATION OF INHABITED TERRITORY TO THE CITY OF MODESTO ( ROUSE NO. 2 ADDITION) WITH ACCOMPANYING STATEMENT, AND AN AFFIDAVIT OF PUBLICATION THEREOF AND APPROVING THE CIRCULATION OF A PETITION.

WHEREAS, on February 19, 1971, there was filed with the City Clerk of the City of Modesto a copy of Notice of Intention to Circulate a Petition for the Annexation of Inhabited Territory to the City of Modesto ( ROUSE NO. 2 ADDITION) with accompanying statement, under the Annexation Act of 1913, as amended, together with an affidavit of publication showing that said notice and statement were published on February 18, 1971, in The Modesto Bee, and

WHEREAS, the Annexation Act of 1913, as amended, provides that the legislative body may within fifteen (15) days after such filing adopt a resolution acknowledging receipt of the notice and accompanying statement and approving the circulation of the petitions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the receipt of said notice with accompanying statement and affidavit be, and the same is hereby acknowledged, and that approval be, and is hereby given for the circulation of the petition for annexation of that certain territory designated as the ROUSE NO. 2 Addition, twenty-one (21) days after the publication of said notice and statement, provided the petition contains a request that the question to be submitted to the electors residing in the territory proposed to be annexed shall be whether the territory shall be annexed to and incorporated in and made a part of the City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST: W. T. Chapman  
City Clerk

(SEAL)

APPROVED AS TO FORM:

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

A RESOLUTION ACCEPTING IMPROVEMENTS IN PLEASANT VIEW ESTATES NO. 1  
SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON  
EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, Gilbert Medeiros and Opal Medeiros, husband and wife, and A. W. McGuire and Ruth McGuire, husband and wife, individuals, subdividers of Pleasant View Estates No. 1 Subdivision, have filed an Instrument of Credit in the amount of \$38,500 to guarantee improvements in Pleasant View Estates No. 1 Subdivision; and

WHEREAS, The Director of Public Works in a memorandum dated February 24, 1971 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$38,500 upon expiration of the statutory lien period.

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

1. The improvements in Pleasant View Estates No. 1 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$38,500 upon expiration of the statutory lien period, filed by the Subdividers to guarantee improvements in Pleasant View Estates No. 1 Subdivision, upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March , 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Robinson

ATTEST:   
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-147

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND E. D. THOMPSON, ELAINE H. THOMPSON AND CLYDA M. RAMOS FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY AT 1437 ROSE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and E. D. Thompson, Elaine H. Thompson and Clyda M. Ramos for sewer service to property outside City at 1437 Rose 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 1st day of March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-148

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
THE DEVELOPERS OF TEMPO PARK, INC. NO. 1 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the Developers of Tempo Park, Inc. No. 1 Subdivision for sewer service to subdivision outside the City at the north-east corner of Herndon and Holm Avenues south of the Tuolumne River 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 March 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-149

AMENDMENT TO LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND UNITED AIR LINES COVERING ACTIVITY FEES (LANDING FEES) AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto amendment to lease that the/agreement between the City of Modesto and United Air Lines

for activity fees (landing fees) at the Modesto City-County Airport, effective January 1, 1971 of 10¢ per 1,000 lbs. gross landing weight for the calendar year, increasing to 11¢ in 1972, 12¢ in 1973 and 13¢ in 1974 through May of 1975 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement amendment to lease 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 March 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-150

A RESOLUTION AMENDING SECTION 5 OF LEASE AGREEMENT FOR THE  
LEASING OF TIE-DOWN AND T-HANGAR SPACES AT THE MODESTO CITY-  
COUNTY AIRPORT

WHEREAS, Resolution No. 70-205 adopted by the Council of the City of Modesto on March 9, 1970, approved a form of lease agreement for leasing tie-down and T-hangar spaces at the Modesto City-County Airport, and

WHEREAS, said agreement form is attached to Resolution No. 70-205 as Exhibit "A" and made a part thereof; and

WHEREAS, the Department of Public Works has recommended that Section 5 of said lease agreement be amended to read as follows:

"INDEMNIFICATION: LESSEE agrees to indemnify and hold CITY harmless from and against all liabilities or injuries to persons or damage to property caused by LESSEE'S use of occupancy of, or operation of the demised premise unless caused by negligence on the part of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that amendment to Section 5 of the form of lease agreement for tie-down and T-hangar spaces at Modesto City-County Airport, as outlined above, 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 March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-151

A RESOLUTION APPROVING THE FINAL MAP OF THE  
ROSE TERRACE NO. 3 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger,  
husband and wife, and Harley D. Brannan and Norma Brannan, husband  
and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 12.38 acres, known as the  
Rose Terrace No. 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 6th day of October,  
19 70, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Rose Terrace No. 3  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Rose Terrace No. 3  
Subdivision 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 in the amount of Two Thousand, Nine  
Hundred Seventy-Two and 15/100ths (\$2,972.15) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Eighty-Eight  
Thousand, Five Hundred and no/100ths (\$88,500.00) Dollars.

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 March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-152

A RESOLUTION APPROVING THE FINAL MAP OF THE  
BEL AIR NO. 6 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Gilbert Medeiros and Opal Medeiros, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.30 acres, known as the Bel Air No. 6 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 18th day of November, 1969, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Bel Air 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.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map of the Bel Air No. 6 Subdivision 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 in the amount of Twenty-Three and no/100ths (\$23.00) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1971, by Councilman Smith, who moved its

adoption, which motion being duly seconded by Councilman  
Newton, was upon roll call carried and the resolution adopted  
by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-153

A RESOLUTION SETTING TIME AND PLACE FOR HEARING THE PROPOSED RE-  
VERSION TO ACREAGE 3 LOTS IN TULLY MANOR NO. 2 SUBDIVISION  
(Ronald V. Stone)

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that March 22, 1971 , at 7:50 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  
proposed reversion to acreage 3 lots in Tully Manor No. 2 Subdi-  
vision (Lots 12, 13, and 14, Block 13129) at the southwest corner  
of Standiford Avenue and Colonial Drive

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 1st day  
of March, 1971 by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman  
Newton , was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-154

A RESOLUTION SETTING TIME AND PLACE FOR HEARING RECOMMENDED AMENDMENT TO P-D(34) TO ALLOW A MAXIMUM 178-BED SPLIT LICENSE FACILITY (Sanders Construction Company Inc.)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 7:55 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of recommended amendment to P-D(34) to allow a maximum 178-bed split license facility including "Type P-Acute Psychiatric", "Type A-Alcoholism Rehabilitation", and "Type L-Long Term" Care, as regulated by the State of California

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-155

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$5,585 TO PROVIDE  
ADDITIONAL FUNDS FOR UNIFORM ALLOWANCE

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

GENERAL FUND (101)

FROM: General Reserve (60)	\$5,585
TO: Uniform Allowance (339-22-101)	\$5,585

(Additional funds are required due to the increase in  
uniform allowance that became effective on July 6, 1970)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 1st day of March  
19 71 by Councilman Smith , who moved its adoption, which motion  
being duly seconded by Councilman Newton , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-156

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$361 FOR PAYMENT OF REPAIRS RESULTING FROM VANDALISM AT THE MODESTO COMMUNITY SERVICE CENTER

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

GENERAL FUND (101)

FROM: General Reserve (60)	\$361
TO: Maintenance & Repair, Buildings & Grounds (224-34-101)	\$361

(The above transfer is requested to pay for vandalism repair in the Community Service Center which was not anticipated, and therefore, funds were not budgeted in this account. The net cost of the repair to the City will be \$100 after reimbursement from the City's insurance carrier.)

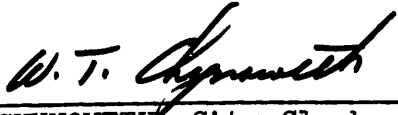
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of March 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-157

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATER LINES IN APPL-  
GATE NO. 1 SUBDIVISION (Valley Construction Co.)

WHEREAS, a report has been filed by the Director of Public  
Works that the construction of water lines in Applegate  
No. 1 Subdivision  
has been completed by Valley Construction Co.

in accordance with the contract agreement dated January 18, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of  
water lines in Applegate No. 1 Subdivision  
be accepted from said contractor, Valley Construction Co.

that notice of completion be filed with the Recorder of Stan-  
islaus County and that payment of amounts due in the amount  
of \$5,472.75 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  
8th day of March, 1971, by Councilman  
Dixon, who moved its adoption, which motion being  
duly seconded by Councilman Mitchell, was upon roll  
call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-158

A RESOLUTION ACCEPTING THE BID OF FERRERO ELECTRIC, INC. FOR THE  
INSTALLATION OF STREET LIGHTING ON NEECE DR. FROM ROUSE AVE. TO FAIRWAY DR.

WHEREAS, Resolution No. 71-98 adopted by the Council of the City

of Modesto on February 16, 1971 approved the plans and specifications  
for the installation of street lighting on Neece Drive from Rouse  
Avenue to Fairway Drive

and authorized the call for bids, and

WHEREAS, the bids received for the installation of street light-  
ing on Neece Drive from Rouse Avenue to Fairway Drive

were opened at 10:10 A.M. on March 2, 1971 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 Ferrero Electric, Inc. in the amount of \$7,956.00

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, Inc. in the amount of \$7,956.00

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 March, 1971,  
by Councilman Dixon who moved its adoption, which motion being  
duly seconded by Councilman Mitchell, was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-159

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION CO. FOR CONSTRUCTION OF 16TH STREET SEWER, H TO J STREETS  
WHEREAS, Resolution No. 71-99 adopted by the Council of the City of Modesto on February 16, 1971 approved the plans and specifications for the construction of 16th Street Sewer, H To J Streets

and authorized the call for bids, and

WHEREAS, the bids received for the construction of 16th Street Sewer, H to J Streets were opened at 10:00 A.M. on March 2, 1971 and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Workshas recommended that the bid of Valley Construction Co. in the amount of \$9,730.00

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 Construction Co. in the amount of \$9,730.00

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 March, 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-160

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SCENIC DRIVE - KINGSBURY PARK SUBTRUNK SEWER (D. A. Parrish & Sons, Inc.)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Scenic Drive - Kingsbury Park Subtrunk Sewer has been completed by D. A. Parrish & Sons, Inc.

in accordance with the contract agreement dated October 13, 1970

NOW, THEREFORE, BE IT RESOLVED that the construction of Scenic Drive - Kingsbury Park Subtrunk Sewer be accepted from said contractor, D. A. Parrish & Sons, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$48,168.56 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 March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-161

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRUCK SCALE AND SCALE BUILDING AT THE CITY-COUNTY LANDFILL (Harold Carver & Dwaine Carver, partnership)

WHEREAS, a report has been filed by the Director of Public Works that the construction of Truck Scale and Scale Building at the City-County landfill has been completed by Harold Carver & Dwaine Carver, partnership

in accordance with the contract agreement dated November 16, 1970

NOW, THEREFORE, BE IT RESOLVED that the construction of Truck Scale and Scale Building at the City-County landfill be accepted from said contractor, Harold Carver & Dwaine Carver, partnership

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$33,830.00 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 March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-162

A RESOLUTION OPPOSING PROPOSED CUT-BACKS IN MEDI-CAL PROGRAM

WHEREAS, the Honorable Ronald Reagan, Governor of the State of California, has proposed reductions in certain services now offered as part of the Medi-Cal Program; and

WHEREAS, Governor Reagan's proposal would limit the number of doctor visits and prescriptions; would eliminate certain needs of the elderly, such as dentures and eyeglasses, and would require certain payments to be made by the elderly for doctor visits, prescriptions and nursing home care; and

WHEREAS, many of the elderly in the City of Modesto are unable to furnish for themselves the services proposed to be eliminated and are unable to pay the proposed fees.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposed cut-backs in Medi-Cal are of grave concern to the residents of Modesto and are objected to by the Council.

BE IT FURTHER RESOLVED that the Honorable Ronald Reagan is urged to refrain from putting the proposed changes into effect.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Honorable Ronald Reagan, Governor of the State of California, the Honorable Stephen P. Teale, Senator for the 3rd Senatorial District and the Honorable Ernest LaCoste, Assemblyman for the 30th Assembly District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-163

A RESOLUTION CONTINUING FOR THE DANGEROUS BUILDING CODE THE SCHEDULE PREVIOUSLY APPROVED FOR THE ADMINISTRATION AND ENFORCEMENT OF THE UNSAFE STRUCTURE CODE, AND AUTHORIZING PRIORITY INSPECTIONS ON VACANT BUILDINGS.

WHEREAS, at its meeting of September 21, 1964, the Council of the City of Modesto approved the recommendations of the Director of Public Works set forth in a memorandum to the City Manager, dated September 15, 1964, as the schedule for administration and enforcement of the Unsafe Structure Code, and

WHEREAS, in said memorandum dated September 15, 1964, the Director of Public Works described a 25 block downtown area to which the Unsafe Structure Code would apply for administration and enforcement, and

WHEREAS, at its meeting of March 8, 1971, the Council of the City of Modesto introduced an ordinance adopting a Uniform Dangerous Building Code which will replace the Unsafe Structure Code, and considered the recommendation of the Director of Public Works, regarding continuance of the application of the Dangerous Building Code to the previously approved 25 block downtown area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the application of the Dangerous Building Code to the previously approved 25 block downtown area covered by the Unsafe Structure Code, as set forth in the memorandum of the Director of Public Works to the City Manager dated September 15, 1964, a copy of which is on file in the Office of the City Clerk, and by this reference made a part hereof as though set forth in full.

BE IT FURTHER RESOLVED that priority inspections are to be made on those buildings now vacant and to those buildings which become vacant regardless of their location in the area.

The foregoing resolution was introduced at a regular meeting of the Council held on the 8th day of March, 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-164

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF MODESTO TO CALL A SPECIAL ELECTION TO ANNEX TERRITORY TO THE CITY OF MODESTO.  
(NORWEGIAN NO. 1 ADDITION)

WHEREAS, on the 8th day of March, 1971, a petition proposing that the following described new territory, to wit, Norwegian No. 1 Addition, be annexed to the City of Modesto, was duly received by the Council of the City of Modesto, and

WHEREAS, said petition is signed by not less than one-fourth (1/4) of the qualified electors residing within said described territory as shown by the County registration of voters, and

WHEREAS, said petition contains said description of the said new territory proposed to be annexed to said City of Modesto,

NOW, THEREFORE, it is hereby resolved that it is the intention of this Council to call a special election for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election. Said territory is described as attached hereto.

Said territory shall be designated and referred to upon election ballots as Norwegian No. 1 Addition.

Any person owning real property within the said described territory may appear before the Council of the City of Modesto on the 12th day of April, 1971, at the hour of 7:40 o'clock P.M., at the Council Chambers located in the City Hall, 801 - 11th Street, Modesto, California, concerning written protest against the annexation filed pursuant to Government Code Section 35120.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, <sup>1971</sup>~~1967~~, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: † Dixon, Mitchell, Newton, Simon, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson, Smith

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

NORWEGIAN NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Southeast quarter of Section 16, 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 Northeastern corner of the SYLVAN ADDITION (113), as per description filed September 8, 1960, as Instrument 25490, Stanislaus County Records, said point being the interior quarter corner of Section 16 and on the Southern line of the NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along said Southern boundary of ADDITION (78), and the East-West quarter line of Section 16, South  $89^{\circ} 30'$  East, 27.00 feet, to the Southwestern corner of the MONTGOMERY VILLAGE ADDITION (100), as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (100), South  $89^{\circ} 30'$  East, 660.84 feet, to the Southwestern corner of the EAST FLOYD ADDITION (104), as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (104), South  $89^{\circ} 30'$  East, 511.35 feet, to the Northwestern corner of the ATHENS ADDITION (141), as per description filed November 19, 1962, as Instrument 43543, Stanislaus County Records; thence along the Western boundary of said ADDITION (141), South  $0^{\circ} 52'$  East, 616.28 feet, to the Northwestern corner of the NORWEGIAN NO. 3 ADDITION (256), as per description filed July 23, 1970, as Instrument 23539, Stanislaus County Records; thence continuing along the existing City Limits on the Western boundary of said ADDITION (256), South  $0^{\circ} 52'$  East, 616.30 feet, to the center line of a 60.00 foot public road known as Norwegian Avenue and the Southwestern corner of said ADDITION (256); thence leaving the existing City Limits and along the center line of said Norwegian Avenue, North  $89^{\circ} 31'$  West, 1231.34 feet, to the Southerly extension of the Western line of a 60.00 foot public road known as Sunrise Avenue; thence along said Southerly extension and Western line, North  $0^{\circ} 46'$  West, 30.00 feet, to the most Southeastern corner of ADDITION (78), and the existing City Limits; thence along the existing City Limits on the Eastern boundary of ADDITION (78), North  $0^{\circ} 46'$  West, 512.35 feet, to a Northeastern corner of said ADDITION (78), and the Southern boundary of ADDITION (113); thence along said Southern boundary, South  $89^{\circ} 31'$  East, 30.00 feet, to the Southeastern corner of said ADDITION (113); thence along the existing City Limits on the Eastern boundary of said ADDITION (113), North  $0^{\circ} 46'$  West, 690.53 feet, to the point of beginning, containing 34.332 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-165

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LOUIS DURAN AND DIANA DURAN FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 805 LOMBARDO AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Louis Duran and Diana Duran for sewer service to property outside the City at 805 Lombardo 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 8th day of March 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST: \_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-166

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MARY LOUISE CHARLES FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 821 LOMBARDO AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mary Louise Charles for sewer service to property outside the City at 821 Lombardo 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 8th day of March 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith,

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-167

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND E. L. ROBERTS AND ETHEL S. ROBERTS FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1708 ROBERTSON ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and E. L. Roberts and Ethel S. Roberts for sewer service to property outside the City at 1708 Robertson Road 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 March 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-168

A RESOLUTION AUTHORIZING PAYMENT OF \$250.00 TO LEAGUE OF CALIFORNIA CITIES FOR UTILITY USERS' TAX LITIGATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that payment of \$250.00 to the League of California Cities for utility users' tax litigation involving the validity of a local utility users' tax, is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th of March, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

  
ATTEST: W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-169

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,969 FOR IMPROVEMENTS TO PUBLIC ADDRESS SYSTEM IN COUNCIL CHAMBER

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

GENERAL FUND (101)

FROM: General Reserve (60)	\$1,969
TO: Update Council Public Address System (5201-19-101)	\$1,969

(Replace ceiling type speakers with sound projection column, replace power amplifier and allied cables, etc.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March 19 71 by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-170

A RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 20, 1971, AND DESIGNATING PRECINCTS AND POLLING PLACES AND APPOINTING ELECTION OFFICERS FOR SAID GENERAL MUNICIPAL ELECTION.

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

(1) Pursuant to the Charter of the City of Modesto, a general municipal election shall be held on Tuesday, April 20, 1971, in the City of Modesto and in the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County for the election of the following officers:

- (a) Mayor for a full term of four (4) years.
- (b) One (1) Councilman (Chair 1) for a full term of four (4) years.
- (c) One (1) Councilman (Chair 3) for a full term of four (4) years.
- (d) One (1) Councilman (Chair 6 ) for a full term of four (4) years.
- (e) Three (3) members of the Board of Education for the full term of four (4) years each.

(2) The duties of the election officers appointed hereby in the conduct of said election shall be the same as the duties prescribed by the Elections Code of the State of California for officers of general elections. If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at the time may appoint a Board of Election or supply the place of any absent member thereof.

(3) Said election shall be held in all respects in conformity with the general election laws of the State of California insofar as the same may be applicable to and in conformity with the Charter of the City of Modesto. The polls at the polling places hereinafter designated shall be kept open continuously from 7:00 o'clock A. M. (P. S. T.) until 8:00 o'clock P. M. (P. S. T.) of said day of election, when the polls shall be closed (except as provided in Section 14436 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(4) The returns of the election shall be made out and signed by the election officers and shall be by them deposited with the City Clerk, together with the ballots cast at the election; and the City Clerk is hereby ordered to and

shall canvass said returns at the office of the Stanislaus County Clerk in Room 105 in the Courthouse, Modesto, California, pursuant to the Elections Code of the State of California, Section 22932.5. Upon completion of the canvass, the City Clerk shall certify the results of the election to the Council and the Council shall meet at its usual meeting place and confirm said canvass by the City Clerk on Tuesday, April 27, 1971, at the hour of 4:00 o'clock P.M. (P.S.T.) and declare the results of the election.

(5) For the purpose of holding said election, the said City of Modesto and those portions of the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County lying within the corporate limits of the City of Modesto, and those portions of the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County, which lie outside of the corporate limits of the City of Modesto, shall be and the same are hereby precincted and established into ninety-two (92) voting precincts consisting of consolidations of the regular election precincts in the City of Modesto and the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County established for the holding of State and county elections; that the county election precincts be consolidated as hereinafter designated; that the polling places for the respective precincts shall be the places hereinafter designated; and that the persons hereinafter named have been appointed officers of election for their respective voting precincts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Mayor  
Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

(SEAL)

APPROVED AS TO FORM:

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

SPECIAL 41001 ABSENTEE POLL  
M 53 NO POLLING PLACE-VOTE  
ABSENTEE IN ACCORDANCE WITH SECTION  
14620.5 OF ELECTION CODE

SPECIAL 43003 COUNTY AUDITORIUM  
M 2-52 CENTER NO 3  
2115 SCENIC DRIVE  
MODESTO, CALIF

MARKMILLER, MRS NORMA G. DEM  
2001 SCENIC, MODESTO M 52  
PHONE 523-6279 95350

CROWWELL, MRS JACQUELINE E. REP  
919 CHATEAU, MODESTO M 2  
PHONE 529-2884 95350

STOWERS, MRS IRENE A. REP  
1807 SCENIC, MODESTO M 52  
PHONE 522-4581 95350

CAVAGGION, MRS GENEVIEVE A. DEM  
617 BROOKVALE, MODESTO M 52  
PHONE 523-1087 95350

SPECIAL 43002 FIRE HOUSE  
M 1-19 635 EL VISTA  
MODESTO, CALIF

SPECIAL 43004 LA LOMA JR HIGH SCH.  
M 20 LOBBY-1800 ENCINA  
MODESTO, CALIF

PRATT, MRS DORIS L. DEM  
2106 ENCINA, MODESTO M 19  
PHONE 522-6973 95351

LILLY, MRS DOROTHY E. DEM  
345 ROSINA, MODESTO M 20  
PHONE 523-8708 95351

LAMB, MRS MARIE B. DEM  
2053 HADDON, MODESTO M 19  
PHONE 522-8441 95351

GRAVES, MRS LELAH A. REP  
306 ROSINA, MODESTO M 20  
PHONE 522-1824 95351

NIELSEN, MRS ETHEL S. REP  
213 OAKSHIRE, MODESTO M 19  
PHONE 523-5340 95351

SMITH, MRS OPAL O. DEM  
417 ROSINA, MODESTO M 20  
PHONE 523-1358 95351

PULIZZI, MRS MARY V. DEM  
2129 SHAW, MODESTO M 19  
PHONE 522-8549 95351

ATWOOD, MRS BLANCHE R. REP  
221 SAN JUAN DR, MODESTO M 20  
PHONE 522-5152 95351

SPECIAL 43005 LA LOMA GRACE BRETHR  
M 21 CHURCH-1315 LA LOMA  
MODESTO, CALIF

SPECIAL 43007 M. TIGERT, RESIDENCE  
M 23 153 LAS FLORES  
MODESTO, CALIF

HAMILTON, MRS HILDA E. REP  
413 N SANTA ANA, MODESTO M21'  
PHONE 522-7577 95351

TIGERT, MRS RUTH A. REP  
153 LAS FLORES, MODESTO M 23  
PHONE 95351

RAPER, MRS SANTINA DEM  
317 N SANTA ANA, MODESTO M21'  
PHONE 523-8832 95351

GREEN, MRS MARJORIE A. DEM  
120 BONITA CIRCLE, MODESTO M 23  
PHONE 523-3065 95351

BISPO, MRS LAURA L. DEM  
301 SANTA BARBARA, MODESTO M21'  
PHONE 522-8732 95351

Mitchell, Mrs Doris R. Dem  
231 Buena Vista, Modesto  
Phone 523-5917

MINER, MRS DOROTHY L. DEM  
409 COVENA, MODESTO M21'  
PHONE 522-3497 95351

CAREY, MRS VIVIAN D. DEM  
108 BONITA CIRCLE, MODESTO M 23  
PHONE 529-2439 95351

SPECIAL 43006 WILSON SCHOOL-LIBRARY  
M 22 201 WILSON  
MODESTO, CALIF

SPECIAL 43008 FIRE HOUSE YOUTH  
M 24 CENTER, 416 DOWNEY  
MODESTO, CALIF.

LUCKS, MRS LIVIA M. DEM  
211 LAS PALMAS, MODESTO M 22  
PHONE 524-0463 95351

ORVIS, MRS EILEEN DEM  
140 LOMA VISTA, MODESTO M 24  
PHONE 522-4878 95351

SAVAGE, MRS LOLA O. DEM  
1313 ENCINA, MODESTO M 22  
PHONE 523-8059 95351

MARTEL, MRS ALICE L. REP  
209 STATE, MODESTO M 24  
PHONE 523-2521 95351

PAGE, MRS MADELINE C. DEM  
406 N SANTA ROSA, MODESTO M 22  
PHONE 523-3598 95351

CLARK, MRS DOROTHY A. REP  
149 MORTON BLVD, MODESTO M 24  
PHONE 522-9435 95354

RANDLE, MRS FRIEDA M. REP  
121 SANTA BARBARA, MODESTO M 22  
PHONE 524-7087 95351

LARSEN, MRS MILDRED V. REP  
149 LOMA VISTA, MODESTO M 24  
PHONE 524-1947 95354

SPECIAL 43009 HEATH TOYOTA  
# 25 720 12TH ST.  
MODESTO, CALIF.

SPECIAL 43011 BOY SCOUT CLUBHOUSE  
# 27 400 ENSLEN AVE.  
MODESTO, CALIF.

GROSS, MRS BERNICE  
1305 F ST, MODESTO  
PHONE 522-3449 95354

DEM  
M 25

SMITH, MRS BETTE B.  
415 SYCAMORE, MODESTO  
PHONE 522-2940 95354

REP  
M 27

HAUSCHILDT, MRS HENRIETTA  
1219 E ST, MODESTO  
PHONE 522-9149 95354

DEM  
M 25

CASE, ALFRED F.  
218 ELMWOOD CT, MODESTO  
PHONE 522-9484 95354

REP  
M 27

PITTMAN, MRS AGNES C.  
431 12TH ST, MODESTO  
PHONE 523-3380 95354

DEM  
M 25

DRENNAN, MRS LYDIA B.  
718 WRIGHT, MODESTO  
PHONE 523-1067 95354

DEM  
M 27

SHARAR, MRS ELGEVA E.  
525 13TH, MODESTO  
PHONE 523-6617 95354

DEM  
M 25

WIELAND, MRS KATHLEEN  
310 MAGNOLIA, MODESTO  
PHONE 522-2855 95354

DEM  
M 27

SPECIAL 43010 M I D BUILDING  
# 26 1231 11TH ST.  
MODESTO, CALIF.

SPECIAL 43012 JOHN MUIR SCHOOL-HALL  
# 28 1215 LUCERN  
MODESTO, CALIF.

HOLMDAHL, MRS ELOUISE J.  
132 SYCAMORE, MODESTO  
PHONE 523-5415 95354

DEM  
M 26

COPELAND, MRS EDITH W.  
613 CASTLE, MODESTO  
PHONE 522-6926 95350

DEM  
M 28

UNRUH, MRS FERN I.  
107 HACKBERRY, MODESTO  
PHONE 523-8112 95354

REP  
M 26

REED, MRS JANET M.  
543 HUNTER, MODESTO  
PHONE 524-0378 95350

REP  
M 28

BERTHELSON, MRS ARLEVA  
120 COLLEGE, MODESTO  
PHONE 522-1894 95350

DEM  
M 26

KEIR, MRS MABEL E.  
1103 GRANTLAND CT, MODESTO  
PHONE 524-2230 95350

REP  
M 28

LUNDQUIST, MRS IDA A.  
706 NEEDHAM, MODESTO  
PHONE 523-2039 95354

DEM  
M 26

NELSON, MRS MILDRED T.  
610 CASTLE, MODESTO  
PHONE 523-0062 95350

REP  
M 28

SPECIAL 43013 MODESTO COMMUNITY  
M 29 SERVICE CENTER  
800 EAST MORRIS  
MODESTO, CALIF.

SPECIAL 43015 IRENE HICKS GARAGE  
M 31 915 OXFORD WAY  
MODESTO, CALIF.

LEHMAN, MRS MARTHA DEM  
250 KIMBLE, MODESTO M 29  
PHONE 522-2924 95354

HICKS, MRS IRENE K. REP  
915 OXFORD WAY, MODESTO M 31  
PHONE 522-9216 95350

BROWN, MRS MARJORIE H. REP  
130 JOHN MUIR CT, MODESTO M 29  
PHONE 523-0025 95350

TURNER, MRS EMILY M. REP  
807 BURKE, MODESTO M 31  
PHONE 523-7343 95350

HANFORD, MRS MARY R. DEM  
245 HIGH, MODESTO M 29  
PHONE 524-0322 95354

SPOONEMORE, MRS ORA N. REP  
810 MUIR RD, MODESTO M 31  
PHONE 523-3735 95350

RUSSELL, MRS HALLIE DEM  
222 HIGH, MODESTO M 29  
PHONE 522-0456 95354

HOOPER, MRS DOROTHY E. REP  
809 EL VECINO, MODESTO M 31  
PHONE 524-3681 95350

SPECIAL 43014 GENEVA PRESBYTERIAN  
M 30 CHURCH-1003 FAIRMONT  
MODESTO, CALIF

SPECIAL 43016 HELEN OLSON GARAGE  
M 32 609 HIGH  
MODESTO, CALIF.

MANNING, MRS ELSIE M. REP  
1204 CLIFTON DR, MODESTO M 30  
PHONE 522-8344 95350

STEGER, MRS F. ESTELLA REP  
525 KIMBLE, MODESTO M 32  
PHONE 523-3119 95354

HILLIGOSS, MRS OPAL M. REP  
1717 CRESTVIEW, MODESTO M 30  
PHONE 522-5402 95350

LO FORTI, MRS EDITH DEM  
532 BODEM, MODESTO M 32  
PHONE 523-4372 95350

MYRICE, MRS PATRICIA S. REP  
1712 CRESTVIEW DR, MODESTO M 30  
PHONE 529-4787 95350

OBERT, MRS FLORENCE DEM  
600 HIGH, MODESTO M 32  
PHONE 523-7400 95354

BROWN, MRS MARJORIE J. DEM  
1521 CARNATION, MODESTO M 30  
PHONE 529-4539 95350

OLSON, MRS ETHELYN I. REP  
132 CHABOT CT, MODESTO M 32  
PHONE 524-0084 95350

SPECIAL 43017 L. CRAWFORD RES  
M 33 510 NORTH OLIVE  
MODESTO, CALIF.

SPECIAL 43019 J. WILSON GARAGE  
M 35 1128 MILLS  
MODESTO, CALIF.

HAMMOND, MRS NORMA S. REP  
1235 PRINCETON, MODESTO M 33  
PHONE 523-0427 95350

GRIFFITH, MRS BETTY L. REP  
932 HARVARD, MODESTO M 35  
PHONE 522-6427 95350

JOHANSEN, MRS PEARL REP  
1212 PRINCETON, MODESTO M 33  
PHONE 523-4084 95350

WILSON, MRS ROZANNE H. REP  
1128 MILLS, MODESTO M 35  
PHONE 522-7345 95350

CRAWFORD, MRS KAREN E. DEM  
510 N OLIVE, MODESTO M 33  
PHONE 523-7760 95350

BERDOT, MRS HELEN J. DEM  
911 HELMS LN, MODESTO M 35  
PHONE 523-6545 95350

ROOKER, MRS WINNIFRED S. DS  
215 VIRGINIA, MODESTO M 33  
PHONE 522-9242 95354

HUGHES, MRS HILDA M. DEM  
1129 MILLS, MODESTO M 35  
PHONE 522-2816 95350

SPECIAL 43018 ENSLEN SCHOOL-RM 1  
M 34 515 COLDWELL  
MODESTO, CALIF.

SPECIAL 43020 G. COLLINS RESIDENCE  
M 36 1114 BRADY  
MODESTO, CALIF.

BACCIARINI, MRS ANNA E. DEM  
684 GEER CT, MODESTO M 34  
PHONE 523-8960 95354

COLLINS, MRS MARGARET A. DEM  
1114 BRADY, MODESTO M 36  
PHONE 522-5940 95350

VAN ANTWERPEN, MRS THELMA REP  
805 GEER, MODESTO M 34  
PHONE 523-8611 95354

MCCOY, MRS DAISY DEM  
1228 BRADY, MODESTO M 36  
PHONE 523-7941 95350

EDWARDS, MRS HELEN I. REP  
664 GEER CT, MODESTO M 34  
PHONE 523-0372 95354

GOWANS, MRS PAULINE REP  
427 MENSINGER, MODESTO M 36  
PHONE 522-3529 95350

DOBORVOLNY, MRS VIOLET P. REP  
302 W ROSEBURG, MODESTO M 34  
PHONE 522-7079 95350

REDDY, MRS VERTA DEM  
1231 BRADY, MODESTO M 36  
PHONE 523-8162 95350

SPECIAL 43021 ROOSEVELT JR HIGH SCH  
# 37 HALL-1330 COLLEGE  
MODESTO, CALIF.

SPECIAL 43023 H. MERKEL GARAGE  
# 39 1550 BRONSON  
MODESTO, CALIF.

DE BROEKERT, MRS AUDEAN M. REP  
1112 OBERLIN CR, MODESTO M 37  
PHONE 522-9392 95350

MERKEL, MRS TABEA REP  
1550 BRONSON, MODESTO M 39  
PHONE 523-2967 95350

WAKEFIELD, MRS EDNA H. REP  
1102 AMHERST, MODESTO M 37  
PHONE 523-8676 95350

BANDY, MRS THELMA M. DEM  
1403 BRONSON, MODESTO M 39  
PHONE 523-7127 95350

WALLACE, MRS PHALA A. REP  
1037 W ROSEBURG, MODESTO M 37  
PHONE 524-5630 95350

KIRKMAN, MRS ERNESTINE DEM  
1535 BRONSON, MODESTO M 39  
PHONE 529-2475 95350

KAMPS, MRS ALBERTA REP  
1231 CECIL WAY, MODESTO M 37  
PHONE 523-7898 95350

PETERSEN, MRS FRANCES I. REP  
1540 BRONSON, MODESTO M 39  
PHONE 523-9945 95350

SPECIAL 43022 G. FREITAS GARAGE  
# 38 1404 ROOSEVELT  
MODESTO, CALIF.

SPECIAL 43024 T. THRELFALL, RES  
# 40 1140 MT VERNON  
MODESTO, CALIF.

FREITAS, MRS MARY R. REP  
1404 ROOSEVELT, MODESTO M 38  
PHONE 522-8100 95350

LOSER, MRS DONNABELLE Z. REP  
1135 MT VERNON, MODESTO M 40  
PHONE 523-0913 95350

SPIELMAN, MRS LILLIAN DEM  
507 BALBOA, MODESTO M 38  
PHONE 522-8892 95350

JOLLEY, MRS HARRIET T. REP  
1817 MONTICELLO, MODESTO M 40  
PHONE 523-1540 95350

DURHAM, MRS EVA B. REP  
612 CATALINA WAY, MODESTO M 38  
PHONE 523-4452 95350

MILLER, MRS ROSEMARY B. REP  
1136 MT VERNON, MODESTO M 40  
PHONE 524-0328 95350

COOKE, MRS FRIEDA B. DEM  
1519 FLORIDA, MODESTO M 38  
PHONE 523-2798 95350

THRELFALL, MRS PHYLLIS J. DEM  
1140 MT VERNON, MODESTO M 40  
PHONE 522-6396 95350

SPECIAL 43025 F. BELCHER GARAGE  
M 41 1635 ARDMORE  
MODESTO, CALIF.

SPECIAL 43027 BEARD SCHOOL-RM 24  
M 43 915 BOWEN AVE  
MODESTO, CALIF

BELCHER, MRS LORRAINE H. DEM  
1635 ARDMORE, MODESTO M 41  
PHONE 529-0205 95350

BERNACCHI, MRS MILDRED R. DEM  
1006 MT VERNON, MODESTO M 43  
PHONE 523-8751 95350

DAVIS, MRS MARY A. REP  
1639 BRONSON, MODESTO M 41  
PHONE 523-0859 95350

RICHARDS, MRS ELNA M. DEM  
410 NORTHWOOD DR, MODESTO M 43  
PHONE 524-1595 95350

PEER, MRS ELLA W. REP  
1725 ARDMORE, MODESTO M 41  
PHONE 522-5828 95350

WAIT, MRS TWILA S. DEM  
1029 MT VERNON, MODESTO M 43  
PHONE 522-2879 95350

WERDA, MRS EILEEN M. DEM  
1018 CALDER CT, MODESTO M 41  
PHONE 523-1667 95350

MEANZA, MRS BERNICE I. DEM  
918 MT VERNON, MODESTO M 43  
PHONE 522-2984 95350

SPECIAL 43026 N MODESTO CH OF GOD  
M 42 1918 SHERWOOD  
MODESTO, CALIF.

SPECIAL 43028 G.D. ALWAY, RES  
M 50 217 PALM  
MODESTO, CALIF.

GASKA, MRS NORMA B. DS  
501 BRIGGSMORE, MODESTO M 42  
PHONE 522-2738 95350

BIEDENWEG, MRS MABLE C. REP  
139 PALM, MODESTO M 50  
PHONE 523-7142 95350

JOHNSON, MRS JUDITH E. DEM  
2041 LA VILLA ROSE CT, MODESTO M 42  
PHONE 523-6910 95350

CONWAY, MRS JEAN C. DEM  
139 CORSON, MODESTO M 50  
PHONE 523-5555 95350

SMITH, MRS MARY A. DEM  
2924 HEMMINGER, MODESTO M 15  
PHONE 523-6611 95350

HOLLOWAY, MRS PATRICIA A. DEM  
407 PALM, MODESTO M 50  
PHONE 523-9638 95350

BALLARD, MRS FAY H. REP  
505 BRIGGSMORE, MODESTO M 42  
PHONE 522-8631 95350

ALWAY, MRS RUTH L. REP  
217 PALM, MODESTO M 50  
PHONE 522-2768 95350

SPECIAL 43029 SUTTER SCHOOL-HALL  
M 51 1440 SUNRISE  
MODESTO, CALIF.

SPECIAL 43031 CALVARY LUTHERAN CHR.  
M 60 547 ROSE  
MODESTO, CALIF.

SELL, MRS RUTH M. DEM  
1237 NELSON, MODESTO M 51  
PHONE 523-2710 95350

TATOYAN, MRS LILLIAN REP  
1421 LOCKE RD, MODESTO M 60  
PHONE 522-6927 95350

SAMPLE, MRS HAZEL DEM  
313 DAWN DR, MODESTO M 51  
PHONE 522-8880 95350

HUGHES, MRS ALLENE F. DEM  
1705 IRENE, MODESTO M 60  
PHONE 523-8434 95350

MURPHY, MRS ELSIE L. DEM  
333 W DAWN DR, MODESTO M 51  
PHONE 523-6872 95350

YONAN, MRS ALICE J. DEM  
1529 IRENE, MODESTO M 60  
PHONE 523-5218 95350

WILDERMUTH, MRS RUTH Z. DEM  
1305 FIORI, MODESTO M 51  
PHONE 522-5809 95350

LEECH, MRS EMOGENE F. REP  
1709 IRENE, MODESTO M 60  
PHONE 524-0824 95350

SPECIAL 43030 A. OLSON, RES  
M 54 1225 MULTNOMAH DRIVE  
MODESTO, CALIF.

SPECIAL 43032 ABSENTEE POLL  
M 3 NO POLLING PLACE-VOTE  
ABSENTEE IN ACCORDANCE WITH SECTION  
14620.5 OF ELECTION CODE

OLSON, MRS REBECCA J. DEM  
1225 MULTNOMAH DR, MODESTO M 54  
PHONE 524-4697 95350

KNOLL, MRS NANCY L. REP  
1141 CAMBRIDGE CT, MODESTO M 54  
PHONE 522-8345 95350

EVANS, MRS RUTH A. REP  
1117 HALFMOON, MODESTO M 54  
PHONE 524-0077 95350

HARRIS, MRS EVELYN C. REP  
1140 CAMBRIDGE, MODESTO M 54  
PHONE 524-9778 95350

SPECIAL 43033 ABSENTEE POLL  
M 48 NO POLLING PLACE-VOTE  
ABSENTEE IN ACCORDANCE WITH SECTION  
14620.5 OF ELECTION CODE

SPECIAL 48035 JOHN LAGUE GARAGE  
M 18 1432 GLEN AULEN  
MODESTO, CALIF

LAGUE, MRS BARBARA E. REP  
1432 GLEN AULEN, MODESTO M 18  
PHONE 524-3378 95350

ARNO, MRS MARGARET K. DEM  
3009 DEANNA WAY, MODESTO M 18  
PHONE 522-0080 95350

LINN, MRS OVA E. DEM  
1409 GLEN AULEN DR, MODESTO M 18  
PHONE 522-2504 95350

CRISMON, MRS CORA M. DEM  
3012 HEMMINGER WAY, MODESTO M 18  
PHONE 522-1370 95350

SPECIAL 50034 ABSENTEE POLL  
M 49 NO POLLING PLACE-VOTE  
ABSENTEE IN ACCORDANCE WITH SECTION  
14620.5 OF ELECTION CODE

SPECIAL 46036 DAVIS HIGH SCHOOL  
M 44 BAND HALLWAY  
1220 WEST RUMBLE  
MODESTO, CALIF.

SMITH, MRS GRACE A. DEM  
920 WOODROW, MODESTO M 44  
PHONE 523-2313 95350

STRANDWOLD, MRS JOANNE C. REP  
3409 BRUNSWICK, MODESTO, M 44  
PHONE 523-8438 95350

NICHOLSON, MRS HARRIETT E. DEM  
1016 PRINCESS CT, MODESTO M 44  
PHONE 523-8074 95350

THOMAS, MRS CATHERINE A. DEM  
1012 ACADEMY, MODESTO M 44  
PHONE 526-4982 95350

SPECIAL 48037 STANDIFORD SCHOOL  
M 45 605 TOKAY  
MODESTO, CALIF.

SPECIAL 48039 SHERWOOD SCHOOL  
M 47 819 EAST RUMBLE  
MODESTO, CALIF.

HUBBARD, MRS EVELYN DEM  
500 RIBIER, MODESTO M 45  
PHONE 522-7945 95350

WILBURN, MRS EVELYN X. DEM  
2713 WESTCHESTER LN, MODESTO M 47  
PHONE 524-1108 95350

GOULART, MRS VICKIE R. DEM  
213 TOKAY, MODESTO M 45  
PHONE 523-2062 95350

THIEL, MRS VERA L. DEM  
2808 WESTCHESTER LN, MODESTO M 47  
PHONE 522-2597 95350

LINK, MRS PATRECIA N. REP  
317 RIBIER, MODESTO M 45  
PHONE 524-4335 95350

WEILBURG, MRS ELVA L. DEM  
3345 COFFEE, MODESTO M 47  
PHONE 522-7943 95350

BIRD, MRS DORIS M. REP  
309 RIBIER, MODESTO M 45  
PHONE 522-8054 95350

FULLER, MRS LUCILLE J. REP  
2830 WESTCHESTER LN, MODESTO M 47  
PHONE 529-0155 95350

SPECIAL 48038 SOMERSET SCHOOL-LIBRY  
M 46 1037 FLOYD  
MODESTO, CALIF.

SPECIAL 48040 WOODROW SCHOOL  
M 55 800 WOODROW AVE.  
MODESTO, CALIF.

BOWMAN, MRS JEAN G. DEM  
925 HUNTINGTON DR, MODESTO M 46  
PHONE 523-8502 95350

COLEMAN, MRS BARBARA J. REP  
3616 POINSETTA, MODESTO M 55  
PHONE 522-0151 95350

NOVAK, MRS LOIS M. DEM  
1006 TAHOE DR, MODESTO M 46  
PHONE 523-7922 95350

EGITKHANOFF, MRS ARPY REP  
316 BIRCHWOOD, MODESTO M 55  
PHONE 523-3625 95350

CLINE, MRS CHERYL R. REP  
1005 TAHOE DR, MODESTO M 46  
PHONE 523-5096 95350

GENSEAL, MRS LILLIAN REP  
317 BIRCHWOOD CT, MODESTO M 55  
PHONE 529-3851 95350

McKINZIE, MRS GERALDINE REP  
917 HUNTINGTON DR, MODESTO M 46  
PHONE 524-0798 95350

CAIN, MRS ELLA M. DEM  
P O BOX 457, MODESTO M 55  
PHONE 523-6100 95353

SPECIAL 48041 Y.M.C.A. BUILDING  
M 56 2700 McHENRY AVE  
MODESTO, CALIF.

SPECIAL 48043 BOY SCOUT COVELL  
M 58-59 SERVICE CENTER  
1324 CELESTE DRIVE  
MODESTO, CALIF.

TAYLOR, MRS PAULINE E. REP  
401 EMERSON, MODESTO M 56  
PHONE 522-5048 95350

MASTROPIERRO, MRS CAROLYN J. DEM  
1822 ROSE, MODESTO M 58  
PHONE 529-0663 95350

GRANDQUIST, MRS GEORGIA DEM  
220 EMERSON, MODESTO M 56  
PHONE 524-1924 95350

ZIMMERMAN, MRS EVELYN J. DEM  
2501 JASMIN, MODESTO M 57  
PHONE 523-4029 95350

BONFIGLIO, MRS JOSEPHINE REP  
2013 LA VETA CT, MODESTO M 46  
PHONE 529-9628 95350

JETT, MRS BETTY JO REP  
513 RYAN, MODESTO M 57  
PHONE 522-5897 95350

BELYEU, MRS CYNTHIA H. DEM  
300 EMERSON, MODESTO M 56  
PHONE 522-7530 95350

ZEHNDER, MRS MARYBELLE REP  
313 NORWEGIAN, MODESTO M 45  
PHONE 524-3751 95350

SPECIAL 48042 F. SWITZER, RES  
M 57 2413 DANA LANE  
MODESTO, CALIF.

SPECIAL 43044 JAMES MARSHALL SCHOOL  
M 4 PRE-SCHOOL ROOM  
515 SUTTER  
MODESTO, CALIF

SWITZER, MRS NEVA B. REP  
2413 DANA LANE, MODESTO M 57  
PHONE 522-4014 95350

KOCH, MRS NELL I. DEM  
618 PLACID, MODESTO M 4  
PHONE 524-5455 95351

SILVA, MRS CAROL A. DEM  
2208 DANA LN, MODESTO M 57  
PHONE 523-8498 95350

CARRAWAY MRS DOROTHY V. DEM  
614 PLACID LANE, MODESTO M 4  
PHONE 522-3544 95351

BRACCO, MRS ANN C. DEM  
2409 DANA LN, MODESTO M 57  
PHONE 522-5467 95350

ROBERTS, MRS CARYL V. DEM  
433 ROSEDALE, MODESTO M 4  
PHONE 523-0697 95351

THREET, MRS PATRICIA A. REP  
2309 SUNRISE, MODESTO M 57  
PHONE 529-9345 95350

CONRAD, MRS I. MARIE DEM  
434 LEON, MODESTO M 4  
PHONE 523-4975 95351

SPECIAL 43045 MANCINI HALL  
M 5 716 TUOLUMNE BLVD.  
MODESTO, CALIF.

SPECIAL 43047 FARISH-HERZOG PONTIAC  
M 7 625 EYE  
MODESTO, CALIF.

ISOLA, MRS LOLA A. REP  
605 TUOLUMNE, MODESTO M 5  
PHONE 523-4614 95351

OLMSTEAD, MRS LOUISE W. DEM  
702 4TH ST, MODESTO M 7  
PHONE 523-2985 95351

TAYLOR, MRS RUBY M. REP  
613 TUOLUMNE BLVD, MODESTO M 5  
PHONE 523-8241 95351

CONANT, MRS LEONA V. DEM  
701 4TH ST, MODESTO M 7  
PHONE 523-0323 95351

HOUSTON, MRS INA L. DEM  
506 SIERRA DR, MODESTO M 5  
PHONE 522-4095 95351

DIXSON, MRS EDNA M. DEM  
921 5TH ST, MODESTO M 7  
PHONE 523-4721 95351

CLAY, MRS MARY E. DEM  
225 SUNSET, MODESTO M 5  
PHONE 522-5052 95351

WOOLEY, MRS MAOLA DEM  
702 1/2 4TH ST, MODESTO M 7  
PHONE 529-8319 95351

SPECIAL 43046 WASHINGTON SCH. HALL  
M 6 705 SO WASHINGTON  
MODESTO, CALIF.

SPECIAL 43048 FRANKLIN SCHOOL-ENTRY  
M 8 120 SOUTH EMERALD  
MODESTO, CALIF

HOOVER, MRS BEATRICE A. REP  
210 VINE, MODESTO M 6  
PHONE 522-1304 95351

ALBERS, MRS SANDRA L. DEM  
620 CALIFORNIA, MODESTO PA 9  
PHONE 529-3341 95351

MASCIORINI, MRS HENRIETTA REP  
201 ALTURAS, MODESTO M 6  
PHONE 522-6852 95351

MARTINI, MRS MARY J. DEM  
1410 HILLVIEW DR, MODESTO M 8  
PHONE 522-7634 95351

PRONOITIS, MRS BERTHA REP  
308 VINE, MODESTO M 6  
PHONE 523-3559 95351

MORRIS, MRS JUNE V. DEM  
1107 ALAMEDA, MODESTO M 8  
PHONE 523-8959 95351

BOYD, MRS MABEL C. DEM  
208 LOCUST, MODESTO M 6  
PHONE 522-8721 95351

LARSON, MRS VERNA M. DEM  
402 OAK, MODESTO M 6  
PHONE 522-5147 95351

SPECIAL 43049 SAM'S FOOD CITY  
M 9 1100 CARVER ROAD  
MODESTO, CALIF.

SPECIAL 43051 R. KOHLER GARAGE  
M 11 1505 W ROSEBURG  
MODESTO, CALIF.

HARMON, MRS MARY A. DEM  
1529 DEL MONTE, MODESTO M 9  
PHONE 523-2427 95350

RIEBE, MRS LEILLA M. DEM  
1518 CHERRYWOOD, MODESTO M 11  
PHONE 523-8200 95350

BROWN, MRS AMY H. DEM  
1416 DEL MAR, MODESTO M 9  
PHONE 524-1650 95350

SCHIMPF, MRS MARIE REP  
1509 W ROSEBURG, MODESTO M 11  
PHONE 523-4101 95350

NELSON, MRS LOUBELLE REP  
1318 PRINCETON, MODESTO M 9  
PHONE 522-2594 95350

BRENDEMUEHL, MRS FARNETTA DEM  
1302 PEARL, MODESTO M 11  
PHONE 522-0680 95350

SCHURMAN, MRS GLADYS O. REP  
1521 DEL MAR, MODESTO M 9  
PHONE 523-8941 95350

GRANT, MRS WILLMA A. REP  
1540 TERESA, MODESTO M 11  
PHONE 523-1767 95350

SPECIAL 43050 MODESTO TELEVISION  
M 10 1225 TULLY ROAD  
MODESTO, CALIF.

SPECIAL 43052 GARRISON SCHOOL-RM 24  
M 12 1811 TERESA  
MODESTO, CALIF

CAYLOR, MRS WILMA L. DEM  
1214 DEL REY, MODESTO M 10  
PHONE 523-6711 95350

DUARTE, MRS RUBY F. DEM  
1736 W ORANGEBURG, MODESTO M 12  
PHONE 523-1470 95350

LYSTRA, MRS LILY M. DEM  
1402 MAPLEWOOD, MODESTO M 10  
PHONE 523-7138 95350

PICENO, MRS P. FAY REP  
1908 SILVERWOOD, MODESTO M 12  
PHONE 522-7878 95350

VAN AALSBERG, MRS ALMA N. REP  
1513 MAPLEWOOD, MODESTO M 10  
PHONE 522-4525 95350

FISCUS, MRS PEARL B. DEM  
1933 EVERGREEN, MODESTO M 12  
PHONE 523-5040 95350

JOHNSON, MRS HAZEL I. DEM  
1509 MAPLEWOOD, MODESTO M 10  
PHONE 529-2559 95350

WINN, MRS GAYLE P. DEM  
153 BONITA CR, MODESTO M 13  
PHONE 529-2252 95351

SPECIAL 43053 H. BRANIC GARAGE  
M 13 1305 GLENWOOD  
MODESTO, CALIF.

SPECIAL 43055 J. BARNWELL, RES  
M 15 1318 SCHULENBERG  
MODESTO, CALIF.

BRANIC, MRS HAZEL C.  
1305 GLENWOOD, MODESTO  
PHONE 522-2800 95350

DEM  
M 13

BARNWELL, MRS TERRY E.  
1318 SCHULENBERG, MODESTO  
PHONE 523-8935 95350

REP  
M 15

PISCITELLO, MRS AUDREY M.  
1606 SILKWOOD, MODESTO  
PHONE 524-9585 95350

DEM  
M 13

MELSON, MRS SHIRLEY  
1302 SCHULENBERG, MODESTO  
PHONE 529-8993 95350

DEM  
M 15

DE SALVO, MRS CECILE A.  
1602 SANDALWOOD, MODESTO  
PHONE 522-8994 95350

REP  
M 13

SURBER, MRS MARGIE  
1310 SCHULENBERG, MODESTO  
PHONE 523-7322 95350

DEM  
M 15

WILSON, MRS BERTHA C.  
1502 MAYWOOD, MODESTO  
PHONE 523-6791 95350

REP  
M 13

SHUMAN, MRS ELEANOR  
2932 HEMMINGER, MODESTO  
PHONE 522-2273 95350

REP  
M 15

SPECIAL 43054 EVERETT SCHOOL-RM 22  
M 14 1530 MT VERNON  
MODESTO, CALIF

SPECIAL 43056 R. LA NINFA RESIDENCE  
M 62 1506 MT VERNON  
MODESTO, CALIF

CAREY, MRS GOLDIE E.  
1906 SARATOGA DR, MODESTO  
PHONE 529-0825 95350

DEM  
M 14

LA NINFA, MRS JEAN T.  
1506 MT VERNON, MODESTO  
PHONE 524-6942 95350

REP  
M 62

WAGENMAN, MRS EVELYN J.  
1824 SARATOGA DR, MODESTO  
PHONE 524-3690 95350

REP  
M 14

SCHMIDT, MRS PATRICIA  
2114 NORMAN WAY, MODESTO  
PHONE 529-3109 95350

REP  
M 62

ESTES, MRS GERTRUDE J.  
302 MELROSE, MODESTO  
PHONE 529-3016 95350

DEM  
M 29

SAWYER, MRS BEVERLY  
1302 MT VERNON, MODESTO  
PHONE 529-3978 95350

DEM  
M 62

REILLY, MRS MARY JANE  
1901 SARATOGA, MODESTO  
PHONE 524-2586 95350

DEM  
M 14

WHITE, MRS HAZEL F.  
2105 NORMAN WAY, MODESTO  
PHONE 522-5078 95350

DEM  
M 62

SPECIAL 43057 HOUSING AUTHORITY BLD  
M 63 1701 ROBERTSON ROAD  
MODESTO, CALIF

SPECIAL 47059 MUNCY SCHOOL-IMC ROOM  
M 17 2410 JANNA  
MODESTO, CALIF

MARLETT, MRS VERA N. REP  
1630 VICTOR WAY, MODESTO M 63  
PHONE 523-7683 95351

LIST, MRS TREVA S. DEM  
2137 EICHER, MODESTO M 17  
PHONE 529-0460 95350

WERRELL, MRS RUTH E. DEM  
1605 KAZMIR CT, MODESTO M 4  
PHONE 522-6766 95351

Hawman, Mrs Martha Rep  
3018 Carver, Modesto M 17  
Phone

WETZLICK, MRS LOIS M. DEM  
1614 VICTOR WY, MODESTO M 63  
PHONE 522-2576 95351

VAN DER WYS, MRS JANNY DEM  
2320 BUDD, MODESTO M 17  
PHONE 523-7357 95350

LOLLICH, MRS EVELYN L. REP  
1600 KAZMIR CT, MODESTO M 4  
PHONE 522-2285 95351

LIST, MRS LINNIE M. REP  
1620 JAMAICA CT, MODESTO M 14  
PHONE 524-4215 95350

SPECIAL 47058 DAVE WATSON GARAGE  
M 16 1921 ESTEP  
MODESTO, CALIF

SPECIAL 47060 CHRYSLER SCHOOL  
M 64 UNIT C-STOREROOM  
2818 CONANT AVE.  
MODESTO, CALIF.

WATSON, MRS BETTY S. DEM  
1921 ESTEP DR, MODESTO M 16  
PHONE 524-0383 95350

GEIS, MRS DOROTHY REP  
P O BOX 4155, MODESTO M 64  
PHONE 524-2369 95352

BERBENA, MRS EVA M. DEM  
1842 GULFSTREAM, MODESTO M 16  
PHONE 523-7172 95350

FORD, MRS BETTY J. DEM  
2113 PRESCOTT, MODESTO M 17  
PHONE 522-6562 95350

WAYNE, MRS MARY C. DEM  
2028 GIRARD, MODESTO M 16  
PHONE 523-7012 95350

MILLER, MRS LILLIAN M. REP  
2324 WHITCOMB WAY, MODESTO M 64  
PHONE 524-0563 95350

LEWIS, MRS RAE H. DEM  
1914 ESTEP DR, MODESTO M 16  
PHONE 529-6047 95350

MORRIS, MRS ANYCE R. DEM  
2728 McADOO, MODESTO M 64  
PHONE 523-3401 95350

SPECIAL 42061 ABSENTEE POLL  
# 61 NO POLLING PLACE-VOTE  
ABSENTEE IN ACCORDANCE WITH SECTION  
14620.5 OF ELECTION CODE

SPECIAL 43063 PENTECOSTAL CH OF GOD  
AIRPORT 3 ANNEX-1630 MONO DRIVE  
MODESTO, CALIF

RODRIGUES, MRS MILDRED A. DEM  
318 S SANTA ANA, MODESTO AP 3  
PHONE 522-3445 95351

JONES, MRS GEORGIA G. DEM  
205 1/2 S SANTA CRUZ, MODESTO AP 3  
PHONE 523-6529 95351

KELLEY, MRS ANN L. DEM  
290 S SANTA ANA, MODESTO AP 3  
PHONE 523-0513 95351

INGLE, MRS BESSIE J. DEM  
206 S SANTA ANA, MODESTO AP 3  
PHONE 523-2531 95351

SPECIAL 43062 ORVILLE WRIGHT SCHOOL  
AIRPORT 1-2 ENTRY-1602 MONTEREY  
MODESTO, CALIF

SPECIAL 43064 A. G. TURNER RESIDNCE  
AIRPORT 4 204 COLFAX  
EMPIRE 2 MODESTO, CALIF

LOVE, MRS DOROTHY D. DEM  
1714 BONNIE BRAE, MODESTO AP 1  
PHONE 522-1837 95351

TURNER, MRS JEAN A. REP  
204 COLFAX, MODESTO EMP2  
PHONE 524-3400 95351

DAVIS, MRS NELLIE M. DEM  
805 KERR, MODESTO AP 1  
PHONE 523-6993 95351

RUNYAN, MRS NORA J. DEM  
2116 GLENDALE, MODESTO AP 4  
PHONE 523-7863 95351

HADDOCK, MRS EVA S. DEM  
1718 BONNIE BRAE, MODESTO AP 1  
PHONE 523-8280 95351

TRUESDAIL, MRS GWENDOLYN DEM  
2240 MILLER, MODESTO EMP2  
PHONE 526-1730 95351

TURNER, MRS ENMA R. DEM  
630 EMPIRE, MODESTO AP 1  
PHONE 524-3752 95351

Simonson, Mrs Norma L. Dem  
2317 Miller, Modesto Emp2  
Phone 523-5945

SPECIAL 43065 J.D. BOWMAN GARAGE  
COFFEE 1 512 COFFEE ROAD  
MODESTO, CALIF.

SPECIAL 43067 G. OLIVEIRA, RES  
COFFEE 4 1316 TROMBETTA  
MODESTO, CALIF.

BOWMAN, MRS GERTRUDE G. DEM  
512 COFFEE, MODESTO COF1  
PHONE 523-6505 95350

ATKINSON, MRS MABEL REP  
1316 EL VECINO, MODESTO M 51  
PHONE 522-9376 95350

NEWBY, MRS DOROTHY M. REP  
1328 LUCERN, MODESTO COF1  
PHONE 522-8629

OLIVEIRA, MRS ELEANOR D. DEM  
1316 TROMBETTA, MODESTO COF4  
PHONE 529-0887 95350

WALTER, MRS KATHRYN I. REP  
1526 SCENIC, MODESTO COF1  
PHONE 522-8427 95350

ROSSON, MRS DOLORES DEM  
1216 COLLIER, MODESTO COF4  
PHONE 529-9664 95350

BOWMAN, JAMES D. DEM  
512 COFFEE, MODESTO COF1  
PHONE 523-6505 95350

SOBOTA, MRS ELGIE M. DEM  
1317 TROMBETTA, MODESTO COF4  
PHONE 522-3776 95350

SPECIAL 43066 A. TUCKER GARAGE  
COFFEE 3 1339 EAST COOLIDGE  
MODESTO, CALIF

SPECIAL 43068 EL VISTA SCHOOL  
EMPIRE 1 NURSES' ROOM  
450 EL VISTA  
MODESTO, CALIF

TUCKER, MRS AMY G. REP  
1339 E COOLIDGE, MODESTO COF3  
PHONE 522-1286 95350

MITCHELL, MRS DOROTHY DEM  
325 TRASK LN, MODESTO EMP1  
PHONE 523-1363 95351

DUNN, MRS ELIZABETH L. REP  
1444 KENT WAY, MODESTO COF3  
PHONE 524-4506 95350

SHANK, MRS GRACE M. DEM  
2312 VIOLA, MODESTO EMP1  
PHONE 522-1525 95351

BEAVERS, MRS LETHA M. DEM  
1445 QUEENS, MODESTO COF3  
PHONE 523-4214 95350

McSPARIN, MRS FAYE A. REP  
2306 CAROL, MODESTO EMP1  
PHONE 522-2903 95351

GREER, MRS WILMA E. DEM  
1432 KENT WAY, MODESTO COF3  
PHONE 523-1928 95350

HANNE, MRS DOROTHY G. REP  
301 CLOVERDALE, MODESTO EMP1  
PHONE 523-9417 95351

SPECIAL 43069 J. MONACO, SR. GAR  
McHENRY 1'-2' 1005 CLARKSBURG  
MODESTO, CALIF.

SPECIAL 41071 EMPIRE COMMUNITY CLUB  
CLAUS 3' HOUSE-FIRST & EYE STS  
EMPIRE 4-5 EMPIRE, CALIF  
STAR 3'

DRASBEK, MRS CORINNE M. REP  
1004 CLARKSBURG, MODESTO Mc1'  
PHONE 522-7025 95350

WELCH, MRS BEVERLY A. REP  
5673 YOSEMITE, MODESTO EMP4  
PHONE 523-9075 95351

CRAN, MRS MARJORIE M. REP  
1020 LAKEWOOD, MODESTO Mc1'  
PHONE 523-9722 95350

SMITH, MRS ELVERTA Z. DEM  
P O BOX 81, EMPIRE EMP4  
PHONE 524-0516 95319

MEYER, MRS DOLORES REP  
1009 RUTLEDGE PL, MODESTO Mc1'  
PHONE 522-4948 95350

GOODMAN, MRS VAUNDA I. REP  
890 TRIANGLE RANCH, MODESTO EMP5  
PHONE 523-2279 95351

SANFORD, MRS BARBARA J. REP  
1004 GETTYSBURG WAY, MODESTO Mc1'  
PHONE 522-8926 95350

HEINY, MRS ESTHER P. REP  
248 FAIRLAND, MODESTO EMP5  
PHONE 522-7867 95351

SPECIAL 41070 EMPIRE FIRE HOUSE  
EMPIRE 3 4845 YOSEMITE BLVD  
McHENRY 1' MODESTO, CALIF

SPECIAL 43072 ROSS TANNER, RES  
PARADISE 3-4 1764 CARPENTER  
MODESTO, CALIF

GLICK, MRS HANNAH F. REP  
P O BOX 6, EMPIRE EMP3  
PHONE 523-2207 95319

TANNER, MRS RAMONA W. REP  
1764 S CARPENTER RD, MODESTO PA 3  
PHONE 522-6638 95351

EMERSON, MRS JESSIE L. DEM  
4004 LECKRON, MODESTO EMP3  
PHONE 523-7081 95351

CHEEK, MRS DELLA K. DEM  
2038 VERNON, MODESTO PA 4  
PHONE 523-5369 95351

DUFFY, MRS MARIE A. REP  
421 LINCOLN, MODESTO EMP3  
PHONE 523-0115 95351

GOODIN, MRS ELEANOR DEM  
2351 RIDGE RD, MODESTO PA 3  
PHONE 522-6634 95351

PROUTY, MRS FLORENCE L. REP  
621 McCLURE RD, MODESTO EMP3  
PHONE 523-2221 95351

TACHERRA, MRS LYDIA F. DEM  
1900 ROBERTSON, MODESTO PA 4  
PHONE 524-1065 95351

SPECIAL 43073 B.F. PEDEGO GARAGE  
PARADISE 5 603 COLORADO  
MODESTO, CALIF.

SPECIAL 43075 FIRE HOUSE  
PARADISE 7 1313 BEVERLY DRIVE  
MODESTO, CALIF

PEDEGO, MRS SIGNA M. DEM  
603 COLORADO, MODESTO PA 5  
PHONE 522-6343 95351

BROOKS, MRS LOUISE DEM  
1437 PICARDY, MODESTO PA 7  
PHONE 522-3651 95351

WESTFALL, MRS MADIE L. REP  
615 COLORADO, MODESTO PA 5  
PHONE 529-2736 95351

SMITH, MRS LILLIAN D. REP  
1629 VERNON, MODESTO PA 7  
PHONE 522-0018 95351

DELZER, MRS NAOMI D. DEM  
1205 PELTON, MODESTO PA 5  
PHONE 522-7586 95351

BRILL, MRS FRANCES I. REP  
1648 VICTORIA, MODESTO PA 7  
PHONE 522-0517 95351

SYLVIA, MRS HILDA R. DEM  
1110 PELTON, MODESTO PA 5  
PHONE 522-3402 95351

FUNK, MRS GLADYS REP  
1561 VERNON, MODESTO PA 7  
PHONE 523-8468 95351

SPECIAL 43074 E.C. OTT RESIDENCE  
PARADISE 6 1624 WAVERLY  
MODESTO, CALIF.

SPECIAL 43076 PARADISE REFORMED CHR  
PARADISE 8 1417 HARRIS  
MODESTO, CALIF

OTT, MRS EMMA C. REP  
1624 WAVERLY, MODESTO PA 6  
PHONE 526-1896 95351

NICOLAI, MRS KATHERINE J. DEM  
718 CHICAGO, MODESTO PA 8  
PHONE 523-3353 95351

MOORE, MRS LAVERNE D. DEM  
1649 VINEYARD HAVEN, MODESTO PA 6  
PHONE 523-7392 95351

STEPHENSON, MRS GLENNA L. REP  
1232 HARRIS, MODESTO PA 8  
PHONE 523-5915 95351

CHRISTENSEN, MRS DELPHINE F. DEM  
1520 BEVERLY DR, MODESTO PA 6  
PHONE 529-9865 95351

WATSON, MRS ALICE M. REP  
1308 HARRIS, MODESTO PA 8  
PHONE 522-7318 95351

BAROZZI, MRS MARIE A. REP  
1401 GIAHOS, MODESTO PA 6  
PHONE 523-0193 95351

DE LANNOY, MRS CLAIRE REP  
642 CHICAGO, MODESTO PA 8  
PHONE 522-1223 95351

SPECIAL 43077 MARK TWAIN SCHOOL  
PARADISE 9 ENTRY-707 EMERALD  
MODESTO, CALIF

SPECIAL 43079 SALVATION ARMY RED  
CASWELL 5 SHIELD COMMUNITY CENTR  
1649 LAS VEGAS  
MODESTO, CALIF.

FOX, MRS ELIZABETH C. DEM  
932 CALIFORNIA, MODESTO PA 9  
PHONE 524-2946 95351

BARBER, MRS ADA L. DEM  
1711 EUREKA ST, MODESTO CA 5  
PHONE 537-0134 95351

DAVISON, MRS ALICE DEM  
612 CALIFORNIA, MODESTO PA 9  
PHONE 523-5710 95351

WALLS, MRS EUPHA N. DEM  
1608 SPOKANE, MODESTO CA 5  
PHONE 537-1917 95351

SPENKER, MRS MARY A. REP  
1042 CALIFORNIA, MODESTO PA 9  
PHONE 522-3915 95351

SHERMAN, MRS OLLIE M. DEM  
1509 EUREKA, MODESTO CA 5  
PHONE 537-3327 95351

GARRETT, MRS MERCEDES M. DEM  
1008 PANAMA, MODESTO PA 9  
PHONE 529-2323 95351

KELTON, MRS BEVERLY A. DEM  
1802 OLYMPIA, MODESTO CA 5  
PHONE 537-4534

SPECIAL 43078 MAZE BLVD CHRISTIAN  
PARADISE 10 CHURCH-EDUCATIONAL  
BLDG-725 MAZE ROAD  
MODESTO, CALIF

SPECIAL 43080 INDUSTRIAL FIRE HOUSE  
CASWELL 6 148 IMPERIAL  
MODESTO, CALIF

MORGAN, MRS DORIS A. DEM  
1111 LONE PALM, MODESTO PA10  
PHONE 522-7957 95351

NEWNAM, MRS LILLIAN B. DEM  
313 IMPERIAL, MODESTO CA 6  
PHONE 537-3402 95351

CLARK, MRS VERNIE M. REP  
1632 SHIRLEY CT, MODESTO PA10  
PHONE 522-0516 95351

GOOCH, MRS RUTH M. REP  
1227 IMPERIAL, MODESTO CA 6  
PHONE 537-2472 95351

BENSON, MRS DOROTHY M. DEM  
603 ELM, MODESTO PA10  
PHONE 522-0409 95351

HAMMONS, MRS JOYCE DEM  
324 GLENN, MODESTO CA 6  
PHONE 537-9097 95351

Sutton, Mrs Genevieve P. Dem  
919 Elm, Modesto  
Phone 524-1761

UNDERWOOD, MRS CARLA J. DEM  
520 IMPERIAL, MODESTO CA 6  
PHONE 537-3484 95351

SPECIAL 43081 F LEW SCHOOL  
CASWELL 7 SS' ROOM  
WHITMORE  
TO, CALIF

SPECIAL 43083 INDUSTRIAL FIRE HOUSE  
CLUB 3 830 PECOS  
PAGE 2 MODESTO, CALIF.

LEE, MRS FRANCES  
3230 VIVIAN, MODESTO A 7  
PHONE 537-4193 95351

SMITH, MRS PATRICIA J. DEM  
844 RIVER RD, MODESTO PAG2  
PHONE 523-1331 95351

LEE, MRS GLORIA E. REP  
3500 VIVIAN, MODESTO CA 7  
PHONE 537-2241 95351

SUTTON, MISS ETHEL M. REP.  
1433 HOLM, MODESTO CLU3  
PHONE 524-3414 95351  
523-0543

BAVA, MRS INEZ DEM  
2043 W WHITMORE, MODESTO CA 7  
PHONE 537-3580 95351

TIURA, MRS GERTRUDE M. REP  
1305 RIVER RD, MODESTO CLU3  
PHONE 523-3872 95351

GIBSON, MRS HELEN A. DEM  
1755 POLAND, MODESTO CA 7  
PHONE 537-0593 95351

CRAIG, MRS THELMA J. DEM  
1113 EUGENE, MODESTO PAG2  
PHONE 523-2333 95351

SPECIAL 43082 SHACKELFORD SCHL-LIBR  
PAGE 1 100 SCHOOL STREET  
MODESTO, CALIF.

SPECIAL 42084 WOODLAND FIRE HOUSE  
HART RANS 1-2 3300 WOODLAND  
MODESTO, CALIF

KING, MRS EVELYN M. DEM  
1238 BOULDER, MODESTO PAG1  
PHONE 523-1788 95351

CESMAT, MRS HELLEN M. DEM  
2124 WOODLAND, MODESTO HR 2  
PHONE 523-6212 95351

COLLINS, MRS BEATRICE L. DEM  
717 S 7TH ST, MODESTO PAG1  
PHONE 522-4468 95351

WENGER, MRS BETTY L. REP  
4342 BECKWITH, MODESTO HR 1  
PHONE 522-1778 95351

HARPER, MRS ETHEL B. REP  
1334 ALAMO, MODESTO PAG1  
PHONE 522-2671 95351

VLACH, MRS CORA DEM  
2024 DAKOTA, MODESTO HR 1  
PHONE 522-3852 95351

ROBERTS, MRS HALLIE M. DEM  
P O BOX 377, MODESTO PAG1  
PHONE 524-6752 95353

TONINI, MRS ALICE E. DEM  
2218 WOODLAND, MODESTO HR 2  
PHONE 522-3717 95351

SPECIAL 46085 SHILOH SCHOOL  
PARADISE 1 6631 PARADISE ROAD  
MODESTO, CALIF

SPECIAL 47087 STANISLAUS UNION SCHL  
COFFEE 10 QUONSET BUILDING  
McHENRY 3 1931 KIERNAN  
PRESCOTT 1-2 MODESTO, CALIF

EHRLER, MRS ANN E. DEM  
5919 PARADISE, MODESTO PA 1  
PHONE 522-1926 95351

RADCLIFFE, MRS LOIS V. REP  
4512 CARVER, MODESTO PRI'  
PHONE 522-5977 95350

BIZZINI, MRS MARIE B. DEM  
7513 PARADISE, MODESTO PA 1  
PHONE 522-7883 95351

WITT, MRS L. ELAINE REP  
3407 DALE, MODESTO PRI'  
PHONE 522-4321 95350

SILVA, MRS NORA E. REP  
6012 PARADISE, MODESTO PA 1  
PHONE 522-7801 95351

ASHBY, MRS LYNNE M. DEM  
201 CRAWFORD, MODESTO Mc 3  
PHONE 523-6556 95350

SILVA, MRS MARY A. REP  
7984 PARADISE, MODESTO PA 1  
PHONE 522-3821 95351

MOORE, MRS PATRICIA S. REP  
417 STEWART, MODESTO Mc 3  
PHONE 524-0324 95350

SPECIAL 44086 PARADISE SCHOOL  
PARADISE 2 3361 CALIFORNIA  
MODESTO, CALIF

SPECIAL 48088 SYLVAN UNION SCHOOL  
CLAUS 1'-3' 2908 COFFEE ROAD  
COFFEE 6-7 MODESTO, CALIF.  
McHENRY 2'

SCHMIDT, MRS MARGARET J. REP  
2306 MICHIGAN, MODESTO PA 2  
PHONE 523-8961 95351

URSINI, MRS CLEMENTINA E. REP  
1901 SYLVAN, MODESTO COF7  
PHONE 523-0833 95350

MELROSE, MRS GERALDINE DEM  
243 S DAKOTA, MODESTO PA 2  
PHONE 523-5841 95351

WOODBURY, MRS RUBY M. REP  
1706 SUNRISE, MODESTO COF6  
PHONE 522-5806 95350

COOPER, MRS CHARLENE L. REP  
907 PAULINE, MODESTO PA 2  
PHONE 522-6261 95351

CUPINI, MRS GWENDOLYN R. DEM  
813 CARRIGAN, MODESTO COF6  
PHONE 522-3103 95350

KIDD, MRS CHARLOTTE R. DEM  
3360 CALIFORNIA, MODESTO PA 2  
PHONE 522-6233 95351

SORRENTINO, MRS FRED A. DEM  
3229 OLD OAKDALE RD, MODESTO COF7  
PHONE 523-7618 95350

SPECIAL 48089 SYLVAN CLUB HOUSE  
COFFEE 5-8 3508 McHENRY AVE  
MODESTO, CALIF

SPECIAL 48091 ABSENTEE POLL  
RIV 1' NO POLLING PLACE-VOTE  
ABSENTEE IN ACCORDANCE WITH SECTION  
14620.5 OF ELECTION CODE

DRAKE, MRS ALMA G. DEM  
809 SYLVAN, MODESTO COF5  
PHONE 523-0216 95350

HARRIS, MRS AVANEL L. REP  
505 SYLVAN, MODESTO COF5  
PHONE 523-2394 95350

AGGERS, MRS JEANNE B. REP  
3105 TUXFORD LN, MODESTO COF8  
PHONE 524-7612 95350

FREBERG, MRS KATHRYN B. REP  
505 KING RICHARD LN, MODESTO COF8  
PHONE 529-0419 95350

SPECIAL 48090 TRAVELDGE MOBILE PARK  
COFFEE 9 4024 McHENRY AVENUE  
McHENRY 4 MODESTO, CALIF.  
PRESCOTT 3

SPECIAL 45092 FELLOWSHIP HALL  
SALIDA 1-2 BROADWAY  
SALIDA, CALIF

SCIUTTO, MRS KATHLENE Z. DEM  
1301 MABLE AVE, MODESTO COF9  
PHONE 523-0069 95350

BECK, MRS MARJORIE E. REP  
6718 BECKWITH, MODESTO S 2  
PHONE 545-0830 95350

AMERINE, MRS LUCILLE M. REP  
4118 McHENRY AVE, MODESTO COF9  
PHONE 522-6681 95350

BOER, MRS DENA J. REP  
4312 MURPHY, MODESTO S 2  
PHONE 545-0202 95350

KLINE, MRS KATHERINE L. REP  
1300 PATTERSON RD, MODESTO Mc 4  
PHONE 522-1788 95350

CONNACHER, MRS BEVERLY H. REP  
P O BOX 762, SALIDA S 1  
PHONE 545-0682 95368

WEDLIN, MRS LOLA M. DEM  
1459 STANDIFORD-12, MODESTO PR 3  
PHONE 529-9990 95350

KNIGHT, MRS MADELINE B. DEM  
P O BOX 856, SALIDA S 1  
PHONE 545-0031 95368

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-171

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPER-  
INTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER  
AT 1537 FORD AVENUE, PORTION OF BLOCK 1223 (William G. Caldwell)  
(\$212.20)

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that March 22, 1971 , at 8:00 P.M. in the Council  
Chambers, City Hall, 801 Eleventh Street, Modesto, California  
is hereby set as the time and place for consideration of re-  
port of Superintendent of Streets on 'cost of installation of  
curb and gutter at 1537 Ford Avenue, portion of Block 1223  
(\$212.20)

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 8th day  
of March, 1971, by Councilman Dixon , who moved its  
adoption; which motion being duly seconded by Councilman  
Mitchell , was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-172

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER ON "D" STREET AT 601-605 "D" ST., LOTS 17 AND 18, BLOCK 29 (LeRoy Schneider) (\$340.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971, at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb and gutter on "D" Street at 601-605 "D" St., lots 17 and 18, Block 29 (\$340.00)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-173

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF SIDEWALK ON E. FAIRMONT AVE. AT 1129 E. FAIRMONT AVE., LOT 5 OF BLOCK 1072 (Clyde F. Holiday) (\$230.80)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971, at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of sidewalk on E. Fairmont Ave. at 1129 E. Fairmont Ave., Lot 5 of Block 1072 (\$230.80)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-174

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF SIDEWALK ON EL TERINO AVE. AT 1124 EDISON AVENUE, LOT 7, BLOCK 1071 (Doreen E. Burke) (\$274.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of sidewalk on El Terino Ave. at 1124 Edison Avenue, Lot 7, Block 1071 (\$274.00)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption; which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-175

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK ON E. MORRIS AVE. AT 102 JOHN MUIR COURT, LOT 5, BLOCK 606. (George Bertolero) (\$900.55)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971, at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb, gutter and sidewalk on E. Morris Ave. at 102 John Muir Court, Lot 5, Block 606 (\$900.55)


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-176

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF SIDEWALK AT 1516 GRAPE AVE., LOT 12, BLOCK 6108. (Albert L. McCleary) (\$115.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971, at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of sidewalk at 1516 Grape Ave., Lot 12, Block 6108 (\$115.00)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-177

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 1508 GRAPE AVE., LOT 10, BLOCK 6108 (W. O. Wright) (\$260.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971, at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb, gutter and sidewalk at 1508 Grape Ave., Lot 10, Block 6108 (\$260.00)


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-178

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF SIDEWALK ON ASHWOOD AVE. AT 1302 DEL REY AVE., LOT 7, BLOCK 6027 (Ronald R. Orona) (\$379.60)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971, at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of sidewalk on Ashwood Ave. at 1302 Del Rey Ave., Lot 7, Block 6027 (\$379.60)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon, who moved its adoption; which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-179

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF SIDEWALK AT 1301 DEL VALE AVE., LOT 7, BLOCK 6021 (Rosetta Harrington) (\$142.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of sidewalk at 1301 Del Vale Ave., Lot 7, Block 6021 (\$142.00)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption; which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-180

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF SIDEWALK ON SMITH AVE. AT 622 BRADY AVE., PORTION OF BLOCK 704 (Velma G. Whitaker) (\$158.80)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of REport of Superintendent of Streets on cost of installation of sidewalk on Smith Ave. at 622 Brady Ave., portion of Block 704 (\$158.80)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption; which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-181

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF SIDEWALK ON WRIGHT ST. AT 231 POPLAR AVE., LOTS 31 AND 32, BLOCK 526 (Donald W. Hopper) (\$346.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of sidewalk on Wright St. at 231 Poplar Ave., Lots 31 and 32, Block 526 (\$346.00)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-182

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK ON E. MORRIS AVE. AND ON RAMONA AVENUE AT 501 RAMONA AVE., LOT 37 OF BLOCK 605 (Donald R. Reeves) (\$834.25)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971, , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb, gutter and sidewalk on E. Morris Ave. and on Ramona Avenue at 501 Ramona Ave., Lot 37 of Block 605 (\$834.25)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption; which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-183


A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK ON GARVEY AVE. AND ON BUDD STREET AT 2605 BUDD ST., LOT 42, BLOCK 7252 (Hayes Reed) (\$766.80)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb, gutter and sidewalk on Garvey Ave. and on Budd Street at 2605 Budd St., Lot 42, Block 7252 (\$766.80)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Mitchell, , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-184

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER AT 2705 AND 2617 GARVEY AVE., LOT 29 AND 31, BLOCK 7252 (Lloyd J. Bowling) (\$342.80)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb and gutter at 2705 and 2617 Garvey Ave., Lot 29 and 31, Block 7252 (\$342.80)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-185

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER AT 2613 GARVEY AVE., LOT 32, BLOCK 7252 (Floyd Thomas Vigil) (\$176.40)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb and gutter at 2613 Garvey Ave., Lot 32, Block 7252 (\$176.40)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-186

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER AT 2609 GARVEY AVE., LOT 33, BLOCK 7252 (Fred Taylor) (\$176.40)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 8:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb and gutter at 2609 Garvey Ave., Lot 33, Block 7252 (\$176.40)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-187

A RESOLUTION APPROVING THE FINAL MAP OF THE  
COFFEE PLAZA NO. 3 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Paul M. Zagaris and Liberty Zagaris,

husband and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 3.13 acres, known as the  
Coffee Plaza No. 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 2nd day of February,  
1971, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Coffee Plaza No. 3  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Coffee Plaza No. 3  
Subdivision 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 in the amount of One Hundred Eighty-Five  
and 70/100ths (\$185.70) Dollars,

as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Eighteen  
Thousand, Four Hundred and no/100ths (\$18,400.00) Dollars.

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 8th day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

(SEAL)

APPROVED AS TO FORM:

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

A RESOLUTION ACCEPTING IMPROVEMENTS IN RIVERSIDE NORTH NO. 2 SUB-DIVISION AND AUTHORIZING RELEASE OF SAVINGS AND LOAN CERTIFICATE ASSIGNMENT UPON EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, Sherwood Mortgage Company, a corporation, subdivider of Riverside North No. 2 Subdivision, has filed a Savings and Loan Certificate Assignment in the amount of \$20,200.00 to guarantee improvements in Riverside North No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated March 4, 1971, 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 as complete and to authorize the City Clerk to file a notice of completion and release the Savings and Loan Certificate Assignment in the amount of \$20,200.00 upon expiration of the statutory lien period.

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

1. The improvements in Riverside North No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision Savings and Loan Certificate Assignment in the amount of \$20,200.00 upon expiration of the statutory lien period, filed by the Subdivider to guarantee improvements in Riverside North No. 2 Subdivision, upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-189

A RESOLUTION APPROVING PROPOSED TOPICS PROGRAM OF  
IMPROVEMENTS AND PRIORITIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the proposed TOPICS program of improvements and priorities, a copy of which is attached hereto as Exhibit "A" and made a part hereof, 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 March, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

TOPICS - PROPOSED PROGRAM

(Arranged in Priority Order)

	<u>PROJECT</u>	<u>ESTIMATED COST DISTRIBUTION</u>			
		<u>TOPICS</u>	<u>City</u>	<u>State</u>	<u>Total</u>
1.	Widen Needham St. from McHenry to Hackberry and install two signals and modify two signals. Given high priority so that Highway 108 can be moved from J Street. Accident rate per million vehicle miles on J Street is 94.5.	\$211,580	\$71,920	\$14,500	\$298,000
2.	K and L Streets signal modification to convert K and L to one-way streets. Given high priority so that Highway 108 can be moved from J Street. Traffic volume on J Street exceeds capacity by 64%.	42,600	7,733	9,667	60,000
3.	Install programmed visibility signal heads at G, H, and I intersections along 5th and 6th Streets to reduce accidents caused by signals being visible too far in advance. Accident rate per million entering vehicles: 2.80. (Average of all six intersections)	9,940	2,030	2,030	14,000
4.	Widen approaches and modify traffic signals at Scenic Drive and El Vista Avenue in conjunction with County widening of El Vista Bridge. Accident rate per million entering vehicles: 0.53. Traffic backs up across the bridge to Edgebrook Drive. City share of a County-administered project.	28,400	11,600	-	40,000
5.	Relocate traffic signal detectors on Morris, Roseburg, Orangeburg, Granger, Bowen, and Floyd at McHenry so that left-turn lanes can be installed. This will allow more traffic to cross McHenry in less green time. Will then allow more green time for McHenry. Average number of accidents per million entering vehicles: 0.87. Estimated amount McHenry traffic exceeds practical capacity (average between Needham and Floyd) by 74%.	8,520	1,661	1,819	12,000

	<u>TOPICS</u>	<u>City</u>	<u>State</u>	<u>Total</u>	
6.	Widen Needham Street from Hackberry to Nellie to increase capacity and safety. Accident rate per million vehicle miles: 15.8. Estimated amount present traffic exceeds capacity: 103%.	\$142,000	\$58,000	-	\$200,000
7.	Widen Paradise Road between Franklin and First Streets to improve capacity and safety. Accident rate per million vehicle miles: 15.4. Estimated amount present traffic volume exceeds capacity 40%.	89,460	36,540	-	126,000
8.	Install new traffic signals at Scenic-Bodem and Tully-Granger. New signals are needed at Scenic-Bodem and at Tully-Granger to increase safety and assign right of way. Nationally-accepted traffic signal warrants are satisfied at both locations.	17,040	6,960	-	24,000
9.	Install new traffic signals at Maze Blvd. (Highway 132) and Franklin St. Nationally-accepted warrants are satisfied, and this intersection was #6 on the 1969-70 signal priority list.	16,399	3,300	3,301	23,000
10.	Install connection between Bodem Street and Sunrise Avenue to eliminate a 200-foot offset. Increase capacity of these streets, thereby providing an alternate route for McHenry Avenue. McHenry Avenue exceeds practical capacity by an estimated 74% (average between Needham and Floyd). Accident rate per million entering vehicles at Bodem-Sunrise: 2.7.	17,750	7,250	-	25,000
11.	Install siphon in irrigation lateral at Virginia and Morris to eliminate a hump in vertical alignment, eliminate a narrow bridge, and connect east and west portions of Morris Avenue. Accident rate per million entering vehicles: 3.7.	60,350	24,650	-	85,000
12.	Connect Kansas Avenue and Needham Street east and west of the Southern Pacific tracks to eliminate a circuitous jog between these two major streets. Accident rate per million entering vehicles: 1.3.	42,600	17,400	-	60,000

	<u>TOPICS</u>	<u>City</u>	<u>State</u>	<u>Total</u>
13. Pave G Street between First Street and 16th Street to provide three lanes rather than the present two lanes, increasing the capacity of this street and improving safety. Accident rate per million vehicle miles: 35.0. G Street traffic volume does not exceed capacity at this time.	\$ 39,050	\$15,950	-	\$ 55,000
14. Pave K Street between 6th and 9th Streets to provide three lanes in preparation for making K and L Streets west of 9th Street a one-way couplet. This one-way couplet will eventually become part of State Highway 108. Accident rate per million vehicle miles: 27.7. K Street traffic volume does not exceed capacity at this time.	21,300	8,700	-	30,000
	<u>TOPICS</u>	<u>City</u>	<u>State</u>	<u>Total</u>
TOTALS	\$746,989	\$273,694	\$31,317	\$1,052,000

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-190


A RESOLUTION APPROVING FORM OF AGREEMENT WITH STANISLAUS COUNTY AND STANISLAUS COUNTY CITIES ON STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (S.A.A.G.), FORMERLY STANISLAUS AREA ADVISORY PLANNING ASSOCIATION (S.A.A.P.A.)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the form of agreement with Stanislaus County and Stanislaus County Cities relative to Stanislaus Area Association of Governments (S.A.A.G.), formerly Stanislaus Area Advisory Planning Association (S.A.A.P.A.) 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 March, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-191

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON PROPOSED AMEND-  
MENT TO ZONING REGULATIONS REGARDING REAL ESTATE OPEN HOUSE SIGNS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 22, 1971 , at 8:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of proposed amendment to zoning regulations regarding real estate open house signs

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-192

A RESOLUTION ADOPTING "SUGGESTED POLICY FOR CITY OF MODESTO  
ACTION ON OPEN SPACE CONTRACT REFERRALS"

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the suggested policy for City of Modesto action on open space contract referrals recommended by the Planning Commission in Resolution No. 71-30, adopted March 2, 1971, is hereby accepted by the Council of the City of Modesto as the City of Modesto's policy on open space contract referrals.

BE IT FURTHER RESOLVED that the "SUGGESTED POLICY FOR CITY OF MODESTO ACTION ON OPEN SPACE CONTRACT REFERRALS" prepared by the Modesto City Planning Department February, 1971, marked Exhibit "A" and attached hereto, is hereby made a part of this resolution as though written in full herein. Copies of the policy are on file in the office of the Planning Director and 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 8th day of March, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Robinson, Smith

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

## PRESERVATION OF AGRICULTURAL LANDS

The preservation of agricultural land is one that vitally affects the entire County. From an agricultural standpoint, this Valley floor provides food for the national and international markets. This agricultural land provides the raw materials for the agricultural processing plants that are the backbone of the economies of most valley cities and counties although industrial diversity is an emerging trend.

From the standpoint of urbanization, the preservation of agricultural land can pose a threat. For example, there may be no room for horizontal expansion of cities. On the other hand it can be a blessing by promoting staged urban development. As land can be served with a total urban services package, including public sanitary sewer, only then does it undergo urban development. Costly leapfrog development is inhibited. An agricultural greenbelt separates one urban area from another.

It is becoming obvious that urban growth and agricultural preservation is everyone's business and that all units of local government should work together. It has not been so obvious in the past.

## EXCLUSIVE AGRICULTURAL ZONING

In the early 1960's the County Board of Supervisors adopted a general plan which indicated, in general, that those unincorporated areas that lay between the growing cities of the County should remain agricultural. But no step was taken to back up the plan with exclusive agricultural zoning. Apparently, ranchers generally size up "zoning" as one more governmental control that infringes on individual property rights and as a consequence, it should be avoided. Plainly speaking, the ranchers wanted the option of farming or selling out for subdivisions in many cases. The A-1 zone accommodated them, it allowed nearly any type of development, agricultural or urban.

If the ranchers had been aware of the problems of leapfrog subdivision, rural school problems that follow, the assessment rise that follows speculative land sale activity in agricultural areas and had been concerned about preserving the agricultural hinterland, then they logically could have persuaded the Board to zone broad areas exclusive agriculture zoning. The Board could have also taken the initiative and rezoned broad areas to exclusive agriculture after a thorough public information campaign to build support for the program. But apparently the problem did not loom large enough nor the zoning solution, deemed necessary nor appropriate.

Things would have been different today had the general plan agricultural area been zoned exclusively for agriculture. The land sales in the hinterland would reflect agricultural (not urban) land values. Assessments would be lower as a consequence, taxes would be lower today for the ranchers.

The opposition to agricultural zoning in this County is not very unique, there is similar resistance to zoning in most any rural area. In an effort to preserve agricultural lands, "subsidies" or "sweeteners" have been added to induce the agricultural community to reconsider their positions on zoning.

## THE WILLIAMSON ACT

The Williamson Act as originally drafted included annual payments to prime agricultural property owners of \$1 per acre for lands under contract. It was never funded by the State. This approach was subsequently dropped and standards relating to capitalization of open space land assessment were substituted. The net result of lower taxes for the ranchers got the program into full swing.

Unfortunately, the County Board still has not yet developed a broad "agricultural preserve" that defines lands that should be reserved by open space contract. Instead the agricultural preserve is a crazy-quilt pattern based on random A-2 zoning requests.

Now the tax reduction as a result of the program is beginning to bind rural school districts. Urban entities foresee that they will pick up the slack. Lost in the emotion of it all is the positive contribution the act can make, in spite of its fiscal shortcomings, to halting premature subdivision of prime agricultural land. It is acknowledged that perhaps exclusive agricultural zoning, broadly applied, might do as well, but this approach apparently is not politically feasible. In any regard, the issue needs a comprehensive analysis of potential impact by the County or SAAG (Stanislaus Area Association of Governments) and this recommendation for a policy for Modesto is so limited that the broader concerns are just mentioned in passing.

In regard to the Modesto fringes however, a rational policy for the handling of open space contracts cooperatively by city and county does make sense and should be developed at this time.

### OPEN SPACE POLICY ALTERNATIVES

There are three basic areas on the city's fringes outside of the city limits that are noteworthy in regard to open space contracts:

1. Those areas within the existing sewer service area.
2. Those areas in stage 2 or ultimate sewer service area.
3. Those areas beyond the ultimate sewer service area.

There are four stands that the city could take in regard to open space contract applications that are within one mile of the city limits and as a consequence are referred by the county:

1. Opposition, in hopes that the County Board would not approve the open space contract.
2. Blanket opposition to all contracts on the grounds that city has no intention of being "hemmed in" by contracts it does not want to inherit from the County.
3. A stand of no opposition, but with annual reappraisal of the situation ultimately leading to city request of Board not to renew a contract. If the Board supported the city and did not review the contract, in nine years, it would then run out.
4. A stand of no opposition.

### RECOMMENDED POLICY

The recommended actions in each of the three areas of the city's fringe are as follows:

1. Open Space Contracts Proposed for Parcels Within the Existing Sewer Service Area.

We recommend that the city strongly oppose the creation of open space contracts because sanitary sewer mains already exist to serve the area, orderly city growth is enhanced by development of properties that can be fully served by the city, an agricultural freeze on lands upon which costly city utility systems have been bonded and extended would be a poor allocation of city funds.

Much county cooperation is necessary for two reasons. First of all, the existing sewer service area extends well beyond one mile from the existing city limits. By law the County is not required to refer these contract applications to the city. If agreement by the city and the county can be reached on this policy however, it is essential that the county not approve

contracts in the existing sewer service area, whether the contracts are on properties within one mile of the city limits and referred to the city or beyond one mile.

Secondly, some property owners within the existing sewer service area will be applying for A-2 rezoning in the future. If city and county agree on this policy, these property owners, through the County Planning Office, should be aware of this policy prior to applying for the A-1 rezoning. They may still wish to proceed on the rezoning but in most cases, the rezoning is requested because it is a prerequisite for an open space contract.

## 2. Open Space Contracts Proposed for Parcels Within the Ultimate Sewer Service Area. (Stage 2 Sewer Service Area)

This area is a particularly difficult one to evaluate. An open space contract application in the stage 2 area should be opposed if the city believes that urban growth pressures will require the subject lands to be developed within ten years and it is also believed that sanitary sewer trunk financing to serve the area is feasible within ten years.

This is a difficult evaluation to make in a static situation. It is doubly difficult in a dynamic urban growth situation that we are presently experiencing. For example, the development of a regional shopping center in the stage 2 area or even on the edge of the existing sewer service area could place heavy development pressures on this stage 2 area.

This whole matter of development timing is a difficult one. Ideally, the existing sewer service area should generally "fill in" with development to a large degree before stage 2 trunks are constructed. This approach permits the orderly provision of city services which in turn provides for a more efficient municipal operation, better cost-benefit ratios, and as a consequence, lower costs to the city taxpayer. It is a better means of utilizing a costly sewer trunk system and retiring the existing sewer bonds. But the growth of complex urban entities is seldom that simple.

As a consequence, we recommend that the Board cooperate with the city by referring to the city all open space contract applications in this stage 2 area even though they are only legally bound to refer those within one mile of the city limits. We recommend that these contracts be reviewed by the city on a case by case basis. If a portion of the stage 2 sewer service area is identified as one where urban growth is definitely to occur within ten years we recommend that the contract be opposed and that this area of concern be transmitted to the County Planning staff for their assistance in informing property owners applying for A-2 rezoning in the future.

Finally, if growth within 10 years is not anticipated, we recommend that the contract not be opposed. We further recommend that in regard to those contracts granted in the stage 2 sewer service area, that the city should informally review the growth potential of the area annually. If urban development is anticipated within ten years, a request should be made of the Board that the contract not be renewed. If the Board cooperates, the contract "runs" out nine years later.

## 3. Open Space Contracts Proposed for Parcels Outside of the Existing and Ultimate Sewer Service Area

We recommend that the Council not oppose these applications. They are located in areas that cannot be fully served by the city now or in the near future.

Blanket opposition on all contracts as an alternative, is not recommended because the scheme merely encourages land speculation. The speculator would buy land from the rancher and continue receiving the low assessments via open space contract in the County, hold the land at low costs, then annex it to the city and develop it for urban uses. The new property owner would thereby conveniently terminate the open space contract without penalty. This result of blanket opposition appears to refute some of the main purposes of the Williamson Act.

Our recommendation, occasionally, of not opposition to open space contracts in the stage 2 area may concern many people. The County Board in later years could refuse to honor the city's request that the contracts not be removed. This is a calculated risk, we recommend be taken for these reasons:

- 1) The existing sewer service area should be generally "filled in" before additional commitments are made to extend sewer trunks into the stage 2 (ultimate) area. Staged urban growth is much more economical to the city.
- 2) It would appear that the need for these sewer extensions is more than ten years in the future in these cases of no opposition.
- 3) The greatest pressure for development in the future will occur on the "cheaper" land that is just a "little farther out", just beyond the present sewer service limits. This pressure will be at odds with the objective outlined in "1)". It is here that speculation will build pressure. Exclusive agricultural zoning with a nine year freeze after nonrenewal, will reduce this pressure.
- 4) It must be kept in mind that lands zoned exclusively agricultural at the consent of property owners that are within one mile of the city limits at the time of rezoning, cannot be annexed without property owner consent. As a consequence, strong agricultural interests will continue in the County under this zoning, regardless of the city recommendation on open space contracts that are granted by the Board.

In conclusion, it is obvious that the urban fringe is a challenge to both the city and the county that needs cooperative effort for adequate solutions. A jointly supported policy on open space contracts is a fine place to start.

Reso 71-192  
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 57.  
Unable to remove safely for scanning.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-193

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$125,000 TO PROVIDE ADDITIONAL FUNDS DUE TO SUBDIVISION DEVELOPMENT ACTIVITY

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

GENERAL FUND (101)

FROM:	General Reserve (60)	\$125,000
TO:	Water Line Extensions (6804-50-101)	\$100,000
	New Services (5301-50-101)	\$ 17,500
	Construction Materials (321-50-101)	\$ 7,500

(Funds are needed in above accounts due to subdivision development activity.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of March 19 71 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith, Mayor Davies

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-194

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING AND INSTALLING PUMP AT PUMP STATION 18 AND INSTALLING PUMP AT PUMP STATION 10

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

SECTION 1. The plans and specifications for furnishing and installing pump at Pump Station 18 and installing pump at Pump Station 10

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 30, 1971 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 March 1971, by Councilman Newton who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-195

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR MOTOR VEHICLES, 16 POLICE PATROL UNITS, 10 ½-TON PICKUPS, 1 2-TON DUMP TRUCK AND 1 4-DOOR SEDAN

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

SECTION 1. The plans and specifications for motor vehicles, 16 police patrol units, 10 ½-ton pickups, 1 2-ton dump truck and 1 4-door sedan

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 30, 1971 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 15th day of March 1971, by Councilman Newton who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-196

A RESOLUTION ACCEPTING THE BID OF FERRERO ELECTRIC, INC. FOR MODERNIZATION OF ELECTRICAL CONTROLS AT PUMP STATIONS 11, 12, 13 and 14  
WHEREAS, Resolution No. 71-97 adopted by the Council of the City of Modesto on February 16, 1971 approved the plans and specifications for the modernization of Electrical Controls at Pump Stations 11, 12, 13 and 14 and authorized the call for bids, and

WHEREAS, the bids received for the modernization of Electrical Controls at Pump Stations 11, 12, 13 and 14 were opened at 10:00 A.M. on March 9, 1971 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 Ferrero Electric, Inc. in the amount of \$6,935 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, Inc. in the amount of \$6,935

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 March, 1971, by Councilman Newton who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-197

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D (85).

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by James E. Price

on January 15, 1971, to reclassify from Multiple-family Residential Zone, R-3 to Planned-Development Zone, P-D, the following described property:

All that portion of Lot 13 of the Broughton Colony as shown on the map filed in Volume 1 of Maps at Page 78, Stanislaus County Records and lying in the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the intersection of the West line of Section 22 and the North line of Lot 13 of the Broughton Colony; thence North  $89^{\circ} 53' 05''$  East along the North line of said Lot 13 a distance of 18.16 feet to the true point of beginning of this description; thence continuing North  $89^{\circ} 53' 05''$  East along said North line of Lot 13 a distance of 869.02 feet; thence South  $0^{\circ} 29' 40''$  East a distance of 59.34 feet; thence in a southeasterly direction along a curve concave to the northeast through a central angle of  $21^{\circ} 19' 40''$  having a radius of 250.00 feet, a curve distance of 93.06 feet; thence South  $21^{\circ} 49' 20''$  East a distance of 72.19 feet; thence in a southwesterly direction along a curve concave to the southeast from a tangent bearing South  $68^{\circ} 10' 40''$  West thru a central angle of  $49^{\circ} 38' 17''$ , having a radius of 250.00 feet, a curve distance of 216.59 feet; thence South  $18^{\circ} 32' 23''$  West a distance of 167.71 feet; thence North  $71^{\circ} 27' 37''$  West a distance of 345.00 feet; thence in a northwesterly direction along a curve concave to the northeast through a central angle of  $54^{\circ} 21' 38''$ , having a radius of 600.00 feet, a curve distance of 569.26 feet to the point of beginning.

Containing 6.293 acres.

WHEREAS, after public hearing held on February 16, 1971, 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 subject property is properly located and already zoned for R-3 density apartments.
2. The proposed P-D Zone would allow a departure in site design from the inflexible design standards of the existing R-3 Zone.

WHEREAS, after a public hearing held on March 15,  
19 71, the Council found and determined that the application of  
James E. Price

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 Multiple-family Residential Zone, R-3,  
to Planned-Development Zone, P-D (85),

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 (85), is hereby approved in accordance  
with the plan titled "Park Brighton, Modesto, California",

\_\_\_\_\_ as amended in red on its face,  
dated February 16,, 19 71 / which said plan is on file in the  
office of the Planning Director, subject to the following condi-  
tions:

1. That all development shall be in accordance with the above mentioned plan.
2. That all parking and driveway areas be improved in accordance with the provisions of Section 10-2.1805 and 10-2.1807 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.
3. That prior to the issuance of a building permit, the developer shall dedicate and construct all necessary street improvements including but not limited to concrete curb, gutter and sidewalk, matching street pavements, street lights, and street trees to City of Modesto subdivision standards.
4. That the development shall be connected to the City of Modesto water and sewer service.
5. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Planning Director and the Director of Parks and Recreation. 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.
6. That all landscaping, fences and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.
7. That any signs on the premises shall conform to the sign requirements as specified in the R-3 Zone.

8. That the developer shall install one fire hydrant and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrant shall be installed prior to the occupancy of the premises.
9. That the developer shall submit street improvement plans prepared by a registered Civil Engineer to the Public Works Department for approval by the City Engineer.
10. That prior to the issuance of a building permit, the developer shall pay to the City of Modesto, the cost of planting 36 street trees at the prevailing rate.
11. That all required street dedications shall be made and public improvements shall be installed or security posted prior to the issuance of a building permit.
12. That prior to the issuance of a building permit, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit, in the amount to be determined by the City Engineer, may be filed with the City Clerk to guarantee installation of public improvements by January 31, 1973, or prior to occupancy, whichever occurs first.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (85) :

That the entire construction program be accomplished in one phase, construction to begin on or before January 31, 1973 and to be completed not later than January 31, 1974.

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 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 (85) 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 March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Milburn Skidell  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-198

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D (84).

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by Tom Sutter

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on January 14, 19 71, to reclassify from Multiple-family Residential Zone, R-3 to Planned-Development Zone, P-D, the following described property:

All that portion of the southwest quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

All of lots 1, 2, 3, 4 and 5 in Block 12500 of Coffee Terrace No. 1, being a subdivision of land, as shown on the face of the map thereof filed May 20, 1970, in Volume 22 of Maps, at Page 47, in the Stanislaus County Records.

Including also all of Rumble Road and the easterly 50 feet of Coffee Road immediately adjacent to the above described property.

WHEREAS, after public hearing held on February 16, 19 71, 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 subject property is properly located and already zoned for R-3 density apartments.
2. The proposed P-D Zone would allow a departure in site design from the rigid inflexible design standards of the existing R-3 Zone.

WHEREAS, after a public hearing held on February 16,  
1971, the Council found and determined that the application of  
Tom Sutter

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 Multiple-family Residential Zone, R-3  
to Planned-Development Zone, P-D (84),

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 (84), is hereby approved in accordance  
with the plan titled "Proposed Apartments for Tom Sutter and  
Joe Trombetta",  
as amended in red on its face,  
dated February 16, 1971,/which said plan is on file in the  
office of the Planning Director, subject to the following condi-  
tions:

1. That all development shall be in accordance with the  
above mentioned plan.
2. That all parking and driveway areas be improved in  
accordance with the provisions of Section 10-2.1805  
and 10-2.1807 of the Municipal Code. The drainage  
facilities for the parking areas shall be approved  
by the Director of Public Works.
3. That prior to the issuance of a building permit, a  
landscaping and irrigation plan shall be submitted  
by the applicat for approval by both the Director  
of Planning and the Director of Parks and Recreation.  
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.
4. That all landscaping, fences, and walls be maintained  
and that the premises be kept free of weeds, trash,  
and other debris.
5. That the development be connected to the City's  
water and sanitary sewer facilities in accordance  
with the requirements of the Director of Public Works.
6. That any signs on the premises shall conform to the  
sign provisions of the R-3 Zone.

7. That prior to the issuance of a building permit, the applicant shall submit for approval by the Planning Director, five copies of a revised plot plan showing all the required changes and adjustments in design and the limitations set on the development as shown on the plot plan amended in red and on file in the office of the Planning Director.
8. That the developer shall pay for 5 existing water service connections installed in the original subdivision.

**SECTION 2. DEVELOPMENT SCHEDULE.** The following development schedule is hereby approved for said Planned-Development Zone, P-D (84):

That the entire construction program be accomplished in one phase with development to commence on or before August 1, 1972, and be completed not later than August 1, 1973.

**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 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 (84) 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 March, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William P. Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-199

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D (86).

WHEREAS, a verified application for an amendment to Section 16-3-9 of the Zoning Map was filed by Robert M. Weeks

on January 15, 1971, to reclassify from One-family Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that portion of the north half of the southeast quarter of Section 16, Township 3 south, Range 9 east, Mount Diablo Base and Meridian, situated in the County of Stanislaus, State of California, more particularly described as follows:

Commencing at the point of intersection of the centerline of Coffee Road with the centerline of Norwegian Avenue; thence north 88° 39' west along the centerline of Norwegian Avenue 804.04 feet to the true point of beginning; thence, north 0° 01' west 615.54 feet to the north boundary line of the property conveyed to Michael Mancini, et ux, by deed recorded August 11, 1944, Instrument No. 11466; thence, north 88° 37' west along the north line of said Mancini property 247.65 feet; thence south 0° 01' east 615.60 feet to the centerline of Norwegian Avenue; thence, south 88° 39' east along the centerline of Norwegian Avenue 247.65 feet to the true point of beginning.

WHEREAS, after public hearing held on February 16, 1971, 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 subject property is oriented to Norwegian Avenue, a collector street.
2. The General Plan standards state that an R-2 dwelling unit density as is proposed by the applicant is suitably located on collector streets.
3. The subject property is adjacent to and sandwiched between two existing R-2 density residential developments.

WHEREAS, after a public hearing held on February 16,  
19 71, the Council found and determined that the application of  
Robert M. 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. 1094-C.S.  
on the 15th day of March, 19 71, reclassifying the  
above-described property from One-family Residential Zone, R-1,  
to Planned-Development Zone, P-D (86),

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 (86), is hereby approved in accordance  
with the plan titled "Proposed Apartment Complex for Robert  
Weeks",

as amended in red on its face,  
dated February 16, 19 71, which said plan is on file in the  
office of the Planning Director, subject to the following condi-  
tions:

1. That all development shall be in accordance with the above  
mentioned plan.
2. That all parking and driveway areas be improved in accordance  
with the provisions of Section 10-2.1805 and 10-2.1807 of  
the Municipal Code. The drainage facilities for the parking  
areas shall be approved by the Director of Public Works.
3. That prior to the issuance of a building permit a landscaping  
and irrigation plan shall be submitted by the applicant for  
approval by both the Director of Planning and the Director  
of Parks and Recreation. The landscaping and the irrigation  
system shall be installed and maintained in accordance with  
the approved landscaping and irrigation plan. Irrigation  
shall be by underground sprinkler system.
4. That all landscaping, fences, and walls be maintained and  
that the premises be kept free of weeds, trash, and other  
debris.
5. That the development be connected to the City's water and  
sanitary sewer facilities in accordance with the require-  
ments of the Director of Public Works.
6. That prior to the issuance of a building permit, the developer  
shall submit to the Fire Chief and the Director of Public  
Works for their approval, a plan showing the proposed location  
of all fire hydrants. The number of hydrants and their  
installation shall be in accordance with the requirements  
of the Fire Chief and the Director of Public Works.

7. That any signs on the premises shall conform to the sign provisions of the R-2 Zone.
8. That the developer shall dedicate 10 feet of right-of-way for the widening of Norwegian Avenue along the entire length of the parcels south boundary and improve said right-of-way to collector street standards in accordance with the requirements of the Director of Public Works.
9. That the developer shall submit street improvements plans prepared by a registered civil engineer to the Public Works Department for approval by the City Engineer.
10. That prior to the issuance of a building permit, the developer shall pay to the City of Modesto, the cost of planting 6 street trees at the prevailing rate.
11. That all required street dedications shall be made and public improvements shall be installed or security posted prior to the issuance of a building permit.
12. That prior to the issuance of a building permit a cash deposit, savings and loan certificate, surety bond, or other instrument of credit, in the amount to be determined by the City Engineer, may be filed with the City Clerk to guarantee installation of public improvements by March 31, 1972, or prior to occupancy, whichever occurs first.
13. That prior to the issuance of a building permit, the applicant shall submit for approval by the Planning Director, five copies of a revised plot plan showing all the required changes and adjustments in design and the limitations set on the development as shown on the plot plan amended in red and on file in the office of the Planning Director.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (86):

**That the entire construction program be accomplished in one phase with development to commence on or before March 31, 1972, and be completed not later than March 31, 1973.**

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 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 (86) 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 March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-200

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR GARBAGE COLLECTION

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

SECTION 1. The plans and specifications for GARBAGE COLLECTION

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 12, 1971 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 15th day of March, 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Newton, Smith, Mayor Davies

NOES: Councilmen: Dixon, Simon

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-201

A RESOLUTION ACCEPTING THE BID OF HEALEY AND POPOVICH FOR SHELVING IN  
CENTRAL LIBRARY BUILDING

WHEREAS, Resolution No. 71-34 , adopted by the Council of the  
City of Modesto on January 18, 1971 , approved the plans and  
specifications for the shelving in Central Library Building

and authorized the calling for bids, and

WHEREAS, the bids received for the shelving in Central Library  
Building  
were opened at 10:00 A.M. on February 16, 1971 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 Healey & Popovich in the amount of \$81,995.90

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of Healey & Popovich in the amount of \$81,995.90

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 15th day of March, 1971  
, by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Dixon , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-202

A RESOLUTION REJECTING ALL BIDS FOR FURNITURE PREVIOUSLY AUTHORIZED BY RESOLUTION 71-34

WHEREAS, the Council of the City of Modesto adopted Resolution No. 71-34 on January 18, 1971, approving the plans and specifications for furniture for new library building and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on or before the 16th day of February, 1971, and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to the aforesaid notice are hereby rejected.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of March, 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-203

A RESOLUTION COMMENDING THE MODESTO POLICE RESERVES FOR CONTRIBUTIONS  
TO COMMUNITY WELFARE AND SAFETY

WHEREAS, the Modesto Police Reserves contribute numerous hours each year to the City of Modesto assisting the Police Department in protecting the health, safety, and welfare of its citizens, and

WHEREAS, there are approximately twenty-eight (28) officers in the organization, private citizens from all walks of life, who devote many hours of their own time to the Modesto Police Department, apart from their employment or business, without any pay whatsoever; and

WHEREAS, the Modesto Police Reserves work constantly with the Modesto Police Department, performing whatever duties may be requested in the way of enforcing laws, searching for missing persons, apprehending escaped convicts, aiding during times of disaster, and helping with various community activities taking place in the City; and

WHEREAS, during the year 1970 alone, the Police Reserves served a total of seven thousand six hundred forty-six (7,646) man-hours of time for the Modesto Police Department;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that each and every man serving with the Modesto Police Reserves be commended for his untiring work in the organization which so greatly contributes to the health, safety, and general welfare of our community.

BE IT FURTHER RESOLVED that duly authenticated copies of this resolution be presented to those officers who devoted so many of their personal hours to the Police Reserves during 1970, in recognition of performance of outstanding service 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 15th day of March, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-204

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS EAST ORANGEBURG NO. 4 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO, AND RESCINDING RESOLUTION NO. 71-92.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one-fourth (1/4) of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus was filed with the Council of the City of Modesto on January 25, 1971, requesting annexation of the hereinafter described territory to said City.
2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as East Orangeburg No. 4 Addition, and described as attached hereto and made a part hereof as though set forth in full herein.
3. That the matter of the proposed annexation to the City of Modesto of said territory has been referred to the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission did on January 20, 1971, approve the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code.
4. That no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.
5. NOTICE IS HEREBY GIVEN that the 10th day of May, 1971, at the hour of 7:35 o'clock P.M. of said day, in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, 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. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and shall also cause a copy of this resolution to be published in the Ceres Courier, being a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed

to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. 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.

11. Resolution No. 71-92 adopted by the Council on the 10th day of February, 1971, 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 March, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY R. A. Rosegard  
Public Works Department

J.L.C.  
3-9-71

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot 5 of the Broughton Colony as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, said point being the quarter corner common to Sections 21 and 22; thence along the section line common to Sections 21 and 22 and on the Eastern boundary of said Addition (261), North  $0^{\circ} 27' 00''$  West, 329.91 feet, to the Westerly extension of the South line of the GARDEN ACRES TRACT, as per map filed November 18, 1940, in Volume 14 of Maps, Page 9, Stanislaus County Records; thence along said extension and the Southern line of said Garden Acres Tract and its Easterly extension, North  $89^{\circ} 55' 35''$  East, 1314.12 feet, to the Eastern line of Lot 5 of the Broughton Colony; thence along said Eastern line, South  $0^{\circ} 36' 14''$  East, 329.31 feet, to the Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 1, 1965, as Instrument 1768, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said Addition (170), South  $89^{\circ} 54' 00''$  West, 328.01 feet, to the Northeastern corner of the DOWNEY PARK NO. 2 ADDITION (188), as per description filed May 3, 1966, as Instrument 15774, Stanislaus County Records; thence along said City Limits on the Northern boundary of said Addition (188), South  $89^{\circ} 54' 00''$  West, 550.99 feet, to the Northeastern corner of the EAST ORANGEBURG-COFFEE ADDITION (262), as per description filed November 3, 1970, as Instrument 36116, Stanislaus County Records; thence continuing along said City Limits on the Northern boundary of said Addition (262), South  $89^{\circ} 54' 00''$  West, 436.00 feet, to the point of beginning, containing 9.947 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-205

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROY AND LETHA M. BEAVERS FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1445 QUEENS AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Roy and Letha M. Beavers for sewer service to property outside the City at 1445 Queens 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 15th day of March 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-206

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE LANDSCAPE ARCHITECT FIRM OF RIBERA AND SUE TO PREPARE LAND USE STUDY AND SCHEMATIC MASTER PLAN FOR PHASE II DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and THE landscape architect firm of Ribera and Sue ~~for~~ to prepare land use study and schematic master plan for Phase II 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 15th day of March 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-207

A RESOLUTION ACCEPTING THE BID OF THE RUTAN COMPANY FOR INSTALLATION OF WATER LINES TO CITY HOSPITAL AND SCENIC HOSPITAL

WHEREAS, Resolution No. 71-136 , adopted by the Council of the City of Modesto on March 1, 1971 , approved the plans and specifications for the installation of water lines to City Hospital and Scenic Hospital and authorized the calling for bids, and

WHEREAS, the bids received for the installation of water lines to City Hospital and Scenic Hospital were opened at 10:15 A.M. on March 16, 1971 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 Rutan Company in the amount of \$6,236.25

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 Rutan Company in the amount of \$6,236.25

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 March 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-208

A RESOLUTION ACCEPTING THE BID OF PERVO PAINT COMPANY FOR SUPPLY  
OF CITY'S ANNUAL REQUIREMENT OF TRAFFIC LINE PAINT

WHEREAS, Resolution No. 71-141 adopted by the Council of the City  
of Modesto on March 1, 1971 approved the ~~plans and~~ specifications  
for the City's annual requirement of traffic line paint for the period  
beginning April 1, 1971 and ending March 31, 1972  
and authorized the call for bids, and

WHEREAS, the bids received for the traffic line paint  
were opened at 2:00 P.M. March 16, 1971 and later tabulated by  
the Purchasing for the consideration of the Council,  
and

WHEREAS, the Purchasing Officer has recommended that the bid  
of Pervo Paint Company for \$2.04 per gallon for white paint; \$2.33  
per gallon for yellow paint; and \$3.40 per gallon for red paint  
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 as outlined above

be accepted and the execution of a contract for the ~~completion of~~  
purchase  
~~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 March, 1971  
by Councilman Smith who moved its adoption, which motion being  
duly seconded by Councilman Newton, was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, ~~Newton~~, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH,  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-209

A RESOLUTION ACCEPTING THE BID OF A. C. CONSTRUCTION CO. FOR REPLACEMENT OF CURB AND GUTTER ON CORONADO WAY AND BALBOA WAY FROM ENSLEN AVENUE TO SHERWOOD AVENUE

WHEREAS, Resolution No. 71-138 , adopted by the Council of the City of Modesto on March 1, 1971 , approved the plans and specifications for the replacement of curb and gutter on Coronado Way and Balboa Way from Enslen Avenue to Sherwood Avenue, and authorized the calling for bids, and

WHEREAS, the bids received for the replacement of curb and gutter on Coronado Way and Balboa way from Enslen Avenue to Sherwood Avenue were opened at 10:00 A.M. March 16, 1971 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 A. C. Construction Co. in amount of \$8,527.71

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of A. C. Construction Co. for \$8,527.71

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 March 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-210

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. (RIVERSIDE NO. 4 ADDITION)

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 February 1, 1971, duly adopted Resolution No. 71-70 (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. 70 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, March 22, 1971, at the hour of 7:35 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. 70 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. 70 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. 70, 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. 70, 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

22nd day of March, 1971, by Councilman  
Dixon, who moved its adoption, which motion being  
duly seconded by Councilman Newton, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Hazard  
Public Works Department

RJK  
3-18-71

August 12, 1970  
Corrected  
December 29, 1970

RIVERSIDE NO. 4 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 26, and the North-east quarter of Section 35, 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 Southeastern corner of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records, said point being on the South line of a 66.00 foot public road known as Yosemite Boulevard; thence along the Eastern boundary of said Addition (228) and the Eastern line of a 40.00 foot public road known as Riverside Drive and its Southerly extension, North  $00^{\circ} 33' 30''$  West, 1323.33 feet; thence South  $89^{\circ} 53' 24''$  East, 1601.95 feet, to the East line of the West half of the West half of the East half of the Southeast quarter of Section 26; thence along said line, and its Southerly extension, South  $00^{\circ} 32' 50''$  East, 1323.33 feet, to the Southern line of Yosemite Boulevard; thence along said Southern line, North  $89^{\circ} 53' 24''$  West, 1601.69 feet, to the point of beginning, containing 48.659 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-211

A RESOLUTION APPROVING THE MAP OF REVERSION TO ACREAGE BEING ALL OF LOTS 12, 13 AND 14 OF BLOCK 13129 AS SHOWN ON THE MAP OF TULLY MANOR NO. 2 SUBDIVISION.

WHEREAS, Stone Brothers, a copartnership, are possessed of a parcel of land situate in the City of Modesto, County of Stanislaus, being all of Lots 12, 13, and 14 of Block 13129 as shown on the map of Tully Manor No. 2 Subdivision, and

WHEREAS, a final map of said lots has been filed under provisions of the Subdivision Map Act and the Modesto Municipal Code for the purpose of reverting the lots in said tract of land to acreage, and

WHEREAS, the City Engineer of the City of Modesto has certified that said final map meets all of the provisions of the Subdivision Map Act and the provisions of the Modesto Municipal Code relating to reversion to acreage, and

WHEREAS, at its meeting of March 1, 1971, the City Council set said matter for hearing for Monday, March 22, 1971, at the hour of 7:50 o'clock P.M. in the Council Chambers located at the City Hall, 801 11th Street, Modesto, California, and

WHEREAS, said hearing was held at the above time and place, at which time the Council found and determined that the reversion to acreage of all of Lots 12, 13, and 14 of Block 13129 as shown on the map of Tully Manor No. 2 Subdivision as requested by Stone Brothers should be granted,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said map of Reversion to Acreage being all of Lots 12, 13 and 14 of Block 13129 as shown on the Map of Tully Manor No. 2 Subdivision 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

in the amount of Five and no/100ths (\$5.00) Dollars as required by the Modesto Municipal Code for recording have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-212

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (1537 Ford Avenue, portion of Block 1223 (William G. Caldwell - \$212.20))  
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 \_\_\_\_\_ curb and gutter \_\_\_\_\_ may be required, and \_\_\_\_\_ WAIVED BY PROPERTY OWNER \_\_\_\_\_  
WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_\_\_ adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of \_\_\_\_\_ curb and gutter \_\_\_\_\_ along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of \_\_\_\_\_ curb and gutter \_\_\_\_\_ as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, \_\_\_\_\_ March 22 \_\_\_\_\_, 1971, at \_\_\_\_\_ 8:00 \_\_\_\_\_ 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \_\_\_\_\_ \$212.20 \_\_\_\_\_.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$212.20 Dollars, be assessed in 4 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel B as per map filed April 27, 1966 in Volume 1 of Parcel Maps, Page 118 Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 Feb March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by

Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-213

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (601-605 "D" St., Lots 17 and 18, Block 29) (A. T. Borrego, formerly LeRoy Schneider, - \$340.00) 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 curb and gutter may be required, and

WHEREAS, the Council did, on -----, 19-- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$340.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of           \$340.00           Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 17 and 18 of Block 29 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, page 29, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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.

- 2 -

(Regular)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-214

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (1129 E. Fairmont Ave., Lot 5 of Block 1072)  
(Clyde F. Holiday - \$230.80)

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 construc-  
tion of sidewalk may be required, and  
WAIVED BY PROPERTY OWNER

WHEREAS, the Council did, on -----, 19--  
adopt its Resolution No. -----, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$230.80.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$230.80 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 5 of Block 1072 of Loconte Subdivision as per map filed October 16, 1953 in Volume 17 of Maps, Page 65, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 March 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-215

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (El Terino Ave. at 1124 Edison Ave., Lot 7,  
Block 1071) (Doreen E. Burke - \$274.00)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on November 23, 1970  
adopt its Resolution No. 70-1176, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$274.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of           \$274.00           Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 1071 of Loconte Subdivision as per map filed October 16, 1953 in Volume 17 of Maps, Page 65, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-216

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (E. Morris Ave. at 102 John Muir Court, Lot 5, Block 606) (George Bertolero - \$900.55)  
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 curb, gutter and sidewalk may be required, and  
WAIVED BY PROPERTY OWNER

WHEREAS, the Council did, on -----, 19-- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$900.55.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$900.55 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 5 of Block 606 of John Muir Tract as per map filed April 15, 1938 in Volume 11 of Maps, Page 41, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-217

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (1516 Grape Ave., Lot 12, Block 6108 -  
Albert L. McCleary - \$115.00)

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 construc-  
tion of \_\_\_\_\_ sidewalk \_\_\_\_\_ may be required, and  
WAIVED BY PROPERTY OWNER  
WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_  
adopt its Resolution No. \_\_\_\_\_, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
\_\_\_\_\_ sidewalk \_\_\_\_\_ along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of \_\_\_\_\_ sidewalk \_\_\_\_\_  
\_\_\_\_\_ as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, \_\_\_\_\_ March 22 \_\_\_\_\_, 1971, at \_\_\_\_\_ 8:00 \_\_\_\_\_ 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \_\_\_\_\_ \$115.00 \_\_\_\_\_.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$115.00 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 of Block 6108 of Dunham Tract as per map filed December 26, 1946 in Volume 16 of Maps, Page 15, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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.

- 2 -

(Regular)


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-218

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (1508 Grape Ave., Lot 10, Block 6108 - W. O. Wright - \$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 curb, gutter and sidewalk may be required, and WAIVED BY PROPERTY OWNER WHEREAS, the Council did, on -----, 19 -- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, March 22, 19 71, at 8:00 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$260.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$260.00 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 10 of Block 6108 of Dunham Tract as per map filed December 26, 1946 in Volume 16 of Maps, Page 15, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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.

- 2 -

(Regular)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-219

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (Ashwood Ave. at 1302 Del Rey Ave., Lot 7,  
Block 6027 - Ronald R. Orona - \$379.60)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on October 5, 1970  
adopt its Resolution No. 70-985, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$379.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$379.60 Dollars, be assessed in 8 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 6027 of College Center as per map filed May 29, 1952 in Volume 17 of Maps, Page 36, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by


Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-220

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 (1301 Del Vale Ave., Lot 7, Block 6021 - Rosetta Harrington - \$142.00)  
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 sidewalk may be required, and

WHEREAS, the Council did, on October 5, 1970 adopt its Resolution No. 70-982, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$142.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$142.00 Dollars, be assessed in 3 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 7 of Block 6021 of Westland Manor as per map filed April 28, 1955 in Volume 18 of Maps, Page 24, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by

Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-221

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (Smith Ave. at 622 Brady Ave., portion of  
Block 704 - Velma G. Whitaker - \$158.80)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on November 23, 1970  
adopt its Resolution No. 70-1178, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$158.80.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$158.80 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 55.00 feet of the North 91.12 feet of Lot 62 of Block 704 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 704, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_

Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-222

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (Wright Street at 231 Poplar Ave., Lots 31  
and 32 of Block 526 - Mr. Donald W. Hopper - \$346.00)  
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 construc-  
tion of                     sidewalk                     may be required, and

WHEREAS, the Council did, on October 5, 1970  
adopt its Resolution No. 70-989, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
                    sidewalk                     along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of                     sidewalk                      
                     as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$346.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$346.00 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 31 and 32 of Block 526 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 526, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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.

- 2 -

(Regular)


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-223

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (Lot 37, Block 605 - Donald Reeves)

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 curb, gutter and sidewalk may be required, and <sup>WAIVED BY PROPERTY OWNER</sup> WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_\_\_ adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of sidewalk, curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk, curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, <sup>March 22, 1971</sup> ~~April 5,~~ \_\_\_\_\_, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$834.25.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$834.25 Dollars, be assessed in ten annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 37 of Block 605 of City of Modesto as per map filed September 28, 1936 in Volume 11 of Maps, Page 32, Stanislaus County Records

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by

Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-224

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (Lot 42, Block 7252 (Hayes Reed))

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 curb and gutter may be required, and

WHEREAS, the Council did, on October 5, 1970 adopt its Resolution No. 70-990, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$766.80.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$766.80 Dollars, be assessed in 10 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 42 of Block 7252 of Highway Village as per map filed April 25, 1947 in Volume 16 of Maps, Page 41, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by

Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-225

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (Lot 31, Block 7252 - Lloyd J. Bowling) (Lot 29, Block 7252)  
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 curb and gutter may be required, and

WHEREAS, the Council did, on August 17, 1970 adopt its Resolution No. 70-796, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$352.80.

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

SECTION 1. That the cost of the aforesaid work, being the amount of ~~XXXXXX~~ \$352.80 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 31 of Block 7252 of Highway Village as per map filed April 25, 1947 in Volume 16 of Maps, Page 41, Stanislaus County Records. \$176.40

Lot 29 of Block 7252 of Highway Village as per map filed April 25, 1947 in Volume 16 of Maps, Page 41, Stanislaus County Records. \$176.40

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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.

- 2 -

(Regular)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_

Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-226

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (Lot 32, Block 7252, of Highway Village) (Floyd Vigil)  
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 \_\_\_\_\_ curb and gutter \_\_\_\_\_ may be required, and

WHEREAS, the Council did, on August 17, 1971 adopt its Resolution No. 70-800, directing the Superintendent of Streets to give notice requiring the construction of \_\_\_\_\_ curb and gutter \_\_\_\_\_ along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of \_\_\_\_\_ curb and gutter \_\_\_\_\_ as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, March 22, 1971, at 8:00 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$176.40.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$176.40 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 32 of Block 7252 of Highway Village as per map filed April 25, 1947 in Volume 16 of Maps, Page 41, Stanislaus County Records

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 March 19 71, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-227

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS FOR TRAFFIC SIGNAL INSTALLATION AT NEEDHAM AND L, SYCAMORE-15TH, AND K STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and State of California, Department of Public Works, Division of Highways for traffic signal installation at Needham and L, Sycamore - 15th, and K Streets (City cost \$18,000; State cost, \$32,000) 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 March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-228

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, and individual doing business as Wright's Sno-Cones for food concession at Beard Brook Park for a period of one year effective May 1, 1971 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 March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-229

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN A. GOMEZ FOR SEWER SERVICE AT 719 LOMBARDO STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John A. Gomez for sewer service at 719 Lombardo 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 22nd day of March 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-230

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PONFILO GOMEZ FOR SEWER SERVICE AT 715 LOMBARDO AVE.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ponfilo Gomez for sewer service at 715 Lombardo 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 22nd day of March 19 71, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-231

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
PONFILO GOMEZ AND MARIA GOMEZ FOR SEWER SERVICE AT 804 ERICKSEN

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Ponfil Gomez  
and Maria Gomez for  
~~for~~ sewer service at 804 Erickson 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 22nd day of  
March 19 71 , by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman Newton ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-231

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
PONFILO GOMEZ AND MARIA GOMEZ FOR SEWER SERVICE AT 722 ERICKSEN AVE.

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Ponfilo Gomez  
and Maria Gomez  
for sewer service at 722 Ericksen 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 22nd day of  
March 19 71, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Newton,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-233

A RESOLUTION ACCEPTING AND ENDORSING ENVIRONMENTAL IMPACT STATEMENT DATED FEBRUARY 4, 1971 PERTAINING TO DEVELOPMENT PROGRAM FOR MODESTO CITY-COUNTY AIRPORT

WHEREAS, the State Department of Aeronautics and Federal Aviation Administration require that an Environmental Impact Statement, accepted and endorsed by the Modesto City Council, be filed with each agency before participation in airport projects can be considered; and

WHEREAS, an Environmental Impact Statement dated February 4, 1971, attached hereto as Exhibit "A" and made a part hereof, has been considered by the Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby accepts and endorses the Environmental Impact Statement dated February 4, 1971.

BE IT FURTHER RESOLVED that the City Clerk will cause copies of this resolution and attached exhibit be submitted to the Stanislaus Area Advisory Planning Association, the Stanislaus Area Association of Government, Stanislaus County Planning Commission, Modesto City Planning Commission, the City of Ceres, the State Department of Aeronautics and Federal Aviation Administration.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Pursuant to Section 102(2)(c), PL91-190)

1. Description and Purpose of Proposed Development

a. Description

The development program for the Modesto City-County Airport includes:

- (1) Installation of medium intensity runway lights and displaced threshold on the Utility Runway.
- (2) Installation of taxiway lights on the two taxiways connecting the parallel runways, the asphalt overlay of the connecting taxiway at the end of Runway 10L, and the expansion of the general aviation run-up apron at the end of Runway 28L.
- (3) Acquisition of lands in the clear zone to the main instrument runway in order to remove obstructions encroaching the glide path for the forthcoming installation of the instrument landing system.
- (4) Aircraft apron tie-down asphalt overlay for the general aviation facilities.
- (5) Construction of a road from the airline terminal apron to the Fire Crash Rescue Station adjacent to the airport.

b. Purpose

The Modesto City-County Airport provides both air carrier and general aviation aircraft service to an urban area of some 120,000 people. The airport is currently designated as a nonhub airport in the National Airport Plan. This type of airport is designed to accommodate all general aviation aircraft and air carrier aircraft up to 100,000 lbs. gross landing weight. The projects listed above are primarily designed to increase safety at the Modesto City-County Airport to meet both the present and future demands of our growing general aviation and air carrier fleet.

c. Proposed Method of Accomplishment

Routine construction techniques and safeguards will be utilized to avoid or minimize adverse effects on the environment which may occur during construction; however, no special or unusual safeguards are now known to be needed.

d. Communities Near Airport

The Modesto City-County Airport is located at the southeast edge of the City about two miles from the central business district. It is jointly owned by the City of Modesto and the County of Stanislaus. The City of Ceres is located two miles to the south of the airport and is the only other community near the airport. The airport is bordered by county lands which include residential areas to the west, industrial areas to the north and east. On the south the airport is bordered by a planned regional park and the Tuolumne River, which create a buffer zone between the airport and the predominantly agricultural land to the south of the river.

2. Probable Impact of Projects on Both Human and Natural Environment, Including Impact on Ecological Systems Such as Wildlife, Fish and Marine Life

All of the projects listed in this study, with the exception of the clear zone acquisition, will be located on the existing airport property. There are no new runways, runway extensions, or overlays which will expand the present type or size of aircraft using the airport. However, it is expected that as the aviation industry grows, and with the installation of the Instrument Landing System and other improvements to increase the utility and safety of the airport, aircraft traffic and associated noise will also increase. Since the same traffic pattern currently in use at the airport will remain for future operations, the aircraft noise and flight patterns will not affect areas other than those currently affected.

None of the projects is expected to affect the ecological systems of wildlife, fish or marine life in this area since all of the projects are improvements of existing facilities on the airport itself. There will be an effect on certain human environmental factors because of the proposed acquisition of three homes in the clear zone. The three families involved will have to be relocated since the homes in which they reside are encroaching the clear zone path to the main instrument runway.

a. Is Development Controversial?

The only issue that has been identified regarding any one of these projects at this time is the community support for the installation of the Instrument Landing System. The City Council and County Board of Supervisors have gone on record requesting the Federal Government to proceed with the installation as soon as possible.

b. Will Development Noticeably Affect Ambient Noise Level for a Significant Number of People?

Of the listed projects, all are projects to increase the operational safety of the airport. The Instrument Landing System has the potential of increasing to some degree the number of annual operations at the airport.

Since the aircraft traffic pattern with respect to the airport will remain unchanged, the only change in ambient noise level would be through the normal increase of air traffic operations.

c. Will the Development Result in the Displacement of Significant Numbers of People?

No. A total of three families will have to be displaced, with a total number of nine people living in the three homes.

d. Will the Development Have a Significant Aesthetic or Visual Effect?

With the exception of the three homes that must be removed in the clear zone, there will be no significant changes made to the aesthetic or visual effect. Removal of the three homes to another location off the property will place the land back in its original state and, in fact, will enhance the beauty of the area.

e. Will Development Divide or Disrupt an Established Community or Divide Existing Uses?

No. The site where the homes are is presently zoned rural residential. It is the intent of the City to resell the property with an encumbrance upon it for residential use after the houses have been removed from the clear zone, thus re-establishing the existing conditions insofar as possible.

f. What Will be the Effect on Areas of Unique Interest or Scenic Beauty?

There will be no effect on the appearance or beauty of the area.

g. Will Development Destroy or Derogate Important Recreational Areas?

No. All projects planned will, in fact, provide a safer airport for recreational flying and will in no way affect adjacent recreational areas.

h. Will Development Substantially Alter the Pattern of Behavior for a Species?

Since the majority of the projects are of the type that concern the repair of existing facilities and no change of land use is anticipated with the exception of the removal of the houses, it can only be concluded that no detrimental effects to wildlife will result.

i. Will Development Interfere with Important Wildlife Breeding, Nesting or Feeding Grounds?

No. The only changes in the land use will be the construction of the fire department access road, which is on the airport.

j. Will the Development Significantly Increase Air or Water Pollution?

No. The projects involved will cause no increase in air or water pollution.

k. Will the Development Adversely Affect the Water Table of an Area?

The proposed development will have no effect on the water table of the area.

3. Probable Adverse Environmental Effects Which Cannot be Avoided

Other than the relocation of the three families (nine persons) in the homes which encroach the ILS clear zone, there are no personal or community interests which are in conflict with the proposed development. No lands from a public park, recreation area, wildlife and waterfowl refuge, or historic site are to be used or affected.

4. Alternatives to the Proposed Development

The proposed developments are all minor improvement projects with the exception of the relocation of the three houses in the clear zone. Acquisition of this land and the removal of these obstructions is the only prudent course of action.

5. Relationship Between Short- and Long-Term Effects

An assessment of the impact of the proposed development, both short-term and cumulative long-term, on man's environment shows little relationship because of the minor nature of these projects. Acquisition of the land in the clear zone will not be a factor because there are no plans to significantly change the land use after the houses are moved from their present location.

6. Irretrievable Commitments of Resources Which Will Result

There will be no irreversible or irretrievable commitments of natural resources. The proposed development will not curtail or reduce the possible beneficial uses of the environment in the vicinity of the airport.

7. Problems and Objections Raised by Other Federal Agencies and State and Local Entities

No objections to the proposed development have been raised by any Federal, State, or local entity. Copies of this statement and enclosures are being forwarded simultaneously to the Federal Aviation Administration and the State of California Department of Aeronautics.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-234

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 "Surplus Property Listing Sheet" dated March 10, 1971, 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 the possession of the Police Department for a period of at least six (6) months, as shown on that certain document entitled "List of Unclaimed or Confiscated Property Held in the Police Department" dated March 11, 1971, 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 22nd day of March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-235

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 4, Block 6124 - Lowell W. Brawley) 1540 Carlton Avenue

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Carlton Avenue, Block 6124

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 4 of Block 6124 of Barham Tract as per map filed February 25, 1953 in Volume 17 of Maps, Page 49, Stanislaus County Records

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 5th day of April, 1971, at  
4:10 P.M. 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 22nd  
day of March, 1971, by Councilman Smith,  
who moved its adoption, which motion being duly seconded by  
Councilman Newton, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-236

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 7, Block 606 - James A. Eidson) 110 John Muir Ct.

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 curb and gutter may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of John Muir Court, Block 606

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties 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 606 of John Muir Tract as per map filed April 15, 1938 in Volume 11 of Maps, Page 41, Stanislaus County Records.

to construct or cause to be constructed curb and gutter  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 5th day of April, 19 71, at  
4:10 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 22nd  
day of March, 19 71, by Councilman Smith,  
who moved its adoption, which motion being duly seconded by  
Councilman Newton, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-237

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 15, Block 6108 - Larry J. Hobbs) 1528 Grape Ave.

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 curb, gutter and sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that \_\_\_\_\_ curb, gutter and sidewalk have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of \_\_\_\_\_  
Grape Avenue, Block 6108

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 15 of Block 6108 of Dunham Tract as per map filed December 26, 1946 in Volume 16 of Maps, Page 15, Stanislaus County Records.

to construct or cause to be constructed curb, gutter and sidewalk along the street frontage of the property/properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 5th day of April, 1971, at 4:10 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 persons relating to the proposed work.

SECTION 3. 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 5th ~~22nd~~ day of March ~~April~~, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-238

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (1506 Ardmore Ave., Lot 11 and South 1/2 of Lot 12 of Block 6122 - Mr. Wei Hsuan)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Ardmore Ave., Block 6122

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 11 and the South one-half of Lot 12 of Block 6122 of Roosevelt Center as per map filed September 8, 1950 in Volume 17 of Maps, Page 12, Stanislaus County Records.

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 5th day of April, 1971, at  
4:10 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 22nd  
day of March, 1971, by Councilman Smith,  
who moved its adoption, which motion being duly seconded by  
Councilman Newton, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-239

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 8 of Block 826 - Manuel L. Moniz) 1205 Purdue Ave.

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Purdue Avenue, Block 826

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 of Block 826 of Campus Tract No. 3 as per map filed September 2, 1952 in Volume 17 of Maps, Page 42, Stanislaus County Records

to construct or cause to be constructed                      sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 5th day of April, 1971, at  
4:10 P.M. 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 22nd  
day of March, 1971, by Councilman Smith,  
who moved its adoption, which motion being duly seconded by  
Councilman Newton, was upon roll call carried and  
the resolution adopted by the following vote:

AYES:            Councilmen:     Dixon, Newton, Smith, Mayor Davies

NOES:           Councilmen:     None

ABSENT:         Councilmen:     Mitchell, Robinson, Simon

ATTEST: *W. T. Chynoweth*  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By                                       
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-240

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 13 and North 1/2 of Lot 12, Block 6122 - Paul Nussbaumer) 1516 Ardmore Ave.

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that \_\_\_\_\_  
sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of  
Ardmore Ave., Block 6122

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 13 and North one-half of Lot 12 of Block 6122  
as per map filed September 8, 1950 in Volume 17  
of Maps, page 12, Stanislaus County Records.

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 5th day of April, 1971, at  
4:10 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 22nd  
day of March, 1971, by Councilman Smith,  
who moved its adoption, which motion being duly seconded by  
Councilman Newton, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-241

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 1, Block 6041 - James M. Weaving) On Del Vale Ave. at 1542 W. Orangeburg Ave.

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 Sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that \_\_\_\_\_ sidewalks \_\_\_\_\_ have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of \_\_\_\_\_  
Del Vale Ave., Block 6041

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties 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 6041 of College Fig Garden as per map filed March 4, 1953 in Volume 17 of Maps, Page 50, Stanislaus County Records

to construct or cause to be constructed ~~new~~ sidewalk along the street frontage of the property/properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 5th day of April, 1971, at 4:10 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 persons relating to the proposed work.

SECTION 3. 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 22nd day of March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:   
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-242

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER AT 1521 EDGEBROOK DRIVE (Edwin W. Ferrel)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 5, 1971 , at 4:15 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 report of Superintendent of Streets on cost of installation of curb and gutter at 1521 Edgebrook Drive, portion of Block 6128A (\$275.50)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-243

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF SIDEWALK AT 603 HIGH ST., LOT 22, BLOCK 614 (HARRY GROSSPIETSCH)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 5, 1971 , at 4:15 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 report of Superintendent of Streets on cost of installation of sidewalk at 603 High Street, Lot 22, Block 614 -(\$325.00)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-244

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER AT 112 ROWLAND AVENUE, PORTION OF BLOCK 2087 (HAZEL V. LIGHTHALL)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 5, 1971, at 4:15 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of superintendent of streets on cost of installation of curb and gutter at 112 Rowland Ave., portion of Block 2087 - \$250.05.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of ~~April~~<sup>March</sup>, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-245

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER ON EDGEBROOK DRIVE AND COVENA AVENUE AT 534 COVENA AVENUE (Mr. Senter A. Nunley)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 5, 1971 , at 4:15 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 report of Superintendent of Streets on cost of installation of curb and gutter on Edgebrook Drive and Covena Avenue at 534 Covena Avenue - \$506.80.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-246

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CURB AND GUTTER AT 1515 EDGEBROOK DRIVE, PORTION OF BLOCK 6128A (Mr. Edmund J. Sargent)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 5, 1971 , at 4:15 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of curb and gutter at 1515 Edgebrook Drive, portion of Block 6128A - \$221.30.

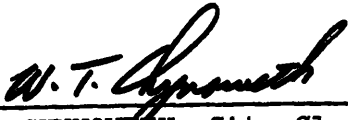
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-247

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER AT 1513 EDGEBROOK DRIVE, PORTION OF BLOCK 6128-A (Mr. Robert W. Smith, Sr.)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 5, 1971, at 4:15 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb and gutter at 1513 Edgebrook Drive, portion of Block 6128-A - \$222.50.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-248

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REPORT OF  
SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER  
AT 225 PHOENIX AVE. (Lot 21, Block 2212, Robert M. Wise)

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that April 5, 1971 , at 4:15 P.M. in the Council  
Chambers, City Hall, 801 Eleventh Street, Modesto, California  
is hereby set as the time and place for consideration of  
report of Superintendent of Streets on cost of installation of curb  
and gutter at 225 Phoenix Ave. (Lot 21, Block 2212 - \$225.35)

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 22nd day  
of March, 1971 by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman  
Newton , was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-249

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD ANDREW AND VELET ROWE GOWANS FOR SEWER SERVICE AT 1441 QUEENS AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald Andrew and Velet Rowe Gowans for sewer service at 1441 Queens 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 22nd day of March 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-250

A RESOLUTION RECOMMENDING TO THE STANISLAUS COUNTY BOARD OF SUPERVISORS THE HIRING OF A COUNTY DRUG ABUSE COORDINATOR ON A FULL-TIME BASIS.

WHEREAS, in the past few months many positive steps have been taken to reduce drug abuse in the community through an active drug abuse education, prevention and treatment program by county schools, various county agencies and law enforcement organizations, and

WHEREAS, six months ago the City of Modesto assigned the Administrative Assistant to the City Manager the task of bringing the resources of the community together to fight the growing problem of drug abuse and this activity has resulted in an increase in the amount of effort by both public and private agencies, and

WHEREAS, this activity is now beyond the scope of the Administrative Assistant to the City Manager since drug abuse prevention, education and treatment require county-wide and area-wide coordination and effort, and

WHEREAS, the climate is right to complete a comprehensive area-wide program since the public and private organizations involved are geared to provide the resources to the county without creating an additional organization to fight drug abuse alone, and

WHEREAS, Federal funding through the California Council on Criminal Justice requires a coordinated, area-wide comprehensive program with all resource agencies involved,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it recommends to the County Board of Supervisors that it take the steps required to insure and sustain the present momentum in drug abuse prevention and treatment by hiring a full-time drug abuse coordinator.

BE IT FURTHER RESOLVED that the Council requests that the responsibilities of the county drug abuse coordinator shall include the coordination of all activities on a county-wide basis

to insure that information, expertise and all the resources that have been developed get county-wide dissemination and that they are used effectively without duplication and in the most economic fashion.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to furnish a copy of this resolution to the Stanislaus County Board of Supervisors.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-251

A RESOLUTION APPROVING THE FINAL MAP OF THE  
NORTHGATE NO. 7 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger,  
husband and wife, and Harley D. Brannen and Norma Brannen, husband  
and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 11.479 acres, known as the  
Northgate No. 7 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 21st day of May,  
19 68, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Northgate No. 7  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Northgate No. 7  
Subdivision 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 in the amount of One Thousand, Thirty-Two  
and 20/100ths (\$1,032.20) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Seventy-  
Seven Thousand, Eight Hundred and no/100ths (\$77,800.00) Dollars.

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 22nd day of March, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-252

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 (KAISER-AETNA)

WHEREAS, the Modesto City Planning Commission held a public hearing on March 16, 1971, 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 One-family 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 :

The East 20 acres of Lot 12 of McKinney Colony, according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on November 21, 1903 in Volume 1 of Maps, at Page 57

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-39 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 April 12, 1971 at 7:45 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 22nd day of ~~April~~ <sup>March</sup>, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-253

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$261 FOR AIRPORT  
AUTOMOTIVE INSURANCE FUND TO REIMBURSE EMPIRE FIRE DISTRICT FOR  
INSURANCE PREMIUM PAID ON AIRPORT CRASH TRUCK

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

AIRPORT FUND(230)

From: General Reserve (60) \$261.00

To: Automotive Insurance(412-46-230) \$261.00

(To provide funds to reimburse Empire Fire District for  
the insurance premium it has paid on Airport crash truck)


The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 22nd day of March  
19 71 by Councilman Smith , who moved its adoption, which motion  
being duly seconded by Councilman Newton , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-254

A RESOLUTION REAPPOINTING MEMBERS OF THE HUMAN RIGHTS COMMISSION FOR TERMS EXPIRING MAY 1, 1975 (Lupe Hernandez, Jerome G. Kopp, Julius C. Manrique and Don L. Winsby)

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 reappointed to the Human Rights Commission for the respective term as indicated: Term ending May 1, 1975.

Lupe Hernandez  
801 Lombardo  
Modesto, California 95351

Jerome G. Kopp  
1239 Yale Avenue  
Modesto, California 95350

Julius C. Manrique  
2506 Ridgewood Court  
Modesto, California 95350

Don L. Winsby  
304 Durham Lane  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed members of the Human Rights Commission and the Secretary thereof.

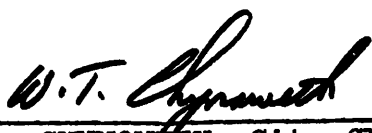
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of March, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-255

A RESOLUTION SETTING TIME AND PLACE FOR HEARING APPEAL OF CENTRAL-CAL ENTERPRISES FROM DENIAL BY PLANNING COMMISSION OF REQUEST FOR P-D ZONING TO PERMIT CONSTRUCTION OF 27 SINGLE-STORY FOUR-PLEX UNITS AT NORTHEAST CORNER OF KRUGER AND GRANADA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 26, 1971 , at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of appeal of Central-Cal Enterprises from denial by Planning Commission of request for P-D zoning to permit construction of 27 single-story four-plex units at northeast corner of Kruger and Granada.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-256

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF RAE J. CODONI AS A MEMBER OF THE FARM-CITY ADVISORY COMMITTEE

WHEREAS, Rae J. Codoni has served as a member of the Farm-City Advisory Committee since April 12, 1965; and

WHEREAS, Mr. Codoni has tendered his resignation from the Farm-City Advisory Committee effective April 5, 1971; and

WHEREAS, Mr. Codoni has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Mr. Codoni from the Farm-City Advisory Committee is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Mr. Codoni 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 April, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-257

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF TILLIE LEWIS FOODS, INC. FOR ENCROACHMENT PERMIT FOR INSTALLATION OF FLASHING YELLOW CAUTION LIGHT AND WARNING SIGNS AT D STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 12, 1971 , at 7:50 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 of Tillie Lewis Foods, Inc. for encroachment permit for installation of flashing yellow caution light and warning signs at D Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-258

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER LINES IN GREENBRIER NO. 4 AND ROSE TERRACE NO. 3 SUBDIVISIONS

WHEREAS, the Council of the City of Modesto adopted Resolution No. 71-135 , on March 1, 1971 , approving the plans and specifications for installation of water lines in Greenbrier No. 4 and Rose Terrace No. 3 Subdivisions

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on or before the 16th day of March, 1971 , and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, the lowest responsible bid was submitted by The Rutan Co. , in the sum of \$5,117.00, and

WHEREAS, the Director of Public Works estimates that the cost of such work may be performed by city forces for the sum of \$2,750.00, thus effecting a savings to the taxpayers of approximately \$2,367.00 , which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to the aforesaid notice be, and they are hereby rejected and the City Manager is

hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-259

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINE IN FUTURE SHERMAN AVENUE

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

SECTION 1. The plans and specifications for installation of water line in future Sherman 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 20, 1971 at 10:05 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 5th day of April, 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:   
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-260

A RESOLUTION ACCEPTING THE BID OF STANISLAUS PUMP & SUPPLY CO. FOR INSTALLING PUMPING UNITS AT PUMP STATIONS 18 AND 10 AND WAIVING MINOR IRREGULARITY IN BID

WHEREAS, Resolution No. 71-194, adopted by the Council of the City of Modesto on March 15, 1971, approved the plans and specifications for the installing of pumping units at Pump Stations 18 and 10 and authorized the calling for bids, and

WHEREAS, the bids received for the installing of pumping units at Pump Stations 18 and 10 were opened at 2:00 P.M. on March 30, 1971, 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 and Supply Co. in the amount of \$5,974 be accepted as the lowest responsible bid, and

WHEREAS, the Assistant City Engineer in a memo dated April 5, 1971 has recommended that a minor irregularity in the bid consisting of the failure to specify the bid amount in numbers and in words be waived.

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

- (1) The minor irregularity as cited above is hereby waived.
- (2) The bid of Stanislaus Pump & Supply Co. in the amount of \$5,974 is hereby accepted and the execution of a contract for the completion of the project by the City's designated officials is authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-261

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$500 FOR ADDITIONAL FUNDS TO MODERNIZE ELECTRICAL CONTROLS AT PUMP STATIONS NO. 18

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

GENERAL FUND (101)

FROM:	Modernize Electrical Controls Pump Stations No. 13 and No. 14 (6846-101).50	\$500
TO:	Increase Capacity, Pump Station No. 18 (6830-101) Dept. 50	\$500

(Bids were higher than anticipated and there is money available in the 6846-50 account because bids were lower than estimated)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-262

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN WINMOORE WAY AND NORTHGATE NO. 7

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

SECTION 1. The plans and specifications for installation of water lines in Winmoore Way and Northgate No. 7

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 20, 1971 at 10:15 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 5th day of April, 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-263

INSTALLATION  
A RESOLUTION ACCEPTING THE ~~CONSTRUCTION~~ OF DEEP WELL PUMPING UNIT  
AT PUMP STATION NO. 37 (Robert L. Larsen, dba I. J. Larsen Pumps)

WHEREAS, a report has been filed by the Director of Public  
installation  
Works that the ~~construction~~ of deep well pumping unit  
at Pump Station No. 37

has been completed by Robert L. Larsen, dba I. J. Larsen Pumps

in accordance with the contract agreement dated October 13, 1970

installation  
NOW, THEREFORE, BE IT RESOLVED that the ~~construction~~ of  
deep well pumping unit at Pump Station No. 37

be accepted from said contractor, Robert L. Larsen, dba I. J.  
Larsen Pumps

that notice of completion be filed with the Recorder of Stan-  
islaus County and that payment of amounts due in the amount  
of \$10,966.00 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  
5th day of April, 1971, by Councilman  
Simon, who moved its adoption, which motion being  
duly seconded by Councilman Newton, was upon roll  
call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-264

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ASPHALT CONCRETE RESURFACING VARIOUS CITY STREETS, SPRING 1971

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

SECTION 1. The plans and specifications for asphalt concrete resurfacing various city streets, Spring 1971

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 20, 1971 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 5th day of April 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-265

A RESOLUTION ACCEPTING THE BID OF BILL HUGHES DODGE, MODESTO TO FURNISH AUTOMOTIVE EQUIPMENT, 16 PATROL VEHICLES, 2 4/dr SEDANS, 10 PICKUPS AND 1 2-TON FLATBED TRUCK

WHEREAS, Resolution No. 71-195 , adopted by the Council of the City of Modesto on March 15, 1971 , approved the plans and specifications for the furnishing of automotive equipment, 16 patrol vehicles, 2 4/dr sedans, 10 pickups and 1 2-ton flatbed truck and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of automotive equipment, 16 patrol vehicles, 2 4/dr sedans, 10 pickups and 1 2-ton flatbed truck were opened at 2:10 P.M. on March 30, 1971 and later tabulated by the Purchasing Officer for the consideration of the Council, and

WHEREAS, the Purchasing Officer has recommended that the bid of Bill Hughes Dodge in the amount of \$82,519.64

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 Hughes Dodge in the amount of \$82,519.64

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 April 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-266

A RESOLUTION TRANSFERRING TWO HUNDRED THOUSAND AND NO/100THS (\$200,000.00) DOLLARS FROM THE GENERAL FUND (FUND NO. 101) OF THE CITY OF MODESTO TO THE SERVICE DIVISION REVOLVING FUND (FUND NO. 512) AND APPROPRIATING SAID AMOUNT IN SPECIFIED ACCOUNTS.

WHEREAS, the sum of One Hundred Thousand and no/100ths (\$100,000.00) Dollars is available in the Unappropriated Fund Balance of the General Fund (Fund No. 101), and the sum of One Hundred Thousand and no/100ths (\$100,000.00) Dollars is available in the General Reserve (Account No. 60) of the General Fund (Fund No. 101), and

WHEREAS, said sums will not be required for operating costs of the City during the 1970-71 fiscal year, and

WHEREAS, the Council desires to transfer said sums to the Service Division Revolving Fund (Fund No. 512) to be utilized for the replacement and acquisitions of equipment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of One Hundred Thousand and no/100ths (\$100,000.00) Dollars, available in the Unappropriated Fund Balance of the General Fund (Fund No. 101), and the sum of One Hundred Thousand and no/100ths (\$100,000.00) Dollars, available in the General Reserve (Account No. 60) of the General Fund (Fund No. 101), be and is hereby transferred to the Service Division Revolving Fund (Fund No. 512).

BE IT FURTHER RESOLVED that the said Two Hundred Thousand and no/100ths (\$200,000.00) Dollars shall be appropriated in the Service Division Revolving Fund (Fund No. 512) as follows:

Account Number	Account Name	Amount
5415	16 Patrol Cars	\$ 23,414
5435	2 4-dr. Sedans	3,750
5411	8 ½-ton Pickups, Standard	9,258
5421	1 ½-ton Pickup, Long W.B.	406
5434	1 ½-ton Pickup, 4-Speed	212
5413	1 2-ton Flatbed Dump	579
60	General Reserve	162,381

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 April, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-267

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (1540 Carlton Ave.,  
Lot 4, Block 6124 - Mr. Lowell W. Brawley)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Carlton Avenue, Block 6124, and

WHEREAS, the Council, did, on March 22, 1971, adopt its Resolution No. 71-235, directing the Superintendent of Streets to give notice requiring the construction of sidewalks along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 5th day of April 1971, at 4:10 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 notice to be given as directed by said Resolution No. 71-235, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-235 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 5th day of April, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-268

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURB AND GUTTER ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (110 John Muir Court,  
Lot 7, Block 606 - Mr. James A. Eidson)

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 and gutters may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along John Muir Court, Block 606, and

WHEREAS, the Council, did, on March 22, 1971, adopt its Resolution No. 71-236, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 5th day of April, 1971, at 4:10 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 notice to be given as directed by said Resolution No. 71-236, 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~~ Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-236 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 5th day of April, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-269

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURB, GUTTER AND SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (1528 Grape Ave., Lot 15  
of Block 6108 - Mr. Larry J. Hobbs)

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 curb, gutter and sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curb, gutter and sidewalks have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Grape Avenue, Block 6108

, and  
WHEREAS, the Council, did, on March 22, 1971, adopt its Resolution No. 71-237, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalks along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 5th day of April 1971, at 4:10 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 notice to be given as directed by said Resolution No. 71-237, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-237 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 5th day of April, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-270

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (1506 Ardmore Ave.,  
Lot 11 and South 1/2 of Lot 12 of Block 6122 - Mr. Wei Hsuan)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Ardmore Avenue, Block 6122, and

WHEREAS, the Council, did, on March 22, 1971, adopt its Resolution No. 71-238, directing the Superintendent of Streets to give notice requiring the construction of sidewalks along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 5th day of April 1971, at 4:10 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 notice to be given as directed by said Resolution No. 71-238, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-238 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 5th day of April, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

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

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (1205 Purdue Ave.,  
Lot 8 of Block 826 - Mr. Manuel L. Moniz)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks \_\_\_\_\_ have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Purdue Avenue, Block 826

\_\_\_\_\_, and  
WHEREAS, the Council, did, on March 22, 1971, adopt its Resolution No. 71-239, directing the Superintendent of Streets to give notice requiring the construction of sidewalks \_\_\_\_\_ along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 5th day of April 1971, at 4:10 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 notice to be given as directed by said Resolution No. 71-239, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-239 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 5th day of April, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-272

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (1516 Ardmore Ave.,  
Lot 13 and north 1/2 of Lot 12, Block 6122 - Mr. Paul  
Nussbaumer)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and  
Highways Code of the State of California establishes a procedure pur-  
suant to which the construction of sidewalks  
may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and  
Highways Code, the Superintendent of Streets finds that sidewalks  
\_\_\_\_\_ have been constructed in front of the  
properties constituting more than fifty per cent (50%) of the street  
frontage along Ardmore Avenue, Block 6122

\_\_\_\_\_, and  
WHEREAS, the Council, did, on March 22, 1971,  
adopt its Resolution No. 71-240, directing the Superintendent of  
Streets to give notice requiring the construction of sidewalks  
\_\_\_\_\_ along certain streets in the City of Modesto,  
as provided therein, and

WHEREAS, the Council did by said resolution, set the 5th  
day of April 1971, at 4:10 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 notice to be  
given as directed by said Resolution No. 71-240, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-240 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 5th day of April, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-273

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (Del Vale Ave. at 1542  
Orangeburg Ave., Lot 1 of Block 6041 - Mr. James M.  
Weaving)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and  
Highways Code of the State of California establishes a procedure pur-  
suant to which the construction of sidewalks  
may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and  
Highways Code, the Superintendent of Streets finds that sidewalks  
have been constructed in front of the  
properties constituting more than fifty per cent (50%) of the street  
frontage along Del Vale Avenue, Block 6041

, and  
WHEREAS, the Council, did, on March 22, 1971,  
adopt its Resolution No. 71-241, directing the Superintendent of  
Streets to give notice requiring the construction of sidewalks  
along certain streets in the City of Modesto,  
as provided therein, and

WHEREAS, the Council did by said resolution, set the 5th  
day of April 1971, at 4:10 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 notice to be  
given as directed by said Resolution No. 71-241, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-241 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 5th day of April, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-274

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (1521 Edgebrook Drive, portion of Block 6128A Mr. Edwin W. Ferrel - \$275.50)  
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 curb and gutter may be required, and  
WAIVED BY PROPERTY OWNER

WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_ adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter \_\_\_\_\_ as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, April 5, 1971, at 4:15 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$275.50.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$275.50 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Begin 1320.57' E & 461.30' N of W  $\frac{1}{4}$  corner of Section 27, T3S, R9E, MDB&M; Wly 75'; Nly 95.07'; Ely 75.46'; Sly 103' to POB.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 5th day of April 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-275

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (603 High Street, Lot 22 of Block  
614 - Mr. Harry Grosspietsch - \$325.00)  
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 construc-  
tion of sidewalks may be required, and

WHEREAS, the Council did, on                     , 19    
                     WAIVED BY PROPERTY OWNER  
adopt its Resolution No.           , directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalks along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalks  
                     as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, April 5, 1971, at 4:15 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$325.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$325.00 Dollars, be assessed in 7 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 22 of Block 614 of John Muir Park Tract as per map filed June 15, 1940 in Volume 14 of Maps, Page 1, Stanislaus County Records.

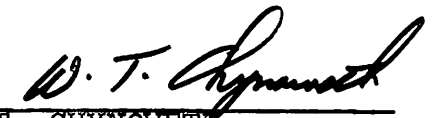
SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 5th day of April, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by

Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:   
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-276

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (Edgebrook Drive and Covena Ave. at 534 Covena Ave., portion of Block 6128A - Mr. Senter A. Nunley - \$506.80) 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 curb and gutter may be required, and WAIVED BY PROPERTY OWNER WHEREAS, the Council did, on -----, 19-- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, April 5, 1971, at 4:15 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$506.80.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$506.80 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Begin 988.02' E & 536.30' N of W  $\frac{1}{4}$  corner of Section 27, T3S, R9E, MDB&M; Ely 138'; Sly 71'; Wly 138'; Nly 60' to POB.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 5th day of April 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-277

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 Edgebrook Drive, portion of Block 6128A - Mr. Edmund J. Sargent - \$221.30)  
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 curb and gutter may be required, and

WHEREAS, the Council did, on                     , 19                        WAIVED BY PROPERTY OWNER adopt its Resolution No.           , directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, April 5, 1971, at 4:15 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$221.30.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$221.30 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Begin 1186.02' E & 476.30' N of W  $\frac{1}{4}$  corner o Section 27, T3S, R9E, MDB&M; Nly 77'; Ely to a point 75.48' Wly of W  $\frac{1}{4}$  line; Sly 95.07'; Wly to POB.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 5th day of April 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-278

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (225 Phoenix Ave., Lot 21, Block 2212 Mr. Robert M. Wise - \$225.35)

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 curb and gutter may be required, and

WHEREAS, the Council did, on November 2, 1970, 19     adopt its Resolution No. 70-1090, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, April 5, 1971, at 4:15 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$225.35.

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

SECTION 1. That the cost of the aforesaid work, being the amount of     \$225.35     Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 21 of Block 2212 of Alta Vista Tract as per map filed September 12, 1946 in Volume 14 of Maps, Page 75, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 5th day of April 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-279

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS COLLIER-TROMBETTA ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 71-90, adopted on February 10, 1971, the Council declared its intention to call a special election for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, and

WHEREAS, by said Resolution No. 71-90, the Council fixed the 22nd day of March, 1971, at the hour of 7:40 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, said hearing of protests against said annexation was held at said time and place and was then continued until the 5th day of April, 1971, at 4:20 o'clock P.M., in the Council Chambers at the City Hall, located at 801 - 11th Street in the City of Modesto, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 71-90 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto, as required by Section 35119 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and persons owning real property within such territory appeared at

said times and places to protest said annexation and written protests were filed against the annexation prior to the hour set for hearing objections to the election, and prior to the hour set for reconvening the continued hearing,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that a majority protest against the proposed annexation of said Collier-Trombetta Addition has not been made and hereby declares its intention to proceed with the annexation of said territory, which is more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Rosegood  
Public Works Department

RAM  
4-6-71

August 11, 1970

COLLIER-TROMBETTA ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 21, 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 Eastern line of the EAST ORANGEBURG ADDITION (112), as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue which is also a Southern line of the EAST ORANGEBURG NO. 2 ADDITION (219), as per description filed July 30, 1968, as Instrument 23319, Stanislaus County Records; thence along the existing City Limits on said Southern line of Addition (219), South  $89^{\circ} 46'$  East, 640.86 feet to a Western line of said Addition (219); thence along said Western line and the existing City Limits, South  $0^{\circ} 52'45''$  East, 214.45 feet to the Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (206), the following courses and distances; South  $0^{\circ} 52'45''$  East, 1013.66 feet; thence North  $89^{\circ} 47'45''$  West, 152.44 feet; thence North  $0^{\circ} 54'20''$  West, 12.50 feet; thence North  $89^{\circ} 47'45''$  West, 172.50 feet; thence South  $0^{\circ} 54'20''$  East, 10.00 feet; thence North  $89^{\circ} 47'45''$  West, 152.50 feet; thence North  $0^{\circ} 54'20''$  West, 0.22 feet; thence North  $89^{\circ} 47'20''$  West, 162.43 feet; thence North  $0^{\circ} 55'30''$  West, 235.02 feet; thence North  $89^{\circ} 47'20''$  West, 10.00 feet to a point on the Eastern line of the HELM ADDITION (142), as per description filed December 13, 1962, as Instrument 46565, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Addition (142), North  $0^{\circ} 55'30''$  West, 330.24 feet to a point on the Southern line of the PINE CONE ADDITION (209), as per description filed January 29, 1968, as Instrument 3054, Stanislaus County Records; thence along the existing City Limits and the Southern line of said Addition (209), South  $89^{\circ} 46'50''$  East, 10.00 feet to the Eastern line of said Addition (209); thence along the existing City Limits and the Eastern line of said Addition (209), North  $0^{\circ} 55'30''$  West, 330.23 feet to a point on the Southern line of the EAST ORANGEBURG ADDITION (112); thence along the existing City Limits and the Eastern line of said Addition (112), North  $0^{\circ} 55'30''$  West, 330.23 feet to the point of beginning, containing 18.061 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-280

A RESOLUTION CALLING A SPECIAL ELECTION TO BE HELD ON THE 1st DAY OF JUNE, 19 71, PERTAINING TO THE ANNEXATION OF COLLIER-TROMBETTA ADDITION TO THE CITY OF MODESTO.

WHEREAS, by Resolution No. 71-90, the Council of the City of Modesto declared its intention to call a special election in certain inhabited territory contiguous to said City for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, and

WHEREAS, a copy of said resolution was published as required by law, and

WHEREAS, at a time not later than the hour set by said resolution for hearing objections to the proposed election, and the hour to which said hearing was continued, written protests were not made by the owners of one-half (1/2) of the value of the territory proposed to be annexed as shown by the last equalized assessment roll or by public and private owners equal to one-half (1/2) of the value of the territory proposed to be annexed, and

WHEREAS, all proceedings have been had in accordance with said resolution and the Annexation Act of 1913, as amended, reference thereto hereby being made for further particulars,

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

SECTION 1. ELECTION CALLED. A special election is hereby called to be held on the 1st day of June, 1971, in the territory hereinafter described and proposed to be annexed to the City of Modesto, for the purpose of submitting

to the qualified electors residing in said territory the question whether or not such territory shall be annexed to, incorporated in, and made a part of said City of Modesto, and whether or not the property in said territory shall, after such annexation, be subjected to taxation after annexation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election.

Said territory is described as attached hereto.

SECTION 2. TIME OF OPENING AND CLOSING OF POLLS. The polls at said election shall be open at 7:00 o'clock A.M. of the day herein fixed for the holding of said election and shall be kept open until 8:00 o'clock P.M. of the same day, when the polls shall be closed.

SECTION 3. FORM OF BALLOT. On the ballots to be used at said election and on the voting machines used at said election, in addition to any other matter required by law to be printed thereon, shall be printed the statement: "Shall the COLLIER-  
TROMBETTA Addition be annexed to, incorporated in, and made a part of the City of Modesto, and the property therein be subjected to taxation after annexation equally with the property within the City to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election?"

Where ballots are used, opposite the above-mentioned statement there shall be printed the words, "Yes" and "No", and to the right of each of these last two (2) words, there shall be a voting square. If an elector shall stamp a cross (+) in the voting square after the printed word "Yes", the vote of such elector shall be counted in favor of the annexation of said territory to the City of Modesto; and if an elector shall stamp a cross (+) in the voting square after the printed word "No", the vote of such elector shall be counted against such annexation.

Where voting machines are used at said election, said voting machines shall be so arranged that any qualified elector may vote for the annexation of said territory to the City of Modesto by pulling down a voting pointer over the word "Yes" near the above-mentioned statement appearing on cardboard, paper or other material placed on the front of the machine, and pulling an operating lever, and said act shall constitute a vote for the annexation of said territory to the City of Modesto and may vote against the annexation of said territory to the City of Modesto by pulling down a voting pointer over the word "No" near the above-mentioned statement appearing on cardboard, paper or other material placed on the front of the machine, and pulling an operating lever, and said act shall constitute a vote against the annexation of said territory to the City of Modesto. Said voting machines and the preparation of the same shall comply in all respects with the provisions of the law.

In all particulars not herein recited, said election shall be held in conformity, as near as may be, with the laws of the State of California concerning general elections, and the said Annexation Act of 1913, as amended.

SECTION 4. PRECINCT AND PRECINCT OFFICERS. (a) For the purpose of said election, there is hereby established in said territory described herein one (1) voting precinct(s) to be known and described as follows:

Special No. 1.

Said special election precinct(s) has (have) been established by utilizing all or a portion of the county election precincts within said territory as established by the orders or resolutions of the Board of Supervisors of Stanislaus County, California, now in force for county election purposes, which said orders or resolutions now on file are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof in the following manner (said



City Hall, Modesto, California, pursuant to the Elections Code of the State of California, Section 22932.5. Upon completion of the canvass, the City Clerk shall certify the results of the election to the Council and the Council shall meet at its usual meeting place and confirm said canvass by the City Clerk on Monday, June 7, 1971, at the hour of 4:00 o'clock P.M. and declare the results of the election.

SECTION 6. SCHOOL DISTRICT BOUNDARIES. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 7. EFFECTIVE DATE OF ANNEXATION. If annexation of said territory is completed, it shall be a part of the City of Modesto for all purposes on July 1, 1971.

SECTION 8. NOTICE OF SAID SPECIAL ELECTION. The City Clerk shall cause a notice of said special election to be published as required by said Annexation Act of 1913, as amended, at least once a week during the four (4) weeks prior to the date of the election in The Riverbank News, a newspaper of general circulation, printed and published outside the City of Modesto but in the County of Stanislaus, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Rosegood  
Public Works Department

2-24-71

August 11, 1970

COLLIER-TROMBETTA ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 21, 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 Eastern line of the EAST ORANGEBURG ADDITION (112), as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue which is also a Southern line of the EAST ORANGEBURG NO. 2 ADDITION (219), as per description filed July 30, 1968, as Instrument 23319, Stanislaus County Records; thence along the existing City Limits on said Southern line of Addition (219), South  $89^{\circ} 46'$  East, 640.86 feet to a Western line of said Addition (219); thence along said Western line and the existing City Limits, South  $0^{\circ} 52' 45''$  East, 214.45 feet to the Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (206), the following courses and distances; South  $0^{\circ} 52' 45''$  East, 1013.66 feet; thence North  $89^{\circ} 47' 45''$  West, 152.44 feet; thence North  $0^{\circ} 54' 20''$  West, 12.50 feet; thence North  $89^{\circ} 47' 45''$  West, 172.50 feet; thence South  $0^{\circ} 54' 20''$  East, 10.00 feet; thence North  $89^{\circ} 47' 45''$  West, 152.50 feet; thence North  $0^{\circ} 54' 20''$  West, 0.22 feet; thence North  $89^{\circ} 47' 20''$  West, 162.43 feet; thence North  $0^{\circ} 55' 30''$  West, 235.02 feet; thence North  $89^{\circ} 47' 20''$  West, 10.00 feet to a point on the Eastern line of the HELM ADDITION (142), as per description filed December 13, 1962, as Instrument 46565, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Addition (142), North  $0^{\circ} 55' 30''$  West, 330.24 feet to a point on the Southern line of the PINE CONE ADDITION (209), as per description filed January 29, 1968, as Instrument 3054, Stanislaus County Records; thence along the existing City Limits and the Southern line of said Addition (209), South  $89^{\circ} 46' 50''$  East, 10.00 feet to the Eastern line of said Addition (209); thence along the existing City Limits and the Eastern line of said Addition (209), North  $0^{\circ} 55' 30''$  West, 330.23 feet to a point on the Southern line of the EAST ORANGEBURG ADDITION (112); thence along the existing City Limits and the Eastern line of said Addition (112), North  $0^{\circ} 55' 30''$  West, 330.23 feet to the point of beginning, containing 18.061 Acres, more or less.

Modesto City Council  
Resolution No. 71-281

A RESOLUTION APPROVING DEEDING OF EXCESS LAND ALONG BRIGGSMORE AVENUE RIGHT OF WAY TO ADJACENT MODESTO RACQUET CLUB

WHEREAS, right of way for the widening of Briggsmore Avenue was deeded to the City of Modesto by the Modesto Racquet Club; and

WHEREAS, the right of way was deeded to the City of Modesto by the Modesto Racquet Club at no cost to the City; and

WHEREAS, the following described property, deeded to the City of Modesto by the Modesto Racquet Club for the widening of Briggsmore Avenue, is now excess to the needs of the City:

The following described real property in the City of Modesto, County of Stanislaus, State of California:

All that portion of Section 16, Township 3 South Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 22 and 23 of the POMONA VILLA TRACT, as per map filed December 16, 1904 in Volume 2 of Maps, Page 4, Stanislaus County Records, described as follows:

Commencing at the intersection of the center lines of Public Roads known as McHenry Avenue and Norwegian Avenue; thence along the center line of Norwegian Avenue, South  $89^{\circ} 39'$  East, 988.80 feet, to a point 26.20 feet West of the Eastern line of Lot 12 of said POMONA VILLA TRACT and the Northerly projection of the Western line of property conveyed to the Modesto Racquet Club, by deed recorded February 18, 1957, as Instrument 4660, Stanislaus County Records; thence along said projection and Western line of said Modesto Racquet Club property, South  $0^{\circ} 49'$  East, 286.91 feet, to the true point of beginning; thence continuing South  $0^{\circ} 49'$  East, 29.16 feet to the Northern line of a 60 foot Public Road known as Briggsmore Avenue East; thence along said Northern line South  $80^{\circ} 32' 05''$  East, 67.80 feet; thence along a tangent curve, concave to the Southwest, having a Radius of 1030.00 feet, a Central Angle of  $9^{\circ} 59' 05''$  and an Arc Length of 179.49 feet; thence North  $70^{\circ} 33'$  West, 255.45 feet, to the point of beginning.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that deeding of the above described property to the Modesto Racquet Club is hereby approved.

BE IT FURTHER RESOLVED that the land shall be deeded to the Modesto Racquet Club at no cost to the Modesto Racquet Club.

BE IT FURTHER RESOLVED THAT execution of the grant deed by authorized city officials is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-282

A RESOLUTION TERMINATING LEASE BETWEEN THE CITY OF MODESTO AND NATHAN J. PROVINCE, DBA PACIFIC AIRCRAFT SERVICE, FOR LEASE OF HANGAR NO. 5 (EAST ONE-HALF) AT MODESTO CITY-COUNTY AIRPORT

WHEREAS, Nathan J. Province, dba Pacific Aircraft Service, has requested termination of his lease agreement with the City of Modesto for the east one-half of Hangar No. 5; and


WHEREAS, the Director of Public Works has recommended that the request for termination of lease be approved.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Nathan J. Province, dba Pacific Aircraft Service, for lease of the east one-half of Hangar No. 5 at Modesto City-County Airport is hereby terminated effective March 31, 1971.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-283

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD P. LaTOURETTE, DBA ACE AEROMOTIVE, FOR THE EAST ONE-HALF OF HANGAR NO. 5 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 Donald P. LaTourette, dba Ace Aeromotive, for lease of the east one-half of Hangar No. 5, effective April 1, 1971 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 April 19 71 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-284  
SUPPLEMENTAL

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
FEDERAL AVIATION ADMINISTRATION COVERING INSTALLATION OF A  
HYGROTHERMOMETER FACILITY 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 Federal  
Aviation Administration  
for installation of a hygrotthermometer facility 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 5th day of  
April 1971 , by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Newton ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

The foregoing is a correct copy of the  
original on file in this office which has  
not been revoked and is now in full force  
and effect.  
ATTEST:

\_\_\_\_\_  
, City Clerk of the City  
of Modesto, County of Stanislaus, State of  
California.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-285

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEVELOPERS OF ENGLISH MEADOWS SUBDIVISION FOR SEWER SERVICE TO A TWELVE-LOT SUBDIVISION OUTSIDE THE CITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bryan and Rita M. Grimes, subdividers of English Meadows Subdivision, for sewer service to property located at Harris Avenue and Lombardy 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 5th day of April 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-286

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LEROY G. KRIKKE AND SHERRIL KRIKKE FOR SEWER SERVICE AT 3128 SCENIC DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Leroy G. Krikke and Sherril Krikke for sewer service at 3128 Scenic 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 5th day of April 19 71 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-287

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SEVERO AND JENNY DURAN FOR SEWER SERVICE AT 826 ERICKSON AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Severo and Jenny Duran for sewer service at 826 Erickson Avenue  
~~XXXX~~


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 April 19 71 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-288

A RESOLUTION ACCEPTING AVIGATION EASEMENT FROM MR. AND MRS. WILLIAM R. INGLIS AND EXPRESSING APPRECIATION AND THANKS FOR THEIR GENEROSITY

WHEREAS, MR. AND MRS. WILLIAM R. INGLIS have granted an avigation easement to the City of Modesto in order that the approach area of the Modesto City-County Airport may remain free and clear of any objects which might constitute an obstruction or hazard to the flight of aircraft in landing or taking off at the Modesto City-County-Airport; and

WHEREAS, said avigation easement has been granted without cost to the City.


NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the avigation easement is hereby accepted from Mr. and Mrs. Inglis, and the Council hereby expresses its appreciation and thanks on behalf of itself and all of the residents of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby authorized to record said avigation easement with 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 5th day of April, 1971 by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Robinson

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-289

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN F. GOTTSCHALK FOR TWENTY TIE-DOWN SPACES AT THE MODESTO CITY-COUNTY AIRPORT EFFECTIVE APRIL 1, 1971


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John F. Gottschalk for twenty tie-down spaces at the Modesto City-County ~~Box~~ Airport effective April 1, 1971 at the rate of \$8.00 for each tie-down space per month 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 April 19 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-290  
LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
ORRICK, HERRINGTON, ROWLEY AND SUTCLIFFE TO SERVE AS BOND COUNSEL  
FOR ASSESSMENT PROCEEDINGS, IMPROVEMENT DISTRICT NO. 19

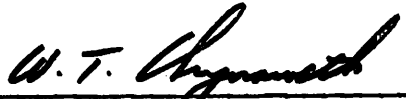
BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Orrick,  
Herrington, Rowley and Sutcliffe  
for bond counsel for assessment proceedings, Improvement  
District No. 19  
be, and it is hereby approved.

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  
April 1971 , by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Newton ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-291

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$5,000 FOR ENGINEERING AND BOND COUNSEL COSTS FOR IMPROVEMENT DISTRICT NO. 19

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

SPECIAL FUND FOR CAPITAL OUTLAYM (321)

FROM: General Reserve (60) \$5,000.00

TO: Improvement District No. 19 (6603-41-321) \$5,000.00

(For engineering and bond counsel costs for Improvement District No. 19)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-292

A RESOLUTION APPROVING REQUEST OF THOMAS FONTANA, JR. TO  
HARVEST NUTS AND GRAPES ON CITY PROPERTY

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

1. The request of Mr. Thomas Fontana, Jr. to harvest  
nuts and grapes on the city-owned properties listed below,  
is hereby approved:

Dryden Park Municipal Golf Course

Roosevelt Park

City Pump Station No. 14 (Virginia Avenue)

City Pump Station (Emerald Avenue)

Small parcel purchased by the City from the State  
on south side of Tuolumne River near 9th St. bridge  
approach

Mancini Park property (1204 River Road)

BE IT FURTHER RESOLVED that payment to the City will con-  
sist of 35% of the gross revenue of the 1971 crop, payable to  
the City by November 20, 1971.


The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
5th day of April, 1971 by Councilman Simon , who moved  
its adoption, which motion being duly seconded by Councilman  
Newton , was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-293

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS FOR INSTALLATION OF FULLY-ACTUATED TRAFFIC SIGNALS AND STREET LIGHTING AT MAZE AND FRANKLIN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and State of California, Department of Public Works, Division of Highways for for installation of fully-actuated traffic signals and street lighting at Maze and Franklin be, and it is hereby approved.

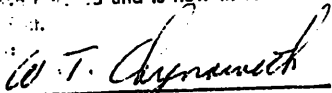
BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April 19 71 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

The foregoing is a correct copy of the original on file in this office which has not been revoked and is now in full force and effect.

ATTEST:



City Clerk of the City  
of Modesto, County of Stanislaus, State of  
California.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-293A

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$10,027 FOR TRAFFIC SIGNALS AT MAZE AND FRANKLIN

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Fund (60-321) \$10,027

To: Traffic Signal Construction,  
Maze and Franklin 6225-56-321) \$10,027

(\$4,973 of project already budgeted)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-294

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,000 FOR FLASHING  
BEACON - SYCAMORE & MORRIS

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

SPECIAL-FUND-FOR CAPITAL OUTLAYS (321)

From: Traffic signal construction -  
Briggsmore and Carver (6197-56-321) \$1,000

To: Flashing Beacon - Sycamore &  
Morris (7902-56-321) \$1,000

(Flashing beacon light to be removed from  
intersection of Briggsmore-Carver and placed  
at Sycamore - Morris)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 5th day of April  
1971 by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Newton , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-295

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MODESTO CITY SCHOOLS FOR LEASE OF PORTION OF COLEMAN F. BROWN  
PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto City School District of Stanislaus County for lease of portion of ~~for~~ Coleman F. Brown Park site on Celeste Drive on a year-to year tenance commencing December 1, 1970 for annual rental of \$103.15 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 Aprilm 19 71 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-296

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
BILLY W. AND CAROL HAMMONS FOR A ONE-MONTH PERIOD

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Billy W. and  
Carol Hammons

for lease of house at 534 Bodem for a one-month period effective  
~~March 1,~~  
<sup>April 1,</sup> 1971


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  
April 19 71 , by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Newton ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-297

RESOLUTION CANCELLING LEASE AGREEMENT WITH STANISLAUS COUNTY  
CO-OPERATIVE ASSOCIATION, INC., FOR LEASE OF MARK TWAIN AND  
FLOYD NEIGHBORHOOD PARK #2 PARK SITES

WHEREAS, the City of Modesto and Stanislaus County Co-operative Association, Inc., a corporation, entered into an agreement dated September 22, 1969 for the lease of Mark Twain Park Site and Floyd Neighborhood Park No. 2 for the purpose of growing and harvesting various types of vegetable crops, for a term of three years beginning September 23, 1969 and ending September 22, 1972; and

WHEREAS, reports have been received that the Stanislaus County Cooperative Association, Inc. is out of business; and

WHEREAS, the staff has been trying, unsuccessfully, to locate an official of the organization; and

WHEREAS, the Director of Parks and Recreation has recommended that the Council declare a default on the lease.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the lease between the City of Modesto and Stanislaus County Co-Operative Association, inc., dated September 22, 1969 is hereby terminated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-298

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
~~GALLO WINEERY~~ FOR LEASE OF MARK TWAIN PARK SITE  
GALLO GLASS COMPANY

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Gallo ~~WINEERY~~  
Glass Company

for lease of Mark Twain Park site on a year to year basis  
at \$500.00 per year for the purpose of growing grape cuttings  
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

April 19 71 , by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Newton ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-299

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 (JAMES C. CHAMPION)

WHEREAS, the Modesto City Planning Commission held a public hearing on March 16, ~~XXXXXX~~, 1971 at / , 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 Two-family Residential Zone, R-2, to Planned Development Zone, P-D, the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-38 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 April 26, 1971 at 7:40 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 April , 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

A portion of the NE 1/4 of Section 19, T3S, R9E, M. D. B. & M. described as follows:

Commencing at the N/E corner of said Section 19; thence S1° 00E along the East line thereof, 916 feet, to the point of beginning of description; thence N89° 00W, 231.57 feet, to a point that is 60 feet East of the East line of the Wilen Tract No. 2 according to the Map, filed in Volume 14 of maps, Page 43; thence South and parallel with the East line of said Wilen Tract No. 2, 198.29 feet; thence S89° 00E 231.57 feet, to the East line of said Section; thence N1° 00'W along the Section line 198.36 feet, to the point of beginning.

---

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-300

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 (UCCELLO)

WHEREAS, the Modesto City Planning Commission held a public hearing on March 16, 1971, 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 one-family residential zone R-1 to two-family residential zone, R-2 the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-35 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 April 26, 1971 at 7:45 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 April, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of Lot 23 of the Broughton Colony Tract, according to the map thereof filed in the office of the County Recorder of Stanislaus County, California, on March 17, 1904, in Volume 1 of Maps at Page 78, described as follows:

Commencing at the northwest corner of said Lot 23, said northwest corner being located on the east line of County Road along the north line of said Lot 23; thence East along the said north line of said Lot 23, a distance of 248.00 feet to the true point of beginning of this description; thence continuing East along the north line of said Lot 23 to the northwest corner of Gemini Manor, a subdivision recorded in Volume 21 of Maps at Page 27, Stanislaus County Records; thence South  $0^{\circ} 39' 45''$  East along the west line of Gemini Manor a distance of 125.00 feet; thence at right angles South  $89^{\circ} 20' 15''$  West a distance of 125.00 feet; thence North  $0^{\circ} 39' 45''$  West to a point that is 105.00 feet south of the north line of Lot 23; thence at right angles South  $89^{\circ} 20' 15''$  West a distance of 125.00 feet; thence at right angles South  $0^{\circ} 39' 45''$  East to a point that is 140.00 feet South of the north line of Lot 23; thence in a westerly direction along a line that is parallel to and 140.00 feet South of the north line of Lot 23 to a point that is 125.00 feet East of the east line, as described in deed to Bernice Della Willebrands, recorded in Volume 909 at Page 426, Official Records of Stanislaus County; thence North along a line that is parallel to and 125.00 feet East of the aforementioned line to a point that is 100.00 feet South of the north line of Lot 23; thence in a westerly direction along a line that is parallel to and 100.00 feet south of the north line of Lot 23, a distance of 125.00 feet to a point in the east line, as described in deed to Bernice Della Willebrands, recorded in Volume 909 at Page 426, Official Records of Stanislaus County; thence North along the east line of the deed described above, a distance of 100.00 feet to the point of beginning.

CONTAINING: 2.4 acres net

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-301

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 (ARTHUR J. WYLIE, JR.)

WHEREAS, the Modesto City Planning Commission held a public hearing on March 16, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 22-3-9 of the zoning map to ~~prezone~~ ~~from~~ to Two-family residential zone, R-2, property located north and south of E. Orangeburg Ave. extending west from Rose Avenue, as described below:  
~~the following described property:~~

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-33 recommending to the Council that ~~prezoning~~ 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 April 26, 1971 at 7:50 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed ~~prezoning~~ 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 March, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that certain real property situate in portion of the Northwest Quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Beginning at the intersection of the centerline of Rose Avenue with the Easterly extension of the North line of Liberini Park No. 1 as shown on map of Liberini Park No. 1 recorded in Volume 21 of Maps, at Page 7, Stanislaus County Records; thence North 0° 37' West along the centerline of said Rose Avenue 371.98 feet; thence South 88° 55' 28" West 101.75 feet; thence North 1° 04' 32" West 123.01 feet; thence South 88° 55' 28" West 130.00 feet; thence South 89° 54' 15" West 521.82 feet; thence South 1° 34' 53" West 22.19 feet; thence South 89° 21' West 127.54 feet; thence North 0° 39' West 3.81 feet; thence South 89° 21' West 116.95 feet; thence North 0° 05' 45" West 28.68 feet; thence South 84° 37' 37" West 313.37 feet; thence South 0° 36' 56" East 140.00 feet; thence South 0° 25' 56" East 116.00 feet; thence North 89° 34' 04" East 105.00 feet; thence North 0° 25' 56" West 27.25 feet; thence North 89° 54' 15" East 964.22 feet; thence North 0° 37' West 26.14 feet; thence North 89° 23' East 119.00 feet; thence South 0° 37' East 269.23 feet; thence North 89° 54' 15" East 124.01 feet to the point of beginning.

CONTAINING: 7.74 Acres

Exhibit "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-302

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$207.00 TO JUDO CLUB MEMBERSHIP DUES ACCOUNT

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

GENERAL FUND (101)

FROM:           General Reserve (60-101)                                 \$207.00

TO:              Memberships & Dues (401-32-101)                     \$207.00

(Memberships for 35 Judo Club members originally budgeted. Money is collected from members and deposited in General Fund. Transfer needed in order to submit memberships to Northern California Judo Association)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of April, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:           Councilmen:       Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES:           Councilmen:       None

ABSENT:         Councilmen:       Robinson

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-303

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,000 FOR REPAIR OF  
MANCINI BOWL

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

GENERAL FUND (101)

FROM:	General Reserve (101-60)	\$2,000.00
TO:	Maintenance & Repair, Buildings and Grounds (224-35-101)	\$2,000.00

(For repair of Mancini Bowl for safety purposes)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 5th day of April,  
19 71 by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Newton , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-304

A RESOLUTION APPOINTING MEMBER OF THE LIBRARY AND CULTURE COMMISSION FOR A TERM ENDING JANUARY 1, 1975 (Mrs. Wm. Warner)

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 Library and Culture Commission for the respective term as indicated: Term ending January 1, 1975

Mrs. Wm. Warner  
1230 Trinity Avenue  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Library and 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 5th day of April, 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-305

A RESOLUTION ACCEPTING THE CONSTRUCTION OF GEORGE SCHULER'S CONTRACT FOR INSTALLATION OF WATER LINES IN KINGSWOOD ESTATES NO. 1 AND BEYER HIGH SCHOOL

WHEREAS, a report has been filed by the Director of Public Works that the construction of installation of water lines in Kingswood Estates No. 1 and Beyer High School has been completed by Geo. F. Schuler, Inc.

in accordance with the contract agreement dated September 14, 1970

NOW, THEREFORE, BE IT RESOLVED that the construction of installation of water lines in Kingswood Estates No. 1 and Beyer High School be accepted from said contractor, Geo. F. Schuler, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$19,167.41 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 April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-306

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$130,000 TO PAY CITY'S CONTRIBUTION ON IMPROVEMENT DISTRICT NO. 18 AND TO COVER INCIDENTAL COSTS UNTIL THE END OF THE PROJECT

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

SEWER SERVICE FUND (212)

FROM: General Fund (Sewer Service Fund) (60-212)	\$130,000
TO: Improvement District No. 18 (6593-212)	\$130,000

(The funds are required to pay the City's contribution and to cover the incidental costs until the end of the project.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April 19 71 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-307

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR CONSTRUCTION OF PUMP STATION NO. 38 FACILITIES

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

SECTION 1. The plans and specifications for construction of Pump Station No. 38 facilities

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 4, 1971 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 12th day of April 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Mitchell was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-308

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$28,000 TO PROVIDE FUNDS FOR CONSTRUCTION OF PUMP STATION NO. 38 FACILITIES AT PROCTER & GAMBLE PLANT SITE

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$28,000
TO: Well & Pump Station, Procter & Gamble (6809-50-101)	\$28,000

(Provide funds for construction of Pump Station No. 38 facilities at Procter & Gamble plant site)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12 th day of April 19 71 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-309

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES ON WOODLAND AVENUE BETWEEN NINTH & EMERALD

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

SECTION 1. The plans and specifications for installation of water lines on Woodland Avenue between Ninth & Emerald

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 27, 1971 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 12th day of April 19 71, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Mitchell was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-310

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. (CELESTE NO. 3 ADDITION)

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 February 22, 1971, duly adopted Resolution No. 71-118 (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. 71 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, April 12, 1971, at the hour of 7:35 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. 71 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. 71 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. 71, 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. 71, 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

12th day of April, 1971, by Councilman  
Simon, who moved its adoption, which motion being  
duly seconded by Councilman Smith, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Hasegood  
Public Works Department

*R.A.H.*  
*3-3-71*

## CELESTE NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of the Southeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Parcel "D" as per map filed in Volume 7 of Parcel Maps, Page 68, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the CELESTE NO. 2 ADDITION (246), as per description filed December 29, 1969, as Instrument 42493, Stanislaus County Records, said point being on the East-West quarter line of Section 15, said point also being the Northwesterly corner of said Parcel "D"; thence along said quarter line and Northern line of said Parcel "D", South 89° 22' 05" East, 778.25 feet, to the East quarter corner of Section 15, said point being on the center line of a 40 foot Public Road known as Oakdale Road; thence along the East line of Section 15 and said center line of Oakdale Road, South 00° 01' 26" West, 645.67 feet, to the Northeastern corner of the ROSE ACRES ADDITION (181), as per description filed September 27, 1965, as Instrument 37370, Stanislaus County Records, said point being on the Easterly extension of the Northern line of the Tradewinds Subdivision, as per map filed March 8, 1966, in Volume 21 of Maps, Page 41, Stanislaus County Records; thence along the existing City Limits on the Northern line of the Rose Acres Addition (181) and the Tradewinds Subdivision, North 89° 41' 49" West, 1312.22 feet, to a point on the East line of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1968, as Instrument 29381, Stanislaus County Records; thence along the existing City Limits on the East line of the Rose Acres No. 2 Addition (222), North 00° 01' 05" East, 125.00 feet, to the Southwestern corner of the Celeste No. 2 Addition (246); thence along the existing City Limits on the South line of the Celeste No. 2 Addition (246), South 89° 41' 49" East, 531.46 feet, to the Southeastern corner of Celeste No. 2 Addition (246); thence along the existing City Limits on the Eastern line of th Celeste No. 2 Addition (246) North 00° 18' 11" East, 525.14 feet, to the point of beginning, containing 13.123 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-311

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D (89).

WHEREAS, a verified application for an amendment to Section 12-3-8 of the Zoning Map was filed by Kaiser Aetna

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on February 15, 1971, to reclassify from One-family 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:

The East 20 acres of Lot 12 of McKinney Colony, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on November 21, 1903 in Volume 1 of Maps, at Page 57.

WHEREAS, after public hearing held on March 16, 1971, 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 subject property fronts upon a major street and a collector street.
2. The proposed mobile home park subdivision basically conforms to the mobile home park standards adopted by the Planning Commission.
3. The density of the proposed mobile home park is low and would not adversely affect the overall density of the neighborhood.
4. The proposed mobile home park subdivision will assist in giving the community a variety of housing types as called for by the Modesto Urban Area General Plan.

WHEREAS, after a public hearing held on April 12,  
1971, the Council found and determined that the application of  
Kaiser Aetna

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 One-family Residential Zone, R-1,  
to Planned-Development Zone, P-D(89),

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(89), is hereby approved in accordance  
with the plan titled "Modesto Verde - an Own Your Own Lot Mobile  
Home Subdivision by Kaiser-Aetna"  
as amended on its face,  
dated March 16, 1971, which said plan is on file in the  
office of the Planning Director, subject to the following condi-  
tions:

1. That all development be in accordance with the  
plan titled, "Modesto Verde - an Own Your Own Lot  
Mobile Home Subdivision by Kaiser-Aetna", dated  
March 16, 1971, as amended in red on its face and  
on file in the office of the Planning Director.
2. That prior to the development of the property for P-D(89)  
uses, a subdivision map shall be recorded and improvements  
shall be installed in accordance with Chapter 4 of  
Title IV of the Modesto Municipal Code.
3. That prior to approval of the final map of the subdivision,  
a landscaping and irrigation plan shall be submitted by  
the applicant for approval by both the Director of  
Planning and the Director of Parks and Recreation. The  
landscaping and irrigation system shall be installed and  
maintained in accordance with the approved landscaping  
and irrigation plan prior to the location of any mobile  
homes on the property. Irrigation shall be by underground  
sprinkler system.
4. That all landscaping, fences and walls shall be maintained  
and the premises shall be kept free of weeds, trash  
and other debris.
5. That the development shall be connected to the City  
sanitary sewer and water facilities in accordance with  
the requirements of the Director of Public Works.
6. That all utility lines and pipelines shall be removed  
and replaced in accordance with the requirements of  
the Director of Public Works.

7. That all parking and driveway areas shall be approved in accordance with the provisions of Section 10-2.1805 and 10-2.1807 of the Municipal Code. Drainage facilities shall be constructed in accordance with the requirements of the Director of Public Works.
8. That the 15' wide landscaped setback area fronting on both Prescott Road and Rumble Road shall be shown on the landscape plan and shall be maintained by the Mobile Home Park Homeowner Association.
9. That the rearyard setback for all lots shall be a minimum of 8' except for those lots abutting the western and northern boundaries of the mobile home park subdivision which lots shall have a minimum rearyard setback of 6'. Sideyards on all lots shall be a minimum of 10' between lot line and dwelling unit except on those sides of dwelling units where there are no entrances the minimum sideyard shall be 5' in width.
10. That the design of the 3 foot high decorative masonry wall proposed to be located along the Prescott Road setback line and the 3' and 6' high decorative masonry wall along the Rumble Road right-of-way shall be approved by the Planning Director prior to the approval of the final map of the subdivision.
11. That all utilities shall be underground including TV reception facilities except that one central radio and TV antenna may be provided with underground wiring to the individual mobile homes and service building.
12. That garbage and refuse shall be stored in underground containers unless located at the rear of the lot in fully screened enclosures.
13. That two off-street parking spaces shall be provided on each of the individual mobile home lots. These spaces may be in tandem and shall be designed so that a parked automobile will not encroach onto the street or sidewalk.
14. That one sign not exceeding 12 sq. ft. in area and 6 ft. in height shall be permitted at both the Rumble Road and Prescott Road entrances to the development.
15. That mobile home sales shall comply with standards for model home sales in conventional subdivisions. All sales shall be limited to units to be installed within the mobile home park. Any inventory of mobile home units shall be maintained on a lot by lot basis within the park and not in a large storage area like that of a commercial dealer. No exterior commercial signs shall be permitted.
16. That the use of service buildings and facilities such as recreational buildings, laundromats, sauna baths, and swimming pools shall be limited to the mobile home park subdivision residents and their guests.
17. That in addition to the normal frontyard street trees, a tree of not less than 3/4" caliper shall be planted and maintained at the intersection of the rear setback and side lot line, on those lots located on the southern, western and northern periphery of the development. These trees will be reviewed as part of the landscape and irrigation plan.

18. That prior to the approval of the final map of the subdivision, the developer shall submit evidence satisfactory to the City Attorney that there has been created a Homeowners' Association to guarantee recreation and greenway area development and continued maintenance of these areas to City standards.
19. That all mobile homes within the subdivision shall bear the insignia of approval issued by the State of California, and all mobile home accessory buildings shall comply with the standards of the City of Modesto.
20. That the subdivision be operated as a mobile home park as defined in Title 25 of the California Administrative Code except that permanent buildings shall comply with City of Modesto Building Codes and public improvements shall comply with subdivision standards, that the Homeowners' Association shall be considered as the operator of said mobile home park, and that the Homeowners' Association shall exercise all responsibilities and authorities of a mobile home park operator.
21. That the owner of a lot shall obtain a permit to operate a mobile home park if and when his lot is rented or leased or held for rent or lease to accommodate a mobile home, and that rental paid for any such mobile home shall be deemed to include rental for the lot it occupies.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (89):

That the entire construction program be accomplished in one phase with construction to begin on or before June 1, 1972, and be completed not later than June 1, 1973.

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 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 (89) 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 April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-312

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO TILLIE LEWIS FOODS, INC., FOR INSTALLATION OF FLASHING YELLOW CAUTION LIGHT AND WARNING SIGNS

WHEREAS, Tillie Lewis Foods, Inc., has filed a request with the Council of the City of Modesto to install a flashing yellow caution light and warning signs to permit a crossing on D Street from its D Street warehouse to its box yard directly across the street; and

WHEREAS, April 12, 1971 at 7:50 P.M. in the Council Chambers, City Hall, was set as the time and place for hearing; and

WHEREAS, the Director of Public Works in a memorandum dated April 12, 1971 has recommended approval of the request and authorization for the staff to see to its implementation, subject to certain conditions;

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

SECTION 1. An encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to said applicant to permit installation of a flashing yellow caution light and warning signs to permit operation of a mule-train type of carrier system across D Street, subject to the following conditions, which conditions permittee agrees, by acceptance of this permit, to faithfully perform:

1. A door will be installed in the Tillie Lewis Foods, Inc. D Street warehouse directly across from the box yard gate to allow for "straight across" traffic flow;
  2. A flashing yellow caution light and warning signs will be hung at least 17 feet high directly over the crossing;
  3. Dusk to dawn lights will be installed at both sides of the crossing to allow for greater visibility and safety;
  4. "No parking" areas along "D" Street will be extended away from crossing to allow for greater visibility and safety;
  5. Mule train will be equipped with flashing caution lights;
  6. Drivers will be thoroughly instructed on safety procedures and techniques.
  7. "No parking" signs will be installed by the City of Modesto.
- All other costs are to be borne by Tillie Lewis Foods, Inc.

8. Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City of Modesto harmless of and from any and all damages, costs, and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

9. Permittee will take out and maintain liability insurance in the amounts of not less than \$100,000 for each person, and \$300,000 for each occurrence for bodily injury liability, and \$25,000 for each occurrence for property damage liability, to cover any liability which may result from the granting of this permit.

SECTION 3. The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit 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 12th day of April, 1971, by Councilman Robinson, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-313

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,000 FOR CONTRIBUTION TO COMPREHENSIVE HEALTH PLANNING COUNCIL

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$2,000
TO: Health Planning Council (454-65-101)	\$2,000

(Contribution for Comprehensive Health Planning Council)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Robinson , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-314

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. A. J. BEEZLEY AND ACCEPTING GRANT DEED (Orangeburg and Sunrise)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. A. J. Beezley for right of way needed for the installation of traffic signals at the intersection of Orangeburg and Sunrise is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 12th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-315

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. WALTER H. FIELD AND ACCEPTING GRANT DEED (Needham Street Widening)


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. Walter H. Field for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 12th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-316

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HIGHWAY VILLAGE COMMUNITY SERVICES DISTRICT FOR SERVICES RENDERED BY THE CITY FROM APRIL 15 THROUGH NOVEMBER 12, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Highway Village Community Services District for services rendered by the City from April 15 through November 12, 1971 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 April 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-317

A RESOLUTION ACCEPTING PARTIAL IMPROVEMENTS IN COFFEE TERRACE NO. 2  
SUBDIVISION AND AUTHORIZING RELEASE OF EXISTING SUBDIVISION BOND UPON  
EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger, husband and wife, and Harley D. Brannan and Norma Brannan, husband and wife, subdividers of Coffee Terrace No. 2 Subdivision have filed an instrument of credit in the amount of \$62,300 with the City of Modesto to guarantee improvements in Coffee Terrace No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated April 7, 1971 has recommended that the instrument of credit in amount of \$62,300 be released upon expiration of the statutory lien period, provided that the following items of unfinished work are covered by additional security in the amount of \$4,000 and \$1,500 respectively:

1. Relocation of a major structure on the Cavil Drain which cannot be relocated until such time as the property owner to the east develops his land;
2. Repair of any failures in Tulane Drive which may appear after exposure to traffic prior to September 1, 1971, and to provide for a complete 1" asphaltic overlay of that street; and

WHEREAS, the subdividers of Coffee Terrace No. 2 Subdivision have filed additional security in the amount of \$5,500 to guarantee the above unfinished projects.

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

1. The completed improvements in Coffee Terrace No. 2 Subdivision are hereby accepted by the Council of the City of Modesto.
2. The City Clerk is hereby authorized to file a notice of completion covering the completed improvements.
3. The City Clerk is hereby authorized to release the performance bond in amount of \$62,300 upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-318

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRED J. AND LORETTA E. DePOLD FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 2404 ADA STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Fred J. and Loretta E. DePold for sewer service to property outside the City at 2404 Ada 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 12th day of April 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

A Resolution Establishing Flat-Rate Charges for Water Service to Modesto City Schools and Rescinding all Prior Resolutions Pertaining Thereto.

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 services to schools by Resolution, and

WHEREAS, charges for water services to Modesto City Schools have been previously established, and

WHEREAS, there have been landscaping changes at certain schools in the Modesto City Schools' system since the adoption of said charges, and the addition and deletion of certain schools, making it desirable to establish a uniform basis of charges for water service to schools in the Modesto City Schools' system, and

WHEREAS, a flat-rate water service charge to schools will be 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 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 students . . . . . \$135.00 per year
- (2) 301 to 600 students . . . . . \$162.00 per year
- (3) 601+ students . . . . . \$175.00 per year

Enslin School:

- (1) 1 to 300 students . . . . . \$118.00 per year
- (2) 301 to 600 students . . . . . \$145.00 per year
- (3) 601+ students . . . . . \$158.00 per year

Everett School:

- (1) 1 to 300 students . . . . . \$206.00 per year
- (2) 301 to 600 students . . . . . \$233.00 per year
- (3) 601+ students . . . . . \$247.00 per year

Fremont School:

- (1) 1 to 300 students . . . . . \$140.00 per year
- (2) 301 to 600 students . . . . . \$167.00 per year
- (3) 601+ students . . . . . \$180.00 per year

Garrison School:

- (1) 1 to 300 students . . . . . \$171.00 per year
- (2) 301 to 600 students . . . . . \$198.00 per year
- (3) 601+ students . . . . . \$212.00 per year

Muir School:

- (1) 1 to 300 students . . . . . \$145.00 per year
- (2) 301 to 600 students . . . . . \$172.00 per year
- (3) 601+ students . . . . . \$185.00 per year

Robertson Road School:

- (1) 1 to 300 students . . . . . \$728.00 per year
- (2) 301 to 600 students . . . . . \$801.00 per year
- (3) 601+ students . . . . . \$820.00 per year

Rose Avenue School:

- (1) 1 to 300 students . . . . . \$791.00 per year
- (2) 301 to 600 students . . . . . \$810.00 per year
- (3) 601+ students . . . . . \$820.00 per year

Washington School:

- (1) 1 to 300 students . . . . . \$286.00 per year
- (2) 301 to 600 students . . . . . \$313.00 per year
- (3) 601+ students . . . . . \$326.00 per year

Roosevelt Junior High School:

- (1) 1 to 300 students . . . . . \$443.00 per year
- (2) 301 to 600 students . . . . . \$531.00 per year
- (3) 601+ students . . . . . \$601.00 per year

Grace M. Davis High School:

- (1) 1 to 500 students . . . . . \$ 730.00 per year
- (2) 501 to 800 students . . . . . 835.00 per year
- (3) 801 to 1,200 students . . . . . 939.00 per year
- (4) 1,201 to 1,600 students . . . . . 1,074.00 per year
- (5) 1,601 to 2,000 students . . . . . 1,186.00 per year
- (6) 2,001+ students . . . . . 1,242.00 per year

Modesto High School:

- (1) 1 to 500 students . . . . . \$ 929.00 per year
- (2) 501 to 800 students . . . . . 1,033.00 per year
- (3) 801 to 1,200 students . . . . . 1,137.00 per year
- (4) 1,201 to 1,600 students . . . . . 1,272.00 per year
- (5) 1,601 to 2,000 students . . . . . 1,384.00 per year
- (6) 2,001+ students . . . . . 1,440.00 per year

Continuation High School:

- (1) 1 to 300 students . . . . . \$ 159.00 per year
- (2) 301+ students . . . . . 186.00 per year

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.

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 shall receive water from the City water system on a regular metered basis.

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

BE IT FURTHER RESOLVED that all prior Resolutions pertaining to Water service to Modesto City Schools be and are hereby rescinded.

BE IT FURTHER RESOLVED that this resolution shall apply retroactively to November 1, 1970.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Mitchell, Newton, Robinson, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-320

A RESOLUTION ACCEPTING IMPROVEMENTS IN RIVERSIDE NORTH NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, H J K Corporation, subdividers of Riverside North No. 3 Subdivision, have filed an Instrument of Credit in the amount of \$61,000 to guarantee improvements in Riverside North No. 3 Subdivision; and

WHEREAS, The Director of Public Works in a memorandum dated April 7, 1971 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$61,000 upon expiration of the statutory lien period.


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

1. That improvements in Riverside North No. 3 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$61,000 upon expiration of the statutory lien period, filed by the Subdividers to guarantee improvements in Riverside North No. 3 Subdivision, upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-321

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MODESTO REDS BASEBALL CLUB, INC. FOR USE OF DEL WEBB FIELD AND THE  
OPERATION OF CONCESSION RIGHTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Modesto Reds  
Baseball Club, Inc.

for use of Del Webb Field and the operation of concession rights


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  
April 19 71 , by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman Mitchell ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-322

A RESOLUTION ENCOURAGING UNITED AIRLINES TO ENTER INTO A JOINT  
FARE AGREEMENT WITH GOLDEN PACIFIC AIRLINES

WHEREAS, joint-fare agreements between the large airlines  
and the smaller feeder airlines are common, and

WHEREAS, a joint-fare agreement between United Airlines  
and Golden Pacific Airlines would be of considerable value to  
those residents of the Stanislaus County area who wish to travel  
by air to points in the eastern part of the United States.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto that United Airlines and Golden Pacific Airlines are  
hereby encouraged to enter into a joint-fare agreement.

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 12th day of  
April, 1971, by Councilman Mitchell, who moved its adoption,  
which motion being duly seconded by Councilman Dixon, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-323

A RESOLUTION APPROVING DISPOSITION OF CITY-OWNED PROPERTY ON THE WEST SIDE OF FAIRVIEW AVENUE, 175 FEET NORTH OF JENNIE STREET

WHEREAS, Planning Commission Resolution No. 71-42 adopted April 6, 1971 recommends to the Council of the City of Modesto, disposition of excess city-owned property located on the west side of Fairview Avenue, 175 feet north of Jennie Street; and

WHEREAS, the Planning Commission declares that the city-owned parcel of land, being the south 1/2 of Lot 37, Block 213, is not needed for present or future public purposes, and recommends that the City dispose of said property by deeding portions of it to adjacent owners.

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

1. Authority is hereby granted to deed Parcel A, as shown on the map attached hereto as Exhibit "A", to adjacent property owner, W. C. Birt.
2. Authority is hereby granted to deed Parcel "B" as shown on the map attached hereto as Exhibit "A", to the adjacent property owners, Emma J. Johnson and Sadie Johnson.
3. The Mayor is hereby authorized to execute said grant deeds 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 12th day of April, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

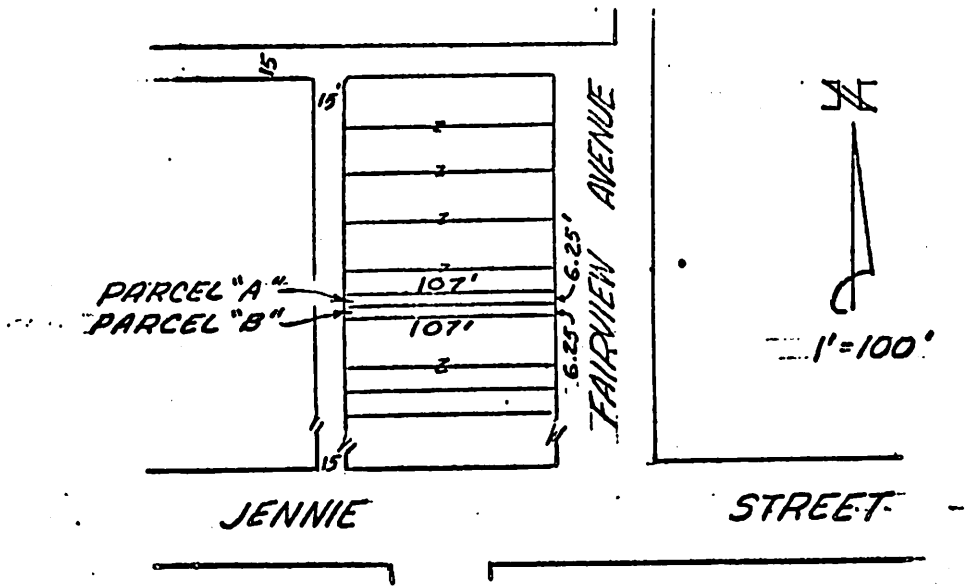


EXHIBIT "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-324

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,716 TO PROVIDE MONEY FOR THE MANCINI PARK ARTS FESTIVAL

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

GENERAL FUND (101)

FROM:	General Reserve (60-101)	\$1,716
TO:	Mancini Park Arts Festival (463-32-101)	\$1,716

(To appropriate money to assist the Creative Arts Council in staging the Mancini Park Arts Festival May 2-9, 1971)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of April 19 71 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Mitchell , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-325

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING FILM INSPECTION AND PROJECTION EQUIPMENT FOR NEW LIBRARY BUILDING

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

SECTION 1. The plans and specifications for furnishing film inspection and projection equipment for new library 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 May 4, 1971 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.

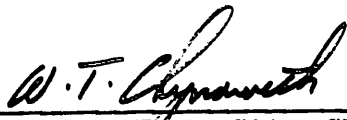
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-326

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING MICROFILM EQUIPMENT FOR THE NEW LIBRARY BUILDING

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

SECTION 1. The plans and specifications for furnishing microfilm equipment for the new library 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 May 4, 1971 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 19th day of April 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-327

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PARKING LOT ON 10TH,  
J-K (No. 32) (B. G. Engineering Contractors, Inc.)

WHEREAS, a report has been filed by the Director of Park-  
ing & Traffic that the construction of parking lot on 10th,  
J-K (No. 32)

has been completed by B. G. Engineering Contractors, Inc.

in accordance with the contract agreement dated March 5, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of  
parking lot on 10th, J-K (No. 32)  
be accepted from said contractor, B. G. Engineering Contractors,  
Inc.

that notice of completion be filed with the Recorder of Stan-  
islaus County and that payment of amounts due in the amount  
of \$11,500.00 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 April, 1971, by Councilman  
Smith, who moved its adoption, which motion being  
duly seconded by Councilman Simon, was upon roll  
call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-328

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (112 Rowland Avenue, portion of Block 2087 Mrs. Hazel V. Lighthall - \$250.05)

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 curb and gutter may be required, and

WHEREAS, the Council did, on November 2, 1970 adopt its Resolution No. 70-1091, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, April 19, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$250.05.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$250.05 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 75 feet of the North 153 feet of the East 134.90 feet of the West 164.90 feet of Lot 12 of Severin Colony as per map filed July 8, 1908 in Volume 3 of Maps, Page 47, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 19th day of April 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-329

A RESOLUTION AUTHORIZING REIMBURSEMENT TO DEVELOPER FOR PERIMETER STREET LIGHTING STRIP PARK ALONG LATERAL NO. 2 BETWEEN RIVERSIDE DRIVE AND TRASK LANE (John Hirleman)

WHEREAS, John Hirleman, developer of Riverside North No. 1 Subdivision, has requested that the City of Modesto share in the cost of installation of street lights on the street along the north side of Lateral No. 2 between Riverside Drive and Trask Lane, which installation was required in connection with the development of Riverside North No. 1 Subdivision; and

WHEREAS, discussions have been underway between staff members of the City of Modesto and Modesto Irrigation District regarding the development and maintenance of a proposed 62-foot wide strip park on M.I.D. right of way for Lateral No. 2, between Riverside Drive and Trask Lane; and

WHEREAS, the concept was approved by the Council of the City of Modesto and funds budgeted for the proposed project; and

WHEREAS, the Modesto Irrigation District has indicated that the District Board will make its lands available for park purposes, but will not contribute to the financing of any improvements; and

WHEREAS, under normal circumstances, when a subdivision is adjacent to a city park or other city-owned property, the City shares in the cost of street lights; and

WHEREAS, the Deputy City Manager in a memorandum dated April 2, 1971 has recommended that the City reimburse Mr. Hirleman the sum of \$1,800, which sum represents one-half the cost of installation of street lights on the street bordering the strip park development along Lateral No. 2 between Riverside Drive and Trask Lane.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that reimbursement of \$1,800 to John Hirleman, constituting the City's share of the cost of installation of street lights on the street adjacent to the strip park development along Lateral No. 2 between Riverside Drive and Trask Lane 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 April, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-330

A RESOLUTION APPROVING THE FINAL MAP OF THE  
BRENTWOOD ESTATES NO. 3 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Chester Link and Patricia N. Link,  
husband and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 10.61 acres, known as the  
Brentwood Estates No. 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 7th day of April,  
19 70, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Brentwood Estates No. 3  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Brentwood Estates No. 3  
Subdivision 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 in the amount of Eight Hundred Thirteen  
and 70/100ths (\$813.70) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Sixty-One  
Thousand, Three Hundred and no/100ths (\$61,300.00) Dollars.

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 April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-331

A RESOLUTION APPROVING THE FINAL MAP OF THE  
HAGSTROM PARK NO. 2 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Vince G. Lancey, a single man,

~~xxx~~ is possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 6.749 acres, known as the  
Hagstrom Park No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 18th day of February,  
1969, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Hagstrom Park No. 2  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Hagstrom Park No. 2  
Subdivision 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 in the amount of One Thousand Five Hundred  
Twenty-Four and 05/100ths (\$1,524.05) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Forty-Two  
Thousand Eight Hundred and no/100ths (\$42,800.00) Dollars.

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 April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-332

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
SAVE MART OF MODESTO, INC. FOR LEASE OF SOL ELIAS BRANCH LIBRARY

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Save Mart of  
Modesto, Inc.

for lease of Sol Elias Branch Library (Rental fee of \$300 per  
month)

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  
April 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES:	Councilmen:	Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-333

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MR. GEORGE W. EISENHUT FOR LEASE OF THE BROUGHTON BRANCH LIBRARY

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Mr. George W.  
Eisenhut

for lease of the Broughton Branch Library (\$180.00 per month  
rental fee commencing June 1, 1971)

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  
April 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-334

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MERLE A. AND MINNIE M. HALSTEAD FOR SEWER SERVICE TO PROPERTY OUT-  
SIDE THE CITY AT 2412 ADA AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Merle A. and  
Minnie M. Halstead  
for sewer service to property outside the City at 2412 Ada 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 19th day of  
April 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 335

A RESOLUTION ASSUMING RESPONSIBILITY FOR ENFORCEMENT OF THE HEALTH AND SAFETY CODE, DIVISION 13, PART 2.1, AND RELATED ADMINISTRATIVE REGULATIONS, BY THE CITY OF MODESTO.

WHEREAS, Division 13, Part 2.1 of the Health and Safety Code of the State of California, and related administrative regulations, regulate mobilehome parks, and

WHEREAS, Section 5022 of Title 25 of the California Administrative Code provides that cities can assume responsibility for the enforcement of said Health and Safety Code provisions, and related administrative regulations, and

WHEREAS, the City of Modesto is desirous of assuming such responsibility,

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

1. The City of Modesto hereby assumes responsibility for enforcement of the Health and Safety Code, Division 13, Part 2.1, and related administrative regulations.

2. The Building Inspection Division of the Public Works Department is hereby delegated the enforcement responsibilities for said Health and Safety Code provisions, and related administrative regulations.

3. The effective date of enforcement assumed hereby shall be June 1, 1971.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

(SEAL)

ATTEST:

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

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-336

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALBERT, ELMO AND LINDO LANDINI AND WOLVERINE BUILDING SERVICE, INC. TO PROVIDE IRRIGATION LINES TO THE ROSE AVENUE PARK PROPERTY FOR THE 1971 IRRIGATION SEASON

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Albert, Elmo and Lindo Landini and Wolverine Building Service, Inc. for provision of irrigation lines to the Rose Avenue Park property for the 1971 irrigation season 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 April 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-337

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$10,828 TO PURCHASE MARKING BUTTONS FOR PORTIONS OF COLLEGE, TULLY, AND ORANGEBURG; FOR SIGNAL MODIFICATIONS AT 9TH AND COLDWELL, LaLOMA AND BURNEY AND 19TH AND H

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

SPECIAL GAS TAX STREET IMPROVEMENT FUND (207)

FROM:	General Reserve (60-207)	\$8,558
	General Reserve (60-321)	\$2,270
TO:	Construction Materials (321-207)	\$8,558
	Signal Modifications - 9th-Coldwell, LaLoma-Burney and 19th-H (7903-56-321)	\$2,270

(To provide money for purchasing reflective and ceramic-type buttons and for signal modifications at the following locations)

Buttons	- College btw. Needham & Coldwell	\$ 702
"	- Tully btw. Leonard & Standiford	\$4,414
"	- Orangeburg btw. Prescott & E. of McHenry	\$3,442
Modification	- 9th & Coldwell	\$1,500
"	- LaLoma-Burney & 19th & H	\$ 770

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-338

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$5,000 TO PROVIDE ADDITIONAL FUNDS NEEDED TO SUPPLY CHLORINE FOR THE REMAINDER OF THE FISCAL YEAR

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$5,000
TO: Chem., Drug & Lab Supplies (312-53-101)	\$5,000

(The unanticipated need to pre-chlorinate for odor control at the main plant on a year-round basis has caused this fund to be insufficient to complete requirements for the fiscal year.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of April 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-339

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF GERALD GUSTAFSON AS DIRECTOR OF DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD

WHEREAS, Mr. Gustafson was appointed a member of the Downtown Improvement District Advisory Board on March 28, 1966; and

WHEREAS, Mr. Gustafson has tendered his resignation from the Downtown Improvement District Advisory Board effective April 26, 1971; and

WHEREAS, Mr. Gustafson has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Mr. Gustafson from the Downtown Improvement District Advisory Board is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Mr. Gustafson 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 26th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-340

A RESOLUTION APPROVING ANNEXATION OF PROPERTY TO EMPIRE SANITARY DISTRICT FOR THE PURPOSE OF FURNISHING SANITARY SEWER SERVICE TO SAID DISTRICT

WHEREAS, the City of Modesto and Empire Sanitary District entered into an agreement May 19, 1969 whereby the City of Modesto agreed to accept sewage from the Empire Sanitary District; and

WHEREAS, said agreement provides that the Empire Sanitary District shall receive prior consent of the City of Modesto before changing its boundaries to permit others to connect to the District's system; and

WHEREAS, Resolution No. 71-113 entitled "A RESOLUTION APPROVING ANNEXATION OF PROPERTY TO EMPIRE SANITARY DISTRICT FOR THE PURPOSE OF FURNISHING SANITARY SEWER SERVICE TO SAID DISTRICT" was adopted by the Council of the City of Modesto February 22, 1971 approving annexation of 23 acres of the Swanger-Sherman Addition known as Tempo Homes No. 1, to the Empire Sanitary District; and

WHEREAS, the Swanger-Sherman Addition, known as Tempo Homes No. 1, correctly contains 42.7 acres.

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

1. Resolution No. 71-113 adopted by the Council of the City of Modesto February 22, 1971 approving annexation of 23 acres of Tempo Homes No. 1 to the Empire Sanitary District, is hereby rescinded.
2. The request of Empire Sanitary District to annex the Swanger-Sherman Addition, known as Tempo Homes No. 1, containing 42.7 acres, 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 April, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-341

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$250 TO PROVIDE  
ADDITIONAL FUNDS FOR 1971 FOURTH OF JULY PARADE AND CELEBRATION

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$250
TO: July 4th Celebration (444-61-101)	\$250

(To provide additional funds for 1971 4th of July parade  
and celebration requested by Co-Chairmen of Parade Com-  
mittee in letter to Council dated 4/13/71)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 26th day of April,  
1971 by Councilman Robinson , who moved its adoption, which motion  
being duly seconded by Councilman Newton , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-342

A RESOLUTION ACCEPTING THE RESIGNATION OF CLYDE H. DUNLAP, JR. AS  
A MEMBER OF THE PLANNING COMMISSION

WHEREAS, Clyde H. Dunlap, Jr. has served as a member of the  
Planning Commission since January 3, 1967; and

WHEREAS, Mr. Dunlap has tendered his resignation from the  
Planning Commission effective April 26, 1971; and

WHEREAS, Mr. Dunlap has been a devoted and sincere public  
servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the resignation of Mr. Dunlap from the Planning Com-  
mission is hereby accepted, and

BE IT FURTHER RESOLVED that the Council, on its own behalf,  
and on behalf of the Citizens of Modesto, hereby expresses its  
sincere appreciation to Mr. Dunlap for his outstanding services  
to the community.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 26th day of  
April, 1971, by Councilman Robinson , who moved its adoption,  
which motion being duly seconded by Councilman Mitchell , was  
upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-343

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER LINES IN SHERMAN AVENUE

WHEREAS, the Council of the City of Modesto adopted Resolution No. 71-259 , on April 5, 1971 , approving the plans and specifications for installation of water lines in Sherman Avenue

and directed the City Clerk to advertise for sealed proposals for doing said work, and providing that bids be submitted on or before the 20th day of April, 1971 at <sup>10:05 A.M.</sup> / and

WHEREAS, the City Clerk, in accordance with said Resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids, and

WHEREAS, the lowest responsible bid was submitted by Valley Construction Co. , in the sum of \$4,245.00, and

WHEREAS, the Director of Public Works estimates that the cost of such work may be performed by city forces for the sum of \$3,224.50 , thus effecting a savings to the taxpayers of approximately \$1,020.50 , which cost estimate has been approved by the City Manager, and

WHEREAS, the Council declares and determines that, in its opinion, based upon the estimate approved by the City Manager, the work in question may be performed better and more economically by the City with its own employees;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, in accordance with the provisions of Section 1307 of the Charter of the City of Modesto, all bids received pursuant to the aforesaid notice be, and they are hereby rejected and the City Manager is

hereby authorized to proceed to have the work in question performed by the City by its own employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

*W. T. Reynolds*  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-344

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION CO. FOR INSTALLATION OF WATER LINES IN WINMOORE WAY AND NORTHGATE NO. 7

WHEREAS, Resolution No. 71-262 , adopted by the Council of the City of Modesto on April 5, 1971 , approved the plans and specifications for the installation of water lines in Winmoore Way and Northgate No. 7

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of water lines in Winmoore Way and Northgate No. 7 were opened at 10:15 A.M. on April 20, 1971 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 Construction Co. in the Amount of \$8,546.95

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Valley Construction Co. in the amount of \$8,546.95

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 26th day of April 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Robinson , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-345

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR ASPHALT CONCRETE RESURFACING VARIOUS CITY STREETS, SPRING 1971

WHEREAS, Resolution No. 71-264 , adopted by the Council of the City of Modesto on April 5, 1971 , approved the plans and specifications for the asphalt concrete resurfacing various city streets, Spring 1971 and authorized the calling for bids, and

WHEREAS, the bids received for the asphalt concrete resurfacing various city streets, Spring 1971 were opened at 10:00 A.M. on April 20, 1971 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 \$11,723.00

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 \$11,723.00

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 April 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Robinson , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-346

A RESOLUTION WAIVING FORMAL BID REQUIREMENTS AND AUTHORIZING THE PURCHASE OF ONE WATER DESANDING UNIT FOR PUMP STATION NO. 38

WHEREAS, a water desanding unit for Pump Station No. 38 at the Procter and Gamble site is needed; and

WHEREAS, the Director of Public Works in a memorandum dated April 8, 1971 has recommended that the Council authorize the purchase of a water desanding unit without benefit of formal bid procedure; and

WHEREAS, the Krebs KB Model W30U, is available for purchase from Boyes Municipal Sales, 1312 Singletary Avenue, San Jose, California for \$3,326.25 (delivery price, including 5% sales tax).

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

1. Formal bid requirements for the purchase of a water desanding unit for Pump Station No. 38 are hereby waived.
2. Purchase of a Krebs KB Model W30U desanding unit at a total cost of \$3,326.25 (delivery price including 5% sales Tax) from Boyes Municipal Sales, 1312 Singletary Avenue, San Jose, California 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 April, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilman: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilman: None

ABSENT: Councilmen: None

ATTEST:+

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-347

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPLACEMENT OF CURB AND GUTTER ON ENSLEN AVENUE AND SHERWOOD AVENUE BETWEEN ORANGEBURG AVENUE AND GRANGER AVENUE

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

SECTION 1. The plans and specifications for replacement of curb and gutter on Enslin Avenue and Sherwood Avenue between Orangeburg Avenue and Granger 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 May 11, 1971 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 26th day of April 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Robinson was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-348

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D (87).

WHEREAS, a verified application for an amendment to Section 19-3-9 of the Zoning Map was filed by James C. Champion

---

on February 11, 19 71, to reclassify from Two-Family Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

A portion of the NE 1/4 of Section 19, T3S, R9E, M. D. B. & M. described as follows:

Commencing at the N/E corner of said Section 19; thence S1° 00E along the East line thereof, 916 feet, to the point of beginning of description; thence N89° 00W, 231.57 feet, to a point that is 60 feet East of the East line of the Wilen Tract No. 2 according to the Map, filed in Volume 14 of maps, Page 43; thence South and parallel with the East line of said Wilen Tract No. 2, 198.29 feet; thence S89° 00E 231.57 feet, to the East line of said Section; thence N1° 00'W along the Section line 198.36 feet, to the point of beginning.

WHEREAS, after public hearing held on March 16, 19 71, 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 subject property fronts on Tully Road, a major street.
2. The subject property developed under the requested P-D zoning would help to provide a variety of housing types in the northwest central neighborhood.
3. The requested Planned Development Zone would provide a transition between the heavily travelled Orangeburg Avenue - Tully Road intersection and the One-Family Residential area to the north and west.

WHEREAS, after a public hearing held on April 26,  
1971, the Council found and determined that the application of  
James C. Champion

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 26th day of April, 1971, reclassifying the  
above-described property from Two-Family Residential Zone, R-2,  
to Planned-Development Zone, P-D (87),

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 (87), is hereby approved in accordance  
with the plan titled "Proposed Apartments, Modesto, California",

\_\_\_\_\_ as amended in red on its face,  
dated March 16, 1971, which said plan is on file in the  
office of the Planning Director, subject to the following condi-  
tions:

1. That all development shall be in accordance with the  
above mentioned plan.
2. That all parking and driveway areas be improved in  
accordance with the provisions of Section 10-2.1805  
and 10-2.1807 of the Municipal Code. The drainage  
facilities for the parking areas shall be approved by  
the Director of Public Works.
3. That prior to the issuance of a building permit for each  
phase of the development, a landscaping and irrigation  
plan shall be submitted by the applicant for approval  
by both the Director of Planning and the Director of  
Parks and Recreation. 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.
4. That all landscaping, fences, and walls be maintained  
and that the premises be kept free of weeds, trash, and  
other debris.
5. That the development be connected to the city's water  
and sanitary sewer facilities in accordance with the  
requirements of the Director of Public Works.
6. That any signs on the premises shall conform to the  
sign provisions of the R-3 Zone.

7. That prior to the issuance of a building permit for any development, the applicant shall pay to the City of Modesto the cost of planting 5 street trees at the prevailing rate.
8. That prior to the issuance of a building permit for any dwelling structures of the Phase 2 portion of the Planned Development Zone, the applicant shall submit a detailed plot plan for Phase 2 for approval by the Planning Director and Planning Commission. The off-street parking requirements prevailing at the time of construction of Phase 2 and the design of Phase 2 to be approved by the Planning Commission shall determine the number of apartment units allowed in Phase 2 but in no case shall there be more than 11 apartment units in Phase 2.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (87) :

That the entire construction program be accomplished in two phases as follows:

Phase 1 to commence on or before June 1, 1972, and be completed not later than June 1, 1973.

Phase 2 to commence on or before June 1, 1976, and be completed not later than June 1, 1977.

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 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 (87) 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 April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By John P. Casey  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-349

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS NORWEGIAN NO. 1 ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 71-164, adopted on March 8, 1971, the Council declared its intention to call a special election for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, and

WHEREAS, by said Resolution No. 71-164, the Council fixed the 12th day of April, 1971, at the hour of 7:40 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, said hearing of protests against said annexation was held at said time and place and was then continued until the 26th day of April, 1971, at 7:55 o'clock P.M., in the Council Chambers at the City Hall, located at 801 - 11th Street in the City of Modesto, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 71-164 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto, as required by Section 35119 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and persons owning real property within such territory appeared at

said times and places to protest said annexation and written protests were filed against the annexation prior to the hour set for hearing objections to the election, and prior to the hour set for reconvening the continued hearing,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that a majority protest against the proposed annexation of said Norwegian No. 1 Addition has not been made and hereby declares its intention to proceed with the annexation of said territory, which is more particularly described as attached hereto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Hanson  
Public Works Department

R.M.  
4-27-71

## NORWEGIAN NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Southeast quarter of Section 16, 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 Northeastern corner of the SYLVAN ADDITION (113), as per description filed September 8, 1960, as Instrument 25490, Stanislaus County Records, said point being the interior quarter corner of Section 16 and on the Southern line of the NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along said Southern boundary of ADDITION (78), and the East-West quarter line of Section 16, South  $89^{\circ} 30'$  East, 27.00 feet, to the Southwestern corner of the MONTGOMERY VILLAGE ADDITION (100), as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (100), South  $89^{\circ} 30'$  East, 660.84 feet, to the Southwestern corner of the EAST FLOYD ADDITION (104), as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (104), South  $89^{\circ} 30'$  East, 511.35 feet, to the Northwestern corner of the ATHENS ADDITION (141), as per description filed November 19, 1962, as Instrument 43543, Stanislaus County Records; thence along the Western boundary of said ADDITION (141), South  $0^{\circ} 52'$  East, 616.28 feet, to the Northwestern corner of the NORWEGIAN NO. 3 ADDITION (256), as per description filed July 23, 1970, as Instrument 23539, Stanislaus County Records; thence continuing along the existing City Limits on the Western boundary of said ADDITION (256), South  $0^{\circ} 52'$  East, 616.30 feet, to the center line of a 60.00 foot public road known as Norwegian Avenue and the Southwestern corner of said ADDITION (256); thence leaving the existing City Limits and along the center line of said Norwegian Avenue, North  $89^{\circ} 31'$  West, 1231.34 feet, to the Southerly extension of the Western line of a 60.00 foot public road known as Sunrise Avenue; thence along said Southerly extension and Western line, North  $0^{\circ} 46'$  West, 30.00 feet, to the most Southeastern corner of ADDITION (78), and the existing City Limits; thence along the existing City Limits on the Eastern boundary of ADDITION (78), North  $0^{\circ} 46'$  West, 512.35 feet, to a Northeastern corner of said ADDITION (78), and the Southern boundary of ADDITION (113); thence along said Southern boundary, South  $89^{\circ} 31'$  East, 30.00 feet, to the Southeastern corner of said ADDITION (113); thence along the existing City Limits on the Eastern boundary of said ADDITION (113), North  $0^{\circ} 46'$  West, 690.53 feet, to the point of beginning, containing 34.332 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-350

A RESOLUTION CALLING A SPECIAL ELECTION TO BE HELD ON THE 29th DAY OF JUNE, 19 71, PERTAINING TO THE ANNEXATION OF NORWEGIAN NO. 1 ADDITION TO THE CITY OF MODESTO.

WHEREAS, by Resolution No. 71-164, the Council of the City of Modesto declared its intention to call a special election in certain inhabited territory contiguous to said City for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, and

WHEREAS, a copy of said resolution was published as required by law, and

WHEREAS, at a time not later than the hour set by said resolution for hearing objections to the proposed election, and the hour to which said hearing was continued, written protests were not made by the owners of one-half (1/2) of the value of the territory proposed to be annexed as shown by the last equalized assessment roll or by public and private owners equal to one-half (1/2) of the value of the territory proposed to be annexed, and

WHEREAS, all proceedings have been had in accordance with said resolution and the Annexation Act of 1913, as amended, reference thereto hereby being made for further particulars,

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

SECTION 1. ELECTION CALLED. A special election is hereby called to be held on the 29th day of June, 19 71, in the territory hereinafter described and proposed to be annexed to the City of Modesto, for the purpose of submitting

to the qualified electors residing in said territory the question whether or not such territory shall be annexed to, incorporated in, and made a part of said City of Modesto, and whether or not the property in said territory shall, after such annexation, be subjected to taxation after annexation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election.

Said territory is described as attached hereto.

SECTION 2. TIME OF OPENING AND CLOSING OF POLLS. The polls at said election shall be open at 7:00 o'clock A.M. of the day herein fixed for the holding of said election and shall be kept open until 8:00 o'clock P.M. of the same day, when the polls shall be closed.

SECTION 3. FORM OF BALLOT. On the ballots to be used at said election and on the voting machines used at said election, in addition to any other matter required by law to be printed thereon, shall be printed the statement: "Shall the Norwegian  
No. 1 Addition be annexed to, incorporated in, and made a part of the City of Modesto, and the property therein be subjected to taxation after annexation equally with the property within the City to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election?"

Where ballots are used, opposite the above-mentioned statement there shall be printed the words, "Yes" and "No", and to the right of each of these last two (2) words, there shall be a voting square. If an elector shall stamp a cross (+) in the voting square after the printed word "Yes", the vote of such elector shall be counted in favor of the annexation of said territory to the City of Modesto; and if an elector shall stamp a cross (+) in the voting square after the printed word "No", the vote of such elector shall be counted against such annexation.

Where voting machines are used at said election, said voting machines shall be so arranged that any qualified elector may vote for the annexation of said territory to the City of Modesto by pulling down a voting pointer over the word "Yes" near the above-mentioned statement appearing on cardboard, paper or other material placed on the front of the machine, and pulling an operating lever, and said act shall constitute a vote for the annexation of said territory to the City of Modesto and may vote against the annexation of said territory to the City of Modesto by pulling down a voting pointer over the word "No" near the above-mentioned statement appearing on cardboard, paper or other material placed on the front of the machine, and pulling an operating lever, and said act shall constitute a vote against the annexation of said territory to the City of Modesto. Said voting machines and the preparation of the same shall comply in all respects with the provisions of the law.

In all particulars not herein recited, said election shall be held in conformity, as near as may be, with the laws of the State of California concerning general elections, and the said Annexation Act of 1913, as amended.

SECTION 4. PRECINCT AND PRECINCT OFFICERS. (a) For the purpose of said election, there is hereby established in said territory described herein one voting precinct(s) to be known and described as follows:

Special No. 1

Said special election precinct(s) has (have) been established by utilizing all or a portion of the county election precincts within said territory as established by the orders or resolutions of the Board of Supervisors of Stanislaus County, California, now in force for county election purposes, which said orders or resolutions now on file are hereby referred to and by such reference made a part hereof for greater certainty and a more particular description of the boundaries thereof in the following manner (said

precincts so established by said Board of Supervisors being herein referred to as "county election precincts", except as hereinafter amended.)

That (Those) portion(s) of the county election precinct designated by said Board of Supervisors as Special No. 1 \_\_\_\_\_ Precinct, lying within the hereinafter described territory, is (are) hereby established as Special Election Precinct No. 1.

The following is the polling place of said Special Election Precinct No. 1, and the following named persons are hereby named officers of election and shall constitute the Board of Election for such precinct:

Polling Place: Rolland C. Leininger, Residence  
816 Tokay  
Modesto, California

Inspector: Mrs. Minnie L. Leininger  
816 Tokay  
Modesto, California

Judge: Rolland C. Leininger  
816 Tokay  
Modesto, California

Clerk: Mrs. Shirley J. Wheatley  
900 Tokay  
Modesto, California

Clerk: Mrs. Helen Pando  
2012 Potter  
Modesto, California

(b) For their services in connection with said election, said inspector shall receive Twenty-one and no/100ths (\$21.00) Dollars, and said judge and said clerks shall receive Eighteen and no/100ths (\$18.00) Dollars.

SECTION 5. CANVASS OF BALLOTS. The returns of the election shall be made out and signed by the election officers and shall be by them deposited with the City Clerk, together with the ballots cast at the election; and the City Clerk is hereby ordered to and shall canvass said returns at his office in the

City Hall, Modesto, California, pursuant to the Elections Code of the State of California, Section 22932.5. Upon completion of the canvass, the City Clerk shall certify the results of the election to the Council and the Council shall meet at its usual meeting place and confirm said canvass by the City Clerk on Tuesday, July 6, 1971, at the hour of 4:00 o'clock P.M. and declare the results of the election.

SECTION 6. SCHOOL DISTRICT BOUNDARIES. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 7. EFFECTIVE DATE OF ANNEXATION. If annexation of said territory is completed, it shall be a part of the City of Modesto for all purposes on August 1, 1971.

SECTION 8. NOTICE OF SAID SPECIAL ELECTION. The City Clerk shall cause a notice of said special election to be published as required by said Annexation Act of 1913, as amended, at least once a week during the four (4) weeks prior to the date of the election in The Riverbank News, a newspaper of general circulation, printed and published outside the City of Modesto but in the County of Stanislaus, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1971, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Rosewood  
Public Works Department

RAW  
4-27-71

## NORWEGIAN NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Southeast quarter of Section 16, 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 Northeastern corner of the SYLVAN ADDITION (113), as per description filed September 8, 1960, as Instrument 25490, Stanislaus County Records, said point being the interior quarter corner of Section 16 and on the Southern line of the NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along said Southern boundary of ADDITION (78), and the East-West quarter line of Section 16, South  $89^{\circ} 30'$  East, 27.00 feet, to the Southwestern corner of the MONTGOMERY VILLAGE ADDITION (100), as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (100), South  $89^{\circ} 30'$  East, 660.84 feet, to the Southwestern corner of the EAST FLOYD ADDITION (104), as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (104), South  $89^{\circ} 30'$  East, 511.35 feet, to the Northwestern corner of the ATHENS ADDITION (141), as per description filed November 19, 1962, as Instrument 43543, Stanislaus County Records; thence along the Western boundary of said ADDITION (141), South  $0^{\circ} 52'$  East, 616.28 feet, to the Northwestern corner of the NORWEGIAN NO. 3 ADDITION (256), as per description filed July 23, 1970, as Instrument 23539, Stanislaus County Records; thence continuing along the existing City Limits on the Western boundary of said ADDITION (256), South  $0^{\circ} 52'$  East, 616.30 feet, to the center line of a 60.00 foot public road known as Norwegian Avenue and the Southwestern corner of said ADDITION (256); thence leaving the existing City Limits and along the center line of said Norwegian Avenue, North  $89^{\circ} 31'$  West, 1231.34 feet, to the Southerly extension of the Western line of a 60.00 foot public road known as Sunrise Avenue; thence along said Southerly extension and Western line, North  $0^{\circ} 46'$  West, 30.00 feet, to the most Southeastern corner of ADDITION (78), and the existing City Limits; thence along the existing City Limits on the Eastern boundary of ADDITION (78), North  $0^{\circ} 46'$  West, 512.35 feet, to a Northeastern corner of said ADDITION (78), and the Southern boundary of ADDITION (113); thence along said Southern boundary, South  $89^{\circ} 31'$  East, 30.00 feet, to the Southeastern corner of said ADDITION (113); thence along the existing City Limits on the Eastern boundary of said ADDITION (113), North  $0^{\circ} 46'$  West, 690.53 feet, to the point of beginning, containing 34.332 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-351

A RESOLUTION AUTHORIZING SALE OF SALVABLE MATERIALS FROM CITY-  
OWNED RESIDENCES AT 532-534 BODEM

WHEREAS, the City of Modesto has recently acquired homes at  
532-534 Bodem for the alignment of Bodem and Sunrise Avenues; and

WHEREAS, the Building Inspection Department has determined that  
the buildings cannot be moved and will have to be demolished; and

WHEREAS, offers for purchase of salvable materials from the  
buildings have been received.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the City Manager is hereby authorized to negotiate the  
sale of the salvable materials from the buildings at 532-534 Bodem  
Street.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 26th day of  
April, 1971, by Councilman Robinson who moved its adoption, which  
motion being duly seconded by Councilman Smith was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-352

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$8,660 TO PAY THE  
REMAINING BILL FOR PRINTING THE CENTENNIAL BOOKS

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$8,660
TO: Centennial Promotion (470-61-101)	\$8,660

(To pay the remaining bill for printing the centennial  
books. All books and souvenirs are to be turned over  
to the City from the Centennial Committee to sell)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 26th day of April,  
1971 by Councilman Mitchell , who moved its adoption, which motion  
being duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-353

A RESOLUTION REJECTING ALL BIDS RECEIVED FOR COLLECTION OF GARBAGE  
WITHIN THE CORPORATE LIMITS OF THE CITY OF MODESTO

WHEREAS, the Council of the City of Modesto adopted Resolution No. 71-200 approving specifications and authorizing call for bids for garbage collection within the corporate limits of the City of Modesto and directed the City Clerk to advertise for sealed proposals for said collection of garbage; and

WHEREAS, the City Clerk, in accordance with said resolution, thereafter duly and regularly caused a notice to be published in the manner and for the time prescribed by law, and

WHEREAS, all bids received pursuant to said notice were opened, examined and publicly declared at the time specified in said advertisement for bids; and

WHEREAS, Section 1307 of the Charter of the City of Modesto provides that the Council may reject any and all bids presented.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby rejects all bids received and opened April 12, 1971 at 10:00 A.M. for the collection of garbage within the corporate limits 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 26th day of April, 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Robinson, Simon, Mayor Davies  
NOES: Councilmen: Mitchell, Smith  
ABSENT: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-354

A RESOLUTION APPROVING THE FINAL MAP OF THE  
CARVER MANOR NO. 1 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger,  
husband and wife, and Harley D. Brannan and Norma Brannan, husband  
and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 14.89 acres, known as the  
Carver Manor No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 1st day of February,  
19 71, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Carver Manor No. 1  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Carver Manor No. 1  
Subdivision 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 in the amount of Three Thousand Six  
Hundred Eighty-Nine and 70/100ths (\$3,689.70) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of One Hundred Eleven  
Thousand One Hundred and no/100ths (\$111,100.00) Dollars.

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 26th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-355

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO PRICE ENTERPRISES TO CONSTRUCT A TEMPORARY FENCE ACROSS LADONA COURT IN GRANADA PARK SUBDIVISION

WHEREAS, Price Enterprises, in a letter dated March 18, 1971 requested permission of the Modesto City Council to construct a temporary, decorative fence across Ladona Court in Granada Park Subdivision for a two-year period; and

WHEREAS, the Director of Public Works in a memorandum dated April 20, 1971 has reviewed the request and recommends permission be granted subject to certain conditions.

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

1. An encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to Price Enterprises to permit construction of a temporary, decorative fence across Ladona Court in Granada Park Subdivision, per attached sketch marked Exhibit "A".
2. Permittee agrees to repair any damage to the public right of way improvements resulting from the temporary fence construction.
3. Permittee agrees to remove the temporary fence at the end of a two-year period.
4. Permittee agrees to post a cash bond or a letter of credit with the City of Modesto in the amount of \$250 to guarantee compliance with Items No. 2 and 3 above.
5. Permittee, his successors and assigns, during the term of the permit shall indemnify and save the City and its officers, employees and agents free and harmless from any and all damages, costs and charges of any kind or character arising out of, relating to, or in any way connected with the exercise of the rights granted by the permit.
6. Permittee shall provide and keep in force during the life of the permit a policy of public liability and property damage insurance as required by Section 7-1.109 of the Modesto Municipal Code.

7. The City Clerk shall furnish permittee a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit 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 April, 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

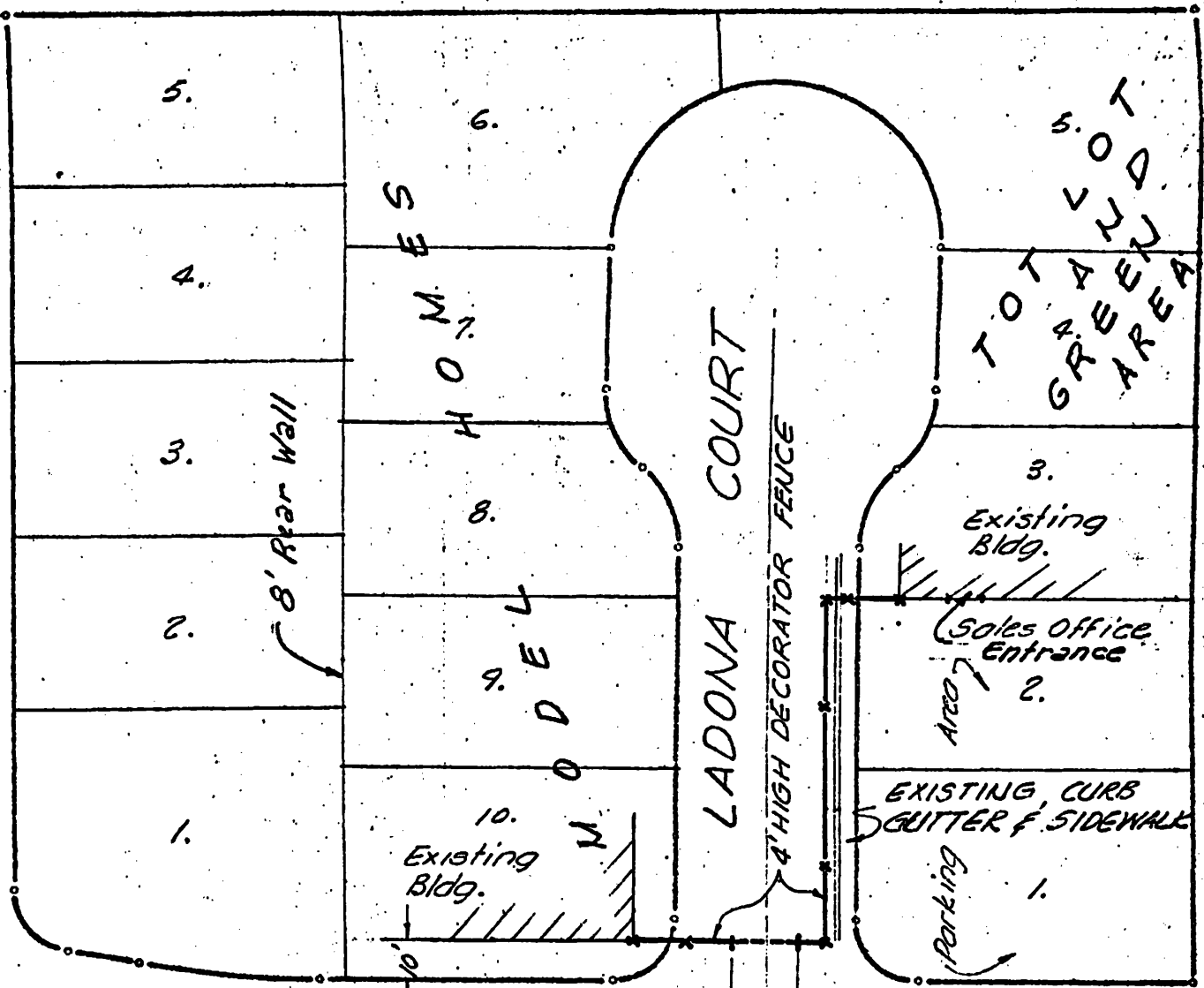
4"x4" RWD. POST

4"x4" RWD POST

Exist. 2" A.C. Paving

# TYPICAL FENCE ELEVATION

RIVERSIDE DRIVE



TOTAL DEVELOPED AREA

HADDON

AVENUE  
REMOVABLE SECTION

## GRANADA PARK ~ MODEL HOME SITE

Scale: 1" = 40'

Exhibit A

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-356

AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
BILLY W. AND CAROL HAMMONS FOR LEASE OF HOUSE AT 534 BODEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
amended  
that the/agreement between the City of Modesto and Billy W. and  
Carol Hammons

for lease of house at 534 Bodem (Rental fee of \$20 per week)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
amended  
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  
April 1971 , by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman Robinson ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-357

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
NORMAN AND MONALIE WOLFF FOR SEWER SERVICE TO PROPERTY OUTSIDE THE  
CITY AT 2104 O'FARRELL STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Norman O. and  
Monalie Wolff  
for sewer service to property outside the City at 2104 O'Farrell  
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 26th day of  
April 1971 , by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman Robinson ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-358

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALFONSO AND MARTHA LARA FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 809 LOMBARDO STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Alfonso and Martha Lara for sewer service to property outside the City at 809 Lombardo 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 26th day of April 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-359

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RALPH C. AND DORETTA E. BOWLAND FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1518 PAULETTE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ralph C. and Doretta E. Bowland for sewer service to property outside the City at 1518 Paulette 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 26th day of April 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Robinson , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-360

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE RIVERSIDE NO. 5 ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on April 16, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Riverside No. 5 Addition,

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

That the annexation of said uninhabited territory designated as Riverside No. 5 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY R. C. Howard  
Public Works Department

R. C. Howard  
4-22-71

March 16, 1971

RIVERSIDE NO. 5 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of the Northeast quarter of the Southwest quarter of Section 26, 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 ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records, said point also being on the center line of 60.00 foot public road known as Trask Lane and the North-South quarter, quarter line of said Section 26; thence along the existing City Limits on a Southern boundary of said Addition (228), which is also the Southern line of the Modesto Irrigation District Lateral Number 2, South  $89^{\circ} 58' 00''$  East, 1314.49 feet, to a Southwestern corner of said Addition (228) and the Western Boundary of a 40.00 foot public road known as North Riverside Drive, which is also the North-South quarter section line of said Section 26; thence along said quarter section line, South  $0^{\circ} 34' 00''$  East, 623.06 feet, to a Northeastern corner of said Addition (228); thence continuing along the existing City Limits on a Northern boundary of said Addition (228), North  $89^{\circ} 57' 00''$  West, 657.00 feet, to a Northwestern corner of said Addition (228); thence leaving the existing City Limits, North  $89^{\circ} 57' 00''$  West, 657.13 feet, to the center line of said Trask Lane; thence along said center line, North  $0^{\circ} 36' 00''$  West, 623.18 feet, to the point of beginning, containing 18.792 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-361

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 TO REZONE FROM ONE-FAMILY RESIDENTIAL ZONE, R-1 TO TWO-FAMILY RESIDENTIAL ZONE, R-2, PROPERTY LOCATED AROUND BYRON LANE, EAST OF EMERALD AVENUE (Byron Lane Courts)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 20, 1971, 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 One-family Residential Zone, R-1 to Two-family Residential Zone, R-2, property located around Byron Lane, east of Emerald Avenue the following described property:

EXHIBIT "A" Attached

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-50 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 May 24, 1971 at 7:35 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 26th day of April, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of Lot 5 of the Spencer Colony as shown on the map filed in Volume 2 of Maps at Page 3, Stanislaus County Records, lying in the northeast quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the north quarter corner of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence South  $0^{\circ} 30'$  East a distance 664.32 feet to the northwest corner of said Lot 5; thence South  $89^{\circ} 55' 37''$  East along the north line of said Lot 5 a distance of 160.00 feet to the northeast corner of the property conveyed to C. Y. Maddox, et al, by deed recorded July 14, 1947, Instrument No. 18996, and the true point of beginning; thence continuing South  $89^{\circ} 55' 37''$  East along the north line of Lot 5 a distance of 577.85 feet to a point in the northwesterly right-of-way line of Modesto Irrigation District Lateral No. 5; thence through a curve concave to the east from a tangent bearing South  $05^{\circ} 12' 08''$  West, having a central angle of  $8^{\circ} 46' 31''$  and a radius of 420.00 feet and a curve length of 64.33 feet to a point; thence South  $3^{\circ} 34' 23''$  East a distance of 361.03 feet to a point 20.00 feet distant northerly at right angles to south line of said Lot 5; thence South  $89^{\circ} 55' 37''$  West a distance of 495.73 feet to a point; thence North  $0^{\circ} 30'$  West a distance of 163.55 feet; thence South  $89^{\circ} 55' 37''$  West a distance of 260.00 feet to the centerline of Emerald Avenue; thence North  $0^{\circ} 30'$  West along the centerline of Emerald Avenue 60.00 feet to a point; thence North  $89^{\circ} 55' 37''$  East a distance of 158.00 feet to a point; thence North  $0^{\circ} 30'$  West a distance of 101.00 feet; thence North  $89^{\circ} 55' 37''$  East a distance of 2.00 feet; thence North  $0^{\circ} 30'$  West a distance of 100.00 feet to the point of beginning.

CONTAINING: 5.6 acres gross.

Exhibit "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-362

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 27-3-9 of the zoning MAP TO REZONE FROM MULTIPLE-FAMILY RESIDENTIAL ZONE, R-3, TO PLANNED DEVELOPMENT ZONE, P-D, PROPERTY LOCATED ON THE NORTH SIDE OF SCENIC DR. TO ALLOW CONSTRC. OF A 44-UNIT, TWO-STORY APT. COMPLEX (O.F.C. PROP.)  
WHEREAS, the Modesto City Planning Commission held a public hearing on

April 20, 1971 , in the Council Chambers, City Hall, for the purpose

of considering an amendment to Section 27-3-9 of the zoning map to rezone from Multiple-family Residential Zone, R-3, to Planned Development Zone, P-D, property located on the north side of Scenic Drive approximately 250' west of Rose Ave. to allow construction of a 44-unit, two-story complex the following described property:

SEE EXHIBIT "A" Attached

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-49 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 27-3-9 of the Zoning Map be set for May 24, 1971 at 7:40 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 26th day of April , 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Robinson , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

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

Parcel No. 1:

All that portion of Lot 38 of the Broughton Colony Tract, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 17, 1904, in Volume 1 of Maps, at Page 78, described as follows:

Beginning at the Southwest corner of said Lot 38; thence North along the West line of said Lot 38, a distance of 408 feet, more or less, to the Southwest corner of the property conveyed to Calvary Lutheran Church of Modesto, a corporation, by deed dated June 11, 1956, and recorded July 11, 1956, in Volume 1374 of Official Records, at Page 392, as Instrument No. 19033; thence Easterly along the South line of said Calvary Lutheran Church of Modesto property, a distance of 225 feet; thence Southerly 341 feet, more or less, to a point on the South line of said Lot 38 which point bears Northeasterly, measured along the South line of said Lot 38, a distance of 235 feet from the point of beginning; thence Southwesterly along the Southerly line of said Lot 38, a distance of 235 feet to the point of beginning.

Parcel No. 2:

All that portion of Lot 38 of the Broughton Colony Tract, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 17, 1904 in Volume 1 of Maps, at page 78, described as follows:

Beginning at a point which bears Northeasterly, measured along the South line of said Lot 38, a distance of 235 feet from the Southwest corner of said Lot 38, and being the Southeast corner of Parcel No. 1, hereinabove described; thence Northerly, 114 feet along the Easterly line of said Parcel No. 1; thence Southeasterly, 110 feet, more or less, to a point on the South line of said Lot 38, which point bears Northeasterly, measured along the South line of said Lot 38, a distance of 24 feet from the point of beginning; thence Southwesterly along the Southerly line of said Lot 38, a distance of 24 feet to the point of beginning.

Including also the northerly 25 feet of Scenic Drive immediately adjacent to the above described Parcel No. 1 and Parcel No. 2.

Exhibit "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-363

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$7,500 TO PURCHASE  
NEW STRIPING MACHINE

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

SERVICE DIVISION, WORKING CAPITAL FUND (512)

FROM: General Reserve (60-512)	\$7,500
TO: Striping Machine (5436-48-512)	\$7.500

(To provide funds to replace striping machine which has become  
inoperable)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 26th day of April  
19 71 by Councilman Smith , who moved its adoption, which motion  
being duly seconded by Councilman Robinson , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-364

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,100 FOR ADDITIONAL FUNDS NEEDED IN THE XEROX RENT AND SUPPLIES ACCOUNT

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$1,100
TO: Xerox Rent & Supplies (217-9-101)	\$1,100

(Xerox machine usage was much more than anticipated during the 1970-71 fiscal year, due largely to work on the new improvement districts and on drug abuse.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April 19 71 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Robinson , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-365

A RESOLUTION APPOINTING MEMBER OF THE FARM-CITY ADVISORY COMMITTEE TO REPLACE RAE CODONI FOR A TERM ENDING MAY 1, 1972 (William C. Ulm)

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 Farm-City Advisory Committee for the respective term as indicated: (To replace Rae Codoni for a term ending 5/1/72)

William C. Ulm  
5500 Maze Boulevard  
Modesto, California 95351

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member 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 26th day of April, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-365A

A RESOLUTION OF THE CITY OF MODESTO DECLARING CANVASS OF RETURNS AND RESULT OF GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, APRIL 20, 1971

WHEREAS, the Council of the City of Modesto duly called and ordered held in said City and in Modesto City School District on Tuesday, the 20th day of April, 1971 a General Municipal Election to elect one Mayor for full term of four years; one Councilman (Chair 1) for full term of four years; one Councilman (Chair 3) for full term of four years; one Councilman (Chair 6) for full term of four years, and three members of the Board of Education of the Modesto City School District, for the full term of four years; and

WHEREAS, said General Municipal Election was held on Tuesday, April 20, 1971 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.

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

1. Said canvass by the City Clerk as shown by said certification 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 complete tabulation of the following:
  - (a) The whole number of votes cast in the city.
  - (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 number of votes given in the city to each person and for and against each measure.
3. At said General 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, for the term commencing April 28, 1971 and the City Clerk is hereby directed to issue a Certificate of Election to each of said persons, certifying his election to the office appearing after his 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:

Lee H. Davies	Mayor, for four-year term
Robert T. Elliott	Councilman, for four-year term, Chair 1
Clyde H. Dunlap, Jr.	Councilman, for four-year term, Chair 3
Raymond C. Simon	Councilman, for four-year term, Chair 6
Harriette Kirschen	Member, Board of Education, for four-year term
E. W. (Bill) Rose	Member, Board of Education, for four-year term
Donald B. Cantwell	Member, Board of Education, for four-year term

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of April, 1971 by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Robinson, Simon, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at an adjourned regular meeting of the Council of said City duly and regularly held at the regular meeting place thereof on the 27th day of April, 1971, at which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Mitchell and read in full, and was thereupon, upon motion by Councilman Mitchell, seconded by Councilman Simon, adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Smith

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

WITNESS my hand the seal of said City of Modesto, this 27th day of April, 1971.



---

W. T. CHYNOWETH  
City Clerk of the City of Modesto,  
California

CARD 1

ELECTION  
PRECINCTS

156

TOTAL VOTES CAST

LEE H.  
DAVIES

JAMES H.  
DIXON, Jr.

ROBERT T.  
ELLECT

JOSE M.  
LOMBRANA

HARRY  
SHAM

CLYDE H.  
DUNLAP, Jr.

RICHARD A.  
HAMMERSTROM

RAYMOND C.  
SIMON

ANTHONY V.  
SOUZA

E 43 002 1	216	107	106	109	15	76	113	80	161	27
E 43 003 1	253	151	97	126	10	114	140	88	201	31
E 43 004 1	187	89	97	84	14	73	103	66	142	24
E 43 005 1	270	129	135	136	16	102	140	89	176	59
E 43 006 1	298	162	129	143	14	129	165	101	225	44
E 43 007 1	119	78	40	59	14	45	62	44	85	16
E 43 008 1	180	107	69	88	10	72	104	52	122	34
E 43 009 1	98	41	55	33	8	47	34	47	60	14
E 43 010 1	179	112	65	68	15	86	81	65	109	42
E 43 011 1	279	165	109	130	19	112	131	100	199	37
E 43 012 1	212	126	80	91	12	99	107	83	150	30
E 43 013 1	189	108	80	84	13	78	88	75	127	35
E 43 014 1	241	139	98	132	14	89	130	92	180	45
E 43 015 1	191	123	67	104	19	63	103	73	151	19
E 43 016 1	249	142	99	149	12	74	128	87	161	46
E 43 017 1	265	186	68	131	15	110	147	92	208	19
E 43 018 1	274	184	84	114	17	135	165	84	220	27
E 43 019 1	299	216	76	166	15	112	172	94	242	22
E 43 020 1	289	192	88	149	14	116	156	100	227	30
E 43 021 1	336	205	125	172	30	122	185	126	245	50
E 43 022 1	261	134	123	121	29	100	120	118	187	45
E 43 023 1	243	129	111	121	19	91	128	85	198	29
E 43 024 1	234	127	103	123	13	83	125	93	191	21
E 43 025 1	181	101	76	111	12	54	97	72	142	25
E 43 026 1	218	114	95	105	14	89	120	82	169	23
E 43 027 1	349	250	94	187	14	135	191	133	280	31
E 43 028 1	208	124	83	92	19	91	108	75	139	38
E 43 029 1	224	106	113	123	13	76	128	82	158	38
E 43 030 1	192	98	92	96	18	72	85	84	156	20
E 43 031 1	192	110	78	95	11	74	79	92	144	26
E 48 035 1	188	115	73	103	13	63	88	80	146	24
E 48 036 1	234	153	75	98	15	94	98	113	165	28
E 48 037 1	189	119	67	83	8	88	86	83	146	26
E 48 038 1	242	117	122	124	12	96	99	119	197	22
E 48 039 1	328	224	90	161	23	132	172	135	263	31
E 48 040 1	238	135	98	120	18	93	119	105	188	33
E 48 041 1	156	89	63	65	11	73	79	72	115	33
E 48 042 1	179	93	81	88	15	59	73	89	134	25
E 48 043 1	166	86	77	84	15	60	72	80	121	32
E 43 044 1	182	72	109	86	27	63	78	87	139	29

ELECTION  
PRECINCTS

PRECINCT	TOTAL VOTES CAST	LEE H. DAVIES	JAMES H. DIXON, JR.	ROBERT T. ELLICOTT	JOSE M. LOMBRANA	HARRY SHAM	CLYDE H. DUNLAP, JR.	RICHARD A. HAMMERSTROM	RAYMOND C. SIMON	ANTHONY V. SOUZA
233	111	120	114	18	81	93	92	143	42	
209	90	107	94	27	63	85	75	115	48	
153	63	83	56	18	60	55	54	82	35	
176	75	98	89	21	57	48	100	122	41	
246	142	104	129	19	86	119	107	188	35	
235	133	95	126	16	83	115	99	179	25	
218	112	105	101	25	80	97	103	155	39	
148	65	82	63	13	60	61	80	119	21	
275	162	112	121	19	125	147	98	207	41	
204	101	99	104	22	69	76	112	170	22	
154	70	82	80	20	48	59	59	81	107	27
140	72	67	73	15	50	72	19	56	99	26
74	33	37	29	16	25	19	60	41	47	18
160	76	84	81	18	53	60	19	41	112	34
268	129	128	129	27	102	104	104	143	199	47
83	34	49	37	18	2	39	31	43	59	16
210	133	69	118	13	73	128	75	175	25	
12214*	5111*	924*	4694*	5968*	4966*	9047*	1772*			
6859*	5998*									

Absent Voters

57\*

L56

ELECTION  
PRECINCTS

TOTAL VOTES CAST

HARRIETTE  
KIRSCHEN

E. W. (BILL)  
ROSE

DONALD B.  
CANTWELL

CURTIS S.  
CHURCH

GERALD J.  
GOREN

ARTHUR  
HENRY

J. CARL  
HORNEERGER

IRWIN  
JAMES

FRANCIS E.  
O'BRIEN

FLOYD H.  
RYDALGH

VERNON L.  
WITHUHN

LC6	E 43 002 14	85	88	78	29	75	29	32	24	51	21	80
	E 43 003 14	125	123	87	23	73	42	29	21	62	37	102
	E 43 004 14	98	88	59	21	44	33	23	20	38	12	64
	E 43 005 14	110	100	85	39	81	29	31	36	72	25	104
	E 43 006 14	148	120	87	33	82	40	27	32	81	28	129
	E 43 007 14	52	57	29	12	38	19	12	9	40	11	38
	E 43 008 14	75	61	79	15	49	13	23	32	39	18	62
	E 43 009 14	29	37	37	12	20	13	19	9	35	4	32
	E 43 010 14	74	67	66	19	34	41	19	15	47	21	61
	E 43 011 14	151	127	86	25	73	46	29	28	61	17	104
	E 43 012 14	103	102	64	36	57	21	18	21	49	16	85
	E 43 013 14	79	65	63	21	49	16	28	24	48	16	70
	E 43 014 14	93	102	107	27	83	27	27	22	62	26	00
	E 43 015 14	93	85	71	28	59	24	17	16	47	14	69
	E 43 016 14	119	109	84	24	64	41	26	23	53	15	79
	E 43 017 14	120	119	104	30	91	45	21	13	62	15	110
	E 43 018 14	152	136	84	29	61	39	21	17	69	21	135
	E 43 019 14	156	136	116	27	83	47	31	21	80	15	123
	E 43 020 14	136	129	96	35	69	51	30	33	73	16	112
	E 43 021 14	140	126	123	31	119	49	23	36	120	22	116
	E 43 022 14	103	95	97	33	95	45	23	33	107	17	89
	E 43 023 14	104	91	96	21	71	47	23	29	88	30	72
	E 43 024 14	102	80	117	17	89	45	21	24	59	18	79
	E 43 025 14	79	76	70	17	45	31	22	24	67	18	66
	E 43 026 14	112	84	76	29	64	32	23	26	66	15	86
	E 43 027 14	182	148	142	40	116	56	22	24	79	26	151
	E 43 028 14	113	97	73	22	58	17	19	26	38	19	90
	E 43 029 14	106	112	65	29	58	30	18	39	75	25	55
	E 43 030 14	107	88	60	23	49	22	14	30	63	12	60
	E 43 031 14	87	65	72	20	71	35	26	27	45	11	74
	E 48 035 14	78	68	68	18	63	38	15	17	56	23	76
	E 48 036 14	98	85	97	23	78	25	30	26	54	26	81
	E 48 037 14	69	64	64	26	70	44	12	26	60	13	64
	E 48 038 14	95	70	74	25	98	78	25	38	88	16	76
	E 48 039 14	134	111	141	37	164	77	23	14	79	26	106
	E 48 040 14	84	79	101	30	92	52	20	33	75	23	85
	E 48 041 14	57	58	55	18	55	24	18	28	44	14	61
	E 48 042 14	59	68	78	16	78	20	15	19	59	14	64
	E 48 043 14	58	44	61	13	73	58	11	32	50	12	61
	E 43 044 14	82	73	55	15	57	22	21	28	63	20	53

ELECTION  
PRECINCTS

186

TOTAL VOTES CAST

HARRIETTE  
KIRSCHEN

E. W. (BILL)  
ROSE

DONALD B.  
CANTWELL

CURTIS S.  
CHURCH

GERALD J.  
GOREN

ARTHUR  
HENRY

J. CARL  
HORNEERGER

IRWIN  
JAMES

FRANCIS E.  
O'BRIEN

FLOYD H.  
RYDALCH

VERNON L.  
WITHUHN

E 43 045 14	78	95	85	24	53	21	33	44	61	15	60
E 43 046 14	80	55	73	24	79	30	29	26	49	16	60
E 43 047 14	57	46	49	33	55	20	17	15	40	19	34
E 43 048 14	61	67	54	15	63	23	25	22	57	14	70
E 43 049 14	115	106	93	26	88	29	22	37	83	20	75
E 43 050 14	122	105	81	24	62	24	21	32	65	26	81
E 43 051 14	91	87	97	23	69	22	24	26	81	6	74
E 43 052 14	56	61	49	10	44	13	21	26	67	16	39
E 43 053 14	108	114	92	54	89	49	26	32	67	33	111
E 43 054 14	60	68	83	21	67	28	21	48	73	10	59
E 43 055 14	50	52	56	11	46	40	18	20	65	18	53
E 43 056 14	52	57	54	29	33	23	13	23	44	16	37
E 43 057 14	26	28	22	3	27	8	6	13	36	20	20
E 47 058 14	58	58	60	13	59	23	25	37	61	7	43
E 47 059 14	91	74	112	35	97	56	36	39	79	28	94
E 47 060 14	37	37	34	12	10	16	8	22	34	2	19
E 43 062 14	61	27	19	28	8	25	8	8	23	4	10
E 43 064 14	61	17	20	36	6	20	9	5	27	7	16
E 43 065 14	46	19	16	20	2	15	10	7	6	4	18
E 43 066 14	94	34	36	38	10	35	17	4	21	11	35
E 43 067 14	37	13	12	16	6	12	6	7	3	12	12
E 43 068 14	83	38	30	36	12	33	6	10	7	6	34
E 43 069 14	210	104	94	89	25	68	37	20	18	16	89
E 41 070 14	54	55	40	20	31	8	13	12	34	13	33
E 41 071 14	79	106	41	29	41	16	9	20	28	16	72
E 43 072 14	59	30	25	17	5	19	6	7	24	5	17
E 43 073 14	72	19	28	32	6	21	7	14	29	1	21
E 43 074 14	79	26	28	36	7	34	13	10	6	9	24
E 43 075 14	84	48	49	25	13	12	8	8	11	2	39
E 43 076 14	53	23	27	17	6	15	2	7	4	5	19
E 43 077 14	120	46	42	49	15	58	9	4	16	8	44
E 43 078 14	137	59	61	49	11	53	30	14	21	9	38
E 43 079 14	46	17	9	17	3	12	6	7	8	4	11
E 43 080 14	60	9	13	27	5	19	17	22	11	7	25
E 43 081 14	49	26	22	17	6	8	1	8	8	6	11
E 43 082 14	76	31	19	34	4	16	13	8	16	5	29
E 43 083 14	100	39	33	47	9	35	19	17	12	6	25
E 42 084 14	145	173	73	32	64	21	9	31	49	63	82
E 46 085 14	35	52	19	2	7	3	7	2	12	3	24

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO CONFIRMING CANVASS BY CITY CLERK OF SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF MODESTO ON APRIL 20, 1971.

WHEREAS, the Council of the City of Modesto (herein called the "Council") duly called and ordered held in the City of Modesto (herein called the "City") a special municipal election (herein called the "election") for the purpose of submitting to the qualified electors thereof proposals to amend the Charter of the City of Modesto as hereinafter set forth; and

WHEREAS, the election was held on TUESDAY, April 20, 1971, in accordance with law and the proceedings of this 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;

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

1. Said canvass by the City Clerk as shown by said certification and the results of the election are hereby ratified, confirmed and approved.

2. At the election the following propositions (herein called the "propositions") were submitted to the electors of the City and the number of votes given in the City for and against each of said propositions was as follows:

<u>Proposition A</u>		<u>Total Votes For</u>	<u>Total Votes Against</u>
City of Modesto Charter Proposal:	Shall the Charter of the City of Modesto be amended to provide that the Mayor and Councilmen receive \$25.00 per Council meeting attended, not to exceed \$100.00 per month, plus expenses?	5615	5167
<u>Proposition B</u>			
City of Modesto Charter Proposal:	Shall the Charter of the City of Modesto be amended to permit the City Manager to make and execute contracts on behalf of the City, of \$3,500.00 or less?	6236	4392
<u>Proposition C</u>			
City of Modesto Charter Proposal:	Shall the Charter of the City of Modesto be amended to delete the provision requiring the Personnel Commission to hold public hearings on adoption, amendment or repeal of personnel rules and regulations?	5534	4755

		Total Votes For	Total Votes Against
<u>Proposition D</u>	Shall the Charter of the City of Modesto be amended to omit reference to Modesto Junior College District ?		
City of Modesto Charter Proposal:		6747	3431
<u>Proposition E</u>	Shall the Charter of the City of Modesto be amended to provide for review of Charter at least every ten (10) years?		
City of Modesto Charter Proposal:		8909	1557

3. The total number of votes cast in the City at the election and the total number of votes given in each precinct and by absentee voters of the City for and against each of said propositions was and is as set forth in said canvass by the City Clerk.

4. More than a majority of all of the votes cast at the election on Proposition A were in favor of said Charter Proposal and said Charter Proposal did carry and was approved and ratified by a majority of the qualified voters voting on said Charter Proposal.

5. More than a majority of all of the votes cast at the election on Proposition B were in favor of said Charter Proposal and said Charter Proposal did carry and was approved and ratified by a majority of the qualified voters voting on said Charter Proposal.

6. More than a majority of all of the votes cast at the election on Proposition C were in favor of said Charter Proposal and said Charter Proposal did carry and was approved and ratified by a majority of the qualified voters voting on said Charter Proposal.

7. More than a majority of all of the votes cast at the election on Proposition D were in favor of said Charter Proposal and said Charter Proposal did carry and was approved and ratified by a majority of the qualified voters voting on said Charter Proposal.

8. More than a majority of all of the votes cast at the election on Proposition E were in favor of said Charter Proposal and said Charter Proposal did carry and was approved and ratified by a majority of the qualified voters voting on said Charter Proposal.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of April, 1971,

by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Smith

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

(SEAL)

APPROVED AS TO FORM:

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

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at an adjourned regular meeting of the Council of said City duly and regularly held at the regular meeting place thereof on the 27th day of April, 1971, at which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Simon and read in full, and was thereupon, upon motion by Councilman Simon, seconded by Councilman Dixon, adopted by the following vote:


AYES: Councilmen: Dixon, Mitchell, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Smith

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

WITNESS my hand and the seal of said City of Modesto, this 27th day of April, 1971.

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk of the City of Modesto,  
California

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-366

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF MRS. CAROLYN OSTERHOLM AS A MEMBER OF THE LIBRARY & CULTURE COMMISSION

WHEREAS, Mrs. Osterholm was appointed a member of the Library and Culture Commission on March 24, 1969; and

WHEREAS, Mrs. Osterholm has tendered her resignation from the Library and Culture Commission effective May 3, 1971; and

WHEREAS, Mrs. Osterholm has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Mrs. Osterholm from the Library and Culture Commission is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Mrs. Osterholm 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 May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-367

A RESOLUTION REFERRING REQUEST FOR ABANDONMENT OF ALLEY IN BLOCK 1308, STRATHMORE UNIT NO. 1, TO PLANNING COMMISSION FOR REPORT AND RECOMMENDATION

WHEREAS, a request has been received from Charles V. Jeffers, developer of Strathmore Unit No. 1 Subdivision, that the twenty-foot alley adjacent to the east line of Lot 13 of Block 1308 of Strathmore Unit No. 1, (running in a North-South direction between Scenic Drive and the East-West alley approximately 150 feet north of Scenic Drive) be abandoned.


NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request to abandon the twenty-foot alley adjacent to the east line of Lot 13 of Block 1308 is hereby referred to the Planning Commission for report and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-368

A RESOLUTION URGING THE 12TH AND M STREETS LOCATION FOR NEW SOCIAL SECURITY OFFICE IN MODESTO

WHEREAS, the Federal General Services Administration plans to construct a new Social Security Office Building in Modesto; and

WHEREAS, the proper location of this office is vital to the many residents of this area.

NOW THEREFORE, BE IT RESOLVED by the Modesto City Council that the Federal General Services Administration is hereby urged to locate the proposed Social Security Office Building at 12th and M Streets in downtown Modesto for the following reasons:

1. Downtown Modesto is the center of activity for all of Stanislaus County.
2. The public transportation system in this area begins and ends in downtown Modesto. As many people who need to visit the social security office rely on public transportation, this is of vital importance.
3. Most governmental offices are now located in downtown Modesto. This is a greater convenience to the general public than would be the case if the offices were scattered around the community.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Honorable Alan Cranston, the Honorable John V. Tunney, the Honorable John J. McFall and the General Services Administration.

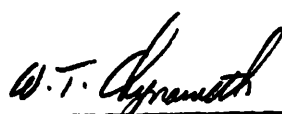
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-369

A RESOLUTION REQUESTING BOARD OF SUPERVISORS TO REQUIRE  
STREET LIGHTS IN COUNTY SUBDIVISIONS

WHEREAS, adequate street lighting has proven to be  
a deterrent to crime; and

WHEREAS, the Modesto Irrigation District contributes  
toward the capital costs of new or improved street lighting;  
and

WHEREAS, the Modesto Irrigation District's contri-  
butions do not cover unlighted subdivisions commenced after  
June 11, 1968; and

WHEREAS, at the present time Stanislaus County does not  
require that subdivisions be developed with street lights.

NOW, THEREFORE, BE IT RESOLVED by the Modesto City  
Council that the Stanislaus County Board of Supervisors  
is hereby requested to require subdividers of land in the  
unincorporated areas of Stanislaus County to provide street  
lighting of subdivisions as a prerequisite for approval of  
the final maps of said subdivisions.


The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the  
3rd day of May, 1971 by Councilman Dixon, who moved its  
adoption, which motion being duly seconded by Councilman  
Smith, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-370

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN HAGSTROM PARK NO. 2, BRENTWOOD ESTATES NO. 3 AND CARVER MANOR NO. 1

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

SECTION 1. The plans and specifications for installation of water lines in Hagstrom Park No. 2, Brentwood Estates No. 3 and Carver Manor 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 May 18, 1971 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 3rd day of May 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-371

A RESOLUTION ACCEPTING THE CONSTRUCTION OF 16TH STREET SEWER, H  
TO J STREETS (Valley Construction Co.)

WHEREAS, a report has been filed by the Director of Public  
Works that the construction of 16th Street Sewer, H  
to J Streets  
has been completed by Valley Construction Co.

in accordance with the contract agreement dated March 8, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of  
16th Street Sewer, H to J Streets  
be accepted from said contractor, Valley Construction Co.

that notice of completion be filed with the Recorder of Stan-  
islaus County and that payment of amounts due in the amount  
of \$9,730 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 May, 1971, by Councilman  
Simon, who moved its adoption, which motion being  
duly seconded by Councilman Smith, was upon roll  
call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-372

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR THE IMPROVEMENT OF BODEM-SUNRISE CONNECTION

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

SECTION 1. The plans and specifications for the improvement of Bodem-Sunrise Connection

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 18, 1971 at 10:10 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 May 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-373

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THOMAS AND WYLMA ZOSLOCKI FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3112 SCENIC DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Thomas and Wylma Zoslocki for sewer service to property outside the City at 3112 Scenic 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 3rd day of May 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-374

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THOMAS AND WYLMA ZOSLOCKI FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3116 SCENIC DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Thomas and Wylma Zoslocki for sewer service to property outside the City at 3116 Scenic 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 3rd day of May 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Illiott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-375

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN E. AND JEAN C. GRIFFIN FOR NEW PARKING LOT ON 12TH STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
lease  
that the/agreement between the City of Modesto and John E. and  
Jean C. Griffin  
for new parking lot on 12th Street

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
lease  
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  
May, 1971, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Smith,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-376

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING LOTS IN THE CITY OF MODESTO, PROVIDING FOR CONTROL THEREON, AND RESCINDING RESOLUTION NO. 71-144.

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

SECTION 1. PARKING METER LOTS. (a) The following municipal off-street parking lots shall be controlled by parking meters:

- (1) PML-1 11th and G Street parking lot (PM-5 Zone)
- (2) PML-3 12th and I Street parking lot (southeast corner) (PM-9 Zone)
- (3) PML-4b 11th Street between H and I Streets (lower level) parking lot (PM-7 Zone)
- (4) PML-11 10th and H Street parking lot (PM-8 Zone)
- (5) PML-12 9th Street between J and K Street parking lot (PM-2 Zone)
- (6) PML-21 11th and K Street parking lot (PM-11 Zone)
- (7) PML-24 9th and J Street parking lot (PM-2 Zone)
- (8) PML-25 9th and I Street parking lot (Claremont Hotel Property) (PM-2 Zone)
- (9) PML-26 East side of 10th Street between K and L Streets (PM-2 Zone)
- (10) PML-27 Southern Pacific Depot between I and K Streets (PM-4 Zone)
- (11) PML-28 11th Street between I and J Street parking lot (PM-2 Zone)
- (12) PML-30 12th Street between J and K Streets (PM-3 Zone)
- (13) PML-32 10th Street between J and K Street parking lot (PM-2 Zone)

(b) The municipal off-street parking lots which are controlled by meters are shown on the Parking Meter Zoning Map adopted by Section 3-2.1501 of the Modesto Municipal Code. The time limits and rates of fees for parking in said parking meter zones are as set forth in Section 3-2.1504 of said Code.

**SECTION 2. ATTENDANT LOTS.** (a) The following municipal off-street parking lots are hereby established as attendant lots:

- (1) PAL-2 9th Street between I and J Street parking lot
- (2) PAL-4a 11th Street between H and I Street (street level) parking lot
- (3) PAL-5 10th Street between K and L Street parking lot
- (4) PAL-17 Bank of California parking lot at 12th and J Streets
- (5) PAL-18 Seely Tower parking lot at 12th and J Streets
- (6) PAL-22 Sears parking lot, 11th Street between K and L Streets

(b) Vehicular parking on said municipal off-street parking lots shall be controlled and regulated by parking attendants as follows:

- (1) PAL-2, PAL-4a, PAL-5 and PAL-18.

From 9:00 A.M. to 9:00 P.M., Monday through Saturday

- (2) PAL-17

From 9:00 A.M. to 9:00 P.M. on Saturdays and bank holidays only. Attendant parking may be used on any such additional special occasions as may be deemed appropriate by the City Manager

- (3) PAL-22

From 9:00 A.M. to 6:00 P.M. on Tuesdays, Wednesdays and Saturdays, and from 9:00 A.M. to 9:00 P.M. on Mondays, Thursdays and Fridays, and on such special days as may be mutually agreed upon by the Director of Parking and Traffic of the City of Modesto and Sears Roebuck and Company

(c) The rate of ten (10¢) cents 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 attendant parking lots PAL-2, PAL-4a, PAL-5, PAL-17, PAL-18 and PAL-22.

(d) The price for validation stamps to be used with the validation system on attendant parking lots as provided by Section 3-2.1604 of the Modesto Municipal Code shall be ten (10¢) cents per stamp.

(e) The rate of five (5¢) cents per hour, or fraction thereof, when validated by the Stanislaus County Clerk for parking by persons serving on trial juries, is hereby established for said attendant parking lot PAL-2.

(f) The Director of Parking and Traffic may designate spaces in attendant parking lots for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

**SECTION 3. PARKING TICKET LOTS.** (a) The following municipal off-street parking lots shall be controlled by ticket dispensing devices:

- (1) PTL-20 10th Street between G and H Street parking lot (Old City Hall)
- (2) PTL-23 10th Street between G and H Street parking lot (Brack-Griffin)

(b) Vehicular parking on said municipal off-street parking lots PTL-20 and PTL-23, shall be controlled by means of ticket dispensing devices from 9:00 A.M. to 4:30 P.M., Monday through Saturday.

(c) The rate of twenty-five (25¢) cents per day or fraction thereof is hereby established for said parking ticket lots, PTL-20 and PTL-23.

**SECTION 4. FREE LOTS.** The following municipal off-street parking lots shall be free lots:

- (a) PL-10 8th Street between I and K Streets
- (b) PL-15 Fire Station parking lot (north side)
- (c) PL-16 Fire Station parking lot (south side)
- (d) PL-31 Lincoln School site

**SECTION 5. MONTHLY PARKING PASSES.** Monthly parking passes may be authorized by the Director of Parking and Traffic on any attendant or metered lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be as follows:

PML-25	9th and I Streets Parking Lot (Claremont Hotel Property)	\$ 5.00
PML-27	Southern Pacific Depot Parking Lot between I and K Streets	\$ 4.00
All other attendant or metered lots		\$10.00

Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot. The charge for such passes shall be at the rate of Five and no/100ths (\$5.00) Dollars per month.

SECTION 6. REPEALS. Resolution No. 71-144 adopted by the Council on March 1, 1971, 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 May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-377

A RESOLUTION ACCEPTING BID OF PETE A. WOODS FOR DEMOLITION  
OF CITY-OWNED RESIDENCE AT 101 HACKBERRY AVENUE

WHEREAS, informal bids have been received for demolition  
of the city-owned residence at 101 Hackberry Avenue; and

WHEREAS, the bids received for the demolition of said  
building were tabulated by the Finance Department for the  
consideration of the Council, and

WHEREAS, the lowest responsible bid was submitted by  
Mr. Pete A. Woods in the amount of \$973.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the bid submitted by Mr. Pete A. Woods in the  
amount of \$973.00 for demolition of the city-owned residence  
at 101 Hackberry Avenue is hereby accepted as the lowest res-  
ponsible bid, and execution of a contract for the completion of  
the demolition by the City's designated officials authorized.


The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 3rd  
day of May, 1971 by Councilman Dixon, who moved its adoption,  
which motion being duly seconded by Councilman Simon, was upon  
roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-378

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF PRESENTATION OF  
1971-72 PRELIMINARY BUDGET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971 , at 4:20 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of presentation of 1971-72 Preliminary Budget

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-379


A RESOLUTION SETTING TIME AND PLACE FOR HEARING DURING A JOINT MODESTO CITY COUNCIL-STANISLAUS COUNTY BOARD OF SUPERVISORS MEETING TO DISCUSS THE/ALIGNMENT BETWEEN SCENIC DRIVE AND YOSEMITE BOULEVARD PROPOSED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 19, 1971 , 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 joint Modesto City Council-Stanislaus County Board of Supervisors meeting to discuss the proposed alignment between Scenic Drive and Yosemite Boulevard

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-380

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 518 HUNTER AVE. (Mr. Edward B. Gebhardt - \$505.15)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971, at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 518 Hunter Ave. - \$505.15.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-381

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER ON DEL VALE AVENUE AT 1600 PEARL STREET (Mr. Donald D. Hamilton - \$238.35)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971 , at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of installation of curb and gutter on Del Vale Ave. at 1600 Pearl St. - \$238.35)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-382

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERIN-  
TENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER AT  
1445 DEL VALE AVE. (Mr. Donald J. Harper - \$209.70)

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that May 17, 1971 , at 4:10 P.M. in the Council  
Chambers, City Hall, 801 Eleventh Street, Modesto, California  
is hereby set as the time and place for consideration of report  
of Superintendent of Streets on the cost of installation of curb  
and gutter at 1445 Del Vale Ave. - \$209.70

The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 3rd day  
of May, 1971, by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman  
Smith , was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-383

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK ON LUCERN AVENUE AND ON EL TERINO AVENUE AT 1133 LUCERN AVE. (Mr. William L. Klaproth - \$932.33)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971 , at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk on Lucern Ave. and on El Terino Ave. at 1133 Lucern Ave. - \$932.33

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-384


A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND GUTTER AT 536 COVENA AVE. (Mr. Senter A. Nunley - \$258.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971, at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb and gutter at 536 Covena Ave. - \$258.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-385

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK ON SANTA CRUZ AVE. AT 1222 ROBLE AVE. (Mr. Jack E. Rice - \$175.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971, at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk on Santa Cruz Ave. at 1222 Roble Ave. - \$175.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-386


A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK ON PEARL STREET AND ON KEARNEY AVE. AT 1501 PEARL STREET (Mr. Cecil Wagoner - \$482.50)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971 , at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk on Pearl St. and on Kearney Ave. at 1501 Pearl St. - \$482.50

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-387

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 526 HUNTER AVE. (Mrs. Alice G. Boulay - \$460.98)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971, at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 526 Hunter Ave. - \$460.98

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-388

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK ON HUNTER AVE. AND ESGAR AVE. AT 527 HUNTER AVE. (Mr. John R. Bradley - \$911.63)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971, at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk on Hunter Ave. and Esgar Ave. at 527 Hunter Ave. \$911.63

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-389

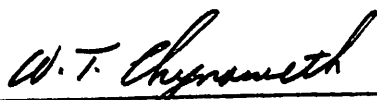
A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 530 HUNTER AVE. (Mrs. Edith Capps - \$460.45)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971, at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 530 Hunter Ave. - \$460.45

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-390

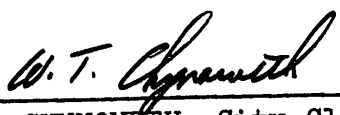
A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 522 HUNTER AVE. (Mr. Charles D. Golvin - \$462.95)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971 , at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 522 Hunter Ave. - \$462.95

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-391


A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 536 HUNTER AVE. (Mrs. Leona Henderson - \$297.25)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971 , at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 536 Hunter Ave. - \$297.25

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-392


A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 543 HUNTER AVE. (Mrs. Janet M. Reed - \$310.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971, at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 543 Hunter Ave. - \$310.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-393

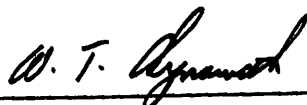
A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 541 HUNTER AVE. (Mrs. Wendolyn J. Wilson - \$310.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 17, 1971, at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 541 Hunter Ave. - \$310.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-394

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (1111 "F" Street, a portion of Block 81 - Mr. Frank Andrews)

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of "F" Street, Block 81

---

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The Northeast 30 feet of Lots 17 and 18 of Block 81 of City of Modesto as per map filed December 21, 1942, in Volume 15 of Maps, Page 81, Stanislaus County Records.

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 17th day of May, 1971, at  
4:15 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 3rd  
day of May, 1971, by Councilman Simon,  
who moved its adoption, which motion being duly seconded by  
Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department



to construct or cause to be constructed sidewalks  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 17th day of May, 1971, at  
4:15 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 3rd  
day of May, 1971, by Councilman Simon,  
who moved its adoption, which motion being duly seconded by  
Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-396

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Edison Ave. at 811 Edison Ave., Lot 1 of Block 672 - Mr. James Elkins)

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Edison Ave., Block 672

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties 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 672 of John Muir Heights as per map filed April 13, 1953, in Volume 17 of Maps, Page 54, Stanislaus County Records.

to construct or cause to be constructed sidewalks  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 17th day of May, 1971, at  
4:15 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 3rd  
day of May, 1971, by Councilman Simon,  
who moved its adoption, which motion being duly seconded by  
Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-397

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (518 Johnson St., Lot 18 of Block 573 - Mr. Leonard Harrington)

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 curb and gutter may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curb and gutter have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Johnson Street, Block 573

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 18 of Block 573 of City of Modesto as per map filed December 21, 1942, in Volume 15 of Maps, Page 573, Stanislaus County Records.

to construct or cause to be constructed curb and gutter  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 17th day of May, 1971, at  
4:15 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 3rd  
day of May, 1971, by Councilman Simon,  
who moved its adoption, which motion being duly seconded by  
Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-398

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Pearl Street at 1452 College Ave., Lot 17 of Block 6070 - Mrs. Margaret H. Lind)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks \_\_\_\_\_ have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of \_\_\_\_\_  
Pearl Street, Block 6070

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 17 of Block 6070 of Roosevelt Center as per map filed October 8, 1950, in Volume 17 of Maps, Page 12, Stanislaus County Records.

to construct or cause to be constructed Sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 17th day of May, 1971, at  
4:15 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 3rd  
day of May, 1971, by Councilman Simon,  
who moved its adoption, which motion being duly seconded by  
Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-399

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Locke Road at Lot A of Block 1025 - Max/Ann Land Company)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Locke Road, Block 1025

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot A of Block 1025 of Downey Villa Tract as per map filed December 11, 1956 in Volume 18 of Maps, Page 61, Stanislaus County Records.

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 17th day of May, 1971, at  
4:15 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 3rd  
day of May, 1971, by Councilman Simon,  
who moved its adoption, which motion being duly seconded by  
Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-400

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Locke Road at 701 Rose Ave., a portion of Block 1025 - Mr. Leland C. McCafferty)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks \_\_\_\_\_ have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Locke Road, Block 1025

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West 226.50 feet of the East 236.50 feet of the South 135.25 feet of the North 1/2 of Lot 33 of Broughton Colony as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records.

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 17th day of May, 1971, at  
4:15 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 3rd  
day of May, 1971, by Councilman Simon,  
who moved its adoption, which motion being duly seconded by  
Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-401

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (710 Castle St., Lot 11 of Block 608 - Mr. Harold Meyering)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Castle St., Block 608

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties 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 608 of Brockett & Valk Tract as per map filed February 26, 1947, in Volume 16 of Maps, Page 32, Stanislaus County Records.

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 17th day of May, 1971, at  
4:15 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 3rd  
day of May, 1971, by Councilman Simon,  
who moved its adoption, which motion being duly seconded by  
Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-402

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MINNIE WOO AND ACCEPTING GRANT DEED (Needham Street Widening)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Minnie Woo for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 3rd day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-403

A RESOLUTION APPROVING EASEMENT-AGREEMENT BETWEEN THE CITY OF  
MODESTO AND MODESTO IRRIGATION DISTRICT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the easement-agreement between the City of Modesto and Modesto Irrigation District permitting the City of Modesto to maintain a sanitary sewer line within the property described in "Exhibit A" attached hereto and made a part hereof, 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 May, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

The location of said sewer is within the following described parcel of land:

All that portion of Section 16, Township 3 South, Range 9 East, M. D. B. & M., described as follows:

A strip of land 10.00 feet wide, measured at right angles, described as follows:

Commencing at the East quarter corner of said Section 16, thence along the East-West quarter section line, North  $89^{\circ} 30'$  West, 25.01 feet, to a point on the West line of Coffee Road, said point being on the center line of CAVIL DRAIN as shown on the map of Brookdale Park No. 3, filed February 25, 1964, in Volume 20 of Maps, Page 61, Stanislaus County Records, and the true point of beginning; thence continuing along said East-West quarter section line and the center line of the Cavil Drain, North  $89^{\circ} 30'$  West, 252.48 feet, to a point on the East line of Reseda Lane, said point being on a non-tangent curve from which a radial line bears South  $78^{\circ} 12' 58''$  West; thence along said curve, concave to the Southwest, having a Radius of 275.00 feet, a Central Angle of  $2^{\circ} 07' 27''$  and an Arc Length of 10.20 feet, to its point of intersection with a line which is parallel with and 10.00 feet, measured at right angles, Southerly from the center line of the Cavil Drain, from which point a radial line bears South  $80^{\circ} 20' 25''$  West; thence along said parallel line, South  $89^{\circ} 30'$  East, 250.74 feet, to a point on the West line of Coffee Road; thence along the West line of Coffee Road, North  $00^{\circ} 53'$  West, 10.00 feet, to the point of beginning.

EXHIBIT "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-404

A RESOLUTION APPROVING EASEMENT-AGREEMENT BETWEEN THE CITY OF  
MODESTO AND MODESTO IRRIGATION DISTRICT


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the easement-agreement between the City of Modesto and Modesto Irrigation District to permit the City to place, use and maintain a sanitary sewer line within the property described in "Exhibit A" attached hereto and made a part hereof, 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 May, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

All that portion of Section 23, Township 3 South, Range 9 East, M. D. B. & M., described as follows:

Commencing at the Southwest corner of said Section 23; thence along the section line common to Section 22 and 23, North  $00^{\circ} 51' 45''$  West, 908.73 feet, to the Westerly extension of the Northern line of the Modesto Irrigation District easement as shown on the map of SCENIC VILLAGE UNIT NO. 1, as per map filed August 19, 1964, in Volume 20 of Maps, Page 82, Stanislaus County Records; thence along said Westerly extension, North  $89^{\circ} 57' 15''$  East, 41.50 feet, to the Northwest corner of said Modesto Irrigation District easement, said point being on the Eastern line of Oakdale Road and the true point of beginning; thence along the Northern line of the Modesto Irrigation District easement, North  $89^{\circ} 57' 15''$  East, 380.04 feet, to a point on the Western line of the North-South alley between Blocks 1405 and 1406 as shown on said map of Scenic Village Unit No.1; thence along said Western line and its Southerly extension, South  $00^{\circ} 51' 45''$  East, 15.00 feet, to a point on a line which is parallel with and 15.00 feet, measured at right angles, Southerly from the Northern line of the Modesto Irrigation District easement; thence along said parallel line, South  $89^{\circ} 57' 15''$  West, 260.03 feet, to a point on a line which is parallel with and 120.00 feet, measured at right angles, Easterly from the Eastern line of Oakdale Road; thence along said last mentioned parallel line, South  $00^{\circ} 51' 45''$  East, 13.60 feet, to a point on the Southern line of the Modesto Irrigation District easement; thence along said Southern line, South  $89^{\circ} 57' 15''$  West, 15.00 feet, to a point on a line which is parallel with and 105.00 feet, measured at right angles, Easterly from the Eastern line of Oakdale Road; thence along said last mentioned parallel line, North  $00^{\circ} 51' 45''$  West, 13.77 feet, to the first mentioned parallel line 15.00 feet Southerly from the Northern line of the Modesto Irrigation District easement; thence along the first mentioned parallel line, South  $89^{\circ} 57' 15''$  West, 105.01 feet, to the Eastern line of Oakdale Road; thence along said Eastern line, North  $00^{\circ} 51' 45''$  West, 15.00 feet, to the point of beginning.

EXHIBIT "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-405

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. J. W. WILLIAMS AND ACCEPTING GRANT DEED (Sunrise-Bodem Street Connection)


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. J. W. Williams for the Sunrise-Bodem Street connection is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 3rd day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-406

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. 70-1170.

WHEREAS, the Council finds that reduced golf rates for senior citizen golfers at its Modesto Municipal Golf Course and the Dryden Park Municipal Golf Course, at certain times, would be advisable, and, therefore, the rates for players using said courses 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, during months of November through January (husband and wife)	\$18.00
Monthly Unlimited Family Ticket, during months of February through October (husband and wife)	\$20.00
Monthly Unlimited Individual Ticket, during months of November through January	\$13.00
Monthly Unlimited Individual Ticket, during months of February through October	\$15.00
Monthly Senior Citizen Ticket, during months of November through January	\$ 6.50
Monthly Senior Citizen Ticket, during months of February through October	\$ 7.50
Monthly Student Ticket	\$ 5.00
Weekdays, for 18 holes	\$ 2.25
Weekends and holidays	\$ 2.75
Weekdays for 9 holes (applies only to the Modesto Municipal 9 Hole Golf Course)	\$ 1.50
<u>Late Afternoon Rates</u>	
After 3 o'clock P.M. any day, during months of November, December, January and February	\$ 1.50

After 4 o'clock P.M. any day, during  
months of March and April \$ 1.50

After 5 o'clock P.M. any day, during  
suchtime as Pacific Daylight  
Savings Time is in effect \$ 1.50

**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 residents of the City of Modesto, sixty-five (65) years of age or older. A Medicare card or other proof of age and 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. 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.

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 greens fees.

SECTION 6. REPEALS. Resolution No. 70-1170 adopted on November 23, 1970, 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 May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-407

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,100 TO REPLACE CONTROL PANEL AND INSTALL FAIL-SAFE DEVICES AT THOUSAND OAKS PUMPING PLANT

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

GENERAL FUND (101)

FROM: General Reserve (60) \$1,100

TO: M/R Equipment, Other (223-52-101) \$1,100

(An electrical failure at the Thousand Oaks pumping plant started a chain of events which destroyed the control panel on the emergency generator. Funds are needed to replace the control panel and install fail-safe devices to prevent a recurrence)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-408

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$5,000 - ADDITIONAL FUNDS NEEDED FOR CONTINUATION OF CURB, GUTTER, AND/OR SIDEWALK CONSTRUCTION PROGRAM

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

GENERAL FUND (101)

FROM:	General Reserve (60)	\$5,000
TO:	Curb, gutter, special (5302-51-101)	\$5,000

(The number of property owners who have put in curb, gutter, and/or sidewalk has increased beyond the Public Works Department estimates during the past two months. In order to allow the construction program to continue to operate for the remainder of the fiscal year it is estimated that an additional \$5,000 will be required)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of May 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-409

A RESOLUTION REFERRING REQUEST FOR ABANDONMENT OF PROFESSIONAL  
COURT TO PLANNING COMMISSION FOR REPORT AND RECOMMENDATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the request of WARNER SOELLING, M.D. for abandonment of Professional Court is hereby referred to the Planning Commission for report and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-410

A RESOLUTION APPROVING USE OF DOWNTOWN SIDEWALKS MAY 13, 14 AND 15 FOR SIDEWALKS SALES

WHEREAS, the Modesto Downtown Improvement District has requested the use of downtown sidewalks on May 13, 14 and 15, 1971 for downtown's annual Spring Sidewalk Sale.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of the Modesto Downtown Improvement District for use of downtown sidewalks on May 13, 14 and 15, 1971 for the downtown's annual Spring Sidewalk Sale 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 May, 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-411

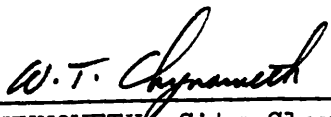
A RESOLUTION SETTING TIME AND PLACE FOR HEARING APPEAL FROM BOARD OF ZONING ADJUSTMENT DENYING REQUEST FOR VARIANCE TO SET BACK REQUIREMENT FOR BUILDING ON 9TH STREET BETWEEN C & D STREETS (Berberian)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 24, 1971 , at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of appeal from Board of Zoning Adjustment denying request for variance to set back requirement for building on 9th Street between C & D Streets

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-412

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION COMPANY FOR INSTALLATION OF WATER LINES IN WOODLAND AVENUE BETWEEN NINTH STREET AND EMERALD AVENUE

WHEREAS, Resolution No. 71-309 , adopted by the Council of the City of Modesto on April 12th, 1971 , approved the plans and specifications for the installation of Water Lines in Woodland Avenue between Ninth Street and Emerald Avenue and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in Woodland Avenue between Ninth Street and Emerald Avenue were opened at 10:00 A.M. on April 27, 1971 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 Construction Company in the amount of \$7,995.00 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 Construction Company in the amount of \$7,995.00 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 May 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-413

A RESOLUTION ACCEPTING THE CONSTRUCTION OF A.C. CONSTRUCTION COMPANY'S CONTRACT FOR REPLACEMENT OF CURB AND GUTTER ON CORONADO WAY AND BALBOA WAY FROM ENSLEN AVENUE TO SHERWOOD AVENUE

WHEREAS, a report has been filed by the Director of Public Works that the construction ~~is~~ for replacement of Curb and Gutter on Coronado Way and Balboa Way from Enslen Avenue to Sherwood Avenue has been completed by A. C. Construction Company

in accordance with the contract agreement dated March 22, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of replacement of Curb and Gutter on Coronado Way and Balboa Way from Enslen Avenue to Sherwood Avenue be accepted from said contractor, A. C. Construction Company

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$8,720.16 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 May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-414

A RESOLUTION ACCEPTING THE CONSTRUCTION OF KREBS ENGINEERS' CONTRACT FOR FURNISHING OF ONE HORIZONTAL TYPE WATER DESANDING UNIT FOR PUMP STATION NO. 37

WHEREAS, a report has been filed by the Director of Public Works that the construction of contract for furnishing of one horizontal type water desanding unit for Pump Station No. 37 has been completed by Krebs Engineers

in accordance with the contract agreement dated October 13, 1970

NOW, THEREFORE, BE IT RESOLVED that the construction of contract for furnishing of one horizontal type water desanding unit for Pump Station No. 37 be accepted from said contractor, Krebs Engineers

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$3,547.00 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 May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-415

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS EAST ORANGEBURG NO. 4 ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 71-204, adopted on March 15, 19 71, the Council fixed the 10th day of May, 19 71, at the hour of 7:35 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 considering the petition of the owners of not less than one-fourth of the land in the hereinafter described territory by area and by assessed value requesting annexation of said territory to said City, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 71-204 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and in the Ceres Courier, a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus, said publications being completed at least twenty (20) days prior to the date set for the hearing, as required by Sections 35307 and 35311 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and no person owning real property within such territory appeared at said time and place to protest said annexation and no written protests have been filed prior to final adjournment of the hearing on protests to the proposed annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that a majority protest against the proposed annexation of said East Orangeburg No. 4 Addition has not been made and hereby declares its intention to proceed with the annexation of said territory, which is more particularly described as 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 10th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Rosegood  
Public Works Department

RHW  
3-17-71

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot 5 of the Broughton Colony as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, said point being the quarter corner common to Sections 21 and 22; thence along the section line common to Sections 21 and 22 and on the Eastern boundary of said Addition (261), North  $0^{\circ} 27' 00''$  West, 329.91 feet, to the Westerly extension of the South line of the GARDEN ACRES TRACT, as per map filed November 18, 1940, in Volume 14 of Maps, Page 9, Stanislaus County Records; thence along said extension and the Southern line of said Garden Acres Tract and its Easterly extension, North  $89^{\circ} 55' 35''$  East, 1314.12 feet, to the Eastern line of Lot 5 of the Broughton Colony; thence along said Eastern line, South  $0^{\circ} 36' 14''$  East, 329.31 feet, to the Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 1, 1965, as Instrument 1768, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said Addition (170), South  $89^{\circ} 54' 00''$  West, 328.01 feet, to the Northeastern corner of the DOWNEY PARK NO. 2 ADDITION (188), as per description filed May 3, 1966, as Instrument 15774, Stanislaus County Records; thence along said City Limits on the Northern boundary of said Addition (188), South  $89^{\circ} 54' 00''$  West, 550.99 feet, to the Northeastern corner of the EAST ORANGEBURG-COFFEE ADDITION (262), as per description filed November 3, 1970, as Instrument 36116. Stanislaus County Records; thence continuing along said City Limits on the Northern boundary of said Addition (262), South  $89^{\circ} 54' 00''$  West, 436.00 feet, to the point of beginning, containing 9.947 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-416

A RESOLUTION ACCEPTING IMPROVEMENTS IN APPLGATE NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF PERFORMANCE BOND UPON EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, Ward Crump Development, Inc., a corporation, subdividers of Applegate No. 1 Subdivision, have filed a Performance Bond in the amount of \$51,400 to guarantee improvements in Applegate No. 1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated May 4, 1971, 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 as complete and to authorize the City Clerk to file a notice of completion and release the Performance Bond in the amount of \$51,400 upon expiration of the statutory lien period.

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

1. The improvements in Applegate No. 1 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Performance Bond in the amount of \$51,400 upon expiration of the statutory lien period, filed by the Subdividers to guarantee improvements in Applegate No. 1 Subdivision, upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-417

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (RIVERSIDE NO. 5)

WHEREAS, there has been annexed to the City of Modesto on April 26, 1971, certain territory known as Riverside No. 5 Addition, and

WHEREAS, the inclusion of the area contained in Riverside No. 5 Addition 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 Riverside No. 5 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 72.

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

SECTION 5. Monday, June 28, 1971, at the hour of 7:35 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 judgment 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. 72.

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) 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) On the East side of Trask Lane at Viola Street.

(2) On the North side of Roble Avenue at Shannon Drive.

(3) On the West side of North Riverside Drive at El Pasado Drive.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 72, 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 10th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By P. C. Rosegood  
Public Works Department

*RAC*  
*5-6-71*

March 16, 1971

RIVERSIDE NO. 5 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of the Northeast quarter of the Southwest quarter of Section 26, 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 ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records, said point also being on the center line of 60.00 foot public road known as Trask Lane and the North-South quarter, quarter line of said Section 26; thence along the existing City Limits on a Southern boundary of said Addition (228), which is also the Southern line of the Modesto Irrigation District Lateral Number 2, South  $89^{\circ} 58' 00''$  East, 1314.49 feet, to a Southwestern corner of said Addition (228) and the Western Boundary of a 40.00 foot public road known as North Riverside Drive, which is also the North-South quarter section line of said Section 26; thence along said quarter section line, South  $0^{\circ} 34' 00''$  East, 623.06 feet, to a Northeastern corner of said Addition (228); thence continuing along the existing City Limits on a Northern boundary of said Addition (228), North  $89^{\circ} 57' 00''$  West, 657.00 feet, to a Northwestern corner of said Addition (228); thence leaving the existing City Limits, North  $89^{\circ} 57' 00''$  West, 657.13 feet, to the center line of said Trask Lane; thence along said center line, North  $0^{\circ} 36' 00''$  West, 623.18 feet, to the point of beginning, containing 18.792 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 May 10, 1971, 19\_\_\_\_, 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 Councilman Simon, seconded by Councilman Smith, and adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: 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: May 11, 1971

W. T. Chynoweth  
City Clerk of the City of Modesto,  
California

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-418


A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON THE NEEDHAM STREET PROJECT, McHENRY TO HACKBERRY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 14, 1971 , at 7:35 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 Needham Street Project, McHenry to Hackberry

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-419

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEL AND EDDIE LEE WALKER FOR SEWER SERVICE TO PROPERTY NOT CONTIGUOUS TO THE CITY AT 547 CURRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Del and Eddie Lee Walker for sewer service to property not contiguous to the City at 547 Curry 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 10th day of May 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-420

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MERLE A. AND MINNIE M. HALSTEAD FOR SEWER SERVICE TO PROPERTY CONTIGUOUS TO THE CITY AT 2416 ADA STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Merle A. and Minnie M. Halstead for sewer service to property contiguous to the City at 2416 Ada 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 10th day of May 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-421

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$10,000 FOR ADDITIONAL FUNDS NEEDED IN THE EQUIPMENT PARTS AND DAMAGE REPAIRS ACCOUNTS

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

WORKING CAPITAL (512)

FROM: Reserve Appropriation (60-48-512)	\$10,000
TO: Equipment Parts (332-48-512)	\$ 6,000
Damage Repairs (334-48-512)	\$ 4,000

(Due to major overhauls required and significant price increases in equipment parts, insufficient funds exist in the Equipment Parts account to complete the year. The Damage Repairs account is a new one which reflects funds reimbursable to City by insurance)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May 19 71 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-422

A RESOLUTION APPOINTING COUNCILMEN JAMES H. DIXON, JR. AND G. DALE SMITH, COUNCIL REPRESENTATIVES TO STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (S.A.A.G.)

BE IT RESOLVED by the Council of the City of Modesto that Councilmen James H. Dixon, Jr. and G. Dale Smith are hereby appointed council representatives to Stanislaus Area Association of Governments (S.A.A.G.)

BE IT FURTHER RESOLVED that Councilmen Clyde H. Dunlap and Robert T. Elliott are hereby appointed alternate council representatives to Stanislaus Area Association of Governments (S.A.A.G.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of May, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-423

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MODESTO ELECTING  
G. DALE SMITH VICE MAYOR OF THE CITY OF MODESTO


WHEREAS, Section 603 of the Charter of the City of Modesto provides that "at the second meeting of the Council following the election or appointment of a member to the Council, the Council shall elect one of its members as Vice Mayor who shall act as Mayor during the absence or inability of the Mayor to Act."

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Councilman G. Dale Smith is hereby elected Vice Mayor 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 10th day of May, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-424

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR FURNITURE FOR THE MODESTO-STANISLAUS LIBRARY

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

SECTION 1. The plans and specifications for furniture for the Modesto-Stanislaus library

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 3, 1971 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 May 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-425

A RESOLUTION ACCEPTING THE CONSTRUCTION OF drilling, casing AND DEVELOPING WELL NO. 38

WHEREAS, a report has been filed by the Director of Public Works that the construction of drilling, casing and developing Well No. 38 has been completed by Osterberg & Stewart

in accordance with the contract agreement dated March 1, 1971.

NOW, THEREFORE, BE IT RESOLVED that the construction of drilling, casing and developing Well No. 38 be accepted from said contractor, Osterberg & Stewart

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$5,475.40 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 ~~10~~ 17th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-426

A RESOLUTION ACCEPTING THE BID OF LEE CAIN FOR REPLACEMENT OF CURB AND GUTTER ON ENSLEN AVENUE AND SHERWOOD AVENUE FROM ORANGEBURG TO GRANGER AVENUE

WHEREAS, Resolution No. 71-347 , adopted by the Council of the City of Modesto on April 26, 1971 , approved the plans and specifications for the replacement of curb and gutter on Enslsen Avenue and Sherwood Avenue from Orangeburg Avenue to Granger Avenue, and authorized the calling for bids, and

WHEREAS, the bids received for the replacement of curb and gutter on Englsen Avenue and Sherwood Avenue from Orangeburg Avenue to Granger Avenue

were opened at 10:00 A.M. May 11, 1971 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 Cain in the amount of \$10,303.60

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 Cain in the amount of \$10,303.60

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

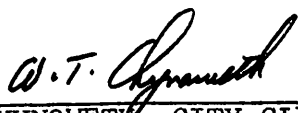
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-427

A RESOLUTION ACCEPTING THE BID OF HOWK WELL & EQUIPMENT CO., INC.  
FOR CONSTRUCTION OF PUMP STATION NO. 38 FACILITIES

WHEREAS, Resolution No. ~~XXXX~~<sup>71-307</sup>, adopted by the Council of the  
City of Modesto on April 12, 1971, approved the plans and  
specifications for the construction of Pump Station No. 38 facilities  
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of pump station No.  
38 facilities  
were opened at 10:00 A.M. May 4, 1971 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 Howk Well & Equipment Co., Inc. in the amount of \$13,889  
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of Howk Well & Equipment Co. in the amount of \$13,889  
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 May,  
1971, by Councilman Smith, who moved its adoption, which motion  
being duly seconded by Councilman Newton, was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-428

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE PLANTING AND IRRIGATION OF MOOSE PARK

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

SECTION 1. The plans and specifications for the planting and irrigation of Moose 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 1, 1971 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 17th day of May 19 71, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-429

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (518 Hunter Avenue, portion of Block 1002-A - Mr. Edward B. Gebhardt - \$505.15) 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 curb and gutter and sidewalk may be required, and

WHEREAS, the Council did, on November 2, 1970 adopt its Resolution No. 70-1084, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, May 17, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$505.15.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$505.15 Dollars, be assessed in 10 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 65 feet of the North 492 feet, more or less, of the West 124.74 feet of the East 630 feet, more or less, of Lot 43 of the Broughton Colony as per map filed March 17, 1904 in Volume 1 of Maps, Page 78, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 17th day of May, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by

Councilman Simon, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-430

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (North 77.5' of Lot 17 of Block 6081 of Wilen Tract - Mr. Donald D. Hamilton - \$238.35) 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 curb and gutter may be required, and

WHEREAS, the Council did, on September 21, 1970 adopt its Resolution No. 70-921, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, May 17, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$238.35.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$238.35 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 77.5' of Lot 17 of Block 6081 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 17th day of May 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:



W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-431

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (1133 Lucern Ave., Block 1038 - Mr. William L. Klaproth - \$932.33)

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 curb, gutter and sidewalk may be required, and WAIVED BY PROPERTY OWNER WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_ adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, May 17, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$932.33.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$932.33 Dollars, be assessed in 10 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Begin 10 feet South and 56 feet East of Southeast corner of Lot 1 of Rice Colony; North 110.05 feet; East 83.87 feet; South 109.80 feet, West to point of beginning.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 17th day of May, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by

Councilman Simon, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-432

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (536 Cavena Ave. on the West side of Block 2168-A - Senter A. Nunley - \$258.00)  
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 curb and gutter may be required, and

WHEREAS, the Council did, on                     , 19    
adopt its Resolution No.                     , directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS,   May 17  , 19 71 , at  4:10  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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of  \$258.00 .

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$258.00 Dollars, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Begin 988.02 feet East and 536.30 feet North of West quarter corner of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; East 155.85 feet; North 79 feet; West to center line Covena Avenue, South to Point of beginning.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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.

- 2 -

(Regular)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO, 71-433

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (N. Santa Cruz Ave., at 1222 Roble  
Ave., Lot 1 of Block 2061 - Mr. Donald W. Locke - \$176.00)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on November 2, 1970  
adopt its Resolution No. 70-1092, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, May 17th, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$176.00.

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

SECTION 1. That the cost of theaforesaid work, being the amount of \$176.00, be assessed in 3 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 2061 of Wilson School Tract No. 2 as per map filed May 17, 1940 in Volume 11 of Maps, Page 74, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 17th day of May, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-434

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (1501 Pearl St., Block 6112 -  
Mr. Cecil Wagoner - \$482.50)

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 construc-  
tion of sidewalk may be required, and  
WAIVED BY PROPERTY OWNER  
WHEREAS, the Council did, on -----, 19--  
adopt its Resolution No. -----, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, May 17th, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$482.50.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$482.50, be assessed 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 6112 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 17th day of May 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-435

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (530 Hunter Ave., portion of Block 1002-A - Mrs. Edith Capps -, \$460.45)  
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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on November 2, 1970 adopt its Resolution No. 70-1083, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, May 17th, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$460.45.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$460.45 Dollars, be assessed in 10 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 50 feet of the North 312 feet, more or less, of the West 124.74 feet of the East 630 feet, more or less, of Lot 43 of the Broughton Colony as per map filed March 17, 1904 in Volume 1 of Maps, Page 78, Stanislaus, County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 17th day of May, 19 71, by Councilman Newton, who moved its adoption, which motion being duly seconded by


Councilman Simon, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-436

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (522 Hunter Avenue, portion of Block 1002-A - Mr. Charles D. Golvin -, \$462.95)  
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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on November 2, 1970 adopt its Resolution No. 70-1085, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, May 17th, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$462.95.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$462.95 Dollars, be assessed in 10 annual installments, as a lien against the parcel(s) of property fronting upon the work so constructed, to wit,

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 65 feet of the North 427 feet, more or less, of the West 124.74 feet of the East 630 feet, more or less, of Lot 43 of the Broughton Colony as per map filed March 17, 1904 in Volume 1 of Maps, Page 78, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) percent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 17th day of May, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by

Councilman Simon, was upon roll call carried and the resolution adopted by the following vote;

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-437

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (536 Hunter Avenue, portion of Block 1002-A - Mrs. Leona Henderson - \$297.25)  
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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on November 2, 1970 adopt its Resolution No. 70-1086, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, May 17th, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$297.25.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$297.25, be assessed 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 South 55 feet of the North 262 feet, more or less, of the West 124.74 feet of the East 630 feet, more or less, of Lot 43 of the Broughton Colony as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 17th day of May 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-438

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (543 Hunter Ave., a portion of Block 1003 - Fact) Mrs. Elsie M. Prickett - \$310.00) (Mrs. Janet M. Reed, Atty-in-/  
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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on                     , 19    
adopt its Resolution No.                     , directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, May 17th, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$310.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$310.00, be assessed in 6 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:

All except the West 10 feet of Lot 2 of Block 1003 of Esgar Tract (Resub) as per map filed March 31, 1941, in Volume 14 of Maps, Page 14, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 17th day of May, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-439

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (541 Hunter Ave., a portion of Block 1003 - Wendolyn J. Wilson - \$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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_ adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, May 17th, 1971, at 4:10 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$310.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$310.00, be assessed in 6 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:

All except the West 10 feet of Lot 3 of Block 1003 of Esgar Tract (Resub) as per map filed March 31, 1941 in Volume 14 of Maps, Page 14, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 17th day of May, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

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

(Installment)

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (1111 "F" Street,  
a portion of Block 81 - Mr. Frank Andrews)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along "F" Street, Block 81, and

WHEREAS, the Council, did, on May 3rd, 1971, adopt its Resolution No. 71-394, directing the Superintendent of Streets to give notice requiring the construction of sidewalks along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 17th day of May 1971, at 4:15 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 notice to be given as directed by said Resolution No. 71-394, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-394 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 17th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (Lucern Ave. at 601  
Castle St., Lot 1 of Block 609 - Mr. Linden A. Dunlop)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks \_\_\_\_\_ have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Lucern Ave., Block 609

\_\_\_\_\_, and  
WHEREAS, the Council, did, on May 3, 1971, adopt its Resolution No. 71-395, directing the Superintendent of Streets to give notice requiring the construction of sidewalks \_\_\_\_\_ along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 17th day of May 1971, at 4:15 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 notice to be given as directed by said Resolution No. 71-395, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-395 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 17th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (Edison Ave. at 811  
Edison Ave., Lot 1 of Block 672 - Mr. James Elkins)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks \_\_\_\_\_ have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Edison Ave., Block 672

\_\_\_\_\_, and  
WHEREAS, the Council, did, on May 3, 1971, adopt its Resolution No. 71-396, directing the Superintendent of Streets to give notice requiring the construction of sidewalks \_\_\_\_\_ along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 17th day of May 1971, at 4:15 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 notice to be given as directed by said Resolution No. 71-396, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-396 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 17th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURB AND GUTTER ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (518 Johnson St.,  
Lot 18 of Block 573 - Mr. Leonard Harrington)

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 curb and gutter may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curb and gutter have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Johnson Street, Block 573

, and  
WHEREAS, the Council, did, on May 3, 1971, adopt its Resolution No. 71-397, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 17th day of May 1971, at 4:15 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 notice to be given as directed by said Resolution No. 71-397, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-397 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 17th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

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

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (Pearl Street at  
1452 College Ave., Lot 17 of Block 6070 - Mrs. Margaret  
H. Lind)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Pearl Street, Block 6070,

and  
WHEREAS, the Council, did, on May 3, 1971, adopt its Resolution No. 71-398, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 17th day of May 1971, at 4:15 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 notice to be given as directed by said Resolution No. 71-398, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-398 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 17th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST:

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



SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-399 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 17th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (Locke Road at 701  
Rose Ave., a portion of Block 1025 - Mr. Leland C.  
McCafferty)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Locke Road, Block 1025, and

WHEREAS, the Council, did, on May 3, 1971, adopt its Resolution No. 71-400, directing the Superintendent of Streets to give notice requiring the construction of sidewalks along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 17th day of May 1971, at 4:15 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 notice to be given as directed by said Resolution No. 71-400, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-400 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 17th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (710 Castle St.,  
Lot 11 of Block 608 - Mr. Harold Meyering)

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 sidewalks may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Castle St., Block 608

, and  
WHEREAS, the Council, did, on May 3, 1971, adopt its Resolution No. 71-401, directing the Superintendent of Streets to give notice requiring the construction of sidewalks along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 17th day of May 1971, at 4:15 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 notice to be given as directed by said Resolution No. 71-401, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-401 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 17th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-448

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D(88). (DR. ZANE GARD)

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Dr. Zane Gard on February 16, 1971, to reclassify from One-Family Residential Zone, R-1, and Two-Family Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

All that portion of Lot 13 of the Broughton Colony as shown on the map filed in Volume 1 of Maps at Page 78, Stanislaus County Records lying in the northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the intersection of the west line of said Section 22 with the westerly prolongation of the north line of said Lot 13; thence North  $89^{\circ} 53' 05''$  East along said north line of Lot 13 and its westerly prolongation thereof, a distance of 887.18 feet to its intersection with the centerline of Granada Way, a 50.00 foot wide public street and the true point of beginning of this description; thence continuing North  $89^{\circ} 53' 05''$  East along said north line of Lot 13 a distance of 428.06 feet to the northeast corner thereof; thence South  $0^{\circ} 32' 07''$  East along the east line of said Lot 13 a distance of 329.76 feet to the southwest corner of the North half of said Lot 13; thence South  $89^{\circ} 53' 36''$  West along the south line of the North half of said Lot 13 a distance of 170.97 feet to the east line of Parcel 3 as shown on the map filed in Volume 3 of Parcel Maps at Page 121, Stanislaus County Records; thence North  $0^{\circ} 06' 24''$  West along said east line of Parcel 3 a distance of 130.22 feet; thence South  $89^{\circ} 53' 36''$  West a distance of 122.20 feet; thence in a westerly direction along a curve concave to the southeast thru a central angle of  $21^{\circ} 42' 56''$ , having a radius of 250.00 feet, a curve distance of 94.75 feet; thence North  $21^{\circ} 49' 20''$  West along a radial line a distance of 72.19 feet; thence in a northerly direction along a curve concave to the East thru a central angle of  $21^{\circ} 19' 40''$ , having a radius of 250.00 feet, a curve distance of 93.06 feet; thence North  $0^{\circ} 29' 40''$  West a distance of 59.34 feet to the point of beginning.

Containing 2.443 acres gross.

WHEREAS, after public hearing held on March 16, 1971, it was found and determined by the Planning Commission that rezoning of the property as requested is not required by public necessity, convenience and general welfare for the following reason:

Any transition of housing density and type, between the existing single-family residential area to the north and east of the subject property and the high and medium density residential areas and the community park area to the west and south, should be made wholly on the subject property, and

WHEREAS, by Resolution No. 71-34 the Planning Commission denied the application of Dr. Zane Gard for an amendment to Section 22-3-9 of the Zoning Map to reclassify the property described above from One-Family Residential Zone, R-1, and Two-Family Residential Zone, R-2, to Planned-Development Zone, P-D(88), to allow construction of a 24-unit, 1-story apartment complex on the north side of Kruger Drive, and a Single-Family Residence and duplex on the south side of Kruger Drive, and

WHEREAS, an appeal to the Planning Commission's decision denying the above requested rezoning was filed with the City Council on April 5, 1971, and

WHEREAS, the Council of the City of Modesto held a public hearing in the Council Chambers on April 26, 1971, at 7:35 p.m., for the purpose of considering the appeal, and

WHEREAS, after the public hearing held on April 26, 1971, the Council referred this Planned-Development Zone application back to the Planning Commission to determine conditions to be applied to the Planned-Development Zone, and requested staff reports on the traffic and storm drainage implications of this Planned-Development Zone, and

WHEREAS, after receipt of a report from the Planning Commission setting forth conditions to be applied to the Planned-Development Zone and staff reports on the traffic and storm drainage implications of this Planned-Development Zone, and after further consideration on May 10, 1971, and May 17, 1971, the Council found and determined that the application of Dr. Zane Gard for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the following reasons:

1. All of the subject property has collector street frontage on either Kruger Drive or Crestview Drive.

2. All of the subject property faces City park property and a future large 2-story apartment complex to the west.

3. The subject property would provide a density transition between these more intensive land uses and the one-family residential areas to the north and east, and

WHEREAS, the Council has introduced Ordinance No. 1112 -C.S. on the 17th day of May, 1971, reclassifying the above-described property from One-Family Residential Zone, R-1, and Two-Family Residential Zone, R-2, to Planned-Development Zone, P-D(88).

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(88), is hereby approved in accordance with the plan titled "Central-Cal Enterprises" dated March 16, 1971, as amended in red on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That all development shall be in accordance with the plan titled, "Central-Cal Enterprises", dated March 16, 1971, as amended in red on its face and on file in the office of the Planning Director.
2. That all parking and driveway areas be improved in accordance with the provisions of Section 10-2.1805 and Section 10-2.1807 of the Municipal Code. The drainage facilities for the parking area shall be approved by the Director of Public Works.
3. That prior to the issuance of a building permit, the developer shall dedicate and construct all necessary street improvements including but not limited to concrete curb, gutter and sidewalk, matching street pavement, street lights, and street trees, to City of Modesto Subdivision Standards.
4. That the development shall be connected to City of Modesto water and sewer service.
5. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Planning Director and the Director of Parks and Recreation. 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.

6. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of trash and other debris.
7. That any signs on the premises shall conform to the sign requirements as specified in the R-2 Zone.
8. The developer shall submit street improvement plans, prepared by a registered Civil Engineer, to the Public Works Department for approval by the City Engineer.
9. That prior to the issuance of a building permit, the developer shall pay to the City of Modesto, the cost of planting 19 street trees at the prevailing rate.
10. That all required street dedication shall be made and public improvements shall be installed or security posted prior to the issuance of a building permit.
11. That prior to the issuance of a building permit a cash deposit, savings and loan certificate, surety bond or other instrument of credit in the amount to be determined by the City Engineer, may be filed with the City Clerk to guarantee installation of public improvements by July 1, 1974, or prior to occupancy, whichever occurs first.
12. That the air conditioning units for all dwelling units be located within the courtyard areas not closer than 15 feet to any property line.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(88):

All development shall be accomplished in one phase with construction to begin on or before July 1, 1972, and be completed not later than July 1, 1974.

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 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(88) 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 May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: 0 Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-449

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF MODESTO TO CALL A SPECIAL ELECTION TO ANNEX TERRITORY TO THE CITY OF MODESTO.  
(ROUSE NO. 2 ADDITION)

WHEREAS, on the 17th day of May, 1971, a petition proposing that the following described new territory, to wit, Rouse No. 2 Addition, be annexed to the City of Modesto, was duly received by the Council of the City of Modesto, and

WHEREAS, said petition is signed by not less than one-fourth (1/4) of the qualified electors residing within said described territory as shown by the County registration of voters, and

WHEREAS, said petition contains said description of the said new territory proposed to be annexed to said City of Modesto,

NOW, THEREFORE, it is hereby resolved that it is the intention of this Council to call a special election for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election. Said territory is described as attached hereto.

Said territory shall be designated and referred to upon election ballots as Rouse No. 2 Addition.

Any person owning real property within the said described territory may appear before the Council of the City of Modesto on the 14th day of June, 1971, at the hour of 7:40 o'clock P.M., at the Council Chambers located in the City Hall, 801 - 11th Street, Modesto, California, concerning written protest against the annexation filed pursuant to Government Code Section 35120.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Benzard  
Public Works Department

*Rick*  
5-18-71

All that real property in the State of California, County of Stanislaus, being a portion of the East half 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 the Northwestern corner of the MODESTO SEWAGE DISPOSAL PLANT AREA ADDITION (28), as per description filed March 7, 1950, as Instrument 5120, Stanislaus County Records, and the Eastern line of the BELLENITA NO. 2 ADDITION (198), as per description filed November 28, 1966, as Instrument 40426, Stanislaus County Records, said point being on the section line common to Sections 5 and 6 and the center line of a 60 foot Public Road known as Sutter Avenue, said point also being 2.10 feet North of the intersection of the center lines of said Sutter Avenue and a 50 foot Public Road known as Robertson Road; thence along the existing City Limits on the Eastern line of said ADDITION (198) and the center line of said Sutter Avenue, North 00° 10' 00" East, 664.77 feet, to the Northeastern corner of said ADDITION (198) and the Southeastern corner of the BELLENITA ADDITION (169), as per description filed October 19, 1964, as Instrument 41437, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said ADDITION (169) and the center line of Sutter Avenue, North 00° 10' 00" East, 664.98 feet, to the Northeastern corner of said ADDITION (169) and the Southeastern corner of the MINENI MANOR ADDITION (63), as per description filed July 26, 1955, as Instrument 21227, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said ADDITION (63) and the center line of Sutter Avenue, North 00° 10' 00" East, 1334.20 feet, to the Northeastern corner of said ADDITION (63) and the Southeastern corner of the HUDSON-UCCELLO ADDITION (51), as per description filed August 28, 1953, as Instrument 21233, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said ADDITION (51) and the center line of Sutter Avenue, North 00° 10' 00" East, 626.90 feet, to the Northeastern corner of said ADDITION (51) and the Southeastern corner of the JAMES MARSHALL SCHOOL ADDITION (34), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the existing City Limits on an Eastern line of said ADDITION (34) and the center line of Sutter Avenue, North 00° 10' 00" East, 657.83 feet, to a point on a Southern line of said ADDITION (34); thence along the existing City Limits on said Southern line of said ADDITION (34), South 89° 50' 00" East, 20.00 feet, to a point on an Eastern line of said ADDITION (34); thence along the existing City Limits on said Eastern line, North 00° 10' 00" East, 20.00 feet, to a point on the North line of said Section 5, said line being the Original City Limits of the City of Modesto; thence along the existing City Limits on said North line of Section 5, North 89° 58' 00" East, 1330.00 feet, to the Northwestern corner of the SUNSET ACRES NO. 2 ADDITION (41), as per description filed December 27, 1950, as Instrument 29350, Stanislaus County Records; thence along the existing City Limits on the Western line of said ADDITION (41), South 00° 11' 55" West, 264.00 feet, to the Southwestern corner of said ADDITION (41); thence along the existing City Limits on the Southern line of said ADDITION (41), North 89° 58' 00" East, 300.00 feet, to the Southeastern corner of said ADDITION (41) and the Southwestern corner of the SUNSET ACRES NO. 1 ADDITION (40), as per description filed December 27, 1950, as Instrument 29350, Stanislaus County Records; thence along the existing City Limits on the Southern line of said ADDITION (40), North 89° 58' 00" East, 10.00 feet, to the Eastern line of property conveyed to the Modesto Irrigation District by Deed recorded May 3, 1911, as Instrument 2999, Stanislaus County Records; thence leaving the existing City Limits and along the Eastern line of said Modesto Irrigation District property, South 00° 11' 55" West, 50.00 feet, to the Southeastern corner of said Modesto Irrigation District property; thence along the Southern line of said Modesto Irrigation District property, South 89° 58' 00" West, 10.00 feet, to a point on the Eastern line of Lot 14 of the Sunset Acres Tract as per map filed January 14, 1911, in Volume 5 of Maps, Page 25, Stanislaus County Records; thence along the Eastern line of Lots 14, 21, 26, 33, 39, 46 and 52 of said Sunset Acres Tract, South 00° 11' 55" West,

1004.30 feet, to the Southeastern corner of said Lot 52; thence along the Southern line of said Lot 52, South  $89^{\circ} 58' 00''$  West, 330.00 feet, to the Southwestern corner of said Lot 52, said point being the Northwestern corner of Lot 19 of the Rouse Colony, as per map filed January 10, 1911, in Volume 5 of Maps, Page 24, Stanislaus County Records, said point also being on the center line of a 40 foot Public Road known as Colorado Avenue; thence along the Western line of Lots 13 and 19 of said Rouse Colony and the center line of Colorado Avenue, South  $00^{\circ} 11' 55''$  West, 660.00 feet, to the Southwestern corner of said Lot 13; thence along the Southern line of Lot 13, North  $89^{\circ} 58' 00''$  East, 20.00 feet, to the Northwestern corner of the YOUNG ADDITION (149), as per description filed February 8, 1963, as Instrument 5122, Stanislaus County Records; thence along the existing City Limits on the Western line of said ADDITION (149), South  $00^{\circ} 11' 55''$  West, 1990.31 feet, to a point on the Northern line of the DRYDEN-DURAND ADDITION (61), as per description filed June 23, 1955, as Instrument 18187, Stanislaus County Records; thence along the existing City Limits on Northern lines of said ADDITION (61) the following bearings and distances, South  $89^{\circ} 56' 30''$  West, 20.00 feet, South  $89^{\circ} 58' 00''$  West, 658.69 feet, to the Northwestern corner of said ADDITION (61) and the Northeastern corner of first above mentioned ADDITION (28); thence along the existing City Limits on the Northern line of said ADDITION (28), South  $89^{\circ} 58' 00''$  West, 659.10 feet, to the point of beginning containing 129.245 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-450

RESOLUTION APPROVING ASSIGNMENT OF SERVICE OFFICER IN POLICE  
BUILDING TO HANDLE ROUTINE TYPE CASE REPORTS

WHEREAS, the Chief of Police in a memorandum to the City Manager dated May 3, 1971 has recommended the assignment of personnel as "Service Officers" in the Police Building to handle routine type case reports where an officer's presence is not needed at the scene;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the assignment of personnel as "Service Officers" in the Police Building to handle routine type case reports where an officer's presence is not needed at the scene, 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 May, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton,, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-451

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,340 TO PROVIDE FUNDS FOR EQUIPMENT AND SUPPLIES FOR SERVICE OFFICER

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$1,340
TO: Communications (204-22-101)	294
M/R Buildings & Grounds (224-22-101)	10
Office Supplies (301-22-101)	23
Books & Periodicals (302-22-101)	83
Capital Outlay - Desk (5516-22-101)	254
Capital Outlay - Chair (5517-22-101)	124
Capital Outlay - Bookcase (5518-22-101)	107
Capital Outlay - Window Installation (52-1-22-101)	445

(Funds are necessary to provide equipment and supplies for service officer)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-452

RESOLUTION APPROVING CONSOLIDATED CALL FOR BIDS FOR GASOLINE WITH STANISLAUS COUNTY, FOR CITY'S ANNUAL NEEDS FOR PERIOD BEGINNING JULY 1, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Purchasing Officer is hereby authorized to join with the Stanislaus County Purchasing Agent in a consolidated call for bids for furnishing the annual requirements of the City of Modesto for gasoline for a one-year period commencing July 1, 1971.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-453

A RESOLUTION APPROVING REFUND OF MILL TAX PAID BY DIAMOND  
NATIONAL CORPORATION

WHEREAS, Section 6-1.114 of the Modesto Municipal Code requires that every person conducting a business is required to pay a business license tax on gross receipts, and shall file a quarterly declaration of gross receipts for the previous quarter on or before the last day of the first month of the following quarter; and

WHEREAS, Diamond National Corporation moved outside the city limits August 15, 1970 but continued to pay city business license tax through the quarter ending December 31, 1970; and

WHEREAS, Diamond National Corporation has requested that the mill tax erroneously paid the City of Modesto during the period August 16, 1970 through December 31, 1970 be refunded; and

WHEREAS, the City Finance Department has verified that \$536.48 paid by Diamond National Corporation to the City of Modesto as mill tax during the period August 16, 1970 through December 31, 1970 constitutes an overpayment and recommends that the amount be refunded to Diamond National Corporation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that refund of \$536.48 to Diamond National Corporation, constituting overpayment of mill tax during period August 16, 1970 through December 31, 1970, 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 May, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-454

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
BROOKS CONSTRUCTION COMPANY FOR DEMOLITION OF CITY-OWNED BUILDING  
LOCATED AT 101 HACKBERRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Brooks  
Construction Company  
for demolition of city-owned building located at 101 Hackberry  
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 17th day of  
May 19 71 , by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Elliott ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-455

A RESOLUTION APPROVING SALE OF SURPLUS PROPERTY ADJACENT TO DOWNEY PARK TO ZANE R. GARD AND ERMA J. GARD, HUSBAND AND WIFE

BE IT RESOLVED by the Council of the City of Modesto that the sale of surplus City of Modesto property adjacent to Downey Park, more particularly described below, to Zane R. Gard and Erma J. Gard, husband and wife, for \$6,500 is hereby approved.

All that portion of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Parcel C as per map filed July 26, 1967 in Volume 3 of Parcel Maps, Page 121, Stanislaus County Records, containing 0.475 acre net, more or less.

Except that portion of the 60.00 foot right of way for a public road known as Crestview Drive.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said deed in 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 17th day of May, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-456

AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS TO PROVIDE FOR NON-FIXED EQUIPMENT IN NEW LIBRARY

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
amended  
that the/agreement between the City of Modesto and County of Stanislaus to provide  
for non-fixed Equipment in new Library

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
amended  
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 May 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-457

A RESOLUTION ACCEPTING GRANT DEED FROM LAWRENCE ROBINSON, JR. AND MARJORIE W. ROBINSON, HUSBAND AND WIFE, FOR PARK LAND

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it does hereby accept a grant deed from Lawrence Robinson, Jr. and Marjorie W. Robinson, husband and wife, for land offered to the City of Modesto in letter dated May 13, 1971, to be used for park purposes, more particularly described as follows:

All that real property in the State of California, County of Stanislaus, City of Modesto, Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All that portion of Block 228 of the City of Modesto, as per Map filed December 21, 1942 in Volume 15 of Maps, Stanislaus County Records, described as follows:

Commencing at the Southeastern corner of said Block 228; thence along the Southern line of said Block 228, North  $89^{\circ} 17' 23''$  West, 120.52 feet; thence continuing along the said Southern line and along a curve concave to the Southeast, having a Radius of 785.00 feet, a Central Angle of  $27^{\circ} 13' 44''$ , and an Arc Length of 373.00 feet; thence along the Western boundary of the property designated as parcel #1, deeded to Lawrence and Marjorie W. Robinson, Jr., recorded in Volume 838, Page 526, Stanislaus County Records, North  $16^{\circ} 34'$  East, 12.61 feet; thence along the Western boundary of property designated as Parcel #2, deeded to Lawrence and Marjorie W. Robinson, Jr., recorded in Volume 838, Page 526, Stanislaus County Records, North  $16^{\circ} 34'$  East, 192.39 feet; thence continuing along said boundary, North  $13^{\circ} 19' 30''$  West, 62.98 feet to the true point of beginning of this description; thence continuing along said boundary, North  $13^{\circ} 19' 30''$  West, 186.26 feet to the approximate center line of Beard Brook; thence along said approximate center line, North  $68^{\circ} 58' 20''$  East, 142.36 feet, to the Eastern line of the Robinson property; thence along said Eastern line, South  $13^{\circ} 19' 30''$  East, 212.18 feet; thence South  $79^{\circ} 27' 02''$  West, 141.24 feet, to the point of beginning.

BE IT FURTHER RESOLVED that the City of Modesto will install a chain link type fence on its park boundaries adjacent to the property of Mr. and Mrs. Robinson withing 120 days after the property is deeded to the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby authorized to record said Grant Deed with 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 17th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-458

A RESOLUTION ESTABLISHING PRICES TO BE CHARGED FOR CENTENNIAL  
BOOKS AND SOUVENIRS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the price list entitled MODESTO CENTENNIAL SOUVENIRS dated May 10, 1971, attached hereto and marked Exhibit "A", is hereby established as the prices to be charged by the City of Modesto for Centennial books and souvenirs.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CENTENNIAL SOUVENIRS

<u>Description</u>	<u>Prices to be charged by City</u>
12 Oz. Glasses (set of 4)	\$ 2.95
6" Ash Tray	1.25
8" Ash Tray	1.75
4" Ash Tray	.50
Moulded Ash Tray	3.50
Vu-Lighter	3.50
Large Medallion	4.75
Money Clip	1.95
Curoc Tray	15.00
Coasters (set of 4)	5.25
Saddle Key Tab	.30
Tie Bar	3.25
Tie Tack	2.50
Cuff Links	5.50
Pin	2.50
Women's Charms: Plain	4.95
Women's Charms: Fancy	6.95
4" Coasters	.50
Large 1888 Map	1.50
Small 1888 Map	.50
Books (Hard Back)	9.00
Books (Soft Back)	6.00

EXHIBIT "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-459

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RIBERA & SUE, LANDSCAPE ARCHITECTS, TO PREPARE A MASTER PLAN FOR ROSE AVENUE PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ribera & Sue, Landscape Architects for preparation of Master Plan for Rose Avenue Park for a lump sum of \$4,500 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 May 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-460

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$18,000 TO PROVIDE FUNDS FOR PROGRAM OF REPAIRING CURBS AND GUTTERS DAMAGED BY STREET TREES

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$18,000
TO: Construction Materials (321-51-101)	\$18,000

(Funds are requested to continue program of repairing curbs and gutters damaged by street trees. Request is made at this time so that surveys and plans can be started. Money is proposed to be carried over into the 1971-72 budget)

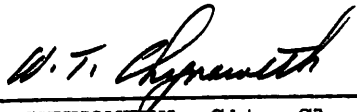
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of May 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-461

A RESOLUTION REJECTING CLAIM OF ELDRIDGE E. COATS, JR. IN AMOUNT OF \$350,000 FOR ALLEGED WILFUL ASSAULT, FALSE ARREST AND PERSONAL INJURIES

WHEREAS, a claim for damages in amount of \$350,000 was filed against the City of Modesto, Modesto City Police Officer Leo Volk, and Modesto City Police Officer Martin on April 6, 1971 by Rushing and Clark, Attorneys at Law, in behalf of Eldridge E. Coats, Jr., for alleged wilful assault, false arrest and personal injuries.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby rejects the claim for damages in amount of \$350,000 filed against the City of Modesto, Modesto City Police Officer Leo Volk, and Modesto City Police Officer Martin by Rushing and Clark, Attorneys at Law, in behalf of Eldridge E. Coats, Jr., for alleged wilful assault, false arrest and personal injuries.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-462

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 8, 1971 at 10:15 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 24th day of May 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-463

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING 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 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 June 8, 1971 at 10:30 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 24th day of May 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-464

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF LAMPS

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 lamps

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, 1971 at 10:45 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 24th day of May 19 71, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-465

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF ROCK, SAND AND GRAVEL

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 rock, sand and gravel

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, 1971 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 May 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-466

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF LIQUID AND EMULSIFIED ASPHALTS

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 and emulsified asphalts

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, 1971 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 24th day of May, 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-467

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR FURNISHING 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 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 8, 1971 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 24th day of May, 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-468

A RESOLUTION ACCEPTING THE CONSTRUCTION OF GEORGE REED, INC. CONTRACT FOR ASPHALT CONCRETE RESURFACING VARIOUS CITY STREETS, SPRING 1971

WHEREAS, a report has been filed by the Director of Public Works that the construction of Asphalt Concrete Resurfacing Various City Streets, Spring 1971 has been completed by George Reed, Inc.

in accordance with the contract agreement dated April 26, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of Asphalt Concrete Resurfacing Various City Streets, Spring 1971 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 \$11,935.27 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 May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:   
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-469

A RESOLUTION ACCEPTING THE BID OF GEORGE F. SCHULER, INC. FOR INSTALLATION OF WATER LINES IN HAGSTROM PARK NO. 2, BRENTWOOD ESTATES NO. 3 AND CARVER MANOR NO. 1

WHEREAS, Resolution No. 71-370 , adopted by the Council of the City of Modesto on May 3, 1971 , approved the plans and specifications for the installation of Water Lines in Hagstrom Park No. 2, Brentwood Estates No. 3 and Carver Manor No.1 and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in Hagstrom Park No. 2, Brentwood Estates No. 3 and Carver Manor No. 1 were opened at 10:00 A.M. on May 18, 1971 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 F. Schuler, Inc. in the amount of \$15,602.30

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George F. Schuler, Inc. in the amount of \$15,602.30

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 24th day of May 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-470

A RESOLUTION ACCEPTING THE BID OF B G ENGINEERING CONTRACTORS, INC. FOR THE IMPROVEMENT OF THE BODEM-SUNRISE CONNECTION

WHEREAS, Resolution No. 71-372 , adopted by the Council of the City of Modesto on May 3, 1971 , approved the plans and specifications for the Improvement of the Bodem-Sunrise Connection

and authorized the calling for bids, and

WHEREAS, the bids received for the Improvement of the Bodem-Sunrise Connection were opened at 10:10 A.M. on May 18, 1971 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 BG Engineering Contractors, Inc. in the amount of \$24,159 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 G Engineering Contractors, Inc. in the amount of \$24,159 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 May 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-471

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE RUTAN COMPANY'S CONTRACT FOR INSTALLATION OF WATER LINES FOR FIRE HYDRANT INSTALLATIONS AT SCENIC HOSPITAL AND CITY HOSPITAL

WHEREAS, a report has been filed by the Director of Public Works that the construction of Water Lines for Fire Hydrant installations at Scenic Hospital and City Hospital has been completed by The Rutan Co.

in accordance with the contract agreement dated March 22, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of Water Lines for Fire Hydrant installations at Scenic Hospital and City Hospital be accepted from said contractor, The Rutan Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$6,900.28 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 May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-472

A RESOLUTION ACCEPTING THE BID OF PHOTO AND SOUND COMPANY TO FURNISH  
FILM INSPECTION AND PROJECTION EQUIPMENT FOR NEW LIBRARY BUILDING

WHEREAS, Resolution No. 71-325 , adopted by the Council of the  
City of Modesto on April 19, 1971 , approved the plans and  
specifications for the furnishing of film inspection and projection  
equipment for new library building  
and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of film inspection  
and projection equipment for new library building  
were opened at 2:00 P.M. on May 4, 1971 and later tabulated by the  
Purchasing Officer for the consideration of the Council, and

WHEREAS, the Purchasing Officer has recommended that  
the bid of Photo and Sound Company in the amount of \$10,774

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of Photo and Sound Company in the amount of \$10,774

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 May  
1971 , by Councilman Smith , who moved its adoption, which motion  
being duly seconded by Councilman Dunlap , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-473

A RESOLUTION ACCEPTING THE BID OF EASTMAN KODAK COMPANY TO FURNISH MICROFILM EQUIPMENT FOR NEW LIBRARY BUILDING

WHEREAS, Resolution No. 71-326 , adopted by the Council of the City of Modesto on April 19, 1971 , approved the plans and specifications for the furnishing of Microfilm Equipment for new library building

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of Microfilm Equipment for new library building

were opened at 2:15 P.M. on May 4, 1971 and later tabulated by the Purchasing Officer for the consideration of the Council, and

WHEREAS, the Purchasing Officer has recommended that the bid of Eastman Kodak Company in the amount of \$15,404

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Eastman Kodak Company in the amount of \$15,404

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 May 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-474

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D(90).

WHEREAS, a verified application for an amendment to Section 27-3-9 of the Zoning Map was filed by O. F. C. Properties on March 15, 1971, to reclassify from Multiple-Family Residential Zone, R-3, to Planned-Development Zone, P-D, the following described property:

Parcel No. 1:

All that portion of Lot 38 of the Broughton Colony Tract, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 17, 1904, in Volume 1 of Maps, at Page 78, described as follows:

Beginning at the Southwest corner of said Lot 38; thence North along the West line of said Lot 38, a distance of 408 feet, more or less, to the Southwest corner of the property conveyed to Calvary Lutheran Church of Modesto, a corporation, by deed dated June 11, 1956, and recorded July 11, 1956, in Volume 1374 of Official Records, at Page 392, as Instrument No. 19033; thence Easterly along the South line of said Calvary Lutheran Church of Modesto property, a distance of 225 feet; thence Southerly 341 feet, more or less, to a point on the South line of said Lot 38 which point bears Northeasterly, measured along the South line of said Lot 38, a distance of 235 feet from the point of beginning; thence Southwesterly along the Southerly line of said Lot 38, a distance of 235 feet to the point of beginning.

Parcel No. 2:

All that portion of Lot 38 of the Broughton Colony Tract, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 17, 1904 in Volume 1 of Maps, at page 78, described as follows:

Beginning at a point which bears Northeasterly, measured along the South line of said Lot 38, a distance of 235 feet from the Southwest corner of said Lot 38, and being the Southeast corner of Parcel No. 1, hereinabove described; thence Northerly, 114 feet along the Easterly line of said Parcel No. 1; thence Southeasterly, 110 feet, more or less, to a point on the South line of said Lot 38, which point bears Northeasterly, measured along the South line of said Lot 38, a distance of 24 feet from the point of beginning; thence Southwesterly along the Southerly line of said Lot 38, a distance of 24 feet to the point of beginning.

Including also the northerly 25 feet of Scenic Drive immediately adjacent to the above described Parcel No. 1 and Parcel No. 2.

WHEREAS, after public hearing held on April 20, 1971, 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 subject property is properly located and already zoned for R-3 density apartments.
2. The proposed P-D Zone would allow a departure in site design from the rigid inflexible design standards of the existing R-3 Zone.

WHEREAS, after a public hearing held on May 24, 1971, the Council found and determined that the application of O. F. C. 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. 1115 -C.S. on the 24th day of May, 1971, reclassifying the above-described property from Multiple-Family Residential Zone, R-3, to Planned-Development Zone, P-D(90).

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(90), is hereby approved in accordance with the plan titled, "Scenic Apartments," dated April, 1971, as amended in red on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That all development shall be in accordance with the above mentioned plan.
2. That all parking and driveway areas be improved in accordance with the provisions of Section 10-2.1805 and 10-2.1807 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.
3. That prior to the issuance of a building permit, the developer shall dedicate 20 feet of right-of-way across the frontage of the property for the widening of Scenic Drive, and shall submit street improvement plans prepared by a registered Civil Engineer to the Public Works Department for approval by the City Engineer. The developer shall install street improvements across the Scenic Drive frontage of the property to City of Modesto Subdivision Standards for Major Streets including one street light.
4. That the development shall be connected to the City of Modesto water and sewer facilities.

5. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Planning Director and the Director of Parks and Recreation. The landscaping and irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plans. Irrigation shall be by underground sprinkler system.
6. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.
7. That any signs on the premises shall conform to the sign requirements as specified in the R-3 Zone.
8. That the developer shall install three fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Hydrants shall be installed and operable prior to the occupancy of the premises.
9. That prior to the issuance of a building permit, the developer shall pay to the City of Modesto the cost of planting 6 street trees at the prevailing rate.
10. That all required street dedication shall be made and public improvements, including fire hydrants, shall be installed or security posted prior to the issuance of a building permit.
11. That prior to the issuance of a building permit, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit in the amount to be determined by the City Engineer, may be filed with the City Clerk to guarantee installation of all public improvements by January 1, 1973, or prior to occupancy, whichever occurs first.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(90):

That the entire construction program be accomplished in one phase, construction to begin on or before July 1, 1972, and be completed not later than January 1, 1973.

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 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(90) 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 May, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-475

A RESOLUTION GRANTING A VARIANCE TO ISABEL BERBERIAN CORPORATION TO ALLOW CONSTRUCTION OF A BUILDING IN THE M-1 ZONE OUT TO THE FRONT PROPERTY LINE OF A PARCEL LOCATED ON THE NORTHEAST SIDE OF 9TH STREET BETWEEN "C" AND "D" STREETS IN THE CITY OF MODESTO.

WHEREAS, an application for a variance to allow construction of a building in the M-1 Zone out to the front property line of a parcel located on the northeast side of 9th Street between C and D Streets was filed by Isabel Berberian Corporation on April 30, 1971, and

WHEREAS, Ordinance No. 906-C. S. effective September 4, 1968, specified that all buildings shall be set back from 9th Street, 44 feet from the centerline, which is 4 feet behind the existing property line of the subject property, and said ordinance also specifies that when practical difficulties, unnecessary hardship, or results inconsistent with the general purpose of the ordinance result through a strict and literal interpretation and enforcement of the provisions thereof, the Board of Zoning Adjustment shall have the authority, as an administrative act subject to the provisions of the ordinance, to grant, upon such conditions as it may determine, such variances from the provisions as may be in harmony with its general purpose and intent, so that the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done, and

WHEREAS, said application was set for a public hearing before the Board of Zoning Adjustment in the Council Chambers located in the City Hall, 801 11th Street in the City of Modesto on May 6, 1971, and

WHEREAS, said hearing was held at the above time and place and evidence, both oral and documentary, was taken and introduced, and

WHEREAS, thereafter, the Board of Zoning Adjustment adopted Resolution No. 391 denying a variance to Isabel Berberian Corporation, and

WHEREAS, an appeal from said denial of a variance was filed with the City Clerk on May 6, 1971, and

WHEREAS, by Resolution No. 71-411 adopted on May 10, 1971, the Council set May 24, 1971, at 7:45 o'clock P. M. in the Council Chambers as the time and place for a public hearing on the appeal, and

WHEREAS, said public hearing was held on the above-mentioned date, and upon the evidence, both oral and documentary taken and introduced at said hearing, the Council found and determined that the decision of the Board of Zoning Adjustment should be overruled.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that granting a variance to Isabel Berberian Corporation to allow construction of a building in the M-1 Zone out to the front property line of a parcel located on the northeast side of 9th Street between C and D Streets in the City of Modesto is required by public necessity, convenience, and general welfare for the following reasons:

1. The granting of this variance will allow for a 4-foot sidewalk which is the same width sidewalk as has been used in other areas of Ninth Street to no great detriment to the public welfare.


2. Industrial zoning of the subject parcel and the surrounding property in general makes it improbable that a great deal of pedestrian traffic will exist in this area.

3. The applicant, prior to the adoption of the setback ordinance, constructed the first phase of a warehouse project with only a 4-foot wide sidewalk as was then required. It would not be logical to have a 4-foot sidewalk for one portion of the building and an 8-foot sidewalk for the new portion of the building.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-476

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON CORRIDOR AND HIGHWAY DESIGN FOR NEEDHAM STREET, AND RESCINDING RESOLUTION NO. 71-418

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Monday, June 28, 1971 at 7:40 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 corridor and highway design for Needham Street between Hackberry Avenue and McHenry Avenue.

BE IT FURTHER RESOLVED that Resolution No. 71-418 setting June 17, 1971 at 7:35 P.M. as the time for hearing is hereby rescinded.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-477

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (Hunter Ave. & Esgar Ave. at 527 Hunter Ave. - Mr. John R. Bradley -, \$691.00)

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 curb, gutter and sidewalk may be required, and WAIVED BY PROPERTY OWNER  
WHEREAS, the Council did, on -----, 19-- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, May 24, 1971, at ----- 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$691.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$691.00, be assessed in 10 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:

All except the West 10 feet of Lot 6 of Block 1003 of Esgar Tract (Resub) as per map filed March 31, 1941, in Volume 14 of Maps, Page 14, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Sunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-478


A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 1131 LUCERN AVENUE, PORTION OF BLOCK 1038 (Mr. Wesley C. Bingaman - \$281.65)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 1131 Lucern Ave., portion of Block 1038 - \$281.65

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-479

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK ON HUNTER AVENUE AT 545 HUNTER AVENUE, LOT 1 of BLOCK 1003 (Mr. Benjamin F. Fox - \$400.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk on Hunter Ave. at 545 Hunter Ave., Lot 1 of Block 1003 - \$400.00


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-480

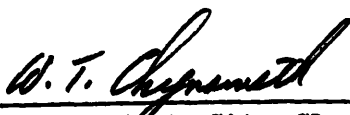
A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 2608 McADOO AVENUE, LOT 10 OF BLOCK 7252 (Mr. James T. McGuire - \$244.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 2608 McAdoo Ave., Lot 10 of Block 7252 - \$244.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-481


A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 706 EL TERINO AVENUE, PORTION OF BLOCK 1037 (Mrs. Adeline L. Medline - \$275.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 706 El Terino Avenue, portion of Block 1037 - \$275.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-482

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK ON LUCERN AVENUE AT 602 EL CAMINO AVENUE, LOT 1 OF BLOCK 1039 (Mr. Thomas W. Oxford - \$625.52)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk on Lucern Ave. at 602 El Camino Ave., Lot 1 of Block 1039 - \$625.52

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-483

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 621 EL TERINO AVENUE, PORTION OF BLOCK 1038 (Mr. Mike R. Rivera - \$269.88)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 621 El Terino Avenue, portion of Block 1038 - \$269.88)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-484

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 2704 McADOO AVENUE, LOT 14 OF BLOCK 7252 (Mr. Earl C. Roush - \$299.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 2704 McAdoo Ave., Lot 14 of Block 7252 - \$299.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-485

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 1509 GRAPE AVENUE, LOT 7 OF BLOCK 6107 (Rev. Joseph H. Steenburgh - \$360.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 1509 Grape Ave., Lot 7 of Block 6107 - \$360.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-486

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALTON L. AND PEGGY M. TRAYLOR FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3124 SCENIC DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Alton L. and Peggy M. Traylor for sewer service to property outside the City at 3124 Scenic 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 24th day of May 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-487

A RESOLUTION APPROVING THE FINAL MAP OF THE  
RENEE MANOR NO. 4 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, George Klemm and Mollie Klemm, husband and  
wife, and Modesto Title Guaranty Company, a corporation,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 4.07 acres, known as the  
Renee Manor No. 4 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 4th day of February,  
1969, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Renee Manor No. 4  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Renee Manor No. 4  
Subdivision 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 in the amount of Nine Hundred One and  
20/100ths (\$901.20) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Twelve  
Thousand, Eight Hundred and no/100ths (\$12,800.00) Dollars.

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 <sup>24th</sup> ~~25th~~ day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

(SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-488

A RESOLUTION APPROVING THE FINAL MAP OF THE  
RIVERSIDE NORTH NUMBER 4 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Harley D. Brannan and Norma Brannan,  
husband and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 18.792 acres, known as the  
Riverside North Number 4 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 16th day of March,  
1971, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Riverside North Number 4  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Riverside North Number 4  
Subdivision 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 in the amount of Five Thousand Nine  
Hundred Eighty-Six and 50/100ths (\$5,986.50) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of One Hundred  
Thirty-Eight Thousand Six Hundred and no/100ths (\$13,600.00) Dollars.

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 24th day of May, 19 71, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-489

A RESOLUTION ACCEPTING IMPROVEMENTS IN NORTHWOOD MANOR SUBDIVISION  
AND AUTHORIZING RELEASE OF BOND OF FAITHFUL PERFORMANCE UPON EXPIRA-  
TION OF STATUTORY LIEN PERIOD

WHEREAS, Wilbur E. Grant and Vivian D. Grant, husband and wife, Curtis R. Grant and Nancy E. Grant, husband and wife, Allen R. Grant and Carolyn M. Grant, husband and wife, individuals, subdividers of Northwood Manor Subdivision, have filed a Bond of Faithful Performance in the amount of \$21,700 to guarantee improvements in Northwood Manor Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated May 19, 1971 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 as complete and to authorize the City Clerk to file a notice of completion and release the Bond of Faithful Performance in the amount of \$21,700 upon expiration of the statutory lien period.

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

1. The improvements in Northwood Manor Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Bond of Faithful Performance in the amount of \$21,700 upon expiration of the statutory lien period, filed by the Subdividers to guarantee improvements in Northwood Manor Subdivision, upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	Nore
ABSENT:	Councilmen:	Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-490

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR THE SERVICES OF LAMAR BARTHOLOMEW FOR THREE MONTHS, BEGINNING JUNE 1, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus

for the services of Lamar Bartholomew for three months, beginning June 1, 1971 (County to reimburse the City for all salary, fringe benefits, mileage, and out-of-pocket expenses incurred) 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 May 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dunlap, Elliott, Newton, Simon, Smith Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-491

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND DOREEN BURKE AND ACCEPTING GRANT DEED (Provides for future widening of McHenry Avenue)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Doreen Burke for right of way on the west side of McHenry Avenue south of Woodrow is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 24th day of May, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-492

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MODESTO IRRIGATION DISTRICT FOR STRIP PARK DEVELOPMENT ALONG  
LATERAL NO. 2

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Modesto Irrig-  
ation District  
for strip park development along Lateral No. 2

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  
May, 19 71 , by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman Dunlap ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-493

A RESOLUTION SETTING TIME AND PLACE FOR HEARING PROPOSED AMENDMENTS  
TO THE ZONING REGULATIONS RELATING TO BENCH AND CONSTRUCTION SIGNS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971, at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of proposed amendments to the zoning regulations relating to bench and construction signs ((amendment to Chapter 2 of Title X 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 24th day of May, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-494

A RESOLUTION SETTING TIME AND PLACE FOR HEARING PROPOSED AMENDMENTS  
TO THE ZONING REGULATIONS PERTAINING TO AUTOMOBILE ORIENTED SETBACKS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 7, 1971, at 4:15 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of proposed amendments to the zoning regulations pertaining to automobile oriented setbacks (Adding Article 16 to Chapter 2 of Title X 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 24th day of May, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-495

A RESOLUTION SETTING TIME AND PLACE FOR HEARING FOR THE PROPOSED ADOPTION OF SPECIFIC PLAN LINES FOR THOSE SECTIONS OF STANDIFORD AVENUE AND SYLVAN AVENUE LOCATED WITHIN THE MODESTO CITY LIMITS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 14, 1971, at ~~8x~~ <sup>7:45</sup> 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 proposed adoption of specific plan lines for those sections of Standiford Avenue and Sylvan Avenue located within the Modesto city limits.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-496

A RESOLUTION APPROVING A PORTION OF ROSE AVENUE  
AS A 30-FOOT PART-WIDTH STREET WITHIN COFFEE  
TERRACE NO. 3 SUBDIVISION.

WHEREAS, the tentative map of Coffee Terrace No. 3 Subdivision  
was approved by the Modesto City Planning Commission on May 18, 1971,  
in accordance with the provisions of Section 4-4.404 of the Modesto Municipal  
Code, and

WHEREAS, Rose Avenue in this proposed subdivision is less than a  
40-foot part-width street, and

WHEREAS, Section 4-4.302 (a)(8) of the Modesto Municipal Code  
provides that part-width streets of less than 40 feet which meet certain conditions  
may be allowed upon recommendation of the Planning Commission and approval by  
the City Council, and

WHEREAS, the conditions set forth in Section 4-4.302 (a)(8) of the  
Municipal Code are met by this portion of Rose Avenue, and

WHEREAS, the Planning Commission by Resolution No. 71-66  
adopted on May 18, 1971, has recommended that Rose Avenue in this subdivision  
be approved as a 30-foot part-width street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that Rose Avenue be approved as a 30-foot part-width street  
in Coffee Terrace No. 3 Subdivision under the provisions of Section 4-4.302 (a)(8)  
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 24th day of May, 1971, by  
Councilman Smith, who moved its adoption, which motion being  
duly seconded by Councilman Dunlap, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST:

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

(SEAL)

APPROVED AS TO FORM

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-497

A RESOLUTION APPOINTING WILLIAM HAWLEY AS A MEMBER OF THE D.I.D. ADVISORY BOARD, AREA E, AND REAPPOINTING EARL C. EGOLF AS A MEMBER OF THE D.I.D. ADVISORY BOARD FOR TERMS EXPIRING MARCH 28, 1975

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. (a) The following person is hereby appointed to the D.I.D. Advisory Board, Area E, for the respective term as indicated: (Term expires March 28, 1975)

Mr. William Hawley  
1605 Ashwood Drive  
Modesto, California 95350

SECTION 1. (b) The following person is hereby reappointed to the D.I.D. Advisory Board, Area D, for the respective term as indicated: (Term expires March 28, 1975)


Mr. Earl C. Egolf  
604 Rumble Rd.  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the D.I.D. Advisory Board 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 May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-498

A RESOLUTION APPROVING APPOINTMENTS TO COUNCIL COMMITTEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Councilmen are hereby appointed to the following designated committees:

PUBLIC PROJECTS COMMITTEE, Dunlap (Chmn.), Smith and Dixon.  
COUNCIL SUPERVISORS LIAISON COMMITTEE, Davies and Simon.  
CITY-COUNTY COMMITTEE, Elliott and Dixon.  
STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG), Smith and Dixon, - Elliott (#1 Alt.) and Dunlap (#2 Alt.).  
CRIMINAL JUSTICE COMMITTEE, Smith  
COMMUNITY ACTION COMMISSION, Newton and Elliott - Simon and Dixon (Alts.)  
CERES-MODESTO LIAISON COMMITTEE, Davies and Newton.  
COMPREHENSIVE HEALTH PLANNING COUNCIL OF STANISLAUS COUNTY REPRESENTATIVE, Dixon.  
LOCAL AGENCY FORMATION COMMISSION (LAFCO), Simon (Alt.)  
EXECUTIVE COMMITTEE OF THE CENTRAL VALLEY DIVISION OF THE LEAGUE OF CALIF. CITIES, Smith - Newton (Alt.).  
STANISLAUS COUNTY HIGHWAY ADVISORY COMMITTEE, Newton  
ECONOMIC DEVELOPMENT ACTION COMMITTEE, Simon  
CIVIL DEFENSE PROGRAM, Newton and Elliott  
TUOLUMNE RIVER REGIONAL PARK PLAN COMMITTEE, Davies and Dunlap  
CHAMBER OF COMMERCE BOARD OF DIRECTORS LIAISON, Simon  
SISTER CITY LIAISON COMMITTEE, Dunlap  
GOVERNOR'S COUNCIL ON AGING LIAISON, Elliott  
METROPOLITAN POLICE FORCE, Davies and Simon

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-499

A RESOLUTION DETERMINING THE RESULT OF AN ELECTION  
HELD IN THE COLLIER-TROMBETTA  
ADDITION FOR ANNEXATION OF SAID ADDITION TO THE CITY  
OF MODESTO

WHEREAS, a special election was held on the 1st day of June,  
19 71, in the Collier-Trombetta Addition, near the City of Modesto,  
County of Stanislaus, State of California, and contiguous to the City limits of said City,  
and which territory is particularly described as attached hereto, and

WHEREAS, the said City Council of the City of Modesto finds after due  
examination that due notice of said election was published in The Riverbank News  
, a newspaper of general circulation printed and published outside the  
City of Modesto, but in Stanislaus County, California, which said notice appeared in  
said newspaper on May 7, 14, 21 and 28, in the year 19 71,  
and that prior to said publication in said newspaper a date was set giving due notice that  
owners of property in said Collier-Trombetta Addition could  
appear before said City Council on the 22nd day of March, 19 71,  
to protest holding of said election; and it further appearing to the said Council and  
the said Council so finds that all other requirements of the Annexation Act of 1913,  
as amended, and all other requirements of the Election Laws of the State of  
California have been duly and regularly followed and that all of the procedures  
adopted and employed in the annexation proceedings and in the holding of said election  
are proper and legal, and

WHEREAS, after the holding of said election, the election officers  
thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets,  
and the returns of said election, and it appearing and the Council so finding that the  
proposition submitted at said election was whether or not such territory shall be  
annexed to, incorporated in, and made a part of said City of Modesto, and whether  
or not the property in said territory shall, after such annexation, be subjected to  
taxation equally with the property within the City of Modesto to pay the bonded indebted-  
ness of the City of Modesto for the acquisition, construction or completion of municipal  
improvements outstanding or authorized at the date of the first publication of the  
notice of the election,

NOW, THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED  
BY THE COUNCIL OF THE CITY OF MODESTO that the said Special Election held  
in said territory to determine whether or not said territory shall be annexed to,

incorporated in, and made a part of said City of Modesto, and whether or not the property in said territory shall, after such annexation, be subjected to taxation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, was regularly called, held, and conducted as required by law; that the proper and complete returns thereof have been made and received; that the same have been properly canvassed; that from the returns so canvassed as aforesaid, it appears and the Council so finds that at said special election the total number of votes cast was and is 91; that the number of votes cast for annexation was and is 29; that the number of votes cast against annexation was and is 62; that the number of votes cast which were voided was 0; that the total number of votes cast at each special precinct and by absent voters and the total number of votes cast at each special precinct and by absent voters for annexation and the total number of votes cast at each special precinct and by absent voters against annexation and the total number of votes cast at each special precinct and by absent voters which were voided were and are as follows:

<u>Special Precinct No. 1 and Absent Voter Ballots</u>	<u>Total Votes Cast</u>	<u>In Favor of Annexation</u>	<u>Opposed to Annexation</u>	<u>Voided</u>
0	91	29	62	0

That said City Council further finds that the measure, to wit: "Shall the Collier-Trombetta Addition be annexed to, incorporated in, and made a part of the City of Modesto, and the property therein be subjected to taxation after annexation equally with the property within the City to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of election?" held to determine whether or not said property shall be annexed to the City, <sup>did not</sup> received a majority of the votes cast for annexation and that, therefore, <sup>was defeated.</sup> said measure ~~was defeated.~~

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Rosewood  
Public Works Department

PAVE  
6-4-71

## COLLIER-TROMBETTA ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 21, 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 Eastern line of the EAST ORANGEBURG ADDITION (112), as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue which is also a Southern line of the EAST ORANGEBURG NO. 2 ADDITION (219), as per description filed July 30, 1968, as Instrument 23319, Stanislaus County Records; thence along the existing City Limits on said Southern line of Addition (219), South  $89^{\circ} 46'$  East, 640.86 feet to a Western line of said Addition (219); thence along said Western line and the existing City Limits, South  $0^{\circ} 52' 45''$  East, 214.45 feet to the Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (206), the following courses and distances; South  $0^{\circ} 52' 45''$  East, 1013.66 feet; thence North  $89^{\circ} 47' 45''$  West, 152.44 feet; thence North  $0^{\circ} 54' 20''$  West, 12.50 feet; thence North  $89^{\circ} 47' 45''$  West, 172.50 feet; thence South  $0^{\circ} 54' 20''$  East, 10.00 feet; thence North  $89^{\circ} 47' 45''$  West, 152.50 feet; thence North  $0^{\circ} 54' 20''$  West, 0.22 feet; thence North  $89^{\circ} 47' 20''$  West, 162.43 feet; thence North  $0^{\circ} 55' 30''$  West, 235.02 feet; thence North  $89^{\circ} 47' 20''$  West, 10.00 feet to a point on the Eastern line of the HELM ADDITION (142), as per description filed December 13, 1962, as Instrument 46565, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Addition (142), North  $0^{\circ} 55' 30''$  West, 330.24 feet to a point on the Southern line of the PINE CONE ADDITION (209), as per description filed January 29, 1968, as Instrument 3054, Stanislaus County Records; thence along the existing City Limits and the Southern line of said Addition (209), South  $89^{\circ} 46' 50''$  East, 10.00 feet to the Eastern line of said Addition (209); thence along the existing City Limits and the Eastern line of said Addition (209), North  $0^{\circ} 55' 30''$  West, 330.23 feet to a point on the Southern line of the EAST ORANGEBURG ADDITION (112); thence along the existing City Limits and the Eastern line of said Addition (112), North  $0^{\circ} 55' 30''$  West, 330.23 feet to the point of beginning, containing 18.061 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-500

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF S. M. ANGELO FROM THE UNSAFE STRUCTURE CODE BOARD OF APPEALS

WHEREAS, Mr. S. M. Angelo was appointed a member of the Unsafe Structure Code Board of Appeals on June 21, 1965; and

WHEREAS, Mr. S. M. Angelo has tendered his resignation from the Unsafe Structure Code Board of Appeals effective June 7, 1971; and

WHEREAS, Mr. Angelo has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Mr. Angelo from the Unsafe Structure Code Board of Appeals is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Mr. Angelo 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 June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-501

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF McCLATCHY NEWSPAPERS FOR ENCROACHMENT PERMIT TO RUN AN OVERHEAD CABLE FEEDLINE ACROSS ALLEY RUNNING PARALLEL TO 14TH STREET BETWEEN H & I STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 14, 1971 , at 7:35 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 of McClatchy Newspapers for encroachment permit to run an overhead cable feedline across alley running parallel to 14th Street between H & I Streets

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-502

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR FURNISHING ONE NEW GOLF COURSE GASOLINE TRACTOR

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

SECTION 1. The plans and specifications for FURNISHING one new golf course gasoline 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 June 22, 1971 at 10:15 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 June 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-503

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE NEW SELF-PROPELLED TRAFFIC LINE STRIPING MACHINE

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

SECTION 1. The plans and specifications for furnishing one new self-propelled traffic line striping machine

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 22, 1971 at 10:30 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 June 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-504

A RESOLUTION ACCEPTING THE BID OF HEALEY & POPOVICH FOR FURNITURE FOR  
MODESTO-STANISLAUS LIBRARY

WHEREAS, Resolution No. 71-424 , adopted by the Council of the  
City of Modesto on May 17, 1971 , approved the plans and  
specifications for the furniture for the Modesto-Stanislaus Library

and authorized the calling for bids, and

WHEREAS, the bids received for the library furniture  
were opened at 2:00 P.M. June 3, 1971 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 Healey & Popovich in the amount of \$142,526.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of Healey & Popovich in amount of \$142,526.00

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 June,  
1971 , by Councilman Smith , who moved its adoption, which motion  
being duly seconded by Councilman Simon , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-505

A RESOLUTION ACCEPTING THE CONSTRUCTION OF VALLEY CONSTRUCTION COMPANY'S CONTRACT FOR INSTALLATION OF WATER LINES IN WINMOORE WAY AND NORTHGATE NO. 7

WHEREAS, a report has been filed by the Director of Public Works that the construction of water lines in Winmoore Way and Northgate No. 7 has been completed by Valley Construction Company

in accordance with the contract agreement dated April 26, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of water lines in Winmoore Way and Northgate No. 7 be accepted from said contractor, Valley Construction Company

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$8,315.84 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 7th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-506

A RESOLUTION ACCEPTING THE CONSTRUCTION OF FERRERO ELECTRIC'S  
CONTRACT FOR MODERNIZATION OF ELECTRICAL CONTROLS AT PUMP STATIONS  
11, 12, 13 and 14

WHEREAS, a report has been filed by the Director of Public  
Works that the construction of modernization of Electrical  
Controls at Pump Stations 11, 12, 13 and 14  
has been completed by Ferrero Electric, Inc.

in accordance with the contract agreement dated March 15, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of  
modernization of Electrical Controls at Pump Stations 11, 12, 13  
and 14  
be accepted from said contractor, Ferrero Electric, Inc.

that notice of completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due in the amount of \$6,935.00  
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  
June, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-507

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF GOLF CART STORAGE BUILDING AT DRYDEN MUNICIPAL GOLF COURSE

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

SECTION 1. The plans and specifications for construction of golf cart storage building at Dryden Municipal Golf Course

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 22, 1971 at 10:10 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 June 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-508

A RESOLUTION ACCEPTING THE BID OF ALBERT BIEHL FOR INSTALLATION OF PLANTING & IRRIGATION AT MOOSE PARK

WHEREAS, Resolution No. 71-428 , adopted by the Council of the City of Modesto on May 17, 1971 , approved the plans and specifications for the planting and irrigation of Moose Park

and authorized the calling for bids, and

WHEREAS, the bids received for the planting and irrigation of Moose Park

were opened at 10:00 A.M. on June 1, 1971, 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 Albert Biehl in the amount of \$20,742.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Albert Biehl in the amount of \$20,742.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

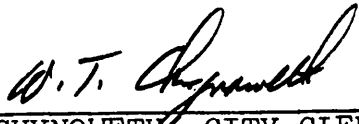
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-509

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN WALNUT TERRACE, RIVERSIDE NORTH NO. 4 AND GREENFIELD VILLAGE NO. 2

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

SECTION 1. The plans and specifications for installation of Water Lines in Walnut Terrace, Riverside North No. 4 and Greenfield Village No. 2

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 22, 1971 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 June 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:   
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-510

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CLAY INFIELD, IRRIGATION AND TURN FOR DOWNEY PARK

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

SECTION 1. The plans and specifications for construction of clay infield, irrigation facilities and turf for Downey 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 22, 1971 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 7th day of June 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-511

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR RESTROOM, STORAGE & ELECTRICAL FACILITIES AT DOWNEY PARK

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

SECTION 1. The plans and specifications for restroom, storage and electrical facilities at Downey 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 22, 1971 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 7th day of June 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-512

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR PAINTING OF 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 painting of 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 22, 1971 at 10:45 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.

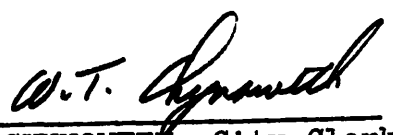
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-513

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (1131 Lucern Avenue, portion of Block 1038 - Mr. Wesley C. Bingaman - \$281.65)

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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on                     , 19--- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 7, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$281.65.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$281.65, be assessed in 6 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 56 feet of the East  $\frac{1}{2}$  of the North 100 feet, more or less, of the South 110 feet, more or less, of Lot 3 of Rice Colony as per map filed February 9, 1904 in Volume 1 of Maps, Page 54, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 7th day of June, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-514

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 Avenue, Lot 1 of Block 1003 - Mr. Benjamin F. Fox - \$400.00)

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 curb, gutter and sidewalk may be required, and WAIVED BY PROPERTY OWNER WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_\_ adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 7, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$400.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$400.00, be assessed in 8 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:

All except the West 10 feet of Lot 1 of Block 1003 of Esgar Tract (Resub) as per map filed March 13, 1941 in Volume 14 of Maps, Page 14, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 7th day of June, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-515

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (2608 McAdoo Avenue, Lot 10 of Block 7252 - Mr. James T. McGuire - \$244.00)  
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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on                     , 19   --  
adopt its Resolution No.                     , directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS,         June 7        , 1971, at   4:05   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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of   \$244.00  .

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$244.00, be assessed in 5 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 7252 of Highway Village as per map filed April 25, 1947 in Volume 16 of Maps, Page 41, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 7th day of June, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-516

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (706 El Terino Avenue, portion of Block 1037 - Mrs. Adeline L. Medlin - \$275.00)  
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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER, 19 --

adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 7, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$275.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$275.00, be assessed in 6 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 South 50 feet of the North 250 feet of the East half of the East half of Lot 3 of Rice Colony as per map filed February 19, 1904 in Volume 1 of Maps, Page 54, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 7th day of June, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-517

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (Lucern Ave., at 602 El Camino Ave., Lot 1 of Block 1039 - Mr. Thomas W. Oxford - \$625.52)  
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 curb, gutter and sidewalk may be required, and  
WHEREAS, the Council did, on                     , 19   --  
adopt its Resolution No.                     , directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 7, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$625.52.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$625.52, be assessed 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 1039 of Resubdivision of a Portion of  
Lot 3 of Rice Colony as per map filed November 1, 1940  
in Volume 14 of Maps, Page 8, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 7th day of June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-518

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (621 El Terino Avenue, portion of Block 1038 - Mr. Mike R. Rivera - \$269.88)

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 curb, gutter and sidewalk may be required, and  
WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER -----, 19 --  
adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 7, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$269.88.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$269.88, be assessed 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 North 50 feet of the West 139.87 feet of the East 164.87 feet of the South half of the East half of the East half of Lot 3 of Rice Colony as per maps filed February 9, 1904 in Volume 1 of Maps, Page 54, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 7th day of June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-519

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (2704 McAdoo Avenue, Lot 14 of Block 7252 - Mr. Earl C. Roush - \$299.00)

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 curb, gutter and sidewalk may be required, and  
WAIVED BY PROPERTY OWNER  
WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_ adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 7, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$299.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$299.00, be assessed in 6 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 7252 of Highway Village as per map filed April 25, 1947 in Volume 16 of Maps, Page 41, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.


SECTION 3. 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 7th day of June, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST:   
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-520

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (1509 Grape Avenue, Lot 7 of Block 6107 - Rev. Joseph H. Steenburgh - \$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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on \_\_\_\_\_, 19--

adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 7th, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$360.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$360.00, be assessed in 7 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 6107 of Dunham Tract as per map filed December 26, 1946 in Volume 16 of Maps, Page 15, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 7th day of June, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-521

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF RED TOP  
TAXI FOR RATE INCREASE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 21, 1971 , at 4:10 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 application of Red Top Taxi for a rate increase.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971 by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-522

A RESOLUTION APPROVING RENEWAL OF CONTRACT BETWEEN THE CITY OF MODESTO AND NORTH AMERICAN LIFE & CASUALTY COMPANY FOR GROUP LIFE INSURANCE BASE PLAN AND SUPPLEMENTAL PLAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that renewal of the contract between the City of Modesto and North American Life & Casualty Company for group life insurance base plan and supplemental plan is hereby approved at the following rates:

52¢ per thousand for the base coverage;  
05¢ per thousand, accidental death & dismemberment coverage  
66¢ per thousand for the supplemental coverage.

BE IT FURTHER RESOLVED that the rates are approved effective June 29, 1971.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: None

ABSENT: ~~KOME~~ Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-523

A RESOLUTION APPROVING THE FINAL MAP OF THE  
WALNUT TERRACE NO. 1 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Charles M. Gargotto and Alta M. Gargotto,  
husband and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 7.33 acres, known as the  
Walnut Terrace No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 15th day of December,  
1970, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Walnut Terrace No. 1  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Walnut Terrace No. 1  
Subdivision 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 in the amount of One Thousand Seven Hundred  
Nine and 70/100ths (\$1709.70) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Forty-Eight  
Thousand Five Hundred and no/100ths (\$48,500.00) Dollars.

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 June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-524

A RESOLUTION APPROVING THE FINAL MAP OF THE  
GREENFIELD VILLAGE NO. 2 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Wolverine Building Service, Inc., a  
corporation,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 8.93 acres, known as the  
GREENFIELD VILLAGE NO. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 7th day of April,  
19 70, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said GREENFIELD VILLAGE NO. 2  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the GREENFIELD VILLAGE NO. 2  
Subdivision 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 in the amount of Seven Hundred Twenty-  
Five and 70/100ths (\$725.70) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Fifty-Nine  
Thousand Nine Hundred and no/100ths (\$59,900.00) Dollars.

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 June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-525

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (EAST ORANGEBURG NO. 4)

WHEREAS, there has been annexed to the City of Modesto on May 10, 1971, certain territory known as East Orangeburg No. 4 Addition, and

WHEREAS, the inclusion of the area contained in East Orangeburg No. 4 Addition 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 East Orangeburg No. 4 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 73.

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

SECTION 5. Monday, July 26, 1971, at the hour of 7:35 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 judgment 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. 73.

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) 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) On the East side of Coffee Road at the North boundary of the annexation.
- (2) On the East side of Coffee Road at the North side of East Orangeburg Avenue.
- (3) On the North side of East Orangeburg Avenue at the East boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 73, 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 7th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Rosegood  
Public Works Department

R.A.R.  
6-1-71

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot 5 of the Broughton Colony as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the MEMORIAL HOSPITAL NORTH ADDITION (261); as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, said point being the quarter corner common to Sections 21 and 22; thence along the section line common to Sections 21 and 22 and on the Eastern boundary of said Addition (261), North  $0^{\circ} 27' 00''$  West, 329.91 feet, to the Westerly extension of the South line of the GARDEN ACRES TRACT, as per map filed November 18, 1940, in Volume 14 of Maps, Page 9, Stanislaus County Records; thence along said extension and the Southern line of said Garden Acres Tract and its Easterly extension, North  $89^{\circ} 55' 35''$  East, 1314.12 feet, to the Eastern line of Lot 5 of the Broughton Colony; thence along said Eastern line, South  $0^{\circ} 36' 14''$  East, 329.31 feet, to the Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 1, 1965, as Instrument 1768, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said Addition (170), South  $89^{\circ} 54' 00''$  West, 328.01 feet, to the Northeastern corner of the DOWNEY PARK NO. 2 ADDITION (188), as per description filed May 3, 1966, as Instrument 15774, Stanislaus County Records; thence along said City Limits on the Northern boundary of said Addition (188), South  $89^{\circ} 54' 00''$  West, 550.99 feet, to the Northeastern corner of the EAST ORANGEBURG-COFFEE ADDITION (262), as per description filed November 3, 1970, as Instrument 36116, Stanislaus County Records; thence continuing along said City Limits on the Northern boundary of said Addition (262), South  $89^{\circ} 54' 00''$  West, 436.00 feet, to the point of beginning, containing 9.947 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 June 7, 1971, 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 Councilman Smith, seconded by Councilman Simon, and adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

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: June 8, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California  
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-526

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR COMMUNITY RECREATION FOR FISCAL YEAR 1971-72

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus

for community recreation for fiscal year 1971-72

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 June 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-527

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY  
OF MODESTO AND VERA B. LANGSTROTH, AND GRANT DEED ACCEPTED

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the right of way agreement between the City of Modesto  
and Vera B. Langstroth for right of way for Needham Street  
is approved, and grant deed accepted.

~~for~~

~~is hereby approved.~~ For further particulars, reference is  
made to a copy of the agreement on file in the office of the  
City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City  
Clerk are hereby authorized and directed to execute said  
right of way agreement 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  
7th day of June , 1971 by Councilman Smith  
who moved its adoption, which motion being duly seconded by  
Councilman Simon, was upon roll call carried and the resolu-  
tion adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-528

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MARVIN H. HARDIN, SHIRLEY MAE HARDIN, ELMER E. JESPERSEN, SARAH E. JESPERSEN, ELMO WILSON SR., AND BERTHA C. WILSON

BE IT RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Marvin H. Hardin, Shirley Mae Hardin, Elmer E. Jespersen, Sarah E. Jespersen, Elmo Wilson Sr., and Bertha C. Wilson for right of way for the McHenry Avenue sewer project is hereby approved. For further particulars, reference is made to a copy of the agreement on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto.

BE IT FURTHER RESOLVED that a grant deed for said right of way is hereby accepted.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-529

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (portion of Block 2158) (Fred G. Cavener)

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Uccello Avenue

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The East 58 feet of the West 628 feet of the North 125 feet of the South 150 feet of the Northeast quarter of the Southeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian. (Stanislaus County Assessor's Parcel No. 002-01 116-0729-001)

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 21st day of June, 1971, at  
4:05 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 7th  
day of June, 1971, by Councilman Smith,  
who moved its adoption, which motion being duly seconded by  
Councilman Simon, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-530

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 24, Block 1191 - Hira L. Hari)

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 curb and gutter may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Block 1191, <sup>Duke</sup> O'Ferrell Avenue

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties 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 1191 of Quinn and 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. ~~2-01-031-0329-001~~ 2-01-031-0329-001)

to construct or cause to be constructed curb and gutter along the street frontage of the property/properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 21st day of June, 1971, at 4:05 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 persons relating to the proposed work.

SECTION 3. 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 7th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-531

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 25, Block 1191 - Bruce P. Rice)

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 curb and gutter may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Block 1191, Drake Avenue

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 25 of Block 1191 of Quinn and 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. 002-01-031-0333-001)

to construct or cause to be constructed curb and gutter along the street frontage of the property/properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 21st day of June, 1971, at 4:05 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 persons relating to the proposed work.

SECTION 3. 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 7th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-532

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 26, Block 7252 - Harold B. Shaffer)

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 curb and gutter may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curbs and gutters have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Block 7252, Garvey Avenue

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 26 of Block 7252 of Highway Village as per map filed April 25, 1947 in Volume 16 of Maps, Page 41, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-06-005-4205-001)

to construct or cause to be constructed curb and gutter along the street frontage of the property/properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 21st day of June, 1971, at 4:05 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 persons relating to the proposed work.

SECTION 3. 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 7th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-533

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lots 1 and 2, Block 402 - Willie C. Stone)

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalks have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Block 402, So. Franklin St.

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1 and 2 of Block 402 of City of Modesto  
as per map filed December 21, 1942 in Volume  
15 of Maps, Page 42, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. 002-01-101-0830-101

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 21st day of June, 1971, at  
4:05 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 7th  
day of June, 1971, by Councilman Smith,  
who moved its adoption, which motion being duly seconded by  
Councilman Simon, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-534

A RESOLUTION ACCEPTING IMPROVEMENTS IN MORNINGSIDE ESTATES  
SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BOND UPON  
EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, Gregory Development Company, a corporation, subdivider of Morningside Estates Subdivision, filed an instrument of credit in amount of \$124,400 with the City of Modesto to guarantee improvements in Morningside Estates Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated June 2, 1971 has stated that all work required by the subdivision agreement for Morningside Estates Subdivision 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 as complete and to authorize the City Clerk to file a notice of completion and release the instrument of credit in the amount of \$124,400 upon expiration of the statutory lien period.

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

1. The improvements in Morningside Estates Studivision are hereby accepted as complete.
2. The City Clerk is hereby authorized to file a notice of completion covering the completion of improvements.
3. The City Clerk is hereby authorized to release the instrument of credit in amount of \$124,400 filed by Gregory Development Company, a corporation, to guarantee certain improvements in Morningside Estates Subdivision, upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the

following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:



W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-535

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND EDWARD L. EARNHART FOR RENTAL OF APPROXIMATELY 40 ACRES OF LAND AT 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 Edward L. Earnhart

for rental of approximately 40 acres of land at Modesto City-County Airport for farming purposes for a term beginning July 1, 1971 and ending June 30, 1972 is hereby approved.  
~~has 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 June 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen:None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-536

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MODESTO JUNIOR COLLEGE FOR WORK STUDY PROGRAM FOR COLLEGE STUDENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Modesto Junior  
College

for work study program for college students

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  
June 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-537

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
STANISLAUS STATE COLLEGE FOR WORK STUDY PROGRAM FOR COLLEGE STUDENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and STANISLAUS  
STATE COLLEGE  
for federally fund work study program for college students

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  
June 19 71 , by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman Simon ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-538

A RESOLUTION ACCEPTING IMPROVEMENTS IN COFFEE PLAZA NO. 3  
SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BOND UPON  
EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, Paul M. Zagaris and Liberty Zagaris, subdividers of Coffee Plaza No. 3 Subdivision, filed an instrument of credit in the amount of \$18,400 with the City of Modesto to guarantee improvements in Coffee Plaza No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated June 2, 1971 has stated that all the work required by the subdivision agreement for Coffee Plaza No. 3 Subdivision 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 as complete and to authorize the City Clerk to file a notice of completion and release the instrument of credit in the amount of \$18,400 upon expiration of the statutory lien period.

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

1. The improvements in Coffee Plaza No. 3 Subdivision are hereby accepted as complete.
2. The City Clerk is hereby authorized to file a notice of completion covering the completion of improvements.
3. The City Clerk is hereby authorized to release the instrument of credit in amount of \$18,400 filed by the subdividers to guarantee certain improvements in Coffee Plaza No. 3 Subdivision, upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971 by Councilman Smith, who moved its adoption,


which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-539

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE EAST ORANGEBURG NO. 5 ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on April 16, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as East Orangeburg No. 5 Addition,

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

That the annexation of said uninhabited territory designated as East Orangeburg No. 5 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Rosewood  
Public Works Department RAM  
6-2-71

## EAST ORANGEBURG NO. 5 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 22, 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 Eastern Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 15, 1965, as Instrument 1768, Stanislaus County Records, said point being on the North-South quarter section line of said Section 22 and the center line of a 60.00 foot public road known as Rose Avenue; thence along the existing City Limits on a Northern boundary of said Addition (170), South  $89^{\circ} 54' 15''$  West, 1313.01 feet, to a Northeastern corner of said Addition (170); thence North  $0^{\circ} 25' 56''$  West, 330.14 feet, to the most Northern Northeastern corner of Addition (170) and the center line of a 60.00 foot public road known as East Orangeburg Avenue; thence leaving the existing City Limits, North  $0^{\circ} 36' 56''$  West, 329.30 feet, to the center line of 20.00 foot alley in Block 1175 of GREEN ACRES as per map filed November 24, 1954, in Volume 18 of Maps, Page 11, Stanislaus County Records, and the Southwestern corner of said Green Acres; thence along the Southern line of said Green Acres and the Southern line of GREEN ACRES NO. 2 as per map filed October 25, 1955, in Volume 18 of Maps, Page 38, Stanislaus County Records, and its Easterly extension, North  $89^{\circ} 53' 00''$  East, 1311.94 feet, to the center line of Rose Avenue; thence along said center line and the existing City Limits on the Western boundary of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records, South  $0^{\circ} 37' 00''$  East, 659.93 feet, to the point of beginning, containing 19.872 Acres, more or less.

A RESOLUTION REFERRING TO THE MODESTO CITY  
PLANNING COMMISSION A REQUEST FOR CONSENT TO  
COMMENCE PROCEEDINGS TO ANNEX CERTAIN  
INHABITED TERRITORY TO THE CITY OF MODESTO  
DESIGNATED AS THE GLENDALE-MILLER ADDITION.

WHEREAS, a request has been filed by certain persons residing therein, stating that they desire to commence proceedings to annex certain inhabited territory to the City of Modesto, which territory is more particularly shown on the map attached hereto marked Exhibit "A" and made a part of this resolution, and

WHEREAS, it appears that said territory is subdivided and contiguous to the City of Modesto, and

WHEREAS, the Council of the City of Modesto cannot consent to the commencement of proceedings to annex subdivided territory to the City until it has received a report and recommendation from the Modesto City Planning Commission,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said request for consent to commence proceedings to annex the inhabited territory more particularly shown on the map attached hereto marked Exhibit "A" and made a part of this resolution be referred to the Modesto City Planning Commission for its report and recommendation. The territory referred to is situated in the County of Stanislaus, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST: \_\_\_\_\_

*W. T. Chynoweth*  
\_\_\_\_\_  
City Clerk

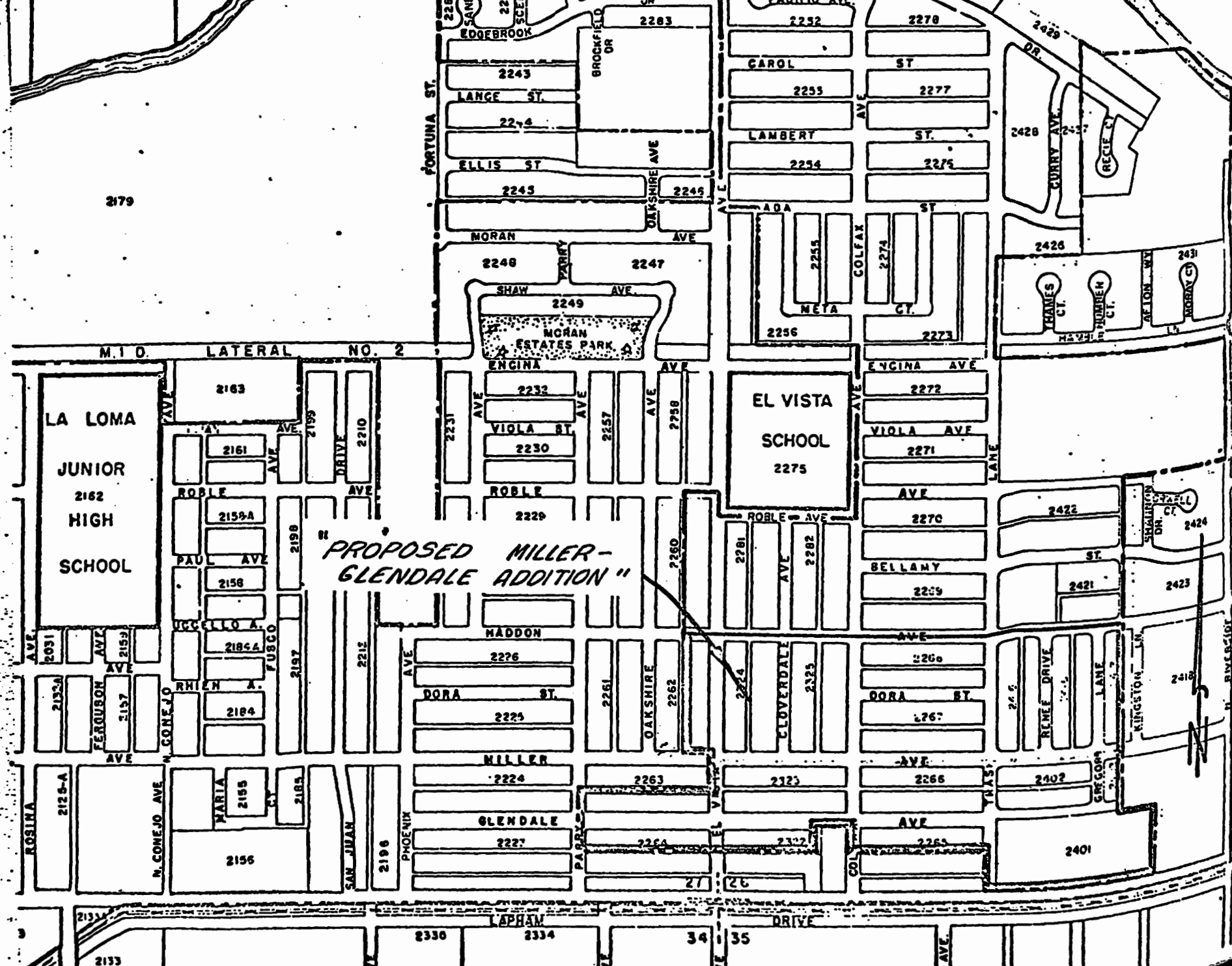
(SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_

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

EXHIBIT "A"



MODESTO CITY COUNCIL  
RESOLUTION NO. 71-541

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE COFFEE-FLOYD ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on May 21, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Coffee-Floyd Addition,

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

That the annexation of said uninhabited territory designated as Coffee-Floyd Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By P. A. Wood  
Public Works Department  
6-3-71

April 20, 1971

COFFEE - FLOYD ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of the Northwest quarter of Section 15, 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 Southwestern corner of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being on the center line of a 50.00 foot public road known as Coffee Road and the section line common to Sections 15 and 16; thence along the existing City Limits on the Southern boundary of said ADDITION (252), North  $89^{\circ} 36' 50''$  East, 1190.00 feet, to a Southeastern corner of said ADDITION (252); thence North  $00^{\circ} 58' 40''$  West, 660.00 feet; thence North  $89^{\circ} 36' 50''$  East, 1435.36 feet, to a Southeast corner of Sylvan School Addition (252) and the Northwest corner of OAKDALE-FLOYD ADDITION (265) as per description filed January 5, 1971, as Instrument 192, Stanislaus County Records, said corner also being the North quarter of Section 15; thence along the quarter line of said Section 15 and the Western line of said Addition (265), South  $00^{\circ} 57' 40''$  East, 1320.14 feet, to the Northwest corner of the FLOYD ADDITION, as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records, said corner being on the South line of the North half of Section 15, which is also the center line of 40.00 foot public road known as Floyd Avenue; thence, leaving the existing City Limits and along said center line, South  $89^{\circ} 38' 20''$  West, 1312.50 feet, to the Northeastern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records; thence along said center line and the existing City Limits on the Northern Boundary of said ADDITION (175), South  $89^{\circ} 38' 20''$  West, 1312.49 feet, to the Northwestern corner of said ADDITION (175); thence leaving the existing City Limits and along the center line of Coffee Road and said section line, North  $00^{\circ} 58' 40''$  West, 659.00 feet, to the point of beginning, containing 61.491 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-542

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,400 FOR RENTAL OF MICROFILTER FOR PILOT PLANT TESTING PROGRAM AT REMOTE PONDING SITED

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

GENERAL FUND - 101

From:	General Reserve (60)	\$2,400
To:	Serv., Prof. & Other 235-53-101	\$2,400

(This item tentatively approved in 1971-72 preliminary budget providing for rental of microfilter this summer as part of the pilot plant testing program at the remote ponding site)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-543

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
BOHNA ENGINEERING AND RESEARCH COMPANY FOR RENTAL OF MICROFILTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and BOHNA Engineering and Research Company for rental of microfilter as part of pilot plant testing program at the remote ponding site, be, and it is hereby approved.

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

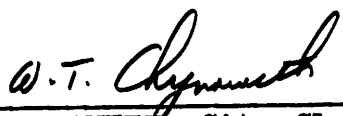
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-544

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO EXPRESSING  
SUPPORT OF ASSEMBLY BILL 2366

WHEREAS, Assembly Bill 2366 declaring that the Tuolumne River between its mouth and LaGrange Dam is navigable and a public way, has been introduced by Assemblyman LaCoste in the 1971 regular session of the California Legislature; and

WHEREAS, all navigable rivers of the State of California are and should be open to the general public for recreational purposes; and

WHEREAS, if the Legislature is satisfied that the Tuolumne River is navigable, then the public should have the right to travel by boat upon the river for recreational purposes; and

WHEREAS, such determination does not give the public the right to trespass upon private property, thus protecting the rights and privileges of the owners of said private property, even though the river itself is declared navigable.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Modesto City Council endorses and lends its support to AB 2366.
2. The City Clerk is hereby directed to transmit copies of this resolution to the Honorable Ernest LaCoste, Assemblyman, 30th District; the Honorable Stephen P. Teale, Senator, District 3; and to the Chairman of the Assembly Committee on Natural Resources and Conservation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of June, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-545

A RESOLUTION APPOINTING MEMBER OF THE PLANNING COMMISSION - JOHN E. GRIFFIN, JR.

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: For a term expiring January 1, 1972 (filling the unexpired term of Clyde Dunlap)

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 7th day of June 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-546

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO McCLATCHY NEWSPAPERS TO PERMIT INSTALLATION OF A COAXIAL CABLE FROM ITS EXISTING TRANSMITTER TOWER LOCATED NEAR 14TH AND I STREETS, TO A BUILDING AT 13TH AND I STREETS

WHEREAS, McClatchy Newspapers has filed a request with the Council of the City of Modesto for permission to install a coaxial cable from its existing transmitter tower, located near 14th and I Streets to a building at 13th and I Streets, where relocation of the KBEE transmitter is planned; and

WHEREAS, June 14, 1971 at 7:35 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California was set as the time and place for hearing to consider the request; and

WHEREAS, the Director of Public Works in a memorandum dated June 10, 1971 has recommended that a revocable permit be granted to the applicant to permit installation of the overhead coaxial cable subject to certain conditions.

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

1. An encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to McClatchy Newspapers to permit installation of an overhead coaxial cable from its existing transmitter tower, located near 14th and I Streets, to a building at 13th and I Streets.
2. Permittee, its successors and assigns, during the term of this permit, shall indemnify and hold the City of Modesto harmless from any and all damages, costs and charges of any kind or character arising out of or relating thereto, or in any way connected with the exercise of the rights granted by this permit.
3. Insurance in the amount of \$100,000/\$300,000 public liability and \$25,000 property damage to cover the liability assumed by this permit shall be posted with the City Clerk.


4. McClatchy Newspapers shall be responsible for contacting the various affected public utilities and shall pay any costs if wires, poles or other facilities must be relocated.
5. The coaxial cable shall be adequately maintained during the terms of the permit so that it will not become a hazard or an eyesore by reason of inadequate maintenance, obsolescence or abandonment.
6. In the event the overhead coaxial cable is no longer needed, the cable shall be removed at the permittee's expense.
7. The minimum clearance between the alley and the overhead coaxial cable shall be 16 feet.
8. The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit 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 June, 1971 by Councilman ~~Elliot~~, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Dixon, Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: None

ABSENT: Simon

ATTEST:   
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-548

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A  
MID-BLOCK CROSSWALK AT A CERTAIN LOCATION IN THE  
CITY OF MODESTO.

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 cross-  
walks 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:

12th Street between H and I Streets

The foregoing resolution was introduced at a regular meeting of the  
Council of the City of Modesto held on the 14th day of June,  
1971, by Councilman Dixon who moved its adoption, which motion being  
duly seconded by Councilman Smith, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Dixon, Smith, Newton, Mayor Davies

NOES: Councilmen: Dunlap, Elliott

ABSENT: Councilmen: Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-548

A RESOLUTION AUTHORIZING THE CITY MANAGER TO GIVE WRITTEN NOTICE TO ORANGE LINE SANITATION COMPANY OF CANCELLATION OF ITS EXISTING LICENSE TO COLLECT GARBAGE IN THE CITY OF MODESTO.

WHEREAS, by Resolution No. 66-99 adopted on February 7, 1966, the City Council granted a license to Lombardi Waste Disposal for the collection of garbage in the City of Modesto for a term of ten (10) years, commencing on January 1, 1966, but subject to cancellation by either the City or licensee upon six (6) months' written notice to the other party, and

WHEREAS, by Resolution No. 68-506 adopted on June 3, 1968, the City Council approved the transfer of the license of Lombardi Waste Disposal for the collection of garbage in the City of Modesto, to Lombardi Waste Disposal, a co-partnership, for the unexpired term thereof, and

WHEREAS, by Resolution No. 69-606, adopted on July 7, 1969, the City Council acknowledged the name change of Lombardi Waste Disposal Company to Orange Line Sanitation Company, and changed its records accordingly,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that in accordance with the terms of the original license granted to Lombardi Waste Disposal Company for the collection of garbage in the City of Modesto, the City Council hereby exercises its right to cancel the license for the collection of garbage in the City of Modesto by Orange Line Sanitation Company, and hereby authorizes the City Manager to give written notice thereof to Orange Line Sanitation Company of the cancellation of its license permitting the collection of garbage, said cancellation to become effective December 31, 1971.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Ellioht, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

(SEAL)

ATTEST:

  
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-549

A RESOLUTION DECLARING McHENRY LIBRARY BOOKDROP SURPLUS TO NEEDS TO CITY OF MODESTO AND APPROVING DONATION OF BOOKDROP TO COUNTY OF STANISLAUS

WHEREAS, the present bookdrop on the curb in front of McHenry Library will no longer be needed by the City of Modesto when the new central library goes into operation; and

Since the bookdrop can be used to good advantage by the County of Stanislaus at one of its branch libraries; and

WHEREAS, the Deputy City Manager in a memorandum dated June 10, 1971 has recommended that the bookdrop be declared surplus to the City's needs and that it be donated to the County of Stanislaus.

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

1. The McHenry Library bookdrop in front of McHenry Library is hereby declared surplus to the needs of the City when the new central library goes into operation.
2. When the new central library goes into operation, the bookdrop will be donated to the County of Stanislaus.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor  
Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-550

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY AND SYLVAN UNION SCHOOL DISTRICT FOR INSTALLATION OF TRAFFIC SIGNALS AT COFFEE AND RUMBLE ROADS.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus and Sylvan Union School District for installation of traffic signals at Coffee and Rumble Roads, 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 June 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-551

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$14,700 FOR CONSTRUCTION OF TRAFFIC SIGNALS AT COFFEE AND RUMBLE ROADS (JOINT CITY-COUNTY-SYLVAN UNION SCHOOL DISTRICT PROJECT)

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

SPECIAL FUND FOR CAPITAL OUTLAYS

FROM:	Traffic Signal Construction - Downey - 19th (6154-56-321)	\$9,568.00
	Traffic Signal Construction - Burney-Downey- Scenic (6154-56-321)	\$5,132.00
TO:	Traffic Signal Construction - Coffee and Rumble (6141-56-321)	\$14,700.00

(To provide funds for the joint City-County-Sylvan Union School District project of installing traffic signals at Coffee and Rumble Road. The County and School District will contribute \$3,380 and \$5,660 respectively for the project. The Downey-19th and Burney-Downey-Scenic traffic signals will not be installed and therefore the money will be transferred from these accounts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June 19 71 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-552

A RESOLUTION APPROVING THE FINAL MAP OF THE  
WAINWRIGHT VILLAGE SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Wainwright Realty, a co-partnership,

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are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 3.23 acres, known as the  
Wainwright Village Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 6th day of April,  
1971, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Wainwright Village  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Wainwright Village  
Subdivision 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 in the amount of Two Hundred Two and  
70/100ths (\$202.70) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Seventeen  
Thousand Nine Hundred and no/100ths (\$17,900.00) Dollars.

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 14th day of June, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-553

A RESOLUTION APPROVING THE FINAL MAP OF THE  
ASPEN MANOR NO. 2 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Arthur J. Wylie and Florence E. Wylie,  
husband and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 2.13 acres, known as the  
Aspen Manor No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 4th day of February,  
1969, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Aspen Manor No. 2  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Aspen Manor No. 2  
Subdivision 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 in the amount of One Thousand Eight  
Hundred Seventy-Three and 34/100ths (\$1,873.34) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Thirteen  
Thousand Four Hundred and no/100ths (\$13,400.00) Dollars.

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 ~~14th~~ <sup>14th</sup> day of June, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-554

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF SIDEWALK AT 432 BALBOA WAY (Lot 7 of Block 6064 - E. W. COSTELLO)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of construction of sidewalk at 432 Balboa Way, Lot 7 of Block 6064 - \$169.60.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-555

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 439 BALBOA WAY, Lot 13, Block 6065 (Mr. A. Ben Goss)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of cost of construction of sidewalk at 439 Balboa Way, Lot 13, Block 6065, (\$169.60).


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-556


A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 445 CORONADO WAY, LOT 14 of Block 6064 (Mr. Leo W. Habers)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 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 report of Superintendent of Streets on cost of construction of sidewalk at 445 Coronado Way, Lot 14, Block 6064 - \$161.20.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, \_\_\_\_\_, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-557

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 501 BALBOA WAY, Lot 15, BLOCK 6065 (Mr. Douglas E. Hendrix)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of construction of sidewalk at 501 Balboa Way, Lot 15, Block 6065 - \$169.50.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its ~~Smith~~ adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-558

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 427 CORONADO WAY, LOT 11, Block 6064 (Mr. Samuel Jacobs)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of construction of sidewalk at 427 Coronado Way, Lot 11, Block 6064 - \$161.20.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-559

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 445 BALBOA WAY, LOT 14, Block 6065 (Mr. Charles Kincaid)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 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 report of Superintendent of Streets on cost of construction of sidewalk at 445 Balboa Way, Lot 14, Block 6065 - \$169.40)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the <sup>14th</sup> ~~28th~~ day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-560

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 513 BALBOA WAY, LOT 17, Block 6065 (Mr. Richard H. Lamoreaux)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971 , at 7:45 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 report of Superintendent of Streets on cost of construction of sidewalk at 513 Balboa Way, Lot 17, Block 6065 - \$169.60.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-561

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 438 BALBOA WAY, Lot 6, BLOCK ~~434~~ (Dr. W. Lawrence Meek)  
6064

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of sidewalk at 438 Balboa Way, Lot 6, Block 6064 - (\$227.60)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-562

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF SIDEWALK AT 500 BALBOA WAY, Lot 4, Block 6064 (Mr. Richard R. Navarro)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of construction of sidewalk at 500 Balboa Way, Lot 4, Block 6064 - \$169.60.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-563

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 439 CORONADO WAY, (Lot 13, Block 6064, Mr. Roy Nevins)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of construction of sidewalk at 439 Coronado Way, Lot 13, Block 6064 - \$150.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-564

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 512 BALBOA WAY, LOT2, ~~BLK~~ BLOCK 6064 (Mr. Walter E. Soper)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of construction of sidewalk at 512 Balboa Way, Lot 2, Block 6064 - \$169.60.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: ~~XXXX~~, Dunlap, Elliott, Newton, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-565

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 433 CORONADO WAY, LOT 12, BLOCK 6064 (Mrs. Christina Van Ryn)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on cost of construction of sidewalk at 433 Coronado Way, Lot 12, Block 6064 - \$161.20.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-566

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK ON BALBOA WAY AND ENSLEN AVENUE AT 519 BALBOA WAY, (Lot 18, Block 6065 - Mr. Edward Yarick)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 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 report of Superintendent of Streets on cost of construction of sidewalk at 519 Balboa Way on Balboa Way and Enslen Avenue - \$432.80.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: ~~Dix~~ None  
ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-567

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF CONSTRUCTION OF SIDEWALK AT 519 CORONADO WAY, Lot 18, Block 6064 (Mr. Mohammed H. Zahraie)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 28, 1971, at 7:45 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 report of Superintendent of Streets on cost of construction of sidewalk at 519 Coronado Way, Lot 18, Block 6064 - \$164.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-568

A RESOLUTION APPROVING WAIVER OF FORMAL BID PROCEDURE FOR PURCHASE OF PLAY EQUIPMENT FOR MARSHALL PARK, AND AUTHORIZING PURCHASE FROM MIRACLE PLAYGROUND EQUIPMENT OF PINOLE, CALIFORNIA

WHEREAS, the Director of Parks and Recreation, in a memorandum dated June 2, 1971 has requested waiver of formal bid procedure for the purchase of playground equipment from Miracle Playground Equipment, Pinole, California for use in Marshall Park; and

WHEREAS, the equipment proposed to be purchased, listed in said memorandum, totals \$3,531, which price includes sales tax and freight charges; and

WHEREAS, it is the opinion of the staff of the Parks and Recreation Department that the playground equipment selected from Miracle Playground Equipment, Pinole, California is best suited for the need to carry out the theme for Marshall Park.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that waiver of formal bid procedure for the purchase of playground equipment for Marshall Park is hereby approved.

BE IT FURTHER RESOLVED that purchase of the playground equipment listed in memorandum from the Director of Parks and Recreation dated June 2, 1971 from Miracle Playground Equipment, Pinole, California for a total cost of \$3,531.00 for use at Marshall Park, 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 June, 1971 by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-569

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,000 FROM GENERAL FUND; GENERAL RESERVE TO COVER COSTS OF LEGAL ADVERTISING AND PRINTING FOR BALANCE OF FISCAL YEAR

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

GENERAL FUND (101)

FROM:	General Reserve (60)	\$1,000.00
TO:	Advertising, Legal & Other 230-14-101	700.00
	Services, Prof. & Other 235-14-101	300.00

The number of ordinances this fiscal year has been 90 as compared with 52 in the 1969-70 fiscal year.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June 1971 by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 570

A RESOLUTION APPROVING REQUEST OF STANISLAUS COUNTY  
FOURTH OF JULY COMMITTEE FOR THE CELEBRATION BEING  
HELD IN THE CITY OF MODESTO JULY 5, 1971.

WHEREAS, the Stanislaus County Fourth of July Committee has filed the following requests relating to its celebration being held in the City of Modesto, Monday, July 5, 1971:

1. That I Street, between 11th and 12th Streets, be barricaded between 9:30 A. M. and 3:30 P. M.;
2. That permission be granted for the use of the City's reviewing stand with canvass top, to be placed on I Street close to the cannon in the Courthouse Park by City Personnel on Friday, July 2nd, or Saturday, July 3rd;
3. That the Committee be granted permission to use a public address system at the reviewing stand (public address system to be furnished by said Committee);
4. That the use of Del Webb Field for entertainment and display of fireworks on the evening of July 5, 1971, be approved, with the City to supply a standby fire truck; and
5. That the parade route used in 1970 be approved as the same route to be used in 1971;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the requests of the Stanislaus County Fourth of July Committee be approved, subject to the following conditions:

1. That the parade route be approved by the Police Department and Parking and Traffic Department;
2. That the use of Del Webb Field to display fireworks be approved on the following conditions:
  - (a) That the weather conditions will not create any fire hazard to the surrounding area;
  - (b) That the City be held harmless from and against any and all costs, damages and liability arising out of the use of the field;
  - (c) That the Committee furnish to the City Clerk of City a policy or certificate of insurance evidencing Public Liability and Property Damage Insurance as shall protect it and any person employed by it, from claims for damages for personal injury which may arise hereunder. The amounts of such insurance shall be as follows:

Public Liability Insurance in an amount not less than \$100,000.00 for injuries including wrongful death to any one person, and subject to the same limits for each person in an amount not less than \$500,000.00 on account of one accident, and Property Damage Insurance in an amount not less than \$100,000.00.

Committee's liability policy and the certificate of insurance which is to be furnished to City Clerk of City shall contain a contractual liability endorsement stating that the policy is extended to cover the liability assumed by Committee under the terms of this resolution, and the liability policy and certificate of insurance to be furnished to City shall also contain a cancellation endorsement that the insurance coverage may not be cancelled nor the amount of coverage reduced until ten (10) days after receipt by the City Clerk of City of a written notice of such cancellation or reduction in coverage.

- (d) That the Committee assumes the responsibility for cleaning the field after its use;
- (e) That the City be reimbursed for any damages which may occur to the field and the two (2) golf courses; and
- (f) That arrangements be cleared by the Parks and Recreation and Police Departments.

3. That the fire works display be conducted according to the requirements of the Fire Department of the City of Modesto as set forth in the memorandum from the Fire Chief to the City Manager dated June 18, 1971, a copy of which is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED that the City Clerk shall furnish Committee with a copy of this resolution. Committee shall file a written acceptance of this resolution and evidence of the required insurance with the City Clerk, and no right shall be conferred hereby until said acceptance and evidence of the required insurance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

(SEAL)

ATTEST:

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

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MEMORANDUM

Manager	<input checked="" type="checkbox"/>	Finance	<input type="checkbox"/>
Dpy Mgr	<input type="checkbox"/>	Pub Wks	<input type="checkbox"/>
Attorney	<input type="checkbox"/>	Bldg Insp	<input type="checkbox"/>
Clerk	<input type="checkbox"/>	Pks & Rec	<input type="checkbox"/>
Fire	<input type="checkbox"/>	Pkg & Trf	<input type="checkbox"/>
Police	<input type="checkbox"/>	Personnel	<input type="checkbox"/>
Library	<input type="checkbox"/>	Planning	<input type="checkbox"/>

Date: June 18, 1971

TO: City Manager

FROM: Fire Chief

SUBJECT: Fireworks Display - July 5, 1971 - Del Webb Field

Pursuant to the provisions of Section 12602 of the Health and Safety Code of the State of California, I recommend a permit be granted with City Council approval for the public display of fireworks to be conducted by the 4th of July Parade and Celebration Committee at Del Webb Field July 5, 1971.

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. Patrol personnel be provided to control the vehicular traffic and parking during the arrival and departure of the citizens attending the display.
4. Modesto Fire Department be authorized to provide fire patrol services in the fallout area utilizing off-duty Fire Department personnel and reserve engine companies.
5. Discharge of fireworks to be subject to the approval of the Fire Marshal.

  
C. Wayne Everett

CWE/jal

Exhibit "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-571

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STREET LIGHTS ON NEECE DRIVE FROM ROUSE AVENUE TO FAIRWAY DRIVE

WHEREAS, a report has been filed by the Director of Public Works that the construction of street lights on Neece Drive from Rouse Avenue to Fairway Drive has been completed by Ferrero Electric, Inc.

in accordance with the contract agreement dated March 8, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of street lights on Neece Drive from Rouse Avenue to Fairway Drive be accepted from said contractor, Ferrero Electric, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$7,856 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 June, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-572

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR STREET OVERLAYS, UNIT NO. 1 SELECT STREETS AND UNIT NO. 2, RESIDENTIAL STREETS FOR FISCAL YEAR ~~XXXXXX~~ 1971-1972

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

SECTION 1. The plans and specifications for street overlays, Unit No. 1 Select Streets, and Unit No. 2, Residential Streets, for fiscal year 1971-72

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 6, 1971 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 21st day of June 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-573

A RESOLUTION ACCEPTING THE BID OF KLEMM TRUCKING COMPANY TO FURNISH READY-MIXED CONCRETE FOR A ONE-YEAR PERIOD ENDING JUNE 30, 1972

WHEREAS, Resolution No. 71-467 , adopted by the Council of the City of Modesto on May 24, 1971 , approved ~~the plans and~~ specifications for the furnishing of ready-mixed concrete for a one year period ending June 30, 1972 and authorized the calling for bids, and

WHEREAS, the bids received for the were opened at 2:30 P.M. June 8, 1971 and later tabulated by the Director of <sup>Finance</sup> ~~Public Works~~ for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of Klemm Trucking Company of \$16.00 for 4 sack mix per cubic yard; 5 sack mix , \$17.00 per cubic yard, and 6 sack mix at \$18.00 per cubic yard be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Klemm Trucking Company as outlined above 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 June 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-574

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR FURNISHING AND DELIVERY WHITE PLASTER SAND AT \$3.50 PER TON AND FILL SAND AT \$1.65 PER TON FOR ONE-YEAR PERIOD ENDING JUNE 30, 1971

WHEREAS, Resolution No. 71-465 , adopted by the Council of the City of Modesto on May 24, 1971 , approved the ~~plans and~~ specifications for the furnishing and delivery of white plaster sand and fill sand,

and authorized the calling for bids, and

WHEREAS, the bids received for the white plaster sand and fill sand were opened at 2:00 P.M. June 8, 1971 and later tabulated by the Purchasing Officer for the consideration of the Council, and

WHEREAS, the Purchasing Officer has recommended that the bid of The Flintkote Company for white plaster sand at \$3.50 per ton and fill sand at \$1.65 per ton for a one-year period ending June 30, 1971 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 as outlined above

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 June 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-575

A RESOLUTION ACCEPTING THE BID OF PUTNAM SAND & GRAVEL FOR CONCRETE MIX AGGREGATE AND DRAIN ROCK FOR ONE-YEAR PERIOD ENDING JUNE 30, 1971

WHEREAS, Resolution No. 71-465, adopted by the Council of the City of Modesto on May 24, 1971, approved the ~~plans and~~ specifications for the City's annual requirement of rock, sand and gravel,

and authorized the calling for bids, and

WHEREAS, the bids received for the rock, sand and gravel were were opened at 2:00 P.M. June 8, 1971 and later tabulated by the Purchasing Officer for the consideration of the Council, and

WHEREAS, the Purchasing Officer has recommended that the bid of Putnam Sand & Gravel Company as follows: Concrete mix aggregate, \$2.30 per ton; and drain rock \$2.24 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 Putnam Sand & Gravel Company as outlined above 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 June 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-576

A RESOLUTION ACCEPTING THE BID OF CHARLES D. WARNER & SON FOR AGGREGATE  
BASE MATERIAL FOR A ONE-YEAR PERIOD ENDING JUNE 30, 1971

WHEREAS, Resolution No. 71-465 , adopted by the Council of the  
City of Modesto on May 24, 1971 , approved the ~~plans and~~  
specifications for the City's annual needs of rock, sand and gravel  
and authorized the calling for bids, and

WHEREAS, the bids received for the rock, sand and gravel  
were opened at 2:00 P.M. June 8, 1971 and later tabulated by the  
Purchasing Officer for the consideration of the Council, and

WHEREAS, the Purchasing Officer has recommended that  
the bid of Charles D. Warner & Son for aggregate base material  
at ~~XXXX~~ \$2.19 per ton be accepted as the lowest responsible bid.  
~~be accepted as the lowest responsible bid.~~

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of Charles D. Warner & Son as outlined above  
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 June,  
1971 , by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

- AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-577

A RESOLUTION ACCEPTING THE BID OF M. J. RUDDY & SON FOR THE CITY'S  
ANNUAL REQUIREMENT OF CRUSHED ROCK SCREENINGS

WHEREAS, Resolution No. 71-465 , adopted by the Council of the  
City of Modesto on May 24, ~~1970~~ 1971 , approved the ~~plans and~~  
specifications for the crushed rock screenings for the City's annual  
needs ending June 30, 1971

and authorized the calling for bids, and

WHEREAS, the bids received for the crushed rock screenings  
were opened at 2:00 P.M. June 8, 1971 and later tabulated by the  
Purchasing Officer for the consideration of the Council, and

WHEREAS, the Purchasing Officer has recommended that  
the bid of M. J. Ruddy & Son for the crushed rock screenings at  
\$3.80 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 M. J. Ruddy & Son for crushed rock screenings at \$3.80  
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 <sup>21st</sup>~~24th~~ day of June

, by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-578

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. TO FURNISH LIQUID AND EMULSIFIED ASPHALTS FOR A ONE-YEAR PERIOD ENDING JUNE 30, 1972

WHEREAS, Resolution No. 71-466 , adopted by the Council of the City of Modesto on May 24, 1971 , approved ~~the plans and~~ specifications for ~~the~~ liquid and emulsified asphalts

and authorized the calling for bids, and

WHEREAS, the bids received for the liquid and emulsified asphalts were opened at 2:15 P.M. 6/18/71 and later tabulated by the Purchasing Officer for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of George Reed, Inc. at an estimated cost of \$23,482

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. for liquid and emulsified asphalts at an estimated cost of \$23,482 for the City's annual needs 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 June, 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-579

A RESOLUTION ACCEPTING THE BID OF JONES CHEMICALS INC. TO FURNISH OUR REQUIREMENTS OF LIQUID CHLORINE FOR A ONE YEAR PERIOD ENDING JUNE 30, 1972

WHEREAS, Resolution No. 71-462 , adopted by the Council of the City of Modesto on May 24, 1971 , approved the plans and specifications for the furnishing of liquid chlorine for a one year period ending June 30, 1972 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of Liquid Chlorine for a one year period ending June 30, 1972 were opened at 10:15 A.M. on June 8, 1971 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 Jones Chemicals, Inc. at \$108.94 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 Jones Chemicals, Inc. at \$108.94 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 21st day of June 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-583

A RESOLUTION ACCEPTING THE BID OF PUREGRO COMPANY TO FURNISH OUR REQUIREMENTS OF LIQUID ANHYDROUS AMMONIA FOR A ONE YEAR PERIOD ENDING JUNE 30, 1972

WHEREAS, Resolution No. 71-463 , adopted by the Council of the City of Modesto on May 24, 1971 , approved the plans and specifications for the furnishing of Liquid Anhydrous Ammonia for a one year period ending June 30, 1972 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of Liquid Anhydrous Ammonia for a one year period ending June 30, 1972 were opened at 10:30 A.M. on June 8, 1971 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 PureGro Company at \$70.00 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 PureGro Company at \$70.00 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 21st day of June 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-581

A RESOLUTION ACCEPTING THE BID OF CONSOLIDATED ELECTRICAL DISTRIBUTORS TO FURNISH OUR REQUIREMENTS OF LAMPS FOR A ONE YEAR PERIOD ENDING JUNE 30, 1972

WHEREAS, Resolution No. 71-464 , adopted by the Council of the City of Modesto on May 24, 1971 , approved the plans and specifications for the furnishing of Lamps for a one year period ending June 30, 1972 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of Lamps for a one year period ending June 30, 1972 were opened at 10:45 A.M. on June 8, 1971 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 Consolidated Electrical Distributors at an estimated cost of \$6,190.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Consolidated Electrical Distributors at an estimated cost of \$6,190.00 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 June 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-582

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (Fusco Ave. at 1835  
Uccello Avenue, portion of Block 2158 - Fred Cavener)

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalk have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Uccello Avenue, Block 2158, and

WHEREAS, the Council, did, on June 7th, 1971, adopt its Resolution No. 71-529, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 21st day of June 1971, at 4:05 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 notice to be given as directed by said Resolution No. 71-529, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-529 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 21st day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-583

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURB AND GUTTER ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (148 and 150 Drake Ave.,  
Lot 24 of Block 1191 - Hira Hari)

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 curb and gutter may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curb and gutter have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Drake Ave., Block 1191

, and  
WHEREAS, the Council, did, on June 7th, 1971, adopt its Resolution No. 71-530, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 21st day of June 1971, at 4:05 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 notice to be given as directed by said Resolution No. 71-530, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-530 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 21st day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURB AND GUTTER ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (144 Drake Ave., Lot  
25, Block 1191 - Bruce Rice)

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 curb and gutter may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curb and gutter have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Drake Avenue, Block 1191

\_\_\_\_\_ , and  
WHEREAS, the Council, did, on June 7th, 1971, adopt its Resolution No. 71-531, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 21st day of June 1971, at 4:05 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 notice to be given as directed by said Resolution No. 71-531, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-531 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 21st day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

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

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURB AND GUTTER ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (2717 Garvey Ave., Lot  
26, Block 7252 - Harold Shaffer)

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and  
Highways Code of the State of California establishes a procedure pur-  
suant to which the construction of curb and gutter  
may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and  
Highways Code, the Superintendent of Streets finds that curb and  
gutter have been constructed in front of the  
properties constituting more than fifty per cent (50%) of the street  
frontage along Garvey Avenue, Block 7252  
, and

WHEREAS, the Council, did, on June 7th, 1971,  
adopt its Resolution No. 71-532, directing the Superintendent of  
Streets to give notice requiring the construction of curb and  
gutter along certain streets in the City of Modesto,  
as provided therein, and

WHEREAS, the Council did by said resolution, set the 21st  
day of June 1971, at 4:05 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 notice to be  
given as directed by said Resolution No. 71-532, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-532 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 21st day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-586

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (Walnut at 710 S.  
Franklin Street, Lots 1 and 2, Block 402 - Willie Stone)

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalk have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Franklin Street, Block 402

, and WHEREAS, the Council, did, on June 7th, 1971, adopt its Resolution No. 71-533, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 21st day of June 1971, at 4:05 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 notice to be given as directed by said Resolution No. 71-533, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-533 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 21st day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-587

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ECOLOGY/  
EDUCATIONAL INSTITUTE FOR THE USE OF THE LINCOLN SCHOOL SITE ON JUNE 26,  
1971 AND JULY 3, 1971

ACTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Ecology Action  
Educational Institute for use of Lincoln School site on June 26  
~~for~~ and July 3, 1971 to sell organic produce

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  
June 1971, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Smith,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-588

A RESOLUTION AUTHORIZING APPLICATION FOR \$15,000 GRANT MADE AVAILABLE THROUGH THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 ADMINISTERED BY THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE AND DECLARING INTENTION TO PROVIDE REQUIRED MATCHING FUNDS

WHEREAS, the City of Modesto desires to undertake a project for the purpose of studying and developing alternative methods for the administration of law enforcement in the Metropolitan Modesto area which comprises both city and county jurisdictions with a combine population of approximately 110,000 persons, to be funded in part from funds made available through the Omnibus Crime Control and Safe Streets Act of 1968 administered by the California Council on Criminal Justice.

NOW, THEREFORE, BE IT RESOLVED that the City Manager of the City of Modesto is authorized to submit the attached Application for Grant for Law Enforcement Purposes to the California Council on Criminal Justice for its consideration, and

BE IT FURTHER RESOLVED that in the event that the California Council on Criminal Justice consents to fund the project, the City Manager is authorized to execute on behalf of the City of Modesto the contract for the grant for law enforcement purposes.

BE IT FURTHER RESOLVED that the applicant agrees to provide the required matching funds to said project.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant ongoing law enforcement expenditures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton, Dixon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-589

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
JOHN M. NATION FOR SEWER SERVICE AT 3108 Scenic Drive

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and John M. Nation  
for sewer service at 3108 Scenic 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  
June 1971, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Smith,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-590

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN D. WYLIE AND VALERIE ANN WYLIE FOR SEWER SERVICE AT 3104 SCENIC DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John D. Wylie and Valerie Ann Wylie for sewer service at 3104 Scenic 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 June 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-591

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
GARY M. POSTMA AND KATHERINE POSTMA FOR SEWER SERVICE AT 3101 WYCLIFFE  
DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Gary M. Postma  
and Katherine Postma  
for sewer service at 3101 Wycliffe 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  
June 1971 , by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Smith ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-592

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
GEORGE D. KEIRN AND HELEN L. KEIRN FOR SEWER SERVICE AT 1445 PAULETTE  
AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and George D. Keirn  
and Helen L. Keirn  
for sewer service at 1445 Paulette 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  
June 19 71 , by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Smith ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-593

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ELLIS TOLBERT AND ADELL TOLBERT FOR SEWER SERVICE AT 1315 HOLM AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ellis Tolbert and Adell Tolbert for sewer service at 1315 Holm 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 June 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-594

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 (HARLEY BRANNAN - ENCINA AVENUE)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 5, 1971, 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 One-family R-1 to Two-family R-2, the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-74 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 July 12, 1971 at 7:35 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 June, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

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

All that certain real property situate in the North half of the Northeast quarter of the Southwest quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the interior quarter section corner of said Section 26; thence North  $89^{\circ} 58'$  West along the East-West quarter section line of said Section 26, a distance of 120.01 feet; thence South  $0^{\circ} 34'$  East 63.00 feet to the point of beginning of this description; thence continuing South  $0^{\circ} 34'$  East 96.48 feet; thence South  $89^{\circ} 26'$  West 120.00 feet; thence South  $0^{\circ} 34'$  East 25.76 feet; thence North  $89^{\circ} 58'$  West 819.37 feet; thence North  $0^{\circ} 36'$  West 28.28 feet; thence South  $89^{\circ} 24'$  West 255.00 feet; thence North  $0^{\circ} 36'$  West 98.04 feet; thence South  $89^{\circ} 58'$  East 1194.47 feet to the point of beginning.

Containing 3.16 Acres

Including also the northerly one/half of Encina Avenue immediately to the above described property.

EXHIBIT "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-595

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 30-3-9 OF THE ZONING MAP (L. L. LOVELESS, P-D(80) TO R-1 and R-2)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 15, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 30-3-9 of the zoning map to rezone from P-D(80) to R-1 and R-2, property located on the west side of Franklin Street and Maze Boulevard the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-75 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 30-3-9 of the Zoning Map be set for ~~July~~ 12, 1971 at 7:40 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 June, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of Lot 22 of Maze Ranch Subdivision, as per map thereof filed March 19, 1909 in Volume 4 of Maps, Page 18, Stanislaus County Records, described as follows:

P-D to R-1:

Commencing at the point of intersection of the centerline of Maze Boulevard with the centerline of Franklin Street; thence northerly along the centerline of Franklin Street a distance of 185.20 feet to the true point of beginning; thence westerly along a line which is parallel with the centerline of Maze Boulevard and 185.20 feet therefrom, a distance of 355.65 feet to the southeast corner of the property conveyed to J.N. Snover and wife, by deed recorded June 9, 1932, as instrument No. 5250; thence northerly along the east line of said Snover property and the northerly extension thereof, a distance of 192.7 feet to a point on the centerline of Locust Street; thence easterly along the centerline of Locust Street 355.65 feet to the point of intersection of the centerline of Locust Street with the centerline of Franklin Street; thence southerly along centerline of Franklin Street 192.70 feet to the true point of beginning.

P-D to R-2:

Beginning at the point of intersection of the centerline of Maze Boulevard with the centerline of Franklin Street; thence northerly along the centerline of Franklin Street 185.20 feet; thence westerly along a line which is parallel with the centerline of Maze Boulevard and 185.20 feet therefrom; a distance of 355.65 feet to the southeast corner of the property conveyed to J.N. Snover and wife, by deed recorded June 9, 1932, as instrument No. 5250; thence continuing westerly along the south line of said Snover property 23.42 feet to the northeast corner of the property conveyed to C. C. Geist and wife, by deed recorded January 8, 1938, as instrument No. 288; thence southerly along the east line of said Geist property and the southerly extension thereof 185.20 feet a point on the centerline of Maze Boulevard; thence easterly along the centerline of Maze Boulevard 379.05 feet to the point of beginning.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-596

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 (CENTRAL CAL ENTERPRISES)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 15, 1971, 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 R-2 to P-D(88), to amend P-D(88) to increase the boundaries thereof to include said property, to allow construction of two 1-story triplexes therein, ~~the following described property~~ said additional property being adjacent to the present P-D (88) boundaries, and being located northeast of Crestview Drive, the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-72 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 July 12, 1971 at 7:45 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 June, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

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

All that portion of Lot 13 of the Broughton Colony as shown on the map filed in Volume 1 of Maps at Page 78, Stanislaus County Records lying in the northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the northeast corner of said Lot 13, thence South  $0^{\circ} 32' 07''$  East along the east line of said Lot 13 a distance of 329.16 feet to the true point of beginning of this description; thence continuing South  $0^{\circ} 32' 07''$  East along the east line of said Lot 13 a distance of 176.63 feet to the centerline intersection of Crestview Drive, a 60-foot wide public street; thence in a northwesterly direction along the future extension of the centerline of said Crestview Drive the following three (3) courses and distances: 1) along a curve concave to the southeast thru a central angle of  $1^{\circ} 14' 25''$ , having a radius of 550.00 feet a curve distance of 11.91 feet to a point of reverse curvature; 2) along a curve concave to the northeast thru a central angle of  $112^{\circ} 09' 15''$ , having a radius of 117.07 feet, a curve distance of 229.16 feet, and 3) North  $0^{\circ} 06' 24''$  West a distance of 72.57 feet; thence North  $89^{\circ} 53' 36''$  East a distance of 170.97 feet to the point of beginning.

CONTAINING: 0.674 acres

EXHIBIT "A"

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-597

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 5-4-9 OF THE ZONING MAP (MUTUAL OWNERSHIP DEVELOPMENT FOUNDATION)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 15, ~~1971~~ 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 5-4-9 of the zoning map to rezone from R-2 to Planned Development Zone, P-D, property located on the south-easterly side of Roselawn Avenue between Colorado Ave. and Pelton Ave. extended the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-73 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 Section 5-4-9 of the Zoning Map be set for ~~July~~ 12, 1971 at 7:50 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 June, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

Parcel 1

All of Fairway Estates Unit No. 3, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on April 11, 1967, in Volume 21 of Maps, at page 60.

Including also the southeasterly 30 feet of Roselawn Avenue immediately adjacent to the above described property.

Parcel 2

Parcel A as shown and designated on that certain Parcel Map filed in the office of the County Recorder of Stanislaus County, California, on March 24, 1967, in Volume 3 of Parcel Maps, at page 34, and being a portion of Lots 2, 6, 7, 8 and 10 of Rouse Colony, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on January 10, 1911 in Volume 5 of Maps, at Page 24, and being in the City of Modesto and in Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the easterly 30 feet of Roselawn Avenue immediately adjacent to the above described property.

EXHIBIT "A"

*Mutual ownership Des. Found. 5-4-9*

MODESTO CITY COUNCIL  
RESOLUTION NO.71-598

A RESOLUTION CONSENTING TO COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY DESIGNATED AS THE GLENDALE-MILLER ADDITION TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913.

WHEREAS, on May 12, 1971, a request for consent to commence proceedings to annex certain territory referred to as the Glendale-Miller

Addition to the City of Modesto was presented to the Council, and

WHEREAS, on June 7, 1971, said request was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, on June 15, 1971, the Modesto City Planning Commission rendered its report and recommendation to the City Council, favoring the commencement of annexation proceedings, and

WHEREAS, it is the desire of the City Council to give its consent to the commencement of such annexation proceedings upon the condition that the electors within said territory be informed at the time the petition for annexation is circulated that the question to be submitted to said electors shall be whether said territory shall be annexed to, incorporated in, and made a part of the City of Modesto and the property therein subjected to taxation after annexation equally with the property within the City to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election,

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

SECTION 1. That said unincorporated territory proposed to be annexed to the City of Modesto be and it is hereby designated as the Glendale-Miller Addition; said territory is contiguous to the City of Modesto and is shown on

that certain map marked Exhibit "A" entitled, "Proposed Glendale-  
Miller Addition",  
dated June 15, 1971, which is attached hereto and  
made a part hereof.

SECTION 2. That consent be and it is hereby granted  
for the commencement of annexation proceedings of said Glendale-  
Miller Addition in accordance with the  
Annexation Act of 1913, as amended, provided the petition for  
annexation contains the request that the question to be submitted  
to the electors residing in the territory proposed to be annexed  
shall be whether said territory shall be annexed to, incorporated  
in, and made a part of the City of Modesto and the property therein  
subjected to taxation after annexation equally with the property  
within the City to pay the bonded indebtedness of the City of Modesto  
for the acquisition, construction or completion of municipal improve-  
ments outstanding or authorized at the date of the first publication  
of the notice of the election.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 21st  
day of June, 1971, by Councilman Simon, who  
moved its adoption, which motion being duly seconded by Councilman  
Smith, was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

**PROPOSED GLENDALE-MILLER ADDITION**

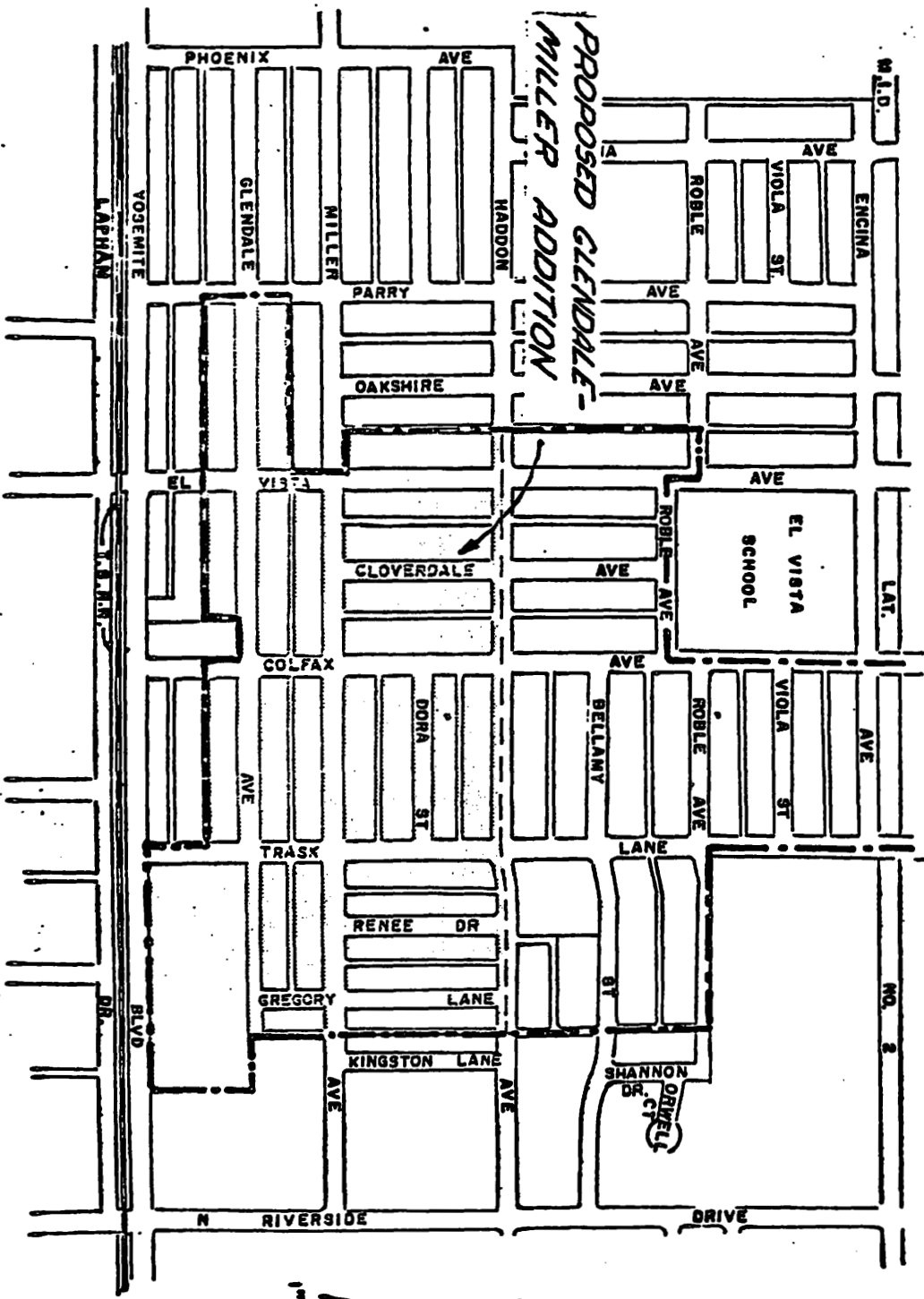


EXHIBIT "A"

June 15, 1971

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-599

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$6,149 FOR BALANCE OF CITY'S SHARE OF THE SANITARY LANDFILL DEVELOPMENT

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

SPECIAL FUND FOR CAPITAL OUTLAY (321)

FROM:	General Reserve	<del>(60)</del> (60-321)	\$6,149
TO:	Sanitary Landfill	(6536-41-321)	\$6,149

(Funds for balance of City's share of sanitary landfill development. Costs are to be shared equally by City and County and are to be recovered from operations. Total development costs are presently \$84,078.29, of which City has contributed \$35,797.11 (Scale-Control Building)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-600

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,900 TO COVER INCREASE IN EXECUTIVE DIRECTOR'S SALARY AND INCREASED PROMOTIONAL EXPENSE

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

DOWNTOWN IMPROVEMENT DISTRICT (218)

FROM:	General Reserve (60-218)	\$1,900
TO:	Downtown Improvement District, Services, Prof./Other (235-218)	\$ 700
	Business Promotions (237-218)	1,200

(\$700 needed in Account 235, Service, Professional & Other to cover increase in executive director's salary approved by Council Feb. 1971)

(\$1,200 needed in Account 237 for increased promotional expense)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June 19 71 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-601  
MEMORANDUM OF UNDERSTANDING

A RESOLUTION APPROVING ~~AGREEMENT~~ BETWEEN THE CITY OF MODESTO AND  
MODESTO CITY EMPLOYEES' ASSOCIATION AND AUTHORIZING STAFF TO IM-  
PLEMENT THE PROVISIONS THEREOF

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
memorandum of understanding  
that the ~~AGREEMENT~~ between the City of Modesto and Modesto City  
Employees' Association  
for salary and fringe benefits effective June 29, 1971

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  
June 1971, by Councilman Elliott, who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-602

MEMORANDUM OF UNDERSTANDING

A RESOLUTION APPROVING ~~AGREEMENT~~ ~~AGREEMENT~~ BETWEEN THE CITY OF MODESTO AND  
MODESTO CITY FIRE FIGHTERS ASSOCIATION AND AUTHORIZING STAFF TO IM-  
PLEMENT THE PROVISIONS THEREOF

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Modesto City  
Firefighter's Association  
for salary and fringe benefits effective June 29, 1971

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  
June 1971, by Councilman Elliott, who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-603  
MEMORANDUM OF UNDERSTANDING

A RESOLUTION APPROVING ~~AGREEMENT~~ BETWEEN THE CITY OF MODESTO AND  
MODESTO POLICE ASSOCIATION AND AUTHORIZING STAFF TO IMPLEMENT THE  
PROVISIONS THEREOF

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
memorandum of understanding  
that the ~~agreement~~ between the City of Modesto and Modesto Police  
Association

for salary and fringe benefits effective June 29, 1971

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

June 19 71 , by Councilman Elliott , who moved its  
adoption, which motion being duly seconded by Councilman Simon ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-604

A RESOLUTION APPROVING SALARY INCREASES FOR COUNCIL APPOINTEES, DEPARTMENT HEADS AND GRANTING ADDITIONAL INCREASES TO SEVERAL POSITIONS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MODESTO  
as follows:

1. A 6.3% salary increase and fringe benefits agreed to in Memoranda of Understanding with the three employees' associations are hereby approved for all department heads and council appointees.

2. Additional increases are granted to the following positions, as indicated:

Police Captain - 5% additional increase

Police Lieutenant - 2½% additional increase

Police Sergeant - 2½% additional increase

Office Machine Operator - 5% additional increase

Office Machine Supervisor - 2½ additional increase


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of June, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk


MODESTO CITY COUNCIL  
RESOLUTION NO. 71-605

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF JOHN N. UHL FOR ENCROACHMENT PERMIT TO ALLOW BRICK COLUMNS TO REMAIN IN PUBLIC RIGHT OF WAY AT 224 HINTZE AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 6, 1970 , at 4:05 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 of John N. Uhl for encroachment permit to allow brick columns to remain in public right of way at 224 Hintze Avenue

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

ATTEST:   
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-606

A RESOLUTION AUTHORIZING PAYMENT OF \$660 TO WALTER E. WITHERSPOON FOR SERVICES IN CONNECTION WITH MANCINI PARK ARTS FESTIVAL

BE IT HEREBY RESOLVED by the Council of the City of Modesto that payment of \$660 to Walter E. Witherspoon is authorized for services in connection with the Arts Festival held May 2 - May 9, 1971 at Frank and Ione Mancini Memorial Park.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon

NOES: Councilmen: Elliott, Smith, Mayor Davies

ABSENT: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-607

A RESOLUTION AUTHORIZING APPLICATION FOR A \$53,380 GRANT MADE AVAILABLE THROUGH THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 ADMINISTERED BY THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE

WHEREAS, the City of Modesto desires to undertake a Community Response to Drug Abuse through Head Rest, Inc., to be funded in part from funds made available through the Omnibus Crime Control and Safe Streets Act of 1968 administered by the California Council on Criminal Justice.

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto will act as sponsor and authorizes Head Rest, Inc., to submit the attached Application for Grant for Law Enforcement Purposes to the California Council on Criminal Justice for its consideration, and

BE IT FURTHER RESOLVED that in the event that the California Council on Criminal Justice consents to fund the project, the City Manager is authorized to execute on behalf of the City of Modesto the contract for the grant for law enforcement purposes.

BE IT FURTHER RESOLVED that the required matching funds for said project will be provided by Head Rest, Inc. The City of Modesto shall act only as fiscal agent and applicant and shall provide only receiving and disbursing of funds and accounting for said funds in accordance with the grant provisions.

BE IT FURTHER RESOLVED that the City of Modesto shall monitor Head Rest to insure contracted services are performed in accordance with the grant application and contract.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant ongoing law enforcement expenditures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971, by Councilman Newton,

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

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-608

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATER LINES IN WALNUT TERRACE, RIVERSIDE NORTH NO. 4 AND GREENFIELD VILLAGE NO. 2

WHEREAS, Resolution No. 71-509 , adopted by the Council of the City of Modesto on June 7, 1971 , approved the plans and specifications for the installation of Water Lines in Walnut Terrace, Riverside North No. 4 and Greenfield Village No. 2 and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in Walnut Terrace, Riverside North No. 4 and Greenfield Village No. 2 were opened at 11:00 A.M. on June 22, 1971 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 Construction in the amount of \$16,799.00

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 Construction in the amount of \$16,799.00

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 28th day of June 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-609

A RESOLUTION ACCEPTING THE BID OF B. J. ROMMEL FOR CONSTRUCTION OF RESTROOM, STORAGE AREA AND ELECTRICAL SYSTEM AT DOWNEY PARK

WHEREAS, Resolution No. 71-511 , adopted by the Council of the City of Modesto on June 7, 1971 , approved the plans and specifications for the construction of restroom storage area and electrical system at Downey Park and authorized the calling for bids, and

WHEREAS, the bids received for the construction of restroom, storage area and electrical system at Downey Park were opened at 2:00 P.M. on June 22, 1971 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. J. Rommel in the amount of \$25,329.00

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. J. Rommel in the amount of \$25,329.00

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 28th day of June 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-610

A RESOLUTION ACCEPTING THE BID OF JOHN BIRGES FOR INSTALLATION OF CLAY  
INFIELD, TURF AND IRRIGATION AT DOWNEY PARK

WHEREAS, Resolution No. 71-510 , adopted by the Council of the  
City of Modesto on June 7, 1971 , approved the plans and  
specifications for the installation of clay infield, turf and irriga-  
tion at Downey Park  
and authorized the calling for bids, and

WHEREAS, the bids received for the installation of clay infield,  
turf and irrigation at Downey Park  
were opened at 2:05 P.M. on June 22, 1971 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 John Birges in the amount of \$29,300.00  
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of John Birges in the amount of \$29,300.00  
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 28th day of June  
1971 , by Councilman Smith , who moved its adoption, which motion  
being duly seconded by Councilman Newton , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-611

A RESOLUTION ACCEPTING THE BID OF NANCE FORD TRACTOR, MODESTO, TO FURNISH ONE NEW GASOLINE POWERED GOLF COURSE TRACTOR

WHEREAS, Resolution No. 71-502 , adopted by the Council of the City of Modesto on June 7, 1971 , approved the plans and specifications for the furnishing of one new gasoline powered golf course tractor and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of one new gasoline powered golf course tractor were opened at 10:15 A.M. on June 22, 1971 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 Nance Ford Tractor in the amount of \$2,352.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Nance Ford Tractor in the amount of \$2,352.00

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 28th day of June, 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-612

A RESOLUTION ACCEPTING THE CONSTRUCTION OF LEE A. CAIN'S CONTRACT FOR THE REPLACEMENT OF CURB AND GUTTER ON ENSLEN AVENUE AND SHERWOOD AVENUE BETWEEN GRANGER AVENUE AND ORANGEBURG AVENUE

WHEREAS, a report has been filed by the Director of Public Works that the construction of replacement of curb and gutter on Enslan Avenue and Sherwood Avenue between Granger Avenue and Orangeburg Avenue has been completed by Lee A. Cain

in accordance with the contract agreement dated May 17, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of replacement of curb and gutter on Enslan Avenue and Sherwood Avenue between Granger Avenue and Orangeburg Avenue be accepted from said contractor, Lee A. Cain

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$10,240.00 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 June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-613

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING THE CONSTRUCTION OF A CHAIN LINK FENCE SEPARATING THE LAWRENCE J. ROBINSON, JR. PROPERTY FROM ADJACENT CITY-OWNED PARK PROPERTY

WHEREAS, Lawrence Robinson, Jr. and Marjorie W. Robinson, husband and wife, have donated real property adjacent to their home on Buena Vista Avenue to the City of Modesto for park purposes; and

WHEREAS, terms of an agreement with Mr. and Mrs. Robinson, Jr. provide that the City of Modesto will construct a six-foot chain length fence separating the Robinson property from adjacent city-owned park property; and

WHEREAS, the Director of Finance in a memorandum dated June 24, 1971 has requested that formal bid procedure be waived and authorization be granted to issue a purchase order to San Jose Steel Company in the amount of \$2,971.30 for the construction of the six-foot chain link fence.

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

1. Waiver of formal bid procedure for the construction of the required six-foot chain link fence is hereby approved.
2. The City Manager is hereby authorized to issue a purchase order to San Jose Steel Company in the amount of \$2,971.30 for the construction of a six-foot chain fence separating the Robinson property from adjacent city-owned park property.

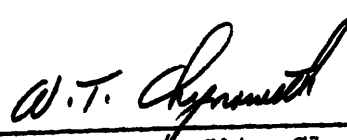
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT; Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-614

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,972 FOR CONSTRUCTION OF A 6-FOOT CHAIN LINK FENCE ADJACENT TO THE LAWRENCE ROBINSON, JR. PROPERTY

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (321-60)	\$2,972
TO: 1000 Oaks Park Fence (7901-31-321)	\$2,972

(To provide funds for the construction of a fence at 1000 Oaks Park adjacent to the Robinson property)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-615

A RESOLUTION ACCEPTING THE BID OF DON L. DAVIS PAINTING OF MODESTO TO PAINT FIRE STATION NO. 1

WHEREAS, Resolution No. 71-512 , adopted by the Council of the City of Modesto on June 7, 1971 , approved the plans and specifications for the painting of Fire Station No. 1

and authorized the calling for bids, and

WHEREAS, the bids received for the painting of Fire Station No. 1 were opened at 10:45 A.M. on June 22, 1971 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 Don L. Davis Painting in the amount of \$4,967.00

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 Painting in the amount of \$4,967.00

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 28th day of June, 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-616

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,175.00 FOR  
ADDITIONAL FUNDS NEEDED TO PAINT AND WEATHERPROOF FIRE STATION NO. 1

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$1,175.00
TO: M/R Buildings and Grounds (224-21-101)	\$1,175.00

(An additional \$1,175.00 is required to provide \$5,000.00  
to encumber for the awarding of the contract to paint and  
weatherproof Fire Station No. 1. )

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 28th day of June,  
19 71 by Councilman Smith , who moved its adoption, which motion'  
being duly seconded by Councilman Newton , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-617

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. ( RIVERSIDE NO. 5)

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 May 10, 1971, duly adopted Resolution No. 71-417 (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. 72 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, June 28, 1971, at the hour of 7:35 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. 72 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. 72 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. 72, 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. 72, 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

28th day of June, 1971, by Councilman  
Smith, who moved its adoption, which motion being  
duly seconded by Councilman Elliott, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. A. Hayswood  
Public Works Department

RAH  
5-21-71

March 16, 1971

RIVERSIDE NO. 5 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of the Northeast quarter of the Southwest quarter of Section 26, 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 ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records, said point also being on the center line of 60.00 foot public road known as Trask Lane and the North-South quarter, quarter line of said Section 26; thence along the existing City Limits on a Southern boundary of said Addition (228), which is also the Southern line of the Modesto Irrigation District Lateral Number 2, South  $89^{\circ} 58' 00''$  East, 1314.49 feet, to a Southwestern corner of said Addition (228) and the Western Boundary of a 40.00 foot public road known as North Riverside Drive, which is also the North-South quarter section line of said Section 26; thence along said quarter section line, South  $0^{\circ} 34' 00''$  East, 623.06 feet, to a Northeastern corner of said Addition (228); thence continuing along the existing City Limits on a Northern boundary of said Addition (228), North  $89^{\circ} 57' 00''$  West, 657.00 feet, to a Northwestern corner of said Addition (228); thence leaving the existing City Limits, North  $89^{\circ} 57' 00''$  West, 657.13 feet, to the center line of said Trask Lane; thence along said center line, North  $0^{\circ} 36' 00''$  West, 623.18 feet, to the point of beginning, containing 18.792 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-618

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 (432 Balboa Way, Lot 7 of Block 6064 - Mr. E. W. Costello - \$169.60)

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 sidewalk may be required, and

WHEREAS, the Council did, on -----, 19--- WAIVED BY PROPERTY OWNER adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 28, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$169.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$169.60, be assessed 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 6064 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO, 71-619

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (439 Balboa Way, Lot 13 of Block 6065 -  
Mr. A. Ben Goss - \$169.60)

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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER  
-----, 19---  
adopt its Resolution No. -----, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
----- as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, June 28, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$169.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$169.60, be assessed 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 6065 of Sycamore Park as per map filed June 16, 1950, in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO, 71-620

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (445 Coronado Way, Lot 14 of Block 6064 -  
Mr. Leo W. Habers - \$161.20)

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 construc-  
tion of sidewalk may be required, and

WAIVED BY PROPERTY OWNER  
WHEREAS, the Council did, on -----, 19--  
adopt its Resolution No. -----, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
----- as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$161.20.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$161.20, be assessed 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 6064 of Sycamore Park as per map filed June 16, 1950, in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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.

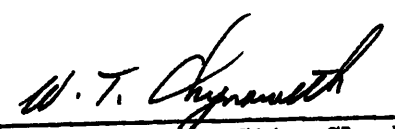
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-621

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (501 Balboa Way, Lot 15 of Block  
6065 - Mr. Douglas E. Hendrix - \$169.60)

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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on                     , 19    
                     WAIVED BY PROPERTY OWNER  
adopt its Resolution No.                     , directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
                     as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$169.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$169.60, be assessed 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 6065 of Sycamore Park as per map filed June 16, 1950, in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO, 71-622

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 (427 Coronado Way, Lot 11 of Block 6064 - Mr. Samuel Jacobs - \$161.20)

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 sidewalk may be required, and

WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER, 1971 adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$161.20.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$161.20, be assessed 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 11 of Block 6064 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-623

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 (445 Balboa Way, Lot 14 of Block 6065 - Mr. Charles Kincaid - \$169.60)

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 sidewalk may be required, and

WHEREAS, the Council did, on -----, 19--  
adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$169.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$169.60, be assessed 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 6065 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

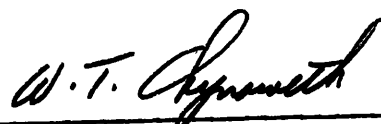
SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 19 71, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-624

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (513 Balboa Way, Lot 17 of Block  
6065 - Mr. Richard H. Lamoreaux - \$169.60)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on -----, 19---  
adopt its Resolution No. -----, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
----- as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$169.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$169.60, be assessed 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 6065 of Sycamore Park as per map filed June 16, 1950, in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-625

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (438 Balboa Way, Lot 6 of Block  
6064 - Dr. W. Lawrence Meek - \$227.60)

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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on -----, 19--  
adopt its Resolution No. -----, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
----- as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, June 28,, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$227.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$227.60, be assessed 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 6064 of Sycamore Park as per map filed June 16, 1950, in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 19 71, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-626

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 (500 Balboa Way, Lot 4, Block 6064 - Mr. Richard Navarro - \$169.60)

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 sidewalk may be required, and

WHEREAS, the Council did, on -----, 19--- <sup>WAIVED BY PROPERTY OWNER</sup>

adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$169.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$169.60, be assessed 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 of Block 6064 of Sycamore Park as per map filed June 16, 1950, in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-627

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (439 Coronado Way, Lot 13 of Block  
6064 - Mr. Roy Nevins - \$150.00)

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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on \_\_\_\_\_, 19--  
WAIVED BY PROPERTY OWNER

adopt its Resolution No. \_\_\_\_\_, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
\_\_\_\_\_ as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$150.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$150.00, be assessed 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 6064 of Sycamore Park as per map filed June 16, 1950, in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-628

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 (512 Balboa Way, Lot 2 of Block 6064 - Mr. Walter E. Soper - \$169.60)

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 sidewalk may be required, and

WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER -----, 19-- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$169.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$169.60, be assessed 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 6064 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 19 71, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-629

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (433 Coronado Way, Lot 12 of Block  
6064 - Mrs. Christina VanRyn - \$161.20)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER  
-----, 19---  
adopt its Resolution No. -----, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
----- as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$161.20.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$161.20, be assessed 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 of Block 6064 of Sycamore Park as per map filed June 16, 1970 in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-630

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (Balboa Way and Enslan Avenue at 519 Balboa  
Way, Lot 18 of Block 6065 - Mr. Edward Yarrick - \$432.80)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER  
-----, 19---  
adopt its Resolution No. -----, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
----- as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, June 28th, 1971, at 7:45 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$432.80.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$432.80, be assessed 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 6065 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)



SECTION 1. That the cost of the aforesaid work, being the amount of \$164.00, be assessed 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 6064 of Sycamore Park as per map filed June 16, 1950 in Volume 17 of Maps, Page 3, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 June 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-632

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. The salary rates, salary ranges and salary steps as set forth in Exhibit "A", entitled "City of Modesto Schedule of Salary Ranges in City Service", which is attached hereto and hereby made a part hereof, are hereby established, effective on June 29, 1971.

SECTION 2. 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 "B", entitled "Personnel Office Alphabetical Listing of Classifications in Modesto City Service 1971-72", which is attached hereto and hereby made a part hereof, are established, effective on June 29, 1971.

SECTION 3. 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 4. SALARY BASIS. The salaries hereby established are on a monthly basis unless otherwise designated.

SECTION 5. 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.

SECTION 6. 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 herein 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 7. 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.

The City Manager is further authorized, subject to budgetary limitations, to approve salaries for police personnel serving in special assignments made by the

Chief of Police as police investigators or juvenile officers in the salary range ten (10%) percent above that established for the classification of Policeman.

**SECTION 8. DIFFERENTIAL PAY.** 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 his position has been allocated, additional compensation at the rate of five (5%) percent of the compensation which he 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. Public Works Maintenance Mechanic - who is regularly assigned as a Night Mechanical Sweeper Operator.
2. Laborer - who is regularly assigned as a Night Hand Sweeper.

**SECTION 9. 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 10. EFFECTIVE DATE.** The schedule of salary rates and ranges, and the compensation fixed for classes of positions by this resolution shall be effective on and after June 29, 1971.

**SECTION 11. REPEALS.** Resolutions No. 70-622, 70-665, 70-1202, 71-53 and 71-82 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
 NOES: Councilmen: None  
 ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

## CITY OF MODESTO

## SCHEDULE OF SALARY RANGES IN CITY SERVICE

1971-72

Bi-WeeklyMonthly

<u>Range No.</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>Range No.</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
10	176	185	195	204	214	10	383	402	424	444	465
10.5	181	190	199	209	220	10.5	394	413	433	454	478
11	185	195	204	214	225	11	402	424	444	465	489
11.5	190	199	209	220	231	11.5	413	433	454	478	502
12	195	204	214	225	236	12	424	444	465	489	513
12.5	199	209	220	231	242	12.5	433	454	478	502	526
13	204	214	225	236	248	13	444	465	489	513	539
13.5	209	220	231	242	255	13.5	454	478	502	526	554
14	214	225	236	248	261	14	465	489	513	539	567
14.5	220	231	242	255	267	14.5	478	502	526	554	580
15	225	236	248	261	274	15	489	513	539	567	596
15.5	231	242	255	267	281	15.5	502	526	554	580	611
16	236	248	261	274	287	16	513	539	567	596	624
16.5	242	255	267	281	295	16.5	526	554	580	611	641
17	248	261	274	287	302	17	539	567	596	624	657
17.5	255	267	281	295	309	17.5	554	580	611	641	672
18	261	274	287	302	317	18	567	596	624	657	689
18.5	267	281	295	309	325	18.5	580	611	641	672	707
19	274	287	302	317	333	19	596	624	657	689	724
19.5	281	295	309	325	341	19.5	611	641	672	707	741
20	287	302	317	333	349	20	624	657	689	724	759
20.5	295	309	325	341	358	20.5	641	672	707	741	778
21	302	317	333	349	367	21	657	689	724	759	798
21.5	309	325	341	358	376	21.5	672	707	741	778	817
22	317	333	349	367	385	22	689	724	759	798	837
22.5	325	341	358	376	395	22.5	707	741	778	817	859
23	333	349	367	385	404	23	724	759	798	837	878
23.5	341	358	376	395	415	23.5	741	778	817	859	902
24	349	367	385	404	425	24	759	798	837	878	924
24.5	358	376	395	415	435	24.5	778	817	859	902	946
25	367	385	404	425	446	25	798	837	878	924	970
25.5	376	395	415	435	457	25.5	817	859	902	946	994
26	385	404	425	446	468	26	837	878	924	970	1017
26.5	395	415	435	457	480	26.5	859	902	946	994	1044
27	404	425	446	468	492	27	878	924	970	1017	1070
27.5	415	435	457	480	504	27.5	902	946	994	1044	1096
28	425	446	468	492	516	28	924	970	1017	1070	1122
28.5	435	457	480	504	529	28.5	946	994	1044	1096	1150
29	446	468	492	516	542	29	970	1017	1070	1122	1178
29.5	457	480	504	529	556	29.5	994	1044	1096	1150	1209

EXHIBIT "A"

<u>Bi-Weekly</u>						<u>Monthly</u>					
<u>Range No.</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>Range No.</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
30	468	492	516	542	569	30	1017	1070	1122	1178	1237
30.5	480	504	529	556	583	30.5	1044	1096	1150	1209	1268
31	492	516	542	569	598	31	1070	1122	1178	1237	1300
31.5	504	529	556	583	612	31.5	1096	1150	1209	1268	1331
32	516	542	569	598	627	32	1122	1178	1237	1300	1363
32.5	529	556	583	612	643	32.5	1150	1209	1268	1331	1398
33	542	569	598	627	659	33	1178	1237	1300	1363	1433
33.5	556	583	612	643	675	33.5	1209	1268	1331	1398	1468
34	569	598	627	659	692	34	1237	1300	1363	1433	1504
34.5	583	612	643	675	709	34.5	1268	1331	1398	1468	1541
35	598	627	659	692	726	35	1300	1363	1433	1504	1578
35.5	612	643	675	709	744	35.5	1331	1398	1468	1541	1618
36	627	659	692	726	763	36	1363	1433	1504	1578	1659
36.5	643	675	709	744	782	36.5	1398	1468	1541	1618	1700
37	659	692	726	763	801	37	1433	1504	1578	1659	1741
37.5	675	709	744	782	821	37.5	1468	1541	1618	1700	1785
38	692	726	763	801	841	38	1504	1578	1659	1741	1828
38.5	709	744	782	821	862	38.5	1541	1618	1700	1785	1874
39	726	763	801	841	883	39	1578	1659	1741	1828	1920
39.5	744	782	821	862	905	39.5	1618	1700	1785	1874	1968
40	763	801	841	883	927	40	1659	1741	1828	1920	2015
40.5	782	821	862	905	950	40.5	1700	1785	1874	1968	2065

City Manager \$1,140

City Manager \$2,478

City Attorney \$ 891

City Attorney \$1,938

ALPHABETICAL LISTING  
OF  
CLASSIFICATIONS IN MODESTO CITY SERVICE  
1971-72  
(Effective 6-29-71)

<u>Title of Classification</u>	<u>Range No.</u>	<u>Title of Classification</u>	<u>Range No.</u>
Account Clerk	14.5	Electrician	23.5
Account Clerk, Senior	18.5	Electrician Leadman	24.5
Accountant	26	Engineering Aide	20.5
Accountant, Junior	22.5	Engineering Aide, Junior	17.5
Accountant, Senior	29	Engineering Aide, Principal	26
Administrative Assistant	26	Engineering Aide, Senior	23.5
Airport Manager	26.5	Equipment Mechanic	21.5
Assistant City Attorney	34	Equipment Serviceman	18.5
Assistant City Clerk	20.5	Fire Chief	35.5
Assistant City Engineer	34	Fire Engineer	23.5
Asst. Dir. of Public Works	34	Fire Lieutenant	25.5
Assistant Fire Chief	31.5	Fireman	22.5
Assistant Planner	26	Golf Course Maint. Foreman	25
Assistant Poundmaster	17.5	Heavy Equipment Operator	20.5
Assistant to City Manager/ Personnel Officer	31.5	Janitor	14.5
Associate Civil Engineer	32	Junior Civil Engineer	26
Associate Planner	29	Laboratory Technician	20.5
Battalion Chief	28.5	Laborer	16.5
Building Inspector	25	Office Machine Operator	16
Building Inspector, Senior	27	Office Machine Supervisor	19
Building Maint. Foreman	22	Parking Meter Svc. & Reparm.	18.5
Chief Building Official	32	Parks and Recreation Supt.	28.5
Chief Electrician	27	Parks Foreman	25
Chief of Police	36.5	Parks Leadman	22
City Attorney	N/A	Parks Maintenance Man	18.5
City Clerk & Auditor	30.5	Parks Maint. Mechanic	19.5
City Manager	N/A	Planning Aide	20.5
Civil Engineering Assistant	28	Planning Aide, Junior	17.5
Clerk, Intermediate	13	Planning Aide, Senior	23.5
Clerk, Junior	10	Police Captain	32
Construction Inspector	25	Police Lieutenant	29.5
Data Processing Supervisor	22.5	Police Property Clerk	17.5
Deputy City Manager	39.5	Police Records Supervisor	24.5
Director of Finance	35.5	Police Sergeant	27.5
Director of Park. & Traffic	36	Policeman	24.5
Dir. of Parks & Recreation	35	Policewoman	24.5
Director of Planning	36		
Director of Public Works and City Engineer	39.5		

<u>Title of Classification</u>	<u>Range No.</u>
Poundmaster	20.5
Public Works Foreman	25
Public Works Leadman	22
Public Works Maint., Man	18.5
Public Works Maint., Mechanic	19.5
Public Works Maint. Supt.	27
Purchasing Officer	27.5
Radio-Telephone Operator	19.5
Recreation Supervisor I	23.5
Secretary	18.5
Secretary to City Attorney	20.5
Secretary to City Manager	21.5
Senior Planner	32
Service Division Supt.	27
Shop Foreman	23.5
Stenographer Clerk, Inter.	14.5
Stenographer Clerk, Junior	11
Stores & Equipment Clerk	19.5
Supervisor of Gen. Services	23.5
Telephone Oper.-Receptionist	13
Traffic Painter	20.5
Tree Foreman	25
Tree Leadman	22
Tree Trimmer	20.5
Typist Clerk, Intermediate	13
Typist Clerk, Junior	10
Water Service Foreman	25
Water Quality Control Foreman	25
Water Quality Control Oper. I	18.5
Water Quality Control Oper. II	21.5
Water Quality Control Supt.	29
Zoning Inspector	25

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-633

A RESOLUTION ACCEPTING IMPROVEMENTS IN KINGSWOOD ESTATES SUBDIVISION NO. 1 AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, Stewart and Jasper Poultry Ranch, a corporation, and Weeks Real Estate, a corporation, subdividers of Kingswood Estates No. 1. Subdivision, have filed an Instrument of Credit in the amount of \$108,800 to guarantee improvements in Kingswood Estates No. 1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated June 22, 1971 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$108,800 upon expiration of the statutory lien period.

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

1. The improvements in Kingswood Estates No. 1 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$108,800 upon expiration of the statutory lien period, filed by the Subdividers to guarantee improvements in Kingswood Estates No. 1 Subdivision, upon expiration of the statutory lien period (65 days).


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-634

A RESOLUTION APPROVING THE FINAL MAP OF THE  
WYLDEWOOD ESTATES NO. 1 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Arthur J. Wylie, Jr. and Sharon L. Wylie,  
husband and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 5.66 acres, known as the  
WYLDEWOOD ESTATES NO. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 19th day of January,  
19 71, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Wyldewood Estates No. 1  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Wyldewood Estates No. 1  
Subdivision 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 in the amount of One Thousand Three Hundred  
Eighty-One and 70/100ths (\$1,381.70) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Forty-One  
Thousand, Two Hundred and no/100ths (\$41,200.00) Dollars.

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 28th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-635

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RICHARD FRANKLIN THRASHER AND BETTY I. THRASHER, HUSBAND AND WIFE, AND SHIRLEY CAROLINE LUNDSTROM, AN UNMARRIED WOMAN, FOR PURCHASE OF PROPERTY FOR TUOLUMNE REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Richard Franklin Thrasher and Betty I. Thrasher, husband and wife, and Shirley Caroline Lundstrom, an unmarried woman, for purchase of property by the City of Modesto for the Tuolumne Regional Park is hereby approved.

BE IT FURTHER RESOLVED that the City of Modesto shall pay Grantors the sum of \$32,250 for said property, a description of which is attached hereto, marked Exhibit "A" and made a part hereof.

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

BE IT FURTHER RESOLVED that a grant deed for said property is hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of Section 34, Township 3 South, Range 9 East and that portion of Section 3, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 6 and 7 of LA RIO PARK TRACT, as per map filed June 18, 1910, in Volume 5 of Maps, Page 9, Stanislaus County Records, described as follows:

Commencing at the 8" concrete monument set for the Northwestern corner of said La Rio Park Tract, said point being the Southwestern corner of the Northwest quarter of the Southwest quarter of said Section 34; thence along the Northern line of the La Rio Park Tract and the South quarter quarter line of Section 34, North 89° 45' East, 1616.30 feet; thence along the Eastern line of property heretofore, deeded to Ida M. E. Thrasher, South 00° 44' East, 739.86 feet; thence North 89° 45' East, 8 feet, to the Southwestern corner of property conveyed to John J. Dubois, a single man, by Deed recorded April 24, 1935, as Instrument 4393, Stanislaus County Records, and the true point of beginning; thence along the Southern line of said Dubois property, North 89° 45' East, 206.397 feet, to the Northeast corner of property conveyed to Richard Franklin Thrasher and Shirley Caroline Lundstrom by Decree of Distribution recorded October 3, 1963, as Instrument 37540, Stanislaus County Records; thence along the Eastern line of said Thrasher and Lundstrom property, South 00° 44' East, 1052.52 feet, to the Southern line of the La Rio Park Tract; thence Westerly along said Southern line, 55.00 feet, more or less, to the Southeastern corner of land conveyed to the City of Modesto, a municipal corporation, by Deed recorded May 7, 1936, as Instrument 5731, Stanislaus County Records; thence along the Eastern line of said City property, North 00° 44' West, to an 8" concrete monument marking the Northeastern corner of the City property; thence along the Northern line of the City property, North 78° 08' 30" West, 464 feet, to the Southwestern corner of the aforementioned thrasher and Lundstrom property; thence along the Western line of the Thrasher and Lundstrom property, North 00° 33' 30" West, 952.10 feet, to the Southwestern corner of property conveyed to the Modesto City School District by Deed recorded August 23, 1945, as Instrument 14789 Stanislaus County Records; thence along a Southern line of said School District property, North 89° 45' East, 166 feet, to a point on the Eastern line of a 40.00 foot public road conveyed to the County of Stanislaus by Deed recorded June 13, 1935, as Instrument 5893, Stanislaus County Records, said point also being the Northwestern corner of property conveyed to Benjamin L. Zakarian and Jo Ann Zakarian, by Deed recorded April 14, 1961, as Instrument 11669, Stanislaus County Records; thence along the Eastern line of said 40.00 foot public road and the Western line of said Zakarian property, South 00° 20' East, 200 feet, to the Southwestern corner of the Zakarian property; thence along the Southern line of the Zakarian property, Easterly, 138.3 feet, to a point which bears South 00° 44' East, 200 feet, from the Southeastern corner of the aforementioned Modesto City School District property, said point being the Southeastern corner of the Zakarian property; thence along the Eastern line of the Zakarian property, North 00° 44' West, 65.14 feet, to the point of beginning.

EXCEPTING THEREFORM that portion included in the aforementioned property conveyed to the County of Stanislaus for road purposes, described as a strip of land, 40.00 feet in width, the center line of which is described as follows: Commencing at the 8" concrete monument marking the Southwest corner of the Northwest quarter of the Southwest quarter of Section 34; thence South 00° 41' East, 10.00 feet, to a point on the center line of 60 foot Monterey Avenue; thence along said center line, North 89° 45' East, 1468.46 feet, to a 6" concrete monument; thence South 00° 20' East, 595 feet, more or less, to a Southern line of the aforementioned Modesto City School District property, and the true point of beginning; thence continuing South 00° 20' East, 311.74 feet, more or less, to a 6" concrete monument; thence North 76° 29' West, 87.5 feet, to a 6" concrete monument; thence along a tangent curve concave to the Northeast, having a Radius of 4,180.46 feet, a Central Angle of 00° 51' 00" and an Arc Length of 62.02 feet, to a point on the Western line of the aforementioned Thrasher and Lundstrom property, and the end of this description.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-636

A RESOLUTION APPROVING RENEWAL OF GROUP MEDICAL INSURANCE CONTRACT WITH CONTINENTAL CASUALTY COMPANY FOR PERIOD JULY 1, 1971 THROUGH JUNE 30, 1972.

BE IT RESOLVED by the Council of the City of Modesto that renewal of the City of Modesto group accident and health plan (Policy No. 2-G-5190) with Continental Casualty Company for the period July 1, 1971 through June 30, 1972 is hereby approved, with the following additions to the policy:

1. Increase the in-hospital miscellaneous charges from the present \$400 to \$600 including DXL.
2. Remove the \$30 deductible clause on X-ray and laboratory fees.
3. Set the board and room rate at 80% of the current three-bed ward rate, eliminating the monetary amount so that coverage is automatically equal with local rates.
4. Increase the major medical coverage from \$10,000 to \$20,000 maximum lifetime benefit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 637

A RESOLUTION AUTHORIZING THE CITY OF MODESTO TO PAY A MONTHLY PREMIUM OF \$8.40 FOR EACH EMPLOYEE UNDER EMPLOYEES' GROUP HEALTH INSURANCE PLAN WITH CONTINENTAL CASUALTY COMPANY, AND TO ALSO PAY \$5.79 TOWARDS EMPLOYEES' DEPENDENT COVERAGE WHEN CARRIED BY EMPLOYEES.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it hereby authorizes payment of \$8.40 as the monthly premium rate per employee, under the Employees' Group Health Insurance Plan with Continental Casualty Company, which insurance plan was approved by Resolution No. 71-636 adopted by the Modesto City Council on June 28, 1971.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it hereby authorizes payment of \$5.79 towards the monthly premium rate of \$19.09 for employees' dependent coverage, when such dependent coverage is carried by an employee of the city for his dependents.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that Resolution No. 70-623 adopted on the 6th day of July, 1970, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-638

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST TO CONSIDER  
PARKING PROHIBITION ON J STREET - 9TH TO 12TH STREETS

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that July 12, 1971 , at 8:00 P.M. in the Council  
Chambers, City Hall, 801 Eleventh Street, Modesto, California  
is hereby set as the time and place for consideration of request  
to consider parking prohibition on J Street - 9th to 12th Streets


The foregoing resolution was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 28th day  
of June, 1971 by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman  
Newton , was upon roll call carried and the resolution  
adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-639

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SOUTHERN PACIFIC TRANSPORTATION COMPANY FOR PERMISSION TO CONSTRUCT A WATER LINE EXTENSION AT SOUTHERN PACIFIC RIGHT OF WAY AND WOODLAND AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Southern Pacific Transportation Company for permission to construct a water line extension at Southern Pacific right of way and Woodland Avenue (\$100 consideration for use of the 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 June 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-640

A RESOLUTION APPROVING THE FINAL MAP OF THE  
PLEASANT VIEW ESTATES NO. 2 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Gilbert Medeiros and Opal Medeiros, husband  
and wife, and A. W. McGuire and Ruth McGuire, husband and wife,  
individuals,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 5.07 acres, known as the  
Pleasant View Estates No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 21st day of April,  
1970, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Pleasant View Estates No. 2  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the pleasant View Estates No. 2  
Subdivision 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 in the amount of One Thousand Two Hundred  
Eighteen and 70/100ths (\$1218.70) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Thirty-One  
Thousand and no/100ths (\$31,000.00) Dollars.

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 28th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-641  
EXTENSION OF LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND STANDARD OIL COMPANY FOR ONE MONTH, TERMINATING JULY 31, 1971, FOR LEASE OF SITE FOR AIRPLANE FUELING FACILITIES AT MODESTO CITY-COUNTY AIRPORT, MODESTO, CALIFORNIA

BE IT HEREBY RESOLVED by the Council of the City of Modesto extension of lease that the/agreement between the City of Modesto and Standard Oil Co.

for lease of site for airplane fueling facilities at Modesto City-County Airport be granted to July 31, 1971

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 June 19 71 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-642  
EXTENSION OF LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND DAROLD JOLLIFF, DATED JUNE 26, 1967, FOR OPERATION AND MAINTENANCE OF THE AIRPORT FUELING FACILITIES AT THE MODESTO CITY-COUNTY AIRPORT TO JULY 31, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto extension of lease that the/agreement between the City of Modesto and Darold Jolliff

for operation and maintenance of the airport fueling facilities at the Modesto City-County Airport be granted to July 31, 1971 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 June 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-643

LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO BEE TO PRINT AND PUBLISH THE OFFICIAL ADVERTISING FOR THE CITY FOR A ONE-YEAR PERIOD ENDING JUNE 30, 1972

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
letter  
that the/agreement between the City of Modesto and the Modesto  
Bee

~~for~~ to print and publish the official advertising for the City  
for a one-year period ending June 30, 1972

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
letter  
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  
June 1971 , by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman Newton ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-644

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. ARTHUR DE GROOT AND ACCEPTING GRANT DEED (McHenry Avenue Widening )

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. Arthur DeGroot for the widening of McHenry Avenue is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 28th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-645

A RESOLUTION APPROVING STANISLAUS COUNTY BUDGET FOR GEER ROAD SANITARY LANDFILL FOR FISCAL YEAR 1971-72

WHEREAS, an agreement between Stanislaus County and the City of Modesto for the operation of the Geer Road Landfill provides that the budget prepared by Stanislaus County for the operation of the landfill must be submitted to the Council of the City of Modesto for approval; and

WHEREAS, Stanislaus County has submitted a budget for operation of the Geer Road sanitary landfill in the amount of \$175,471, a copy of which is attached hereto, marked Exhibit "A", and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the budget submitted by Stanislaus County for operation of the Geer Road sanitary landfill for fiscal year 1971-72 in the amount of \$175,471 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 June, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

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

COUNTY OF Stanislaus  
STATE OF CALIFORNIA  
OPERATIONS OF ENTERPRISE FUND  
OPERATING PLAN FOR THE FISCAL YEAR 1971-72

Activity: Waste Disposal

OPERATING DETAILS (1)	Actual	Actual/Estimated	Proposed	Approved	Fund
	19____ (2)	19 70 71 (3)	19 71 72 (4)	19 71 72 (5)	
OPERATING REVENUES--Service Charges		108,428	179,707	175,471	
OPERATING EXPENSES: Permanent positions		5	5	5	
Salaries and wages--regular		31,000	46,320	41,856	
Salaries and wages--extra		1,650	5,000	5,000	
Retirement		2,245	4,632	5,860	
O.A.S.D.I.		1,497	1,916	1,916	
Group insurance		436	528	528	
Depreciation and amortisation		20,800	32,000	32,000	
Gasoline, oil and fuel		4,000	6,000	6,000	
Insurance		1,600	1,646	1,646	
Office expense		400	400	400	
Operating supplies		250	250	250	
Professional services		2,800	2,800	2,800	
Printing and publication		1,200	200	200	
Rents and leases--equipment		36,000	70,000	70,000	
Repairs and maintenance		1,600	4,000	4,000	
Travel and meetings		350	350	350	
Utilities		1,600	2,500	2,500	
Other		1,000	1,000		
<b>Total Operating Expenses</b>		<b>108,428</b>	<b>179,542</b>	<b>175,306</b>	
NON-OPERATING EXPENSES:-					
Taxes and assessments			165	165	
<b>Total Non-Operating Expenses</b>		<b>108,428</b>	<b>179,707</b>	<b>175,471</b>	
<b>NET PROFIT (or Loss)</b>		<b>0-</b>	<b>-0-</b>	<b>-0-</b>	
<u>Fixed Assets Expenditures</u>					
Solid waste disposal equipment		1,500			
General plant and administrative equipment		1,900			
<b>Total Fixed Assets</b>		<b>3,400</b>			

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 646

A RESOLUTION OF THE CITY OF MODESTO AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A CODE ENFORCEMENT GRANT UNDER SECTION 117 OF THE HOUSING ACT OF 1949, AS AMENDED.

WHEREAS, Section 117 of the Housing Act of 1949, as amended, authorizes the Secretary of Housing and Urban Development to make grants to municipalities and counties to assist them in carrying out programs of concentrated code enforcement in deteriorated or deteriorating areas in which such enforcement, together with certain public improvements to be provided by the locality, may be expected to arrest the decline of the area; and

WHEREAS, it has been found and determined by this body that there exists in this locality certain deteriorated or deteriorating areas for which a program of concentrated code enforcement, combined with certain public improvements, may be expected to arrest the decline of the area; and

WHEREAS, it is recognized that the grant of funds pursuant to Section 117 will impose certain obligations and responsibilities upon the City of Modesto, among which is the obligation to assure that any persons who may be displaced as a result of the code enforcement and public improvements programs are relocated into decent, safe, and sanitary housing in accordance with the regulations of the Department of Housing and Urban Development; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin under any program or activity receiving Federal financial assistance and Executive Order 11063 prohibits discrimination on basis of race, color, creed or national origin in sale, lease, or other disposition of residential property (including land intended for residential use) or in the use or occupancy thereof,

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

1. That an application be filed with the Department of Housing and Urban Development on behalf of the City of Modesto for a code enforcement grant under Section 117 of the Housing Act of 1949, as amended, of three-fourths (3/4 ths) of the cost of undertaking and carrying out a code enforcement program, which cost is now estimated to be \$964,094.00, in an area or areas to be designated and specifically described in such application, and that the City Manager is hereby authorized and directed to execute and file such application, to provide such additional information and furnish such documents as may be required by the Department of Housing and Urban Development, to execute such contract or contracts as may be necessary for the grant applied for, to execute and file requisition for funds, and to act as the authorized representative of the City of Modesto in the accomplishment of the code enforcement program.

2. That during the period of the contract for the code enforcement grant the City of Modesto will maintain a level of expenditures for code enforcement activities, exclusive of expenditures in any federally assisted code enforcement or Title I urban renewal project areas, that is not less than the average yearly expenditure for such activities throughout the locality for the two (2) full fiscal years immediately preceding the filing of the application.

3. That the locality has a program for and will provide in a timely manner all necessary public improvements for the code enforcement area.

4. That there exists in the locality an adequate amount of decent, safe, and sanitary housing which is available to persons displaced as a result of the code enforcement and related public improvements programs, at prices which are within their financial means and which are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families, and it is the sense of this body that such displacees, if any, will be relocated in accordance with applicable regulations of the Department of Housing and Urban Development.

5. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the City of Modesto with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964 and applicable Executive Orders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

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

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. He is the duly qualified and acting City Clerk of the City of Modesto (herein called the "Applicant"), and the keeper of its records.

2. The attached resolution is a true and correct copy of the resolution as finally adopted at a meeting of the Applicant held on the 28th day of June, 1971, and duly recorded in his office.

3. Said meeting was duly convened and held in all respects in accordance with law and, to the extent required by law, due and proper notice of such meeting was given. A legal quorum was present throughout the meeting, and a legally sufficient number of members of the Applicant voted in the proper manner for the adoption of said resolution. All other requirements and proceedings under law incident to the proper adoption or passage of said resolution have been duly fulfilled, carried out, and otherwise observed.

4. If an impression of the seal has been affixed below, it constitutes the official seal of the Applicant, and this certificate is hereby executed under such official seal. If no seal has been affixed below, the Applicant does not have and is not legally required to have an official seal.

5. The undersigned in duly authorized to execute this certificate.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 29th day of June, 1971.

(SEAL)

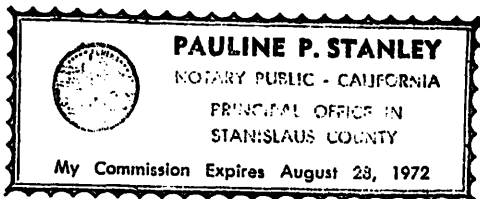
W. T. CHYNOWETH, City Clerk of the City of Modesto, a Municipal Corporation

Subscribed and Sworn to before me this 29th day of June, 1971

Pauline P. Stanley  
Pauline P. Stanley

Notary Public in and for the County of Stanislaus, State of California

(SEAL)



MODESTO CITY COUNCIL  
RESOLUTION NO. 71-647

A RESOLUTION ELECTING TO FUND THE CITY OF MODESTO'S PRIOR SERVICE LIABILITIES TO THE YEAR 2000 at .93%

WHEREAS, Senate Bill 249 provides that the employer contribution rate for the current service liabilities for miscellaneous members will be 7.15% of member payroll effective July 1, 1971; and

WHEREAS, it is also provided that the City of Modesto will have a choice of funding its prior service liabilities to 1980, 1990, 2000 or any other year which does not exceed 2000.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby elects the prior service liability being funded to the year 2000 at .93%.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 648

A RESOLUTION AUTHORIZING THE TRANSFER OF TWO HUNDRED SIXTY THOUSAND AND NO/100THS (\$260,000.00) DOLLARS FROM THE SPECIAL FUND FOR CAPITAL OUTLAYS (FUND NO. 321) OF THE CITY OF MODESTO TO THE McHENRY PUBLIC LIBRARY CAPITAL OUTLAY FUND.(FUND NO. 301).

WHEREAS, a sum of Two Hundred Sixty Thousand and no/100ths (\$260,000.00) Dollars is available in the General Reserve (Account No. 60) of the Special Fund for Capital Outlays (Fund No. 321), and

WHEREAS, said sum will not be required for approved projects of the City during the 1970-71 fiscal year, and

WHEREAS, the Council desires to temporarily transfer said sum to the McHenry Public Library Capital Outlay Fund (Fund No. 301) to be utilized for construction of library facilities,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Two Hundred Sixty Thousand and no/100ths (\$260,000.00) Dollars be and is hereby temporarily transferred from the General Reserve (Account No. 60) of the Special Fund for Capital Outlays (Fund No. 321) to the New Library Building Construction Account (Account No. 6063) of the McHenry Public Library Capital Outlay Fund (Fund No. 301).

BE IT FURTHER RESOLVED that the transferred funds are to be returned to the Special Fund for Capital Outlays (Fund No. 321) when other funds including county and State Grant funds are available, for construction of said library facilities.

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 28th day of June, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-649

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,300 FOR ADDITIONAL FUNDS NEEDED TO COVER CONSTRUCTION COSTS FOR MANCINI PARK

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (321-60)	\$3,300
TO: Mancini Park Development, Stage 2 (6331-31-321)	\$3,300

(The construction costs for Mancini Park ran higher than anticipated. This transfer is necessary to provide sufficient funds to cover these additional costs)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of June 1971 by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-650

A RESOLUTION APPROVING APPOINTMENTS TO THE EXECUTIVE COMMITTEE  
OF PROJECT GREATER MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the following people are hereby appointed to the Executive  
Committee of Project Greater Modesto:

CHAIRMAN . . . . .Curtis Church

MEMBERS OF EXECUTIVE COMMITTEE:

Ecology . . . . .Cliff Humphrey

Land Use . . . . .Armen Sarquis

Business and Industry . . . . .Ray Whitgrove

Employment and Manpower . . . . .Andy Rice

Disadvantaged . . . . .Gerald Goren

Youth . . . . .Gary West

Senior Citizens . . . . .Jean Purvis

Transportation . . . . .Gene Ellison

Water Resources and Storm Drainage . . . . .Les Brooks

Community Services . . . . .William Mitchell

Crime and Drugs . . . . .Gary Robinson

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 28th day of  
June, 1971, by Councilman Dixon, who moved its adoption, which  
motion being duly seconded by Councilman Elliott, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-651

A RESOLUTION DETERMINING THE RESULT OF AN ELECTION  
HELD IN THE NORWEGIAN NO. 1  
ADDITION FOR ANNEXATION OF SAID ADDITION TO THE CITY  
OF MODESTO

WHEREAS, a special election was held on the 29th day of June,  
19 71, in the Norwegian No. 1 Addition, near the City of Modesto,  
County of Stanislaus, State of California, and contiguous to the City limits of said City,  
and which territory is particularly described as attached hereto, and

WHEREAS, the said City Council of the City of Modesto finds after due  
examination that due notice of said election was published in The Riverbank News  
, a newspaper of general circulation printed and published outside the  
City of Modesto, but in Stanislaus County, California, which said notice appeared in  
said newspaper on June 4, 11, 18 and 25, in the year 19 71,  
and that prior to said publication in said newspaper a date was set giving due notice that  
owners of property in said Norwegian No. 1 Addition could  
appear before said City Council on the 12th day of April, 19 71,  
to protest holding of said election; and it further appearing to the said Council and  
the said Council so finds that all other requirements of the Annexation Act of 1913,  
as amended, and all other requirements of the Election Laws of the State of  
California have been duly and regularly followed and that all of the procedures  
adopted and employed in the annexation proceedings and in the holding of said election  
are proper and legal, and

WHEREAS, after the holding of said election, the election officers  
thereof delivered to and deposited with the Clerk of this Council the ballots, tally sheets,  
and the returns of said election, and it appearing and the Council so finding that the  
proposition submitted at said election was whether or not such territory shall be  
annexed to, incorporated in, and made a part of said City of Modesto, and whether  
or not the property in said territory shall, after such annexation, be subjected to  
taxation equally with the property within the City of Modesto to pay the bonded indebted-  
ness of the City of Modesto for the acquisition, construction or completion of municipal  
improvements outstanding or authorized at the date of the first publication of the  
notice of the election,

NOW, THEREFORE, BE IT RESOLVED, CERTIFIED AND DECLARED  
BY THE COUNCIL OF THE CITY OF MODESTO that the said Special Election held  
in said territory to determine whether or not said territory shall be annexed to,

incorporated in, and made a part of said City of Modesto, and whether or not the property in said territory shall, after such annexation, be subjected to taxation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, was regularly called, held, and conducted as required by law; that the proper and complete returns thereof have been made and received; that the same have been properly canvassed; that from the returns so canvassed as aforesaid, it appears and the Council so finds that at said special election the total number of votes cast was and is 101; that the number of votes cast for annexation was and is 66; that the number of votes cast against annexation was and is 35; that the number of votes cast which were voided was none; that the total number of votes cast at each special precinct and by absent voters and the total number of votes cast at each special precinct and by absent voters for annexation and the total number of votes cast at each special precinct and by absent voters against annexation and the total number of votes cast at each special precinct and by absent voters which were voided were and are as follows:

<u>Special Precinct No. 1 and Absent Voter Ballots</u>	<u>Total Votes Cast</u>	<u>In Favor of Annexation</u>	<u>Opposed to Annexation</u>	<u>Voided</u>
None	101	66	35	none

That said City Council further finds that the measure, to wit: "Shall the Norwegian No. 1 Addition be annexed to, incorporated in, and made a part of the City of Modesto, and the property therein be subjected to taxation after annexation equally with the property within the City to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of election?" held to determine whether or not said property shall be annexed to the City, received a majority of the votes cast for annexation and that, therefore, said measure carried.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 19 71, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

7-1-71 By Michael F. Brinton  
Public Works Department

NORWEGIAN NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Southeast quarter of Section 16, 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 Northeastern corner of the SYLVAN ADDITION (113), as per description filed September 8, 1960, as Instrument 25490, Stanislaus County Records, said point being the interior quarter corner of Section 16 and on the Southern line of the NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along said Southern boundary of ADDITION (78), and the East-West quarter line of Section 16, South  $89^{\circ} 30'$  East, 27.00 feet, to the Southwestern corner of the MONTGOMERY VILLAGE ADDITION (100), as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (100), South  $89^{\circ} 30'$  East, 660.84 feet, to the Southwestern corner of the EAST FLOYD ADDITION (104), as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (104), South  $89^{\circ} 30'$  East, 511.35 feet, to the Northwestern corner of the ATHENS ADDITION (141), as per description filed November 19, 1962, as Instrument 43543, Stanislaus County Records; thence along the Western boundary of said ADDITION (141), South  $0^{\circ} 52'$  East, 616.28 feet, to the Northwestern corner of the NORWEGIAN NO. 3 ADDITION (256), as per description filed July 23, 1970, as Instrument 23539, Stanislaus County Records; thence continuing along the existing City Limits on the Western boundary of said ADDITION (256), South  $0^{\circ} 52'$  East, 616.30 feet, to the center line of a 60.00 foot public road known as Norwegian Avenue and the Southwestern corner of said ADDITION (256); thence leaving the existing City Limits and along the center line of said Norwegian Avenue, North  $89^{\circ} 31'$  West, 1231.34 feet, to the Southerly extension of the Western line of a 60.00 foot public road known as Sunrise Avenue; thence along said Southerly extension and Western line, North  $0^{\circ} 46'$  West, 30.00 feet, to the most Southeastern corner of ADDITION (78), and the existing City Limits; thence along the existing City Limits on the Eastern boundary of ADDITION (78), North  $0^{\circ} 46'$  West, 512.35 feet, to a Northeastern corner of said ADDITION (78), and the Southern boundary of ADDITION (113); thence along said Southern boundary, South  $89^{\circ} 31'$  East, 30.00 feet, to the Southeastern corner of said ADDITION (113); thence along the existing City Limits on the Eastern boundary of said ADDITION (113), North  $0^{\circ} 46'$  West, 690.53 feet, to the point of beginning, containing 34.332 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-652

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN WYLDWOOD ESTATES NO. 1 AND KRUGER DRIVE

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

SECTION 1. The plans and specifications for installation of water lines in Wyldewood Estates No. 1 and Kruger 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 July 20, 1971 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 6th day of July 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-653

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE IMPROVEMENT OF COLLEGE AVENUE FROM COLDWELL TO ORANGEBURG

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

SECTION 1. The plans and specifications for THE Improvement of College Avenue from Coldwell to Orangeburg

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 20, 1971 at 10:10 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 6th day of July 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-654

A RESOLUTION ACCEPTING THE CONSTRUCTION OF VALLEY CONSTRUCTION CO.'S CONTRACT FOR INSTALLATION OF WATER LINES IN WHITMORE AVE., CROWS LANDING ROAD AND TSRR EASEMENT

WHEREAS, a report has been filed by the Director of Public Works that the construction of water lines in Whitmore Ave., Crows Landing Road and TSRR Easement has been completed by Valley Construction Co.

in accordance with the contract agreement dated March 1, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of water lines in Whitmore Ave., Crows Landing Road and TSRR Easement be accepted from said contractor, Valley Construction Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$17,273.48 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 July, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-655

A RESOLUTION ACCEPTING THE BID OF TEXACO, INC. TO FURNISH THE ANNUAL CITY REQUIREMENTS OF GASOLINE FOR THE PERIOD ENDING JUNE 30, 1972

WHEREAS, Resolution No. 71-452 , adopted by the Council of the City of Modesto on May 17, 1971 , approved ~~the plans and~~ consolidated call for bids with Stanislaus County ~~specifications~~ for the furnishing of annual requirements of gasoline for the period ending June 30, 1972 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of annual requirements of gasoline for the period ending June 30, 1972 were opened ~~at~~ on July 1, 1971 and later tabulated by the Director of Finance for the consideration of the Council, and

WHEREAS, the the Director of Finance has recommended that the bid of Texaco, Inc.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Texaco , Inc.

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 July 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-656

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO JOHN UHL TO PERMIT TWO BRICK COLUMNS AND LIGHTS, RECENTLY COMPLETED, TO REMAIN IN PUBLIC RIGHT OF WAY

WHEREAS, Mr. John Uhl has filed a request with the Council of the City of Modesto for permission to allow two brick columns, about 26 inches square at the base, located six inches behind the curb, to remain in the public right of way; and

WHEREAS, the Director of Public Works in a memorandum to the City Manager dated July 1, 1971 has stated that the area is presently without sidewalk, and at some point in the future when a sidewalk is constructed, the brick columns will be in the sidewalk area; and

WHEREAS, the Director of Public Works has recommended that if an encroachment permit is approved by the Council, it be subject to certain conditions.

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

1. An encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to John Uhl to permit two brick columns and lights to remain in the public right of way, subject to the following conditions:
  - (a) Permittee, his successors and assigns, during the term of this permit, shall indemnify and hold the City harmless from any and all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this agreement.
  - (b) Insurance in the amount of \$100,000/\$300,000 public liability and \$25,000 property damage to cover the liability assumed by this permit shall be posted with the City Clerk.
  - (c) Permittee shall be responsible for removing the columns at his expense at such time as sidewalk is installed.
  - (d) The Council of the City of Modesto reserves the right to revoke this encroachment permit at any time.

2. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit 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 6th day of July, 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-657

A RESOLUTION COMMENDING CAL PURVIANCE AND THE MODESTO JUNIOR CHAMBER OF COMMERCE FOR THEIR ASSISTANCE IN CONNECTION WITH THE ANNUAL FOURTH OF JULY CELEBRATION

WHEREAS, Cal Purviance has spearheaded the Fourth of July Celebration for more years than Carter has pills; and

WHEREAS, the Modesto Junior Chamber of Commerce has assisted Cal in this Gargantuan task for the past two years; and

WHEREAS, the Modesto festivities are unsurpassed in the State due to the efforts of the aforementioned.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Cal Purviance and the Modesto Junior Chamber of Commerce be, and hereby are, commended for a "bang-up job" in connection with the Fourth of July Celebration in Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Elliott was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-658

A RESOLUTION COMMENDING JOHN TATOYAN, JR. FOR SERVICE RENDERED THE CITY OF MODESTO AS A MEMBER OF THE PERSONNEL COMMISSION

WHEREAS, the strength of a City lies in citizen interest and participation in civic matters; and

WHEREAS, John Tatoyan has been a member of the Personnel Commission since May 13, 1959 and has also served as Chairman; and

WHEREAS, Mr. Tatoyan has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT 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 John Tatoyan for his outstanding service to the community.

BE IT FURTHER RESOLVED that the City Clerk be directed to furnish a copy of this resolution to Mr. Tatoyan.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-659

A RESOLUTION DELCARING THAT A MAJORITY PROTEST HAS BEEN MADE AGAINST THE ANNEXATION OF CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS ROUSE NO. 2 ADDITION.

WHEREAS, by Resolution No. 71-449, adopted on May 17, 1971, the Council declared its intention to call a special election for the purpose of submitting to the electors residing within the hereinafter described territory the question whether or not said described territory should be annexed to said City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, and

WHEREAS, by said Resolution No. 71-449, the Council fixed the 14th day of June, 1971, at the hour of 7:40 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, said hearing of protests against said annexation was held at said time and place and was then continued until the 28th day of June, 1971, at 7:50 o'clock P.M., in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto, and

WHEREAS, on June 28, 1971, the public hearing on the annexation was closed and further consideration of the annexation was continued until July 6, 1971, for a report from the City Clerk on the percentage of protests received, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 71-449 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto, as required by Section 35119 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and owners of over one-half of the value of the territory proposed to be annexed have filed written protests against the annexation prior to the hour set for hearing objections to the election,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and declares that a majority protest against the proposed annexation of said Rouse No. 2 Addition has been made.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

By Bruce W. Liedstrand  
BRUCE W. LIEDSTRAND  
Assistant City Attorney

APPROVED AS TO DESCRIPTION:

By Michael F. Brinton  
Public Works Department

## ROUSE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the East half 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 the Northwestern corner of the MODESTO SEWAGE DISPOSAL PLANT AREA ADDITION (28), as per description filed March 7, 1950, as Instrument 5120, Stanislaus County Records, and the Eastern line of the BELLENITA NO. 2 ADDITION (198), as per description filed November 28, 1966, as Instrument 40426, Stanislaus County Records, said point being on the section line common to Sections 5 and 6 and the center line of a 60 foot Public Road known as Sutter Avenue, said point also being 2.10 feet North of the intersection of the center lines of said Sutter Avenue and a 50 foot Public Road known as Robertson Road; thence along the existing City Limits on the Eastern line of said ADDITION (198) and the center line of said Sutter Avenue, North 00° 10' 00" East, 664.77 feet, to the Northeastern corner of said ADDITION (198) and the Southeastern corner of the BELLENITA ADDITION (169), as per description filed October 19, 1964, as Instrument 41437, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said ADDITION (169) and the center line of Sutter Avenue, North 00° 10' 00" East, 664.98 feet, to the Northeastern corner of said ADDITION (169) and the Southeastern corner of the MINENI MANOR ADDITION (63), as per description filed July 26, 1955, as Instrument 21227, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said ADDITION (63) and the center line of Sutter Avenue, North 00° 10' 00" East, 1334.20 feet, to the Northeastern corner of said ADDITION (63) and the Southeastern corner of the HUDSON-UCCELLO ADDITION (51), as per description filed August 28, 1953, as Instrument 21233, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said ADDITION (51) and the center line of Sutter Avenue, North 00° 10' 00" East, 626.90 feet, to the Northeastern corner of said ADDITION (51) and the Southeastern corner of the JAMES MARSHALL SCHOOL ADDITION (34), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the existing City Limits on an Eastern line of said ADDITION (34) and the center line of Sutter Avenue, North 00° 10' 00" East, 657.83 feet, to a point on a Southern line of said ADDITION (34); thence along the existing City Limits on said Southern line of said ADDITION (34), South 89° 50' 00" East, 20.00 feet, to a point on an Eastern line of said ADDITION (34); thence along the existing City Limits on said Eastern line, North 00° 10' 00" East, 20.00 feet, to a point on the North line of said Section 5, said line being the Original City Limits of the City of Modesto; thence along the existing City Limits on said North line of Section 5, North 89° 58' 00" East, 1330.00 feet, to the Northwestern corner of the SUNSET ACRES NO. 2 ADDITION (41), as per description filed December 27, 1950, as Instrument 29350, Stanislaus County Records; thence along the existing City Limits on the Western line of said ADDITION (41), South 00° 11' 55" West, 264.00 feet, to the Southwestern corner of said ADDITION (41); thence along the existing City Limits on the Southern line of said ADDITION (41), North 89° 58' 00" East, 300.00 feet, to the Southeastern corner of said ADDITION (41) and the Southwestern corner of the SUNSET ACRES NO. 1 ADDITION (40), as per description filed December 27, 1950, as Instrument 29350, Stanislaus County Records; thence along the existing City Limits on the Southern line of said ADDITION (40), North 89° 58' 00" East, 10.00 feet, to the Eastern line of property conveyed to the Modesto Irrigation District by Deed recorded May 3, 1911, as Instrument 2999, Stanislaus County Records; thence leaving the existing City Limits and along the Eastern line of said Modesto Irrigation District property, South 00° 11' 55" West, 50.00 feet, to the Southeastern corner of said Modesto Irrigation District property; thence along the Southern line of said Modesto Irrigation District property, South 89° 58' 00" West, 10.00 feet, to a point on the Eastern line of Lot 14 of the Sunset Acres Tract as per map filed January 14, 1911, in Volume 5 of Maps, Page 25, Stanislaus County Records; thence along the Eastern line of Lots 14, 21, 26, 33, 39, 46 and 52 of said Sunset Acres Tract, South 00° 11' 55" West,

1004.30 feet, to the Southeastern corner of said Lot 52; thence along the Southern line of said Lot 52, South 89° 58' 00" West, 330.00 feet, to the Southwestern corner of said Lot 52, said point being the Northwestern corner of Lot 19 of the Rouse Colony, as per map filed January 10, 1911, in Volume 5 of Maps, Page 24, Stanislaus County Records, said point also being on the center line of a 40 foot Public Road known as Colorado Avenue; thence along the Western line of Lots 13 and 19 of said Rouse Colony and the center line of Colorado Avenue, South 00° 11' 55" West, 660.00 feet, to the Southwestern corner of said Lot 13; thence along the Southern line of Lot 13, North 89° 58' 00" East, 20.00 feet, to the Northwestern corner of the YOUNG ADDITION (149), as per description filed February 8, 1963, as Instrument 5122, Stanislaus County Records; thence along the existing City Limits on the Western line of said ADDITION (149), South 00° 11' 55" West, 1990.31 feet, to a point on the Northern line of the DRYDEN-DURAND ADDITION (61), as per description filed June 23, 1955, as Instrument 18187, Stanislaus County Records; thence along the existing City Limits on Northern lines of said ADDITION (61) the following bearings and distances, South 89° 56' 30" West, 20.00 feet, South 89° 58' 00" West, 658.69 feet, to the Northwestern corner of said ADDITION (61) and the Northeastern corner of first above mentioned ADDITION (28); thence along the existing City Limits on the Northern line of said ADDITION (28), South 89° 58' 00" West, 659.10 feet, to the point of beginning containing 129.245 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-660

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (COFFEE-FLOYD)

WHEREAS, there has been annexed to the City of Modesto on June 7, 19 71, certain territory known as Coffee-Floyd Addition, and

WHEREAS, the inclusion of the area contained in Coffee-Floyd Addition 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 Coffee-Floyd Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 74.

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

SECTION 5. Monday, August 23, 1971, at the hour of 7:35 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 judgment 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. 74.

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) 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) On the South side of East Rumble Road at the most Northwest corner of the annexation.
- (2) On the East side of Coffee Road at the North side of Floyd Avenue.
- (3) On the North side of Floyd Avenue at the East boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 74, 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 6th day of July, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Michael A. Brinton  
Public Works Department

RMM  
7-1-71

## COFFEE - FLOYD ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of the Northwest quarter of Section 15, 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 Southwestern corner of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being on the center line of a 50.00 foot public road known as Coffee Road and the section line common to Sections 15 and 16; thence along the existing City Limits on the Southern boundary of said ADDITION (252), North 89° 36' 50" East, 1190.00 feet, to a Southeastern corner of said ADDITION (252); thence North 00° 58' 40" West, 660.00 feet; thence North 89° 36' 50" East, 1435.36 feet, to a Southeast corner of Sylvan School Addition (252) and the Northwest corner of OAKDALE-FLOYD ADDITION (265) as per description filed January 5, 1971, as Instrument 192, Stanislaus County Records, said corner also being the North quarter of Section 15; thence along the quarter line of said Section 15 and the Western line of said Addition (265), South 00° 57' 40" East, 1320.14 feet, to the Northwest corner of the FLOYD ADDITION, as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records, said corner being on the South line of the North half of Section 15, which is also the center line of 40.00 foot public road known as Floyd Avenue; thence, leaving the existing City Limits and along said center line, South 89° 38' 20" West, 1312.50 feet, to the Northeastern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records; thence along said center line and the existing City Limits on the Northern Boundary of said ADDITION (175), South 89° 38' 20" West, 1312.49 feet, to the Northwestern corner of said ADDITION (175); thence leaving the existing City Limits and along the center line of Coffee Road and said section line, North 00° 58' 40" West; 659.00 feet, to the point of beginning, containing 61.491 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-661

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. ( EAST ORANGEBURG NO. 5)

WHEREAS, there has been annexed to the City of Modesto on June 7, 1971, certain territory known as East Orangeburg No. 5 Addition, and

WHEREAS, the inclusion of the area contained in East Orangeburg No. 5 Addition 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 East Orangeburg No. 5 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 75.

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

SECTION 5. Monday, August 23, 1971, at the hour of 7:40 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 judgment 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. 75.

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) 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) On the West side of Rose Avenue at the North boundary of the annexation.
- (2) On the West side of Rose Avenue at the South boundary of the annexation.
- (3) On the East end of East Orangeburg Avenue at the West boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 75, 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 6th day of July, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Michael A. Brewster  
Public Works Department

RAM  
7-1-71

## EAST ORANGEBURG NO. 5 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 22, 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 Eastern Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 15, 1965, as Instrument 1768, Stanislaus County Records, said point being on the North-South quarter section line of said Section 22 and the center line of a 60.00 foot public road known as Rose Avenue; thence along the existing City Limits on a Northern boundary of said Addition (170), South  $89^{\circ} 54' 15''$  West, 1313.01 feet, to a Northeastern corner of said Addition (170); thence North  $0^{\circ} 25' 56''$  West, 330.14 feet, to the most Northern Northeastern corner of Addition (170) and the center line of a 60.00 foot public road known as East Orangeburg Avenue; thence leaving the existing City Limits, North  $0^{\circ} 36' 56''$  West, 329.30 feet, to the center line of 20.00 foot alley in Block 1175 of GREEN ACRES as per map filed November 24, 1954, in Volume 18 of Maps, Page 11, Stanislaus County Records, and the Southwestern corner of said Green Acres; thence along the Southern line of said Green Acres and the Southern line of GREEN ACRES NO. 2 as per map filed October 25, 1955, in Volume 18 of Maps, Page 38, Stanislaus County Records, and its Easterly extension, North  $89^{\circ} 53' 00''$  East, 1311.94 feet, to the center line of Rose Avenue; thence along said center line and the existing City Limits on the Western boundary of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records, South  $0^{\circ} 37' 00''$  East, 659.93 feet, to the point of beginning, containing 19.872 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-662

A RESOLUTION APPROVING REFUND OF \$355.00 TO ROBERT SHAW IN CONNECTION WITH CONSTRUCTION OF SEWER CONSTRUCTION IN DRAKE AVENUE IN 1964

WHEREAS, Robert Shaw, 109 Drake Avenue, has requested that the City of Modesto refund a portion of sewer costs incurred by him in connection with a sewer constructed in Drake Avenue in 1964; and

WHEREAS, the Director of Public Works in a memorandum dated June 29, 1971 indicates that the request has been reviewed and determination made that Mr. Shaw did construct the sewer, and that it provides service to two adjacent properties, one of which is already connected; and

WHEREAS, the Director of Public Works has recommended that \$355.00 be refunded to Mr. Shaw, one payment of \$177.50 to be made immediately and the remaining \$177.50 to be paid Mr. Shaw when the property located at 114 Drake Avenue connects to the sewer.

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

1. Refund of \$355.00 to Mr. Robert Shaw is hereby approved.
2. \$177.50 shall be refunded to Mr. Shaw immediately. Payment of the balance, \$177.50, shall be refunded when the property located at 114 Drake Avenue connects to the sewer.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1971 by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-663

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DELILAH F. GFROERER FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 2039 LANCE STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Delilah F. Gfroerer

for sewer service to property outside the City at 2039 Lance 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 6th day of July 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-664

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LANCE ELLIS TO PROVIDE SEWER AND WATER SERVICE TO ORANGEBURG EAST SUBDIVISION OUTSIDE THE CITY


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lance Ellis for sewer and water service to Orangeburg East Subdivision outside 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 6th day of July 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-665

A RESOLUTION APPROVING CITY PARTICIPATION IN A COOPERATIVE RESEARCH PROJECT FOR THE DEVELOPMENT OF AN EQUIPMENT SERVICE PROGRAM AND DATA BANK

WHEREAS, the American Public Works Association has established a cooperative research project for the development of an equipment service program and data bank; and

WHEREAS, the Director of Public Works in a memorandum dated July 1, 1971 has recommended that the Council approve the City's participation in the American Public Works Association cooperative research project for the development of an equipment service program and data bank.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that City of Modesto participation in an American Public Works Association cooperative research project for the development of an equipment service program and data bank 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 July, 1971 by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 666

A RESOLUTION TRANSFERRING THREE THOUSAND AND NO/100THS (\$3,000.00) DOLLARS FROM THE GENERAL FUND (FUND NO. 101) OF THE CITY OF MODESTO TO THE SERVICE DIVISION REVOLVING FUND (FUND NO. 512).

WHEREAS, the sum of Three Thousand and no/100ths (\$3,000.00) Dollars is available in the Unappropriated Fund Balance of the General Fund (Fund No. 101), and

WHEREAS, said sum will not be required for operating costs of the City during the 1971-72 fiscal year, and

WHEREAS, the Council desires to transfer said sum to the Service Division Revolving Fund (Fund No. 512) to be utilized for participation in the American Public Works Association Research Project 70-1,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Three Thousand and no/100ths (\$3,000.00) Dollars be and is hereby transferred from the Unappropriated Fund Balance of the General Fund (Fund No. 101) to the Service Division Revolving Fund (Fund No. 512).

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 6th day of July, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-667

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LLOYD E. AND LULA POE FOR RENTAL OF CITY-OWNED HOUSE AT 604 BRIGHTON AVENUE ON A MONTH-TO-MONTH BASIS BEGINNING JULY 1, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lloyd E. and Lula Poe

for rental of city-owned ouse at 604 Brighton Avenue on a month-to-month basis beginning July 1, 1971 (\$75.00 per month)

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 July 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-668

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$7,077 TO PROVIDE FUNDS FOR PURCHASE OF PAINT STRIPING MACHINE

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

SERVICE WORKING CAPITAL FUND (512)

From: General Reserve (60) \$7,077.00

To: Paint striping machine (48-5426) \$7,077.00

Funds for purchase were in 1970-71 budget but did not get carried over into new budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of ~~June~~<sup>July</sup>, 1971 by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-669

A RESOLUTION AUTHORIZING THE PURCHASING OFFICER TO NEGOTIATE FOR THE PURCHASE OF A SCOOPMOBILE THREE-WHEEL DRIVE, FRONT-END SCOOP LOADER AND AUTHORIZING WAIVER OF FORMAL BID PROCEDURE

WHEREAS, the Council has authorized the purchase of a Scoopmobile three-wheel drive, front-end scoop loader; and

WHEREAS, the Purchasing Officer, in a memorandum dated July 2, 1971, has recommended that formal bid procedure required by Section 8-3.07 be waived.

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

1. Formal bid procedure required by Section 8-3.07 for the purchase of Scoopmobile three-wheel drive, front-end scoop loader is hereby waived.
2. Purchase of a Scoopmobile three-wheel drive, front-end scoop loader by negotiation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-670

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR ASPHALT CONCRETE RESURFACING VARIOUS CITY STREETS 1971-72, UNIT NO. 1 SELECT STREETS - UNIT NO. 2 RESIDENTIAL STREETS

WHEREAS, Resolution No. 71-572 , adopted by the Council of the City of Modesto on June 21, 1971 , approved the plans and specifications for the asphalt concrete resurfacing various City Streets 1971-72, Unit No. 1 Select Streets - Unit No. 2 Residential Streets and authorized the calling for bids, and

WHEREAS, the bids received for the asphalt concrete resurfacing various City Streets 1971-72, Unit No. 1 Select Streets - Unit No. 2 Residential Streets were opened at 10:00 A.M. on July 6, 1971 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 \$59,440.00

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 \$59,440.00

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 July, 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-671

A RESOLUTION ACCEPTING BID OF GREAT AMERICAN INSURANCE COMPANY  
FOR CITY OF MODESTO BASIC INSURANCE COVERAGE

WHEREAS, Giddings, Corby, Hynes Inc. acting as servicing agent for the City of Modesto on behalf of the Modesto Insurance Agents' Association has secured quotation on insurance coverage for the City of Modesto; and

WHEREAS, the low bid received was from the City's present carrier, Great American Insurance Company, for a three-year package insurance policy at an annual premium of \$50,782; and

WHEREAS, the Director of Finance has recommended that the bid of Great American Insurance Company for a three-year package insurance policy at an annual premium of \$50,782 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Great American Insurance Company for a three-year package insurance policy at an annual premium of \$50,782 is hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-672

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D(88).

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Central Cal Enterprises on May 14, 1971, to reclassify from One-family Residential Zone, R-1, to Planned-Development Zone, P-D, to amend P-D(88) to increase the boundaries thereof to include said property, and to allow construction of two one-story triplexes therein, said additional property being adjacent to the present P-D(88) boundaries, and being located northeast of Crestview Drive and described as follows:

All that portion of Lot 13 of the Broughton Colony as shown on the map filed in Volume 1 of Maps at Page 78, Stanislaus County Records lying in the northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the northeast corner of said Lot 13, thence South  $0^{\circ} 32' 07''$  East along the east line of said Lot 13 a distance of 329.16 feet to the true point of beginning of this description; thence continuing South  $0^{\circ} 32' 07''$  East along the east line of said Lot 13 a distance of 176.63 feet to the centerline intersection of Crestview Drive, a 60-foot wide public street; thence in a northwesterly direction along the future extension of the centerline of said Crestview Drive the following three (3) courses and distances: 1) along a curve concave to the southeast thru a central angle of  $1^{\circ} 14' 25''$ , having a radius of 550.00 feet a curve distance of 11.91 feet to a point of reverse curvature; 2) along a curve concave to the northeast thru a central angle of  $112^{\circ} 09' 15''$ , having a radius of 117.07 feet, a curve distance of 229.16 feet, and 3) North  $0^{\circ} 06' 24''$  West a distance of 72.57 feet; thence North  $89^{\circ} 53' 36''$  East a distance of 170.97 feet to the point of beginning.

CONTAINING: 0.674 acres.

WHEREAS, after public hearing held on June 15, 1971, 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 subject property is bounded on two sides by Crestview Drive, a collector street.

2. The property faces a city park and future community center site adjacent to the west and southwest.

3. The subject property would provide a density transition between the more intensive public land uses to the west and southwest and the One-family Residential areas to the east.

WHEREAS, after a public hearing held on July 12, 1971, the Council found and determined that the application of Central Cal 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. 1126-C.S. on the 12th day of July, 1971, reclassifying the above-described property from One-family Residential Zone, R-1, to Planned-Development Zone, P-D(88),

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(88) is hereby approved in accordance with the plan titled "Central-Cal Enterprises" dated June 15, 1971, as amended in red on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That all development including this addition, shall be in accordance with the plan titled "Central-Cal Enterprises" dated June 15, 1971, as amended in red on its face and on file in the office of the Planning Director, a portion of which plan was approved May 17, 1971 by City Council Resolution No. 71-448. Said plan, as amended, now includes the additional territory described above, which additional territory shall, upon the effective date of the ordinance referred to above, be added to the boundaries of, and become a part of Planned-Development Zone, P-D(88).

2. That prior to the issuance of a building permit for any development on the herein described property, the developer shall pay to the City of Modesto the cost of planting 8 additional street trees at the prevailing rate.

3. That the above described property shall be incorporated as an integral part of P-D(88) and all conditions of approval imposed upon P-D(88) 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(88):

That construction of the subject P-D(88) addition be incorporated into the overall development schedule of P-D(88) which specifies construction to begin on or before July 1, 1972, and be completed not later than July 1, 1974.

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 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(88) 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 July, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: Dixon  
ABSENT: Councilmen: None

(SEAL)

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

APPROVED AS TO FORM:

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

DESCRIPTION APPROVED BY: William J. Nichols  
Planning Director

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-673

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D (91).

WHEREAS, a verified application for an amendment to Section 5-4-9 of the Zoning Map was filed by Mutual Ownership Development Foundation on May 14, 1971, to reclassify from Two-family Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

Parcel 1

All of Fairway Estates Unit No. 3, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on April 11, 1967, in Volume 21 of Maps, at Page 60.

Including also the southeasterly 30 feet of Roselawn Avenue immediately adjacent to the above described property.

Parcel 2

Parcel A as shown and designated on that certain Parcel Map filed in the office of the County Recorder of Stanislaus County, California, on March 24, 1967, in Volume 3 of Parcel Maps, at page 34, and being a portion of Lots 2, 6, 7, 8 and 10 of Rouse Colony, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on January 10, 1911 in Volume 5 of Maps, at Page 24, and being in the City of Modesto and in Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the easterly 30 feet of Roselawn Avenue immediately adjacent to the above described property.

WHEREAS, after public hearing held on June 15, 1971, 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 would have an R-2 density.
2. The subject property is properly located and already zoned for R-2 density apartments.
3. The proposed P-D Zone would allow a departure in site design from the inflexible design standards of the existing R-2 Zone.

WHEREAS, after a public hearing held on July 12, 1971, the Council found and determined that the application of Mutual Ownership Development Foundation

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. 1127-C.S. on the 12th day of July, 1971, reclassifying the above-described property from Two-family Residential Zone, R-2, to Planned-Development Zone, P-D(91),

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(91), is hereby approved in accordance with the plan titled "Fairway Manor"

as amended in red on its face,  
dated June 15, 1971,/which said plan is on file in the office of the Planning Director, subject to the following conditions:

1. That all development shall be in accordance with the above mentioned plan.
2. That all parking and driveway areas be improved in accordance with the provisions of Section 10-2.1805 and 10-2.1807 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.
3. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. 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.
4. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash, and other debris.
5. That the development be connected to the City's water and sanitary sewer facilities in accordance with the requirements of the Director of Public Works.
6. That any signs on the premises shall conform to the sign provisions of the R-2 Zone.

7. That the developer shall install 3 fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed prior to the occupancy of the premises.
8. That the entire area of P-D(91) shall remain in single ownership which shall be directly responsible to develop and maintain the entire P-D(91) premises in accordance with all conditions and requirements.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(91) :

That the entire construction program be accomplished in one phase, construction to begin on or before September 31, 1972 and be completed on or before September 31, 1973.

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 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(91) 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 July, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Herbert J. Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-674

A RESOLUTION APPROVING USE OF LINCOLN SCHOOL SITE BY PRESBYTERIAN EPISCOPAL PROGRAM COUNCIL FOR A GARAGE SALE JULY 23 & 24, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Presbyterian Episcopal Program Council is hereby permitted the use of the Lincoln School site for a "garage" sale to be held July 23 and 24, 1971.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-675

A RESOLUTION AMENDING SECTION 1.3 OF THE PERSONNEL RULES RELATING TO CHANGES, SECTION 13.1 (b) OF THE PERSONNEL RULES RELATING TO HOURS OF WORK, SECTION 13.5 OF THE PERSONNEL RULES RELATING TO SICK LEAVE, SECTION 13.6 (a) OF THE PERSONNEL RULES RELATING TO OTHER LEAVES, AND SECTION 17.7 OF THE PERSONNEL RULES RELATING TO NO ABROGATION OF RIGHTS.

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 reviewed said amendments to the Personnel Rules as recommended by the City Manager and finds that said amendments promote the purposes 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 1.3 of the Personnel Rules be amended to read as follows:

1.3 Changes in Rules

Suggestions for changes in these rules shall be submitted to the City Manager in writing. The City Manager shall transmit any suggested changes to the City Attorney who shall review them to determine conformance with the spirit and intent of the Charter, Modesto Municipal Code, and with these rules. The proposed changes shall be submitted to the City Council along with a recommendation from the City Manager concerning them. Adoption of changes in the rules shall be by Council resolution.

SECTION 2. That 13.1 (b) of the Personnel Rules be amended to read as follows:

13.1 Hours of Work

(b) All Fire Department Personnel working in a class for which safety membership in the Public Employees' Retirement System is required shall be on duty an average minimum of fifty-six hours a week, except that:

1. The Fire Chief, Assistant Fire Chief, and Battalion Chief assigned as Fire Marshall shall be on duty 40 hours per week; and

2. The Fire Chief, with the approval of the City Manager, may designate for the Fire Lieutenant assigned as property control officer a special work week not to exceed 56 hours, nor to be less than 40 hours per week.

SECTION 3. That Section 13.5 of the Personnel Rules be amended to read as follows:

13.5 Sick Leave

After completing three months of continuous service, an employee shall be entitled to paid sick leave at the rate of one working day for each completed calendar month of service, counted from the original appointment. Sick leave credit shall not continue to accrue to an employee absent from duty on any leave other than vacation leave or temporary military leave. Unused sick leave time may be accrued not to exceed one hundred seventy-two days. Sick leave shall be considered a privilege to be allowed only in case of sickness, disability, or quarantine. Paid sick leave shall not be given for any absence from duty due to an injury or illness arising out of or incurred in connection with outside employment. In order to receive sick leave pay, an employee must notify his supervisor or the Personnel Office not later than four hours after the start of the work day. When absent more than three work days, the employee shall file a physician's certificate or a personal affidavit with the Director of Personnel stating the cause of the absence. He may be required to file such certificate in cases of less than three work days' absence.

Leave for disability covered by workmen's compensation shall be charged against the employee's accrued sick leave and the employee shall receive full pay to the extent of his sick leave credit. Compensation insurance checks shall be endorsed to the city while full salary is paid. When sick leave is exhausted, the employee shall receive the compensation insurance check. Sick leave shall be charged at a rate proportional to the city's actual contribution to the full salary. This provision shall be modified for police and fire personnel to the extent necessary to conform to the provisions of Section 4850 of the State Labor Code. An employee whose sick leave has expired because of an on-the-job injury may be granted additional sick leave upon recommendation of the City Manager and approval of the City Council.

Employees terminating their city employment or being terminated shall forfeit all unused sick leave benefits, as of the terminal date. Former employees re-employed by the city shall receive no credit for prior service in determination of sick leave or vacation benefits.

SECTION 4. That Section 13.6 (a) of the Personnel Rules be amended to read as follows:

13.6 Other Leaves

(a) Bereavement. Up to three days of bereavement leave shall be granted for death of an immediate family member.

SECTION 5. That Section 17.7 of the Personnel Rules be amended to read as follows:

17.7 Rules No Abrogation of Rights.

By the adoption of the provisions of these rules the city shall not be deemed to abrogate its right to establish policy and procedure and make whatever changes it considers necessary for the good of the city. The provisions of these rules are not intended to conflict with the provisions of Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500, et seq.) as amended.

SECTION 6. This resolution shall apply retroactively on and after July 1, 1971, as to Sections 1, 3, 4 and 5, but shall not go into effect until January 1, 1972, as to Section 2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

By Bruce W. Liedstrand  
BRUCE W. LIEDSTRAND, Assistant City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 676

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 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 \$143,000.00, 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 \$143,000.00 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 \$143,000.00 is needed by the City of Modesto for the payment of principal and interest on the bonds of the Modesto Municipal Sewer District.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it requests 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 \$143,000.00, and that it requests the County Auditor of said county to compute the rate of taxation needed to raise the sum of \$143,000.00 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 12th day of July, 1971,

by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

By

Bruce W. Liedstrand  
BRUCE W. LIEDSTRAND, Assistant  
City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-677

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,400 TO PROVIDE FUNDS FOR EXTRA HELP IN BUILDING INSPECTION DIVISION

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$1,400
TO: Salaries & Wages, Part time (120-42-101)	\$1,400

(To provide funds for extra help in Building Inspection Division through September to help relieve the inspection load)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-678

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,700 FOR FUNDS NEEDED TO PERFORM VARIOUS OPERATIONS TO PLACE 1970-71 VEHICLES IN SERVICE

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

WORKING CAPITAL (512)

FROM: Appropriated Reserve (60-48-512)	\$1,700
TO: 1970-71 Vehicle Road Ready (5427-48-512)	\$1,700

(Nearly all the new and replacement vehicles in the 1970-71 budget arrived at the end of the fiscal year. Funds are needed to perform various operations to place these vehicles in service. Largest item (\$1,170) is to construct a box for the chipper truck replacement. This represents funding that was unexpended in last fiscal year's budget)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of July, 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-679

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STANISLAUS PUMP AND SUPPLY COMPANY'S CONTRACT FOR INSTALLING PUMPING UNITS AT PUMP STATIONS 18 AND 10

WHEREAS, a report has been filed by the Director of Public Works that the construction of installation of Pumping Units at Pump Stations 18 and 10 has been completed by Stanislaus Pump and Supply Company

in accordance with the contract agreement dated April 5, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of installation of Pumping Units at Pump Stations 18 and 10 be accepted from said contractor, Stanislaus Pump and Supply Company

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$5,974.00 as provided in the contract, be authorized.

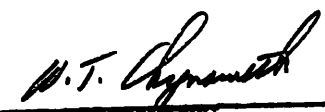
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-680

A RESOLUTION ACCEPTING THE CONSTRUCTION OF B G ENGINEERING CONTRACTORS, INC. CONTRACT FOR THE IMPROVEMENT OF BODEM-SUNRISE CONNECTION

WHEREAS, a report has been filed by the Director of Public Works that the construction of the Improvement of Bodem-Sunrise Connection has been completed by B G Engineering Contractors, Inc.


in accordance with the contract agreement dated May 24, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of the Improvement of Bodem-Sunrise Connection be accepted from said contractor, B G Engineering Contractors, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$23,872.86 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 July, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:   
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-681

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF SIDEWALK AND CHAIN LINK FENCE ON BLOCK 6711 OF BRIGGSMORE AVENUE

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

SECTION 1. The plans and specifications for construction of sidewalk and chain link fence on Block 6711 of Briggsmore 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 August 3, 1971 at 10:10 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 19th day of July 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-682

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$6,000 TO PROVIDE FUNDS WITH WHICH TO CONSTRUCT CONCRETE SIDEWALK ON BLOCK 6711 OF BRIGGSMORE AVENUE

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (60-321)	\$6,000
TO: Briggsmore Beautification (6287-31-321)	\$6,000

(To provide funds with which to construct concrete sidewalk along with the chain link fence. Funds were budgeted for the chain link fence construction only. In order for the entire project to be identical to that recently completed on the west side of College, concrete sidewalks need to be constructed)

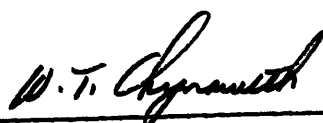
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-683

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN PLEASANT VIEW ESTATES NO. 2

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

SECTION 1. The plans and specifications for installation of Water Lines in Pleasant View Estates No. 2

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 3, 1971 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 19th day of July 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-684

AMENDMENT TO

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND VALLEY CONSTRUCTION CO. REGARDING INSTALLATION OF WATER LINES IN WOODLAND AVENUE BETWEEN NINTH STREET AND EMERALD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto amendment to that the agreement between the City of Modesto and Valley Construction Co.

for installation of water lines in Woodland Avenue to provide for additional insurance and inspection required by Southern Pacific Railroad Company

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amendment to 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 July, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-685

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS AND STATE OF CALIFORNIA, DIVISION OF HIGHWAYS FOR IMPROVEMENTS TO McHENRY AVENUE BETWEEN LEVELAND LANE AND ROBINHOOD DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus and State of California, Division of Highways for Improvements to McHenry Avenue between Leveland Lane and Robinhood 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 19th day of July 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-686

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WALSER TRAVEL SERVICE, INC. FOR CONCESSION TO SELL AIR TRAVEL INSURANCE AT THE AIRPORT BEGINNING AUGUST 1, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Walser Travel Service, Inc.

for concession to sell air travel insurance at the airport by a "mail in" procedure for one year beginning August 1, 1971, and on a year-to-year basis thereafter at \$50.00 per year

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 July 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-687

A RESOLUTION ESTABLISHING CONDITIONS FOR PAYMENT IN  
INSTALLMENTS OF SUBTRUNK EXTENSION CHARGES FOR  
JOHN R. CONANT.

WHEREAS, Section 5-6.07 of the Modesto Municipal Code provides that this Council may establish conditions under which subtrunk sewer extension charges required to be paid by Section 5-6.06 of the Modesto Municipal Code may be paid in installments, and

WHEREAS, property containing more than thirty-one (31) acres owned by John R. Conant and shown as Parcel A on the attached Exhibit "A", which by this reference is made a part hereof as though set forth in full herein, is being divided into three (3) parcels by a parcel map with one parcel to be sold at this time and the other two (2) parcels subject to further subdivision, and

WHEREAS, John R. Conant is desirous of spreading the payment of the subtrunk sewer charges for said property,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto hereby establishes the following conditions under which subtrunk sewer extension charges (hereinafter called charges) for property owned by John R. Conant and shown as Parcel A on the attached Exhibit "A", required to be paid by Section 5-6.06 of the Modesto Municipal Code, may be paid in installments:

1. A fee of Twelve and no/100ths (\$12.00) Dollars shall be paid to cover the cost of processing the spreading of the charges and interest, including the cost of recording the notice that the charges and interest have been paid.
2. Charges for all three (3) parcels may be spread up to a maximum of five (5) years.
3. Deferred charges shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum.
4. Any unpaid balance must be paid in full within thirty (30) days of the sale of either of the remaining two (2) parcels, or any portions thereof of said property, if such sale occurs during said five (5) year period.
5. There shall be recorded in the office of the County Recorder of Stanislaus County a notice of the charges and interest which are spread and the time period over which they are spread.
6. After all charges and interest have been paid in full, a notice of such payment shall 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 19th day of July, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

*W. T. Chynoweth*  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

*Elwyn L. Johnson*  
\_\_\_\_\_  
ELWYN L. JOHNSON, City Attorney

RUMBLE ROAD

Section Line

SECTION 15, T.33S., R.3E., STANISLAUS COUNTY, CALIFORNIA

APPROXIMATE

PARCEL MAP OF  
A PORTION OF THE NORTHEAST  
QUARTER SECTION 15, T.33S., R.3E.,  
M.D.B. & M.

STANISLAUS COUNTY, CALIFORNIA  
MAY 1966  
SCALE 1"=100'  
SURVEYED BY ROY E. FREDRICKSON  
REGISTERED CIVIL ENGINEER NO. 7336

NOTES

DATA OF RECORD: 2.01.19.6. for the West line of the  
Northwest 1/4 of Section 15 as shown on the map of the  
Northwest 1/4, recorded in Volume 20 of Maps of Page 60,  
Stanislaus County Records.

MONUMENTS:

Indicates monument set, 3/4" iron pin section with  
 brass tag stamped R.E. 7336 attached.

This map was prepared by me or under my direction, and  
is based upon a field survey, in conformance with the  
requirements of the Subdivision Map Act of the request of the  
City of Modesto on May 18, 1966. I hereby certify that it  
conforms to the approved tentative map and the conditions  
of approval thereof; that all provisions of applicable state  
law and local ordinances have been complied with.



*Roy E. Frederickson*  
R.E. No. 7336

Richard C. Bamble  
County Surveyor

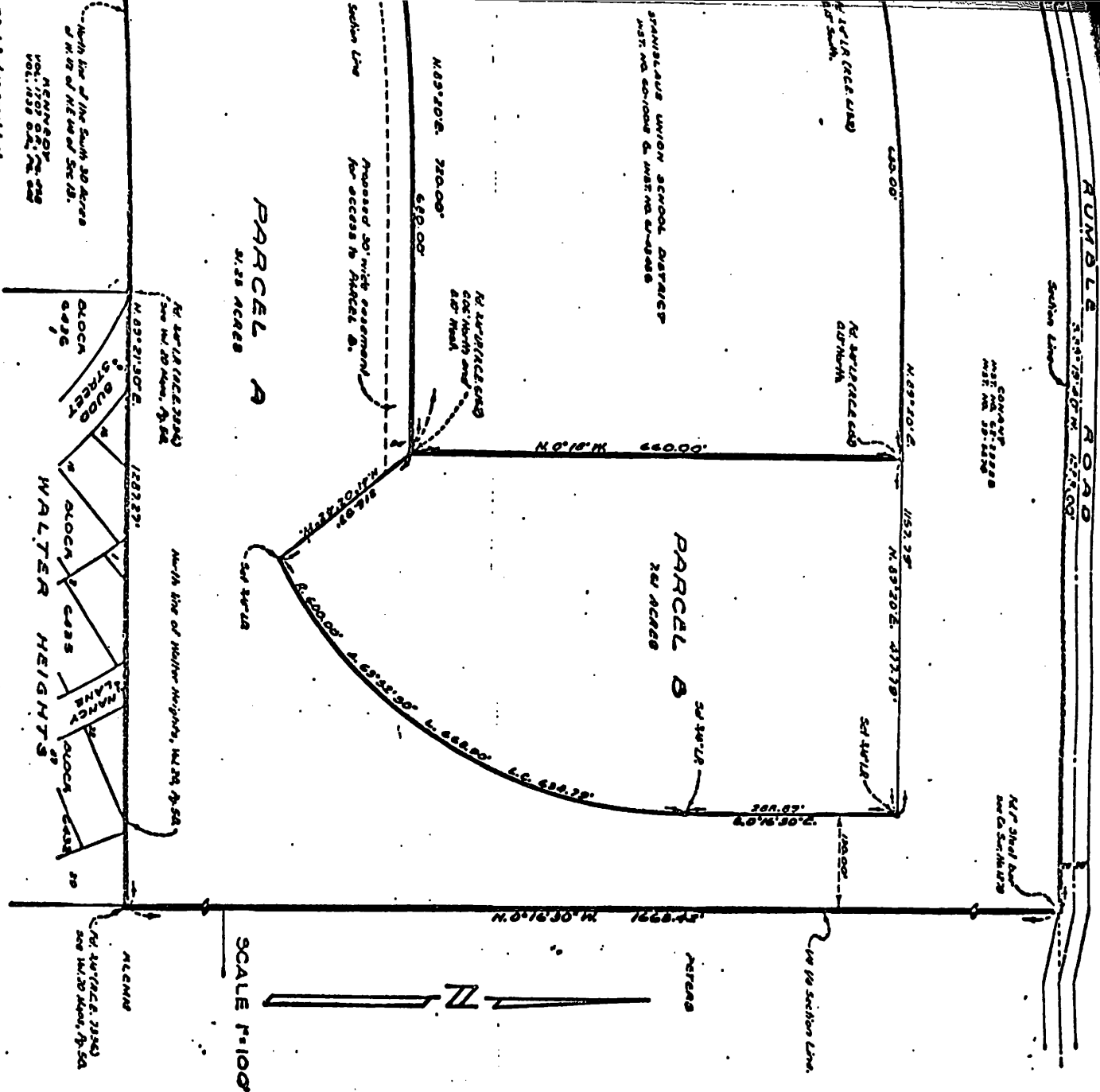
*Richard C. Bamble*  
County Surveyor

Filed for Record this 21<sup>st</sup> day of June 1966  
at 1:00 P.M. in Book \_\_\_\_\_ of Pages 153  
of the County of Stanislaus, California  
Map No. 1966-105  
See Subdivision Map Act

R.C. Jones, County Recorder

by *R.C. Jones*

1-14-67



North line of the South 30 Acres  
of N. 1/2 of NE 1/4 of Sec. 15.  
SECTION 15, T.33S., R.3E.,  
NO. 1707 OF S.E. 1/4  
VOL. 1238 OF S.E. 1/4

At SURFACE CORNER  
See Vol. 1238, P. 58

North line of Walter Heights, Vol. 1238, P. 58

At CORNER  
See Vol. 1238, P. 58

SCALE 1"=100'

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-688

A RESOLUTION ACCEPTING IMPROVEMENTS IN BROOKVIEW ESTATES NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF STATUTORY LIEN PERIOD

WHEREAS, Arthur J. Wylie and Florence E. Wylie, husband and wife, individuals, subdividers of Brookview Estates No. 1 Subdivision have filed an Instrument of Credit in the amount of \$25,800 to guarantee improvements in Brookview Estates No. 1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 13, 1971 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$25,800 upon expiration of the statutory lien period.

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

1. The improvements in Brookview Estates No. 1 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$25,800 upon expiration of the statutory lien period, filed by the Subdividers to guarantee improvements in Brookview Estates No. 1 Subdivision, upon expiration of the statutory lien period (65 days).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-689

A RESOLUTION APPROVING REFUND OF \$33.40 TO HOWARD P. BARNHILL FOR BUSINESS LICENSE

WHEREAS, Howard P. Barnhill, holder of a City of Modesto business license for contracting during the 1968-69 fiscal year, has requested refund of \$33.40, the cost of a business license for 1968-69 fiscal year; and

WHEREAS, Mr. Barnhill has stated that he was ill during the entire term of the business license and did not engage in any contracting work during the 1968-69 fiscal year for which the license was obtained; and

WHEREAS, Section 6-1.130(ee) of the Modesto Municipal Code provides that a refund can be made "Where the applicant for any license has not at any time after the commencement of the period or term during which the requested license would have been effective, commenced or engaged in the business or occupation, or performed any act for which the license was required"; and

WHEREAS, the Director of <sup>Finance</sup> ~~Public-Works~~ in a letter dated July 19, 1971 has recommended that the cost of the license, \$33.40, be refunded to Mr. Howard P. Barnhill.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a refund of \$33.40 to Howard P. Barnhill is hereby approved on the basis that Mr. Barnhill did not engage in the contracting business during fiscal year 1968-69.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:   
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-690

A RESOLUTION APPROVING CANCELLATION OF LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND ESTATE OF GERTRUDE RUDDY FOR LEASE OF WOODROW PARK/ FOR FARMING PURPOSES  
SITE

WHEREAS, the City of Modesto and Joseph William Ruddy, Executor of the Estate of Gertrude M. Ruddy entered into an agreement on February 24, 1971 for the rental of Woodrow Park Site for farming purposes; and

WHEREAS, irrigation lines to the property leased by Joseph William Ruddy, executor of the estate of Gertrude Ruddy, were cut off when the final map for Northgate No. 7 Subdivision, adjacent to the Woodrow Park Site, was approved; and

WHEREAS, the Director of Finance in a memorandum dated July 14, 1971 has recommended that the cancellation of the lease agreement be approved.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that cancellation of the lease agreement dated February 24, 1971 between the City of Modesto and Joseph William Ruddy, executor of the estate of Gertrude Ruddy, for lease of Woodrow Park Site, 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 July, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-691

A RESOLUTION AUTHORIZING APPLICATION FOR A \$42,124 GRANT MADE AVAILABLE THROUGH THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 ADMINISTERED BY THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE

WHEREAS, The California Council on Criminal Justice may consent to review for possible funding the project submitted by the City of Modesto referred to as the Neighborhood Youth Advisor Program.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is directed to execute on behalf of the City of Modesto, the application for Grant for Law Enforcement Purposes and special conditions attached thereto.

BE IT FURTHER RESOLVED th t the applicant agrees to provide the required matching funds to said project.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant ongoing law enforcement expenditures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 19th day of July, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

William T. Chynoweth  
WILLIAM T. CHYNOWETH, CITY CLERK

John C. Keefe  
JOHN C. KEEFE, CITY MANAGER

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-692

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS McHENRY-SYLVAN ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

BE IT RESOLVED by the Council of the City of Modesto:

1. That, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, a petition signed by owners of not less than one-fourth (1/4) of the land in the hereinafter described territory by area and by assessed value as shown on the last equalized assessment roll of the County of Stanislaus was filed with the Council of the City of Modesto on July 14, 19 71, requesting annexation of the hereinafter described territory to said City.

2. That the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situate in the County of Stanislaus, State of California, hereby designated as McHenry-Sylvan Addition, and described as attached hereto and made a part hereof as though set forth in full herein.

3. That the matter of the proposed annexation to the City of Modesto of said territory has been referred to the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission did on May 21, 19 71, approve the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code.

4. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

5. NOTICE IS HEREBY GIVEN that the 13th day of September, 19 71, at the hour of 7:35 o'clock P. M. of said day, in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto, be and the same is hereby fixed as the time and place for considering said petition, 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. The protest must be in writing, may be filed at any time before the hour set for hearing objections to the proposed annexation, and shall state the name or names of the

owner or owners of property affected and the description and area of such property, in general terms.

6. The City Clerk shall cause a copy of this resolution to be published at least twice, but not oftener than once a week in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and shall also cause a copy of this resolution to be published in the Ceres Courier, being a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus. Said publications shall be completed at least twenty (20) days prior to the date set for the hearing.

7. The City Clerk of the City of Modesto shall also cause written notice of such proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said Clerk, and to any person who has filed his name and address and the designation of the land in which he has any interest, either legal or equitable, with said Clerk. Said notices shall be mailed not less than twenty (20) days before the public hearing on the proposed annexation.

8. In the event any land within the territory proposed to be annexed is owned by the County of Stanislaus, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the Board of Supervisors of the County, such notice to be given not less than twenty (20) days before the public hearing on the proposed annexation.

9. In the event there is, upon the land proposed to be annexed, a structural improvement owned, being acquired or leased by a county fire protection district, the City Clerk is directed to cause written notice of such proposed annexation to be mailed to the governing body of such district, such notice to be sent not less than ten (10) days before the public hearing on the proposed annexation.

10. 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 19th day of July, 1971.

by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Michael A. Brenton  
Public Works Department

7-15-71

## McHENRY - SYLVAN ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the South half of the Northwest 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 the Northeast corner of the Standiford Addition (264), as per description filed November 3, 1970, as Instrument 36118, Stanislaus County Records, said point being the West quarter corner of said Section 9 and on the center line of a 50.00 foot public road known as McHenry Avenue; thence along said center line and the section line common to Sections 8 and 9, North  $00^{\circ} 53' 00''$  West, 1033.00 feet; thence South  $89^{\circ} 10' 30''$  East, 447.88 feet; thence North  $00^{\circ} 53' 00''$  West, 311.27 feet to the North line of the South half of said Section 9; thence along said North line, North  $88^{\circ} 20' 10''$  East, 2190.88 feet to the North-South quarter section line of said Section 9; thence along said quarter section line, South  $00^{\circ} 49' 25''$  East, 1321.16 feet to the center line of a 40.00 foot public road known as Sylvan Avenue and the interior quarter corner of said Section 9; thence along the East-West quarter line of Section 9 and said center line of Sylvan Avenue, South  $88^{\circ} 15' 22''$  West, 2637.28 feet, to the point of beginning, containing 77.011 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-693

A RESOLUTION APPOINTING MEMBER OF THE BOARD OF APPEALS, DANGEROUS BUILDING CODE AND HOUSING CODE FOR A TERM ENDING JANUARY 1, 1974 (Rob Roy Phillips)

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 Appeals, Dangerous Building Code and/ <sup>Housing Code</sup> for the respective term as indicated: (Term ending January 1, 1974)

Rob Roy Phillips  
1525 Irene Avenue  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Board of Appeals, Dangerous Building Code and / <sup>Housing Code</sup> and the Secretary thereof.

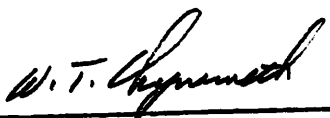
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July 19 71, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-694

A RESOLUTION REJECTING CLAIM OF UNIVERSAL BY-PRODUCTS, INC. FOR \$110,000 FOR LOSSES ALLEGEDLY SUSTAINED IN CONNECTION WITH THE SUBMISSION OF A BID FOR GARBAGE COLLECTION SERVICE

WHEREAS, a claim in the amount of \$110,000 has been filed against the City of Modesto by Universal By-Products, Inc., 9200 Glenoaks Boulevard, Sun Valley, California for losses allegedly sustained in connection with the submission of a bid to the City of Modesto for garbage collection service; and

WHEREAS, said bid was opened April 12, 1971.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the claim of Universal By-Products, Inc., 9200 Glenoaks Boulevard, Sun Valley, California for losses allegedly sustained in connection with the submission of a bid to the City of Modesto for garbage collection service is hereby rejected.

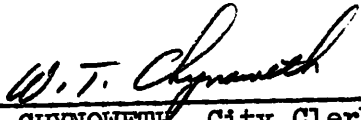
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1971, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-695

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPLICATIONS  
FOR LICENSE TO COLLECT GARBAGE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 9, 1971 , at 7:40 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of applications for license to collect garbage to the following applicants:

- (a) Airport Garbage Service
- (b) Rudy Bonzi, Inc. (limited license)
- (c) Modesto Garbage Co., Inc.
- (d) Orange Line Sanitation Co.
- (e) Sanders Garbage Co.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1971, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF TIEDOWN OVERLAY 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 construction of Tiedown Overlay at 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 August 10, 1971 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.

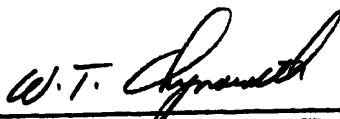
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July 1971, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-697

A RESOLUTION ACCEPTING THE BID OF SHIELD CONSTRUCTION COMPANY, INC. FOR THE IMPROVEMENT OF COLLEGE AVENUE FROM COLDWELL AVENUE TO ORANGEBURG AVENUE

WHEREAS, Resolution No. 71-653 , adopted by the Council of the City of Modesto on July 6, 1971 , approved the plans and specifications for the Improvement of College Avenue from Coldwell to Orangeburg Avenue and authorized the calling for bids, and

WHEREAS, the bids received for the Improvement of College Avenue from Coldwell Avenue to Orangeburg Avenue were opened at 10:10 A.M. on July 20, 1971 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 Shield Construction Company, Inc. in the amount of \$77,052.05 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Shield Construction Company, Inc. in the amount of \$77,052.05

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 July 1971 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-698

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT COFFEE AND RUMBLE

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

SECTION 1. The plans and specifications for construction of traffic signals and street lighting at Coffee and Rumble

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 31, 1971 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 26th day of July 1971, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-699

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION  
OF WATER LINES IN WYLDEWOOD ESTATES NO. 1 AND KRUGER DRIVE

WHEREAS, Resolution No. 71-652 , adopted by the Council of the  
City of Modesto on July 6th, 1971 , approved the plans and  
specifications for the installation of water lines in Wyldewood Estates  
No. 1 and Kruger Drive  
and authorized the calling for bids, and

WHEREAS, the bids received for the installation of water lines in  
Wyldewood Estates No. 1 and Kruger Drive  
were opened at 10:00 A.M. on July 20, 1971 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 Construction in the amount of \$5,556.25

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 Construction in the amount of \$5,556.25

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 July  
1971 , by Councilman Elliott , who moved its adoption, which motion  
being duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-700

A RESOLUTION APPROVING CHANGE ORDER FOR INSTALLATION OF JUTE HEMP FOR ADDITION OF EROSION CONTROL MEASURES AT MOOSE PARK

WHEREAS, an agreement between the City of Modesto and Albert M. Biehl dated June 7, 1971 provides for the planting and irrigation of Moose Park; and

WHEREAS, the Director of Parks and Recreation in a memorandum dated July 21, 1971 has requested a change order for installation of jute hemp as an erosion control measure for the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the change order requested by the Director of Parks and Recreation for the installation of jute hemp as an erosion control measure to the Moose Park planting and irrigation project 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 July, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-701

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. (EAST ORANGEBURG NO. 4)

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 June 7, 1971, duly adopted Resolution No. 71-525 (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. 73 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, July 26, 1971, at the hour of 7:35 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. 73 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. 73 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. 73, 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. 73, 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

26th day of July, 1971, by Councilman  
Simon, who moved its adoption, which motion being  
duly seconded by Councilman Elliott, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Rosewood  
Public Works Department

R.M.  
6-14-71

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot 5 of the Broughton Colony as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the MEMORIAL HOSPITAL NORTH ADDITION (261); as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, said point being the quarter corner common to Sections 21 and 22; thence along the section line common to Sections 21 and 22 and on the Eastern boundary of said Addition (261), North  $0^{\circ} 27' 00''$  West, 329.91 feet, to the Westerly extension of the South line of the GARDEN ACRES TRACT, as per map filed November 18, 1940, in Volume 14 of Maps, Page 9, Stanislaus County Records; thence along said extension and the Southern line of said Garden Acres Tract and its Easterly extension, North  $89^{\circ} 55' 35''$  East, 1314.12 feet, to the Eastern line of Lot 5 of the Broughton Colony; thence along said Eastern line, South  $0^{\circ} 36' 14''$  East, 329.31 feet, to the Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 1, 1965, as Instrument 1768, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said Addition (170), South  $89^{\circ} 54' 00''$  West, 328.01 feet, to the Northeastern corner of the DOWNEY PARK NO. 2 ADDITION (188), as per description filed May 3, 1966, as Instrument 15774, Stanislaus County Records; thence along said City Limits on the Northern boundary of said Addition (188), South  $89^{\circ} 54' 00''$  West, 550.99 feet, to the Northeastern corner of the EAST ORANGEBURG-COFFEE ADDITION (262), as per description filed November 3, 1970, as Instrument 36116, Stanislaus County Records; thence continuing along said City Limits on the Northern boundary of said Addition (262), South  $89^{\circ} 54' 00''$  West, 436.00 feet, to the point of beginning, containing 9.947 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-702

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
C. N. FORSYTH DBA RED TOP TAXI FOR RENTAL OF SPACE AT THE CITY-  
COUNTY AIRPORT FOR TAXICAB SERVICE EFFECTIVE AUGUST 1, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and G. N. Forsyth  
dba Red Top Taxi  
for rental of space at the City-County Airport for taxibab service  
effective August 1, 1971 at \$100 per year payable in advance  
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  
July 1971, by Councilman Elliott, who moved its  
adoption, which motion being duly seconded by Councilman Smith,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-703  
AMENDMENT TO

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MONROE TAYLOR FOR INCREASE IN CONTRACT EFFECTIVE JULY 27, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
amendment to  
that the/agreement between the City of Modesto and Monroe Taylor

for a 6.3% increase in pay effective July 27, 1971

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
amendment to  
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  
July 1971, by Councilman Simon, who moved its  
adoption, which motion being duly seconded by Councilman Elliott,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-704

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$540 FOR FUNDS NEEDED TO INCREASE AMOUNT OF CONTRACT WITH THE COORDINATOR OF SOCIAL SERVICES

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$540
TO: Services, Prof. & Other (235-30-101)	\$540

(To appropriate funds for the increased amount of contract with the Coordinator of Social Services)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-705

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR  
THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted by 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 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 by resolution  
of the City Council,

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

SECTION 1. The Position Classification Plan of the City of Modesto  
is hereby amended to abolish a certain class of position and create two new  
classifications as follows:

<u>CLASSIFICATION ABOLISHED</u>	<u>CLASSIFICATIONS CREATED</u>
Service Division Superintendent	Senior Equipment Mechanic Stores and Equipment Supervisor

SECTION 2. The specifications for the classifications created as  
shown on the attached Exhibit "A" and Exhibit "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. This resolution shall become effective on September  
1, 1971.

The foregoing resolution was introduced at a regular meeting of the  
Council of the City of Modesto held on the 26th day of July, 1971, by  
Councilman Elliott, who moted its adoption, which motion being  
duly seconded by Councilman Smith, was upon roll call carried  
and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

(SEAL)

ATTEST:

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

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

## SENIOR EQUIPMENT MECHANIC

### Definition

Under direction, supervises and participates in major and minor mechanical repairs on all kinds of gasoline and diesel equipment; and to do related work as required.

### Typical Tasks

Inspects, diagnoses, and repairs mechanical defects in automobiles, trucks, graders, rollers, mowers, and other mechanical equipment used in construction and maintenance work; tears down motors and performs general overhauling; aligns wheels and repairs brakes; straightens and paints bodies and frames; installs batteries, tires, lights, and other parts; greases equipment; performs welding and blacksmith work; maintains records of repairs made and time worked; occasionally makes emergency repairs out of the shop; acts for foreman in his absence.

### Employment Standards

Any combination of training and experience equivalent to completion of an apprenticeship as an auto or heavy duty mechanic and two years experience as a journeyman mechanic.

### Desirable Qualifications

Knowledge of light and heavy construction equipment and skill in the use of garage equipment and tools, and the making of various types of mechanical repairs; knowledge of the theory, care, and operation of internal combustion and diesel engines; ability to diagnose mechanical troubles and determine appropriate maintenance work; ability to supervise the work of others.

Exhibit "A"

City of Modesto

1971

## STORES AND EQUIPMENT SUPERVISOR

### Definition

Under direction, to be responsible for activities of central stores, equipment dispatch, and corporation yard maintenance, and to do related work as required.

### Typical Tasks

Receives work order and shop order requisitions for equipment, materials, and tools from field foremen, checks for availability and initiates steps to fill the requisition; maintains records of city equipment and of public works materials and supplies; establishes re-order points on standard stock items and requisitions replacement stock when required; receives and checks replacement stock, enters receipts on records, and places or directs the placement of material in proper storage area; dispatches and keeps use records on automotive and related city equipment; insures that corporation yard and facilities are maintained in prescribed manner; computes, extends, and totals figures from work order requisitions, and from time and equipment records; trains and evaluates work of subordinate employees.

### Employment Standards

Any combination of training and experience equivalent to completion of two years of college and two years of experience in a stores operation or inventory accounting.

### Desirable Qualifications

Knowledge of financial record keeping with special reference to property and equipment; knowledge of storeroom and stock control methods and procedures; knowledge of the requirements for and methods of operating a central equipment pool; ability to estimate future supply needs and to develop procedures assuring adequate stock levels; ability to establish and maintain effective working relationships with other supervisors and city employees; ability to maintain records and to prepare regular and special reports.

City of Modesto

Exhibit "B"

1971

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-706

A RESOLUTION AMENDING EXHIBIT "B" OF RESOLUTION NO. 71-632 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. 71-632. Exhibit "B" entitled "Personnel Office Alphabetical Listing Of Classifications In Modesto City Service 1971-72, attached to Resolution No. 71-632, is hereby amended as shown on the Amended Exhibit "B", which is attached hereto and made a part hereof as though set forth in full herein. Said Amended Exhibit "B" adds the positions of Senior Equipment Mechanic and Stores and Equipment Supervisor, Range 22.5, deletes the position of Service Division Superintendent, Range 23.5, and establishes a new salary range for Shop Foreman, Range 25.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

**ALPHABETICAL LISTING  
OF  
CLASSIFICATIONS IN MODESTO CITY SERVICE  
1971-72  
(Effective 6-29-71, amended 9-1-71)**

<u>Title of Classification</u>	<u>Range No.</u>	<u>Title of Classification</u>	<u>Range No.</u>
Account Clerk	14.5	Electrician	23.5
Account Clerk, Senior	18.5	Electrician Leadman	24.5
Accountant	26	Engineering Aide	20.5
Accountant, Junior	22.5	Engineering Aide, Junior	17.5
Accountant, Senior	29	Engineering Aide, Principal	26
Administrative Assistant	26	Engineering Aide, Senior	23.5
Airport Manager	26.5	Equipment Mechanic	21.5
Assistant City Attorney	34	Equipment Mechanic, Senior	22.5
Assistant City Clerk	20.5	Equipment Serviceman	18.5
Assistant City Engineer	34		
Asst. Dir. of Public Works	34	Fire Chief	35.5
Assistant Fire Chief	31.5	Fire Engineer	23.5
Assistant Planner	26	Fire Lieutenant	25.5
Assistant Poundmaster	17.5	Fireman	22.5
Assistant to City Manager/ Personnel Officer	31.5	Golf Course Maint. Foreman	25
Associate Civil Engineer	32	Heavy Equipment Operator	20.5
Associate Planner	29		
		Janitor	14.5
Battalion Chief	28.5	Junior Civil Engineer	26
Building Inspector	25	Laboratory Technician	20.5
Building Inspector, Senior	27	Laborer	16.5
Building Maint. Foreman	22		
Chief Building Official	32	Office Machine Operator	16
Chief Electrician	27	Office Machine Supervisor	19
Chief of Police	36.5		
City Attorney	N/A	Parking Meter Svc. & Reprmn.	18.5
City Clerk & Auditor	30.5	Parks and Recreation Supt.	28.5
City Manager	N/A	Parks Foreman	25
Civil Engineering Assistant	28	Parks Leadman	22
Clerk, Intermediate	13	Parks Maintenance Man	18.5
Clerk, Junior	10	Parks Maint. Mechanic	19.5
Construction Inspector	25	Planning Aide	20.5
		Planning Aide, Junior	17.5
Data Processing Supervisor	22.5	Planning Aide, Senior	23.5
Deputy City Manager	39.5	Police Captain	32
Director of Finance	35.5	Police Lieutenant	29.5
Director of Park. & Traffic	36	Police Property Clerk	17.5
Dir. of Parks & Recreation	35	Police Records Supervisor	24.5
Director of Planning	36	Police Sergeant	27.5
Director of Public Works and City Engineer	39.5	Policeman	24.5

**Title of Classification****No.****Range**

Policewoman	24.5
Poundmaster	20.5
Public Works Foreman	25
Public Works Leadman	22
Public Works Maint. Man	18.5
Public Works Maint. Mechanic	19.5
Public Works Maint. Supt.	27
Purchasing Officer	27.5
Radio-Telephone Operator	19.5
Recreation Supervisor I	23.5
Secretary	18.5
Secretary to City Attorney	20.5
Secretary to City Manager	21.5
Senior Planner	32
Shop Foreman	25
Stenographer Clerk, Inter.	14.5
Stenographer Clerk, Junior	11
Stores & Equipment Clerk	19.5
Stores & Equipment Supervisor	22.5
Supervisor of General Services	23.5
Telephone Oper.-Receptionist	13
Traffic Painter	20.5
Tree Foreman	25
Tree Leadman	22
Tree Trimmer	20.5
Typist Clerk, Intermediate	13
Typist Clerk, Junior	10
Water Service Foreman	25
Water Quality Control Foreman	25
Water Quality Control Oper. I	18.5
Water Quality Control Oper. II	21.5
Water Quality Control Supt.	29
Zoning Inspector	25

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-707

A RESOLUTION APPROVING THE FINAL MAP OF THE  
COFFEE TERRACE NO. 3 SUBDIVISION  
OF THE CITY OF MODESTO.

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger,  
husband and wife, and Harley D. Brannan and Norma Brannan,  
husband and wife,

are possessed of a tract of land situate in the City of Modesto,  
County of Stanislaus, consisting of 28.311 acres, known as the  
Coffee Terrace No. 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by  
the City Planning Commission on the 18th day of May,  
19 71, and

WHEREAS, the final map of said tract has been approved  
by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has  
certified that the final map of said Coffee Terrace No. 3  
Subdivision meets all of the provisions of the California Subdivi-  
sion 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 of the Coffee Terrace No. 3  
Subdivision 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 in the amount of Eight Thousand Two  
Hundred Seventy-Four and 86/100ths (\$8,274.86) Dollars,  
as required by the Modesto Municipal Code, for checking, copies of  
maps and recording have been paid, and subdividers have furnished  
a bond acceptable to the City Attorney, or, in lieu, thereof, have  
posted a cash deposit with the City Clerk in the sum of Two Hundred  
Ten Thousand Eight Hundred and no/100ths (\$210,800.00) Dollars.

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 26th day of July, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote.

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

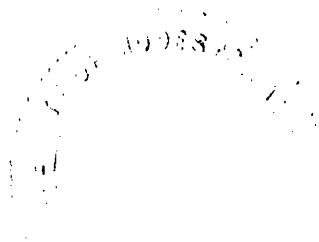
ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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



MODESTO CITY COUNCIL  
RESOLUTION NO. 71-708

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALBIN E. AND SELMA E. COLE FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1221 GARDEN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Albin E. and Selma E. Cole for sewer service to property outside the city at 1221 Garden 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 26th day of July 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-709

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THOMAS ZOSLOCKI FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3120 SCENIC DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Thomas Zoslocki for sewer service to property outside the City at 3120 Scenic Dr. 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 July 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-710

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HARRY M. AND GOLDIE H. ALLEN FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 513 BRIGHTON AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Harry M. and Goldie H. Allen

for sewer service to property outside the City at 513 Brighton 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 26th day of July 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-711

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE MONTCLAIR NO. 3 ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on June 28, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Montclair No. 3 Addition,

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

That the annexation of said uninhabited territory designated as Montclair No. 3 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Michael F. Brinton  
Public Works Department

RAM  
7-27-71

DESCRIPTION

All that certain real property situate in portion of the Southeast and the Southwest Quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

BEGINNING at the Northwest corner of Block 13214 of Tully Manor No. 5, according to the Official Map thereof, recorded in Volume 22 of Maps at Page 50, Stanislaus County Records, said corner being the Northwest corner of the Montclair No. 2 Addition (247) per description recorded February 5, 1970 as Instrument No. 3848; thence South  $89^{\circ} 09' 53''$  East along the North line of said Tully Manor No. 5 and the North line of said Montclair No. 2 Addition 772.78 feet to the West line of the Francek Addition (150) per description recorded February 8, 1963 as Instrument No. 5121; thence North  $1^{\circ} 02' 40''$  West along said West line of the Francek Addition 274.31 feet to the South line of the North 270 feet of said Southeast Quarter of Section 7; thence North  $89^{\circ} 08'$  West along said South line of the North 270 feet of the Southeast Quarter of Section 7 a distance of 751.75 feet to the Southwest corner of that property conveyed to D. J. Metzger as described in Deed recorded in Volume 1847 of Official Records at Page 640, Stanislaus County Records; thence North  $1^{\circ} 02' 40''$  West along the West line of said Metzger property 270.01 feet to the North line of said Southeast Quarter of Section 7, being the centerline of Standiford Avenue; thence North  $89^{\circ} 08'$  West along said North line of the Southeast Quarter of Section 7 and said centerline of Standiford Avenue 272.45 feet; thence South  $0^{\circ} 52'$  East 542.00 feet; thence North  $89^{\circ} 08'$  West 519.00 feet to the centerline of Carver Road; thence South  $0^{\circ} 52'$  East along said centerline of Carver Road 400.10 feet to the Northwest corner of property conveyed to the Protestant Episcopal Bishop of San Joaquin as described in Deed recorded August 22, 1963 as Instrument No. 32023, being also the Northwest corner of the Montclair Addition (233) per description recorded June 2, 1969 as Instrument No. 19185; thence South  $89^{\circ} 09' 53''$  East along the North line of said church property and the Easterly extension thereof and the North line of said Montclair Addition 773.31 feet to the West line of said Tully Manor No. 5 and the Southwest corner of said Montclair No. 2 Addition; thence North  $1^{\circ} 02' 40''$  West along said West line of Tully Manor No. 5 and West line of said Montclair No. 2 Addition 397.03 feet to the point of beginning.

CONTAINING 15.22 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-712

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE CLAREMONT NO. 2 ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on June 28, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Claremont No. 2 Addition,

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

That the annexation of said uninhabited territory designated as Claremont No. 2 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 19 71, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Michael F. Brinton  
Public Works Department

R.H.H.  
7-27-71

CLAREMONT NO.2 ADDITION

All that real property in the State of California, County of Stanislaus, 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 the Northeastern corner of the CLAREMONT ADDITION (216) as per description filed June 19, 1968, as Instrument 18952, Stanislaus County Records; thence along the existing City Limits, South  $89^{\circ} 15' 48''$  West, 130.01 feet; thence along a tangent curve concave to the Southeast, having a Radius of 559.26 feet, a Central Angle of  $71^{\circ} 09' 17''$  and an Arc Length of 694.54 feet, to its intersection with the center line of a 60.00 foot public road known as Claremont Avenue; thence along said center line, South  $00^{\circ} 44' 34''$  East, 255.28 feet, to the Southwestern corner of above mentioned Addition (216), said corner also being a Northeastern corner of CRESTWOOD TERRACE NO. 2 ADDITION (162) as per description filed March 24, 1964, as Instrument 11958, Stanislaus County Records; thence along the Northern line of said Addition (162), North  $89^{\circ} 30'$  West, 659.21 feet; thence leaving the existing City Limits on the North-South quarter section line, North  $00^{\circ} 45' 30''$  West, 1480.10 feet, to the interior quarter corner, said corner, being on the center line of a 40.00 foot public road known as Sylvan Avenue; thence along said center line and quarter section line, South  $89^{\circ} 17'$  East, 809.59 feet; thence South  $00^{\circ} 45'$  East, 435.00 feet; thence South  $89^{\circ} 15'$  West, 17.00 feet; thence South  $00^{\circ} 45'$  East, 101.00 feet; thence North  $88^{\circ} 00'$  East, 276.31 feet; thence North  $00^{\circ} 44' 25''$  West, 14.95 feet; thence North  $89^{\circ} 15' 35''$  East, 250.00 feet, to the East line of the East half of the West half of the Southeast quarter of Section 9; thence along said East line, South  $00^{\circ} 44' 25''$  East, 325.00 feet, to the point of beginning, containing 30.170 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-713

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 16-3-9 OF THE ZONING MAP (GEORGE P. BABA)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 20, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the zoning map to rezone from Multiple-family Residential Zone, R-3, to Professional Office Zone, P-0, the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-94 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 16-3-9 of the Zoning Map be set for Monday, August 16, 1971 at 4:05<sup>P.M.</sup> 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 26th day of July, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that certain real property situate in Section 16, Township 3 South, Range 9 East, M.D.B. & M., County of Stanislaus, State of California, described as follows:

Lot 1 in Block 1266 and Lot 8 in Block 1268 of Central Heights Estates, according to the Official Map thereof filed in the Office of the Recorder of Stanislaus County, California, on November 26, 1965, in Volume 21 of Maps, at page 32.

Including all of David Court immediately adjacent to the South line of said Lot 1 and the North line of said Lot 8.

Including also the Easterly one-half of Coffee Road immediately adjacent to the above described property.

Exhibit "A"

16-3-9 Baba

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-714

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 16-3-9 of the zoning map (FELLOWSHIP HOMES INC.)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 20, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the zoning map to rezone from One-family Residential Zone, R-1, to Planned Development Zone, P-D the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. <sup>71-90</sup> ~~EXXX~~ 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 16-3-9 of the Zoning Map be set for August 16, 1971 at 4:10 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.

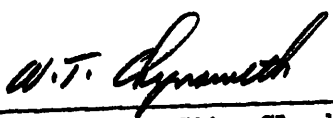
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of <sup>July</sup> ~~June~~, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of Lots 14, 15, 16, 19, 20, and 21 of the Pomona Villa Tract, according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 16, 1904, in Volume 2 of Maps, at Page 4, and more particularly described as follows:

Commencing at a three-quarter (3/4") inch iron pipe monument marking the intersection of the centerline of Norwegian Avenue with the East line of McHenry Avenue; thence along the centerline of Norwegian Avenue south  $89^{\circ} 39'$  East 1531.75 feet to a point on the Northerly extension of the East line of the property conveyed to Modesto Racquet Club, a California corporation, by Deed recorded November 8, 1960, in Volume 1643 of Official Records, at page 401, as Instrument No. 31891, Stanislaus County Records; thence South  $0^{\circ} 49'$  East along said East line so extended, 20 feet to a point on the southerly line of Norwegian Avenue and the true point of beginning of this description; thence along the Southerly line of said Norwegian Avenue South  $89^{\circ} 39'$  East 500.00 feet; thence parallel to the Easterly line of said Pomona Villa Tract South  $0^{\circ} 53'$  East 703.61 feet to a point on the Southwesterly line of said Lot 19; thence along the Southwesterly line of said Lots 19, 20, and 21, being the Southwesterly line of a 33-foot street known as Orange Avenue, North  $70^{\circ} 33'$  West 533.76 feet to the Southeast corner of said Modesto Racquet Club parcel; thence along the Easterly line of said Modesto Racquet Club parcel North  $0^{\circ} 49'$  West 528.90 feet to the true point of beginning.

Including also the southerly 10 feet of Norwegian Avenue immediately adjacent to the above described property.

Excluding therefrom the northerly one-half of the Modesto Irrigation District Lateral No. 3 canal immediately adjacent to the above described property.

Exhibit "A"

16.3-9 Follow Strip Lines

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-715

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 16-3-9 OF THE ZONING MAP ( A. G. SPANOS)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 20, 1971 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the zoning map to rezone from One-family Residential Zone, R-1, to Professional Office Zone, P-0 the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-93 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 16-3-9 of the Zoning Map be set for August 16, 1971 at 4:15 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 26th day of July , 1971, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of the southeast one-fourth of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Beginning at the point of intersection of the centerline of Norwegian Avenue with east line of said Section 16; thence North  $89^{\circ} 38' 4''$  West along the centerline of Norwegian Avenue 25 feet to the true point of beginning; thence south  $0^{\circ} 59' 40''$  East 308.52 feet; thence North  $89^{\circ} 38' 40''$  West 698.57 feet; thence North  $3^{\circ} 47' 10''$  West 309.23 feet to the centerline of Norwegian Avenue; thence South  $89^{\circ} 38' 40''$  East 713.62 feet along the centerline of Norwegian Avenue to the true point of beginning.

Including also the westerly 25 feet of Coffee Road immediately adjacent to the above described property.

Excepting therefrom the westerly 160 feet of the above described property.

3.88 net acres.

Exhibit "A"

Stamps - 16-3-9

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-716

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 (HAWAII AND SAN FRANCISCO INVESTMENT COMPANY)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 20, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to 9-3-9 to prezone Parcel 1 to Two-family Residential Zone R-2 and Parcel 2 to Planned Development Zone, P-D the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-91 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 9-3-9 of the Zoning Map be set for August 23, 1971 at 7:45 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 26th day of July, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

Prezone to R-2

All that certain real property situate in the south half of the Northwest Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the West Quarter corner of said Section 9, said corner being the intersection of the centerline of McHenry Avenue with the centerline of Sylvan Avenue; thence South  $89^{\circ} 23'$  East along the centerline of said Sylvan Avenue 827.93 feet to the point of beginning of this description; thence North  $0^{\circ} 37'$  East 90.00 feet; thence Northerly 307.07 feet along a tangent curve concave to the West, having a radius of 735.00 feet and a central angle of  $23^{\circ} 56' 14''$  to a point of reverse curve; thence Northerly 269.42 feet along a reverse curve concave to the East, having a radius of 688.00 feet and a central angle of  $22^{\circ} 26' 14''$ ; thence North  $0^{\circ} 53'$  West along a tangent line 674.24 feet to a point on the North line of said South half of the Northwest Quarter of Section 9; thence South  $89^{\circ} 18'$  East along said North line 130.05 feet; thence South  $0^{\circ} 53'$  East 670.65 feet; thence Southerly 218.52 feet along a tangent curve concave to the East, having a radius of 558.00 feet and a central angle of  $22^{\circ} 26' 14''$  to a point of reverse curve; thence Southerly 361.38 feet along a reverse curve concave to the West, having a radius of 865.00 feet and a central angle of  $23^{\circ} 56' 14''$ ; thence South  $0^{\circ} 37'$  West along a tangent line 90.00 feet to a point on the centerline of Sylvan Avenue; thence North  $89^{\circ} 23'$  West along said centerline 130.00 feet to the point of beginning.

Containing 4.00 Acres.

Prezone to P-D

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

Commencing at the West Quarter corner of said Section 9, said corner being the intersection of the centerline of McHenry Avenue with the centerline of Sylvan Avenue; thence South  $89^{\circ} 23'$  East along the centerline of said Sylvan Avenue 275.00 feet to the intersection of the Southerly extension of the East property line of the Sylvan Improvement Club with the centerline of Sylvan Avenue, said intersection being the point of beginning of this description; thence North  $0^{\circ} 53'$  West 731.20 feet; thence North  $89^{\circ} 09'$  West 275.00 feet to a point on the centerline of McHenry Avenue; thence North  $0^{\circ} 53'$  West along the centerline of said McHenry Avenue 60.03 feet; thence South  $89^{\circ} 09'$  East 447.81 feet; thence North  $0^{\circ} 53'$  West 533.69 feet to the North line of said South half of the Northwest Quarter of Section 9; thence South  $89^{\circ} 18'$  East along said North line of the South half 275.00 feet; thence South  $0^{\circ} 53'$  East 674.24 feet; thence Southerly 269.42 feet along a tangent curve concave to the East, having a radius of 688.00 feet and a central angle of  $22^{\circ} 26' 14''$  to a point of reverse curve; thence Southerly 307.07 feet along a reverse curve concave to the West, having a radius of 735.00 feet and a central angle of  $23^{\circ} 56' 14''$ ; thence South  $0^{\circ} 37'$  West 90.00 feet to a point on the centerline of Sylvan Avenue; thence North  $89^{\circ} 23'$  West along the centerline of said Sylvan Avenue 552.93 feet to the point of beginning.

Containing 12.81 acres.

Exhibit "A"

Number - S.F.  
9-39

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-717

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REGARDING H-1  
SIGN PROVISIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 9, 1971 , at 8:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of H-1 sign provisions.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1971, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-718

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$126,000 FOR FUNDS NEEDED FOR STREET IMPROVEMENT FROM PARADISE/FRANKLIN TO FIRST

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

SPECIAL GAS TAX STREET IMPROVEMENT FUND (207)

FROM: General Reserve (60-207)	\$126,000
TO: Paradise/Franklin to 1st (6648-207)	\$126,000

(The above project was approved and included in the Capital Improvement Program for the 1971-72 fiscal year. Because of the possibility of the passage of the federal accelerated public works bill, this project was not included in the final budget pending final outcome of the bill. The accelerated public works bill has not been approved, so it is now recommended that this project be appropriated)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-719

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$182,000 FOR FUNDS NEEDED TO EXTEND SUBTRUNK/PERIMETER SEWERS AND CARVER TRUNK RELIEF/BYPASS TO NORTH TRUNK

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

SEWER SERVICE FUND (212)

FROM: General Reserve (60-212)	\$182,000
TO: Extend Subtrunk/Perimeter Sewers (6561-212)	\$150,000
Carver Trunk Relief/Bypass to North Trunk (6578-212)	\$ 32,000

(The above projects were approved and included in the Capital Improvement Program for the 1971-72 fiscal year. Because of the possibility of the passage of the federal accelerated public works bill, these projects were not included in the final budget pending final outcome of the bill. The accelerated public works bill has not been approved, so it is now recommended that these projects be appropriated)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-720

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$301,000 FOR FUNDS NEEDED FOR DOG POUND, STATION #5/CONSTRUCT ADDITION, DOWNEY PARK DEVELOPMENT/STAGE 4, DAVIS PARK DEVELOPMENT/STAGE 4, MUNI GOLF/NEW BUILDING AND SERVICE YARD EXPANSION/IMPROVEMENT

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (60-321)	\$301,000
TO: Dog Pound (6002-321)	26,000
Station #5/Construct Addition (6130-321)	60,000
Downey Park Development/Stage 4 (6290-321)	80,000
Davis Park Development/Stage 4 (6315-321)	80,000
Muni Golf/New Building (6402-321)	40,000
Service Yard Expansion Improv. (6517-321)	15,000

(The above projects were approved and included in the Capital Improvement Program for the 1971-72 fiscal year. Because of the possibility of the passage of the federal accelerated public works bill, these projects were not included in the final budget pending final outcome of the bill. The accelerated public works bill has not been approved, so it is now recommended that these projects be appropriated.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-721

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$890 FOR FUNDS NEEDED TO DISC OLD PONDING AREA AND LANDFILL SITE EAST AND WEST OF CARPENTER ROAD

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$890
TO: Services, Prof. & Other (235-35-101)	\$890

(This amount of money is necessary to disc the old ponding area and the old landfill site east and west of Carpenter Road. We do not have the necessary equipment or manpower to complete this project. Therefore, it will be necessary to hire an outside firm)


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of July 19 71 by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-722

A RESOLUTION APPROVING EXECUTION OF DEED GRANTING ABANDONED PROFESSIONAL COURT TO THE ADJACENT PROPERTY OWNER

WHEREAS, Council Resolution No. 1195-S.P. approves the abandonment of Professional Court, a short dead-end street extending east from Coffee Road approximately 300 feet south of Ensenada Drive in the City of Modesto; and

WHEREAS, Resolution No. 1195-S.P. provides that the abandoned right of way be deeded to the adjacent property owner, A. G. SPANOS.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the abandoned right of way as approved by Council Resolution No. 1195-S.P. is hereby granted to the adjacent property owner, A. G. Spanos.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute said deed in 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 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-723

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR WATER LINES IN COFFEE TERRACE NO. 3 SUBDIVISION

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

SECTION 1. The plans and specifications for WATER LINES in Coffee Terrace No. 3 Subdivision

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 17, 1971 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 2nd day of August 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-724

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR LANDSCAPING MODESTO-STANISLAUS LIBRARY

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

SECTION 1. The plans and specifications for landscaping Modesto-Stanislaus Library

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 16, 1971 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 August 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-725

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT BRIGGSMORE AND CARVER (Ferrero Electric, Inc.)

WHEREAS, a report has been filed by the Director of Parking & Traffic that the construction of traffic signals and street lighting at Briggsmore and Carver has been completed by Ferrero Electric, Inc.

in accordance with the contract agreement dated February 10, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of traffic signals and street lighting at Briggsmore and Carver be accepted from said contractor, Ferrero Electric, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$7,845 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 August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-726

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Grape Ave. at 1722 Evergreen Avenue, Lot 16 of Block 6108 - Mr. Grady L. Tunnell)

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 curb, gutter and sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curb, gutter and sidewalk have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Block 6108, Grape Avenue

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 16 of Block 6108 of Dunham Tract in the City of Modesto, as per map filed December 26, 1946 in Volume 16 of Maps, Page 15, Stanislaus County Records.  
(Stanislaus County Assessor's Parcel No. 002-09-029-0116-001)

to construct or cause to be constructed curb, gutter and sidewalk along the street frontage of the property/properties hereinabove described, all of said construction to be in accordance with City of Modesto standards for such construction work.

SECTION 2. The 16th day of August, 1971, at 4:20 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 persons relating to the proposed work.

SECTION 3. 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 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-727

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (805 Magnolia Ave., North 55' of Lot 36 of Block 709 - Miss M. D. Vaughn)

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalk have been constructed, or construction has been guaranteed, in front of the properties constituting more than fifty per cent (50%) of the street frontage of Block 709, Magnolia Avenue

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

SECTION 1. The Superintendent of Streets is hereby directed to notify the owners of record of the properties described as follows: All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 55 feet of Lot 36 of Block 709 in the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 709, Stanislaus County Records.  
(Stanislaus County Assessor's Parcel No. 002-01113-1223-001)

to construct or cause to be constructed sidewalk  
along the street frontage of the property/properties hereinabove  
described, all of said construction to be in accordance with City  
of Modesto standards for such construction work.

SECTION 2. The 16th day of August, 1971, at  
4:20 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 persons relating to the proposed work.

SECTION 3. The Superintendent of Streets is hereby auth-  
orized 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 2nd  
day of August, 1971, by Councilman Dixon,  
who moved its adoption, which motion being duly seconded by  
Councilman Newton, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

APPROVED AS TO DESCRIPTION:

By \_\_\_\_\_  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-728

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 527 MILO STREET, PORTION OF BLOCK 1012 (Mr. Stanley R. Person - \$310.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 16, 1971, at 4:25 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 527 Milo Street, portion of Block 1012 - \$310.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-729

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 1218 LUCERN AVE., PORTION OF BLOCK 1012 (Mr. Cecil R. Wethern - \$310.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 16, 1971, at 4:25 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 1218 Lucern Ave., portion of Block 1012 - \$310.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-730

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK ON PEARL STREET AT 1452 COLLEGE AVE., LOT 17 OF BLOCK 6070 (Mrs. Margaret H. Lind - \$118.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 16, 1971, at 4:25 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk on Pearl Street at 1452 College Ave., Lot 17 of Block 6070 - \$118.00

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-731

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK ON PEARL STREET AND ARDMOR AVENUE AT 1506 ARDMOR AVENUE, LOT 11 and SOUTH 1/2/OF BLOCK 6122 (Mr. Wei Hsuan - \$418.00)  
OF LOT 12

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 16, 1971 , at 4:25 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk on Pearl Street and Ardmor Avenue at 1506 Ardmor Avenue, Lot 11 and south 1/2/of Block 6122 - \$418.00  
of Lot 12

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971 by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-732

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND GUTTER ON SEMPLE STREET AT 229 DOWNEY AVE., LOT 9 OF BLOCK 569 (Mr. Cyril L. Wooten - \$378.50)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 16, 1971 , at 4:25 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb and gutter on Semple Street at 229 Downey Ave., Lot 9 of Block 569 - \$378.50

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-733

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND GUTTER ON DEL VALE AVE. AT 1424 DEL VALE AVENUE, SOUTH 100 FEET OF LOT 1 OF BLOCK 6080 (Mr. Virgil R. Daniel - \$332.10)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 16, 1971, at 4:25 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb and gutter on Del Vale Ave. at 1424 Del Vale Avenue, south 100 feet of Lot 1 of Block 6080 - \$332.10

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-734

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND GUTTER ON DEL VALE AVE. AT 1444 DEL VALE AVE., LOT 28 OF BLOCK 6080 (Mrs. Bonnie Ringer - \$363.70)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 16, 1971, at 4:25 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb and gutter on Del Vale Ave. at 1444 Del Vale Ave., Lot 28 of Block 6080 - \$363.70

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-735

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND GUTTER ON COVENA AVE. AT 1421 HADDON AVE., LOT 12, 13 AND S. 10' OF 11 OF BLOCK 2089 (Mrs. Darlene M. Beard - \$457.10)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 16, 1971, at 4:25 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb and gutter on Covena Ave. at 1421 Haddon Ave., Lot 12, 13 and S. 10' of 11 of Block 2089 - \$457.10

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-736

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DAROLD JOLLIFF COVERING FUEL CONCESSION, HANGAR AND OFFICE SPACE AND AIRCRAFT TIE DOWN SPACE EFFECTIVE AUGUST 1, 1971

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Darold Jolliff for fuel concession, hangar and office space and aircraft tie down space effective August 1, 1971 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 August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-737

A RESOLUTION ACCEPTING IMPROVEMENTS IN ROSE TERRACE NO. 3 SUBDIVISION  
AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF  
STATUTORY PERIOD

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger, husband and wife and Harley D. Brannan and Norma Brannan, husband and wife, individuals, subdividers of Rose Terrace No. 3 Subdivision, have filed an Instrument of Credit in the amount of \$88,500 to guarantee improvements in Rose Terrace No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 27, 1971 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$88,500 upon expiration of the statutory period.

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

1. The improvements in Rose Terrace No. 3 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$88,500, filed by the Subdividers to guarantee improvements in Rose Terrace No. 3 Subdivision, 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 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-738

A RESOLUTION ACCEPTING IMPROVEMENTS IN GREENBRIER NO. 4 SUBDIVISION  
AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF  
STATUTORY PERIOD

WHEREAS, Alfred L. Flory and Gertrude E. Flory, husband and wife, individuals, subdividers of Greenbrier No. 4 Subdivision, have filed an Instrument of Credit in the amount of \$28,000 to guarantee improvements in Greenbrier No. 4 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 26, 1971, 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$28,000 upon expiration of the statutory period.

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

1. The improvements in Greenbrier No. 4 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$28,000, filed by the Subdividers to guarantee improvements in Greenbrier No. 4 Subdivision, 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 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-739

A RESOLUTION ACCEPTING IMPROVEMENTS IN NORTHGATE NO. 7 SUBDIVISION  
AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF  
STATUTORY PERIOD

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger, husband and wife and Harley D. Brannan and Norma Brannan, husband and wife, individuals, subdividers of Northgate No. 7 Subdivision, have filed an Instrument of Credit in the amount of \$77,800 to guarantee improvements in Northgate No. 7 Subidvision; and

WHEREAS, the Director of Public Works in a memorandum dated July 28, 1971, indicated 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$77,800 upon expiration of the statutory period.

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

1. The improvements in Northgate No. 7 Subidvision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$77,800, filed by the Subdividers to guarantee improvements in Northgate No. 7 Subdivision, 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 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-740

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES C. AND LILLIE PASCO FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 300 CRATER AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Charles C. and Lillie Pasco for sewer service to property outside the City at 300 Crater 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 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-741

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
GLENN M. AND LAURA L. BLOOMER FOR SEWER SERVICE TO PROPERTY OUTSIDE  
THE CITY AT 1318 GARDEN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Glenn M. and  
Laura L. Bloomer  
for sewer service to property outside the City at 1318 Garden  
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  
August, 1971, by Councilman Dixon, who moved its  
adoption, which motion being duly seconded by Councilman Newton,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-742

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOE AND HELEN TROMBETTA FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 2467 STANDIFORD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Joe and Helen Trombetta

for sewer service to property outside the City at 2467 Standiford 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 August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-743

A RESOLUTION APPROVING THE FINAL MAP OF THE  
COFFEE PLAZA NO. 4 SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger, husband and  
wife, and Harley D. Brannon and Norma Brannon, husband and wife,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 2.59 acres, known as the Coffee Plaza No. 4  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 18th day of May, 1971, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Coffee Plaza 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,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that said final map of the Coffee Plaza No. 4  
Subdivision 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 in the amount of Five hundred eighty-one and 55/100ths  
(581.55) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

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 2nd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

A RESOLUTION APPROVING THE FINAL MAP OF THE  
NORTHGATE NO. 8 SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger and  
Harley D. Brannan and Norma Brannan

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 18.232 acres, known as the Northgate No. 8  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 21st day of May, 1971, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Northgate 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,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that said final map of the Northgate No. 8  
Subdivision 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 in the amount of Five thousand, five hundred forty and 38/100ths  
(\$5, 540.38) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

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 2nd day of August, 19 71, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-745

A RESOLUTION CANCELING PRESENT AIRPORT LIABILITY POLICY WITH UNITED STATES AVIATION UNDERWRITERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City of Modesto's present airport liability insurance policy No. LG 9185 with United States Aviation Underwriters is hereby cancelled effective midnight, August 1, 1971.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-746

A RESOLUTION AUTHORIZING PURCHASE OF INSURANCE POLICY FROM AMERICAN  
AVIATION UNDERWRITERS FOR LIABILITY AT MODESTO CITY-COUNTY AIRPORT

BE IT RESOLVED by the Council of the City of Modesto that purchase of the City of Modesto's comprehensive liability insurance coverage at Modesto City-County Airport from American Aviation Underwriters for a three-year period from August 2, 1971 to August 2, 1974 at a flat charge of \$3,750 per annum is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-747

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$600 FOR ADDITIONAL FUNDS NEEDED TO MAINTAIN PERIPHERAL DRAINAGE DITCH AROUND REMOTE PONDING SITE

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$600
TO: Services, Prof. & Other (235-53-101)	\$600

(City is required to maintain peripheral drainage ditch around remote ponding site. Since the budget was prepared a prolific crop of cattails in a 2500 foot stretch has developed and is restricting flow. Funds are needed to have these removed)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of August 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-748

A RESOLUTION SETTING TIME AND PLACE FOR HEARING APPEAL BY GOLDEN SIGN CO. FROM DENIAL BY BOARD OF ZONING ADJUSTMENT OF APPLICATION FOR A SECOND FREE-STANDING SIGN ON PROPERTY OWNED BY ALFRED MATTHEWS AT 725 McHENRY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 23, 1971 , at 7:50 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of appeal by Golden Sign Co. from denial by Board of Zoning Adjustment of application for a second free-standing sign on property owned by Alfred Matthews at 725 McHenry.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-749

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF MODESTO BOWL TO INSTALL A BICYCLE RACK IN FRONT OF BUILDING AT 1120 - 13TH STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 16, 1971 , at 4:30 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 of Modesto Bowl to install a bicycle rack in front of building at 1120 - 13th Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Elliott, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-750

A RESOLUTION ACCEPTING THE BID OF LEE A. CAIN FOR CONSTRUCTION OF FENCE AND SIDEWALK ON BRIGGSMORE AVENUE, BLOCK 6711

WHEREAS, Resolution No. 71-681 , adopted by the Council of the City of Modesto on July 19, 1971 , approved the plans and specifications for the construction of fence and sidewalk on Briggs-  
more Avenue, Block 6711  
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of fence and side-  
walk on Briggsmore Avenue, Block 6711  
were opened at 10:10 A.M. on August 3, 1971 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 Cain Cement Contractor in the amount of \$7,957.50  
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 Cain Cement Contractor in the amount of \$7,957.50  
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 9th day of August,  
1971 , by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-751

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATER LINES IN PLEASANT VIEW ESTATES NO. 2

WHEREAS, Resolution No. 71-683 , adopted by the Council of the City of Modesto on July 19, 1971 , approved the plans and specifications for the installation of Water Lines in Pleasant View Estates No. 2

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in Pleasant View Estates No. 2

were opened at 10:00 A.M. on August 3, 1971 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 Construction in the amount of \$3,370

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 Construction in the amount of \$3,370

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 August, 1971 , by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-752

A RESOLUTION ACCEPTING THE CONSTRUCTION OF GEORGE F. SCHULER'S CONTRACT FOR THE INSTALLATION OF WATER LINES IN HAGSTROM PARK NO. 2, BRENTWOOD ESTATES NO. 3 AND CARVER MANOR NO. 1

WHEREAS, a report has been filed by the Director of Public Works that the construction of installation of Water Lines in Hagstrom Park No. 2, Brentwood Estates No. 3 and Carver Manor No. 1 has been completed by George F. Schuler, Inc.

in accordance with the contract agreement dated May 24, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of installation of Water Lines in Hagstrom Park No. 2, Brentwood Estates No. 3 and Carver Manor No. 1 be accepted from said contractor, George F. Schuler, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$18,577.63 (original contract amount \$15,602.30) 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 August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 753

SANDERS BROS., INC.  
A RESOLUTION GRANTING A LICENSE TO doing business as  
SANDERS GARBAGE COMPANY FOR THE  
COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Chapter 5 of Title V of the Modesto Municipal Code, as said chapter now exists, contains provisions which regulate the granting of licenses for the collection of garbage within the City of Modesto, and

WHEREAS, Ordinance No. 1095-C. S., which was adopted on March 22, 1971, and becomes effective on January 1, 1972, revises the provisions of Chapter 5 of Title V of the Modesto Municipal Code, and

WHEREAS, an application was filed with the City Clerk for a license SANDERS BROS., INC. to collect garbage within a specified area of the City by doing business as SANDERS GARBAGE COMPANY, on July 22, 1971, in accordance with the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as said chapter now exists, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, as said section now exists, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 26th day of July, 1971, adopted a resolution fixing the 9th day of August, 1971, at 7:40 o'clock P. M. in the Council Chambers located in the City Hall, 801 11th Street, Modesto, California, as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, as said section now exists, and

WHEREAS, on the 9th day of August, 1971, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application, recommending that the license be granted subject to specified terms and conditions, and

WHEREAS, this Council desires to grant a license to doing business as SANDERS BROS., INC. SANDERS GARBAGE COMPANY to collect garbage within a specified area of the City in accordance with the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as said Chapter now exists, but desires to make said license subject to all of the applicable provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

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

SECTION 1. A license to collect garbage, including swill, industrial garbage and salvageable waste, in the City of Modesto is hereby granted to SANDERS BROS., INC. doing business as SANDERS GARBAGE COMPANY, 221 Spenker Avenue

Modesto, California, subject to the following terms and conditions.

(a) Said license shall be for a term of one year, commencing on January 1, 1972, and ending December 31, 1972.

(b) Said license shall be an exclusive license to collect garbage, except swill, industrial garbage and salvageable waste, within the area delineated and marked as Area     A     on the map attached hereto and identified as Exhibit "C", which is hereby made a part of this resolution. Said license shall be a non-exclusive license to collect swill, industrial garbage and salvageable waste.

(c) In accepting this license, licensee thereby agrees to serve the area covered by the license for a term herein specified in compliance with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

(d) Said license shall automatically extend to any portion of the licensee's service area as shown on the attached map which is hereafter annexed to the City, and licensee shall promptly extend his routes and services to such new portions of the City. Licensee shall hire additional personnel and obtain additional equipment to serve the said routes when necessary.

(e) The City hereby sets, as the rates to be charged for the collection of garbage during the term of this license, those rates set forth in "SCHEDULE OF CHARGES", Exhibit "A", and "CHARGES FOR GARBAGE SERVICE", Exhibit "B", attached hereto.

(f) The City reserves the right to revise the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as amended by Ordinance No. 1095-C. S., from time to time as required in order to protect the public health, safety and welfare of the City.

(g) The licensee shall comply with all existing and future State and federal laws, and all ordinances and regulations which in any manner affect those engaged or employed in the work, or which may in any way affect the conduct of the work.

(h) The licensee shall collect garbage at least once each calendar week on a Monday through Friday basis for residential collections, and on a Monday through Saturday basis for commercial and industrial collections. The licensee will not be required to make collections on Sundays or legal holidays observed by

the City. The licensee may arrange with commercial and industrial customers for Sunday and holiday collections, however. Scheduled collections not made on legal holidays shall be made within twenty-four (24) hours, Sundays excepted.

(i) The licensee shall have approved detachable containers available for apartment, commercial, and industrial services on a rental basis. The licensee shall be responsible for the general repair and upkeep of all detachable containers. Containers shall be kept in serviceable condition at all times.

(j) The licensee shall not litter any premises or public property in making collections of garbage, nor shall garbage be allowed to leak, blow or fall from collection vehicles; however, if in spite of normal precautions against spillage, a litter is made on any premises or public property, the licensee shall immediately remove same and clean up the area of spillage. The licensee shall, without delay, after removing garbage from any container replace the container in its designated position on the premises with its cover on, and shall repair or replace at his expense, any containers damaged as a result of his handling thereof, normal wear and tear excepted. The licensee shall close all gates after making collections and shall avoid crossing private or public planted areas and climbing or jumping over hedges and fences. Licensee's personnel shall make all collections in a quiet and orderly manner and shall refrain from making unnecessary disturbances and noise. If, for any reason, garbage is not picked up, such as overweight container, not in container, etc., the licensee shall attach a tag to the container explaining the reason therefor, and shall maintain a log or record of such refusals.

The licensee's collection vehicles shall be operated in full compliance with the California Vehicle Code and local ordinances. Vehicles shall be thoroughly washed and disinfected inside the collection body each day, or as approved by the Director of Public Works, and the outside of each vehicle shall be cleaned and washed at least once a week.

(k) The licensee shall have the full and exclusive right to all salvageable materials collected in connection with the collection of garbage under this license, and shall have the sole right to any and all funds received from the sale of said salvageable materials. Such funds shall be accounted for as part of the gross revenues of licensee.

Salvaging or scavenging by the licensee, or any of his employees, is prohibited on the collection routes and at the sanitary landfill. Salvaging at a suitable location is encouraged, however.

(l) The licensee shall file with the City Clerk and maintain during the term of this license, a corporate surety bond satisfactory to the City Attorney in the sum of One Thousand and no/100ths (\$1, 000. 00) Dollars for each vehicle used for collection purposes within the City, not to exceed the sum of Ten Thousand and no/100ths (\$10, 000. 00) Dollars. Said bond shall be conditioned upon the faithful performances of the terms and conditions of this license and the provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

(m) Licensee shall pay the annual license fee of One Hundred and no/100ths (\$100. 00) Dollars required by Section 5-5.18 of the Modesto Municipal Code, as amended by Ordinance No. 1095-C. S. on or before January 10, 1972. Licensee shall be entitled to credit toward said fee the license fee of Twenty-five and no/100ths (\$25. 00) Dollars required by Section 5-5.14 of the Modesto Municipal Code, as said section now exists, which fee licensee paid at the time of making his application for this license.

SECTION 2. Licensee shall, within thirty (30) days after the effective date of this resolution, file with the City Clerk a written instrument satisfactory to the City Attorney accepting the terms and conditions hereof. If licensee shall fail to file its acceptance with the City Clerk the license hereby granted shall be ipso facto void.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

SCHEDULE OF CHARGES

Item No. 1      Base Charge - One Standard Container picked up  
once per week      \$1.50 per month

The base charge above shall be multiplied by the factors tabulated below to establish the cost of garbage service for standard containers and detachable containers.

FACTORS FOR STANDARD CONTAINERS

No. of Cans	Number of Collections per Week					
	1	2	3	4	5	6
1	1.0	2.0	3.0	4.0	5.0	6.0
2	1.5	3.0	4.5	6.0	7.5	9.0
3	2.0	4.0	6.0	8.0	10.0	12.0
4	2.5	5.0	7.5	10.0	12.5	15.0
5	3.0	6.0	9.0	12.0	15.0	18.0
6	3.5	7.0	10.5	14.0	17.5	21.0

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 fifty (50¢) cents per month per container. When containers are located at a distance greater than one hundred (100') feet from the property line the charge for that service shall be handled as a Special Problem Service for which the rates are to be established by negotiation.

FACTORS FOR DETACHABLE CONTAINERS

Container Size	Number of Collections per Week					
	1	2	3	4	5	6
1 yd.	3.5	7.0	10.5	14.0	17.5	21.0
2 yds.	7.0	14.0	21.0	28.0	35.0	42.0
3 yds.	10.5	21.0	31.5	42.0	52.5	63.0
4 yds.	14.0	28.0	42.0	56.0	70.0	84.0

The monthly charge for services not covered above and including but not limited to Drop Box Container service, Special Collection service, Special Problem service and Detachable Container and Drop Box Container rental rates, shall be established by negotiation between the City and Licensee.

CHARGES FOR GARBAGE SERVICE

STANDARD CONTAINERS

No. of Containers	Number of Collections per Week					
	1	2	3	4	5	6
1	1.50	3.00	4.50	6.00	7.50	9.00
2	2.25	4.50	6.75	9.00	11.25	13.50
3	3.00	6.00	9.00	12.00	15.00	18.00
4	3.75	7.50	11.25	15.00	18.75	22.50
5	4.50	9.00	13.50	18.00	22.50	27.00
6	5.25	10.50	15.75	21.00	26.25	31.50

DETACHABLE CONTAINERS

Container Size	Number of Collections per Week					
	1	2	3	4	5	6
1 cy	5.25	10.50	15.75	21.00	26.25	31.50
2 cy	10.50	21.00	31.50	42.00	52.50	63.00
3 cy	15.75	31.50	42.00	63.00	78.75	94.50
4 cy	21.00	42.00	63.00	84.00	105.00	126.00

DETACHABLE CONTAINER RENTAL RATES

Detachable Container Size	1 cy	2 cy	3 cy	4 cy
Monthly Rental Rates	\$5.00	\$5.50	\$6.00	\$6.50

DROP BOX CONTAINERS

Pickup Charge \$30.00/pickup  
Rental \$1.00/day with \$25.00 max 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 on transfer vehicle.

EXTRA PICKUPS

Standard Containers or Equivalent \$3.00 plus \$0.25/container  
Detachable Containers \$3.00 plus \$0.75/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 customer.

Reso 71-753  
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 62.  
Unable to remove safely for scanning.



SECTION 1. A license to collect garbage, including swill, industrial garbage and salvageable waste, in the City of Modesto is hereby granted to Leroy Gilton and Eugene Gilton, doing business as Airport Garbage Service, a co-partnership \_\_\_\_\_, 1722 Mono Drive \_\_\_\_\_,

Modesto, California, subject to the following terms and conditions.

(a) Said license shall be for a term of one year, commencing on January 1, 1972, and ending December 31, 1972.

(b) Said license shall be an exclusive license to collect garbage, except swill, industrial garbage and salvageable waste, within the area delineated and marked as Area  B  on the map attached hereto and identified as Exhibit "C", which is hereby made a part of this resolution. Said license shall be a non-exclusive license to collect swill, industrial garbage and salvageable waste.

(c) In accepting this license, licensee thereby agrees to serve the area covered by the license for a term herein specified in compliance with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

(d) Said license shall automatically extend to any portion of the licensee's service area as shown on the attached map which is hereafter annexed to the City, and licensee shall promptly extend his routes and services to such new portions of the City. Licensee shall hire additional personnel and obtain additional equipment to serve the said routes when necessary.

(e) The City hereby sets, as the rates to be charged for the collection of garbage during the term of this license, those rates set forth in "SCHEDULE OF CHARGES", Exhibit "A", and "CHARGES FOR GARBAGE SERVICE", Exhibit "B", attached hereto.

(f) The City reserves the right to revise the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as amended by Ordinance No. 1095-C, S., from time to time as required in order to protect the public health, safety and welfare of the City.

(g) The licensee shall comply with all existing and future State and federal laws, and all ordinances and regulations which in any manner affect those engaged or employed in the work, or which may in any way affect the conduct of the work.

(h) The licensee shall collect garbage at least once each calendar week on a Monday through Friday basis for residential collections, and on a Monday through Saturday basis for commercial and industrial collections. The licensee will not be required to make collections on Sundays or legal holidays observed by

the City. The licensee may arrange with commercial and industrial customers for Sunday and holiday collections, however. Scheduled collections not made on legal holidays shall be made within twenty-four (24) hours, Sundays excepted.

(i) The licensee shall have approved detachable containers available for apartment, commercial, and industrial services on a rental basis. The licensee shall be responsible for the general repair and upkeep of all detachable containers. Containers shall be kept in serviceable condition at all times.

(j) The licensee shall not litter any premises or public property in making collections of garbage, nor shall garbage be allowed to leak, blow or fall from collection vehicles; however, if in spite of normal precautions against spillage, a litter is made on any premises or public property, the licensee shall immediately remove same and clean up the area of spillage. The licensee shall, without delay, after removing garbage from any container replace the container in its designated position on the premises with its cover on, and shall repair or replace at his expense, any containers damaged as a result of his handling thereof, normal wear and tear excepted. The licensee shall close all gates after making collections and shall avoid crossing private or public planted areas and climbing or jumping over hedges and fences. Licensee's personnel shall make all collections in a quiet and orderly manner and shall refrain from making unnecessary disturbances and noise. If, for any reason, garbage is not picked up, such as overweight container, not in container, etc., the licensee shall attach a tag to the container explaining the reason therefor, and shall maintain a log or record of such refusals.

The licensee's collection vehicles shall be operated in full compliance with the California Vehicle Code and local ordinances. Vehicles shall be thoroughly washed and disinfected inside the collection body each day, or as approved by the Director of Public Works, and the outside of each vehicle shall be cleaned and washed at least once a week.

(k) The licensee shall have the full and exclusive right to all salvageable materials collected in connection with the collection of garbage under this license, and shall have the sole right to any and all funds received from the sale of said salvageable materials. Such funds shall be accounted for as part of the gross revenues of licensee.

Salvaging or scavenging by the licensee, or any of his employees, is prohibited on the collection routes and at the sanitary landfill. Salvaging at a suitable location is encouraged, however.

(1) The licensee shall file with the City Clerk and maintain during the term of this license, a corporate surety bond satisfactory to the City Attorney in the sum of One Thousand and no/100ths (\$1,000.00) Dollars for each vehicle used for collection purposes within the City, not to exceed the sum of Ten Thousand and no/100ths (\$10,000.00) Dollars. Said bond shall be conditioned upon the faithful performances of the terms and conditions of this license and the provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

(m) Licensee shall pay the annual license fee of One Hundred and no/100ths (\$100.00) Dollars required by Section 5-5.18 of the Modesto Municipal Code, as amended by Ordinance No. 1095-C. S. on or before January 10, 1972. Licensee shall be entitled to credit toward said fee the license fee of Twenty-five and no/100ths (\$25.00) Dollars required by Section 5-5.14 of the Modesto Municipal Code, as said section now exists, which fee licensee paid at the time of making his application for this license.

SECTION 2. Licensee shall, within thirty (30) days after the effective date of this resolution, file with the City Clerk a written instrument satisfactory to the City Attorney accepting the terms and conditions hereof. If licensee shall fail to file its acceptance with the City Clerk the license hereby granted shall be ipso facto void.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

SCHEDULE OF CHARGES

Item No. 1 Base Charge - One Standard Container picked up once per week \$1.50 per month

The base charge above shall be multiplied by the factors tabulated below to establish the cost of garbage service for standard containers and detachable containers.

FACTORS FOR STANDARD CONTAINERS

No. of Cans	Number of Collections per Week					
	1	2	3	4	5	6
1	1.0	2.0	3.0	4.0	5.0	6.0
2	1.5	3.0	4.5	6.0	7.5	9.0
3	2.0	4.0	6.0	8.0	10.0	12.0
4	2.5	5.0	7.5	10.0	12.5	15.0
5	3.0	6.0	9.0	12.0	15.0	18.0
6	3.5	7.0	10.5	14.0	17.5	21.0

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 fifty (50¢) cents per month per container. When containers are located at a distance greater than one hundred (100') feet from the property line the charge for that service shall be handled as a Special Problem Service for which the rates are to be established by negotiation.

FACTORS FOR DETACHABLE CONTAINERS

Container Size	Number of Collections per Week					
	1	2	3	4	5	6
1 yd.	3.5	7.0	10.5	14.0	17.5	21.0
2 yds.	7.0	14.0	21.0	28.0	35.0	42.0
3 yds.	10.5	21.0	31.5	42.0	52.5	63.0
4 yds.	14.0	28.0	42.0	56.0	70.0	84.0

The monthly charge for services not covered above and including but not limited to Drop Box Container service, Special Collection service, Special Problem service and Detachable Container and Drop Box Container rental rates, shall be established by negotiation between the City and Licensee.

STANDARD CONTAINERS

No. of Containers	Number of Collections per Week					
	1	2	3	4	5	6
1	1.50	3.00	4.50	6.00	7.50	9.00
2	2.25	4.50	6.75	9.00	11.25	13.50
3	3.00	6.00	9.00	12.00	15.00	18.00
4	3.75	7.50	11.25	15.00	18.75	22.50
5	4.50	9.00	13.50	18.00	22.50	27.00
6	5.25	10.50	15.75	21.00	26.25	31.50

DETACHABLE CONTAINERS

Container Size	Number of Collections per Week					
	1	2	3	4	5	6
1 cy	5.25	10.50	15.75	21.00	26.25	31.50
2 cy	10.50	21.00	31.50	42.00	52.50	63.00
3 cy	15.75	31.50	42.00	63.00	78.75	94.50
4 cy	21.00	42.00	63.00	84.00	105.00	126.00

DETACHABLE CONTAINER RENTAL RATES

Detachable Container Size	1 cy	2 cy	3 cy	4 cy
Monthly Rental Rates	\$5.00	\$5.50	\$6.00	\$6.50

DROP BOX CONTAINERS

Pickup Charge \$30.00/pickup  
Rental \$1.00/day with \$25.00 max 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 on transfer vehicle.

EXTRA PICKUPS

Standard Containers or Equivalent \$3.00 plus \$0.25/container  
Detachable Containers \$3.00 plus \$0.75/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 customer.

Reso 71-754  
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 62.  
Unable to remove safely for scanning.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 755

MODESTO GARBAGE COMPANY

*See Res. No. 71-815  
for correction  
of name.*  
A RESOLUTION GRANTING A LICENSE TO INC., doing business as  
MODESTO DISPOSAL ASSOCIATION FOR THE  
COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Chapter 5 of Title V of the Modesto Municipal Code, as said chapter now exists, contains provisions which regulate the granting of licenses for the collection of garbage within the City of Modesto, and

WHEREAS, Ordinance No. 1095-C. S., which was adopted on March 22, 1971, and becomes effective on January 1, 1972, revises the provisions of Chapter 5 of Title V of the Modesto Municipal Code, and

WHEREAS, an application was filed with the City Clerk for a license to collect garbage within a specified area of the City by Modesto Garbage Company, Inc., doing business as Modesto Disposal Association, on July 22, 1971, in accordance with the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as said chapter now exists, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, as said section now exists, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 26th day of July, 1971, adopted a resolution fixing the 9th day of August, 1971, at 7:40 o'clock P. M. in the Council Chambers located in the City Hall, 801 11th Street, Modesto, California, as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, as said section now exists, and

WHEREAS, on the 9th day of August, 1971, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application, recommending that the license be granted subject to specified terms and conditions, and

WHEREAS, this Council desires to grant a license to Modesto Garbage Company, Inc., doing business as Modesto Disposal/Association to collect garbage within a specified area of the City in accordance with the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as said Chapter now exists, but desires to make said license subject to all of the applicable provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

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

SECTION 1. A license to collect garbage, including swill, industrial garbage and salvageable waste, in the City of Modesto is hereby granted to Modesto Garbage Company, Inc., doing business as Modesto Disposal Association, 1029 Eighth Street

Modesto, California, subject to the following terms and conditions.

(a) Said license shall be for a term of one year, commencing on January 1, 1972, and ending December 31, 1972.

(b) Said license shall be an exclusive license to collect garbage, except swill, industrial garbage and salvageable waste, within the area delineated and marked as Area   C   on the map attached hereto and identified as Exhibit "C", which is hereby made a part of this resolution. Said license shall be a non-exclusive license to collect swill, industrial garbage and salvageable waste.

(c) In accepting this license, licensee thereby agrees to serve the area covered by the license for a term herein specified in compliance with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

(d) Said license shall automatically extend to any portion of the licensee's service area as shown on the attached map which is hereafter annexed to the City, and licensee shall promptly extend his routes and services to such new portions of the City. Licensee shall hire additional personnel and obtain additional equipment to serve the said routes when necessary.

(e) The City hereby sets, as the rates to be charged for the collection of garbage during the term of this license, those rates set forth in "SCHEDULE OF CHARGES", Exhibit "A", and "CHARGES FOR GARBAGE SERVICE", Exhibit "B", attached hereto.

(f) The City reserves the right to revise the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as amended by Ordinance No. 1095-C. S., from time to time as required in order to protect the public health, safety and welfare of the City.

(g) The licensee shall comply with all existing and future State and federal laws, and all ordinances and regulations which in any manner affect those engaged or employed in the work, or which may in any way affect the conduct of the work.

(h) The licensee shall collect garbage at least once each calendar week on a Monday through Friday basis for residential collections, and on a Monday through Saturday basis for commercial and industrial collections. The licensee will not be required to make collections on Sundays or legal holidays observed by

the City. The licensee may arrange with commercial and industrial customers for Sunday and holiday collections, however. Scheduled collections not made on legal holidays shall be made within twenty-four (24) hours, Sundays excepted.

(i) The licensee shall have approved detachable containers available for apartment, commercial, and industrial services on a rental basis. The licensee shall be responsible for the general repair and upkeep of all detachable containers. Containers shall be kept in serviceable condition at all times.

(j) The licensee shall not litter any premises or public property in making collections of garbage, nor shall garbage be allowed to leak, blow or fall from collection vehicles; however, if in spite of normal precautions against spillage, a litter is made on any premises or public property, the licensee shall immediately remove same and clean up the area of spillage. The licensee shall, without delay, after removing garbage from any container replace the container in its designated position on the premises with its cover on, and shall repair or replace at his expense, any containers damaged as a result of his handling thereof, normal wear and tear excepted. The licensee shall close all gates after making collections and shall avoid crossing private or public planted areas and climbing or jumping over hedges and fences. Licensee's personnel shall make all collections in a quiet and orderly manner and shall refrain from making unnecessary disturbances and noise. If, for any reason, garbage is not picked up, such as overweight container, not in container, etc., the licensee shall attach a tag to the container explaining the reason therefor, and shall maintain a log or record of such refusals.

The licensee's collection vehicles shall be operated in full compliance with the California Vehicle Code and local ordinances. Vehicles shall be thoroughly washed and disinfected inside the collection body each day, or as approved by the Director of Public Works, and the outside of each vehicle shall be cleaned and washed at least once a week.

(k) The licensee shall have the full and exclusive right to all salvageable materials collected in connection with the collection of garbage under this license, and shall have the sole right to any and all funds received from the sale of said salvageable materials. Such funds shall be accounted for as part of the gross revenues of licensee.

Salvaging or scavenging by the licensee, or any of his employees, is prohibited on the collection routes and at the sanitary landfill. Salvaging at a suitable location is encouraged, however.

(1) The licensee shall file with the City Clerk and maintain during the term of this license, a corporate surety bond satisfactory to the City Attorney in the sum of One Thousand and no/100ths (\$1,000.00) Dollars for each vehicle used for collection purposes within the City, not to exceed the sum of Ten Thousand and no/100ths (\$10,000.00) Dollars. Said bond shall be conditioned upon the faithful performances of the terms and conditions of this license and the provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

(m) Licensee shall pay the annual license fee of One Hundred and no/100ths (\$100.00) Dollars required by Section 5-5.18 of the Modesto Municipal Code, as amended by Ordinance No. 1095-C. S. on or before January 10, 1972. Licensee shall be entitled to credit toward said fee the license fee of Twenty-five and no/100ths (\$25.00) Dollars required by Section 5-5.14 of the Modesto Municipal Code, as said section now exists, which fee licensee paid at the time of making his application for this license.

SECTION 2. Licensee shall, within thirty (30) days after the effective date of this resolution, file with the City Clerk a written instrument satisfactory to the City Attorney accepting the terms and conditions hereof. If licensee shall fail to file its acceptance with the City Clerk the license hereby granted shall be ipso facto void.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

SCHEDULE OF CHARGES

Item No. 1      Base Charge - One Standard Container picked up  
 once per week      \$1.50 per month

The base charge above shall be multiplied by the factors tabulated below to establish the cost of garbage service for standard containers and detachable containers.

FACTORS FOR STANDARD CONTAINERS

No. of Cans	Number of Collections per Week					
	1	2	3	4	5	6
1	1.0	2.0	3.0	4.0	5.0	6.0
2	1.5	3.0	4.5	6.0	7.5	9.0
3	2.0	4.0	6.0	8.0	10.0	12.0
4	2.5	5.0	7.5	10.0	12.5	15.0
5	3.0	6.0	9.0	12.0	15.0	18.0
6	3.5	7.0	10.5	14.0	17.5	21.0

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 fifty (50¢) cents per month per container. When containers are located at a distance greater than one hundred (100') feet from the property line the charge for that service shall be handled as a Special Problem Service for which the rates are to be established by negotiation.

FACTORS FOR DETACHABLE CONTAINERS

Container Size	Number of Collections per Week					
	1	2	3	4	5	6
1 yd.	3.5	7.0	10.5	14.0	17.5	21.0
2 yds.	7.0	14.0	21.0	28.0	35.0	42.0
3 yds.	10.5	21.0	31.5	42.0	52.5	63.0
4 yds.	14.0	28.0	42.0	56.0	70.0	84.0

The monthly charge for services not covered above and including but not limited to Drop Box Container service, Special Collection service, Special Problem service and Detachable Container and Drop Box Container rental rates, shall be established by negotiation between the City and Licensee.

No. of Containers	Number of Collections per Week					
	1	2	3	4	5	6
1	1.50	3.00	4.50	6.00	7.50	9.00
2	2.25	4.50	6.75	9.00	11.25	13.50
3	3.00	6.00	9.00	12.00	15.00	18.00
4	3.75	7.50	11.25	15.00	18.75	22.50
5	4.50	9.00	13.50	18.00	22.50	27.00
6	5.25	10.50	15.75	21.00	26.25	31.50

DETACHABLE CONTAINERS

Container Size	Number of Collections per Week					
	1	2	3	4	5	6
1 cy	5.25	10.50	15.75	21.00	26.25	31.50
2 cy	10.50	21.00	31.50	42.00	52.50	63.00
3 cy	15.75	31.50	42.00	63.00	78.75	94.50
4 cy	21.00	42.00	63.00	84.00	105.00	126.00

DETACHABLE CONTAINER RENTAL RATES

Detachable Container Size	1 cy	2 cy	3 cy	4 cy
Monthly Rental Rates	\$5.00	\$5.50	\$6.00	\$6.50

DROP BOX CONTAINERS

Pickup Charge \$30.00/pickup  
Rental \$1.00/day with \$25.00 max 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 on transfer vehicle.

EXTRA PICKUPS

Standard Containers or Equivalent \$3.00 plus \$0.25/container  
Detachable Containers \$3.00 plus \$0.75/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 customer.

Reso 71-755  
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 62.  
Unable to remove safely for scanning.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 756

A RESOLUTION GRANTING A LICENSE TO RONALD T. DRISCOLL and  
DIANE M. DRISCOLL doing  
business as ORANGE LINE SANITATION COMPANY FOR THE  
COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Chapter 5 of Title V of the Modesto Municipal Code, as said chapter now exists, contains provisions which regulate the granting of licenses for the collection of garbage within the City of Modesto, and

WHEREAS, Ordinance No. 1095-C. S., which was adopted on March 22, 1971, and becomes effective on January 1, 1972, revises the provisions of Chapter 5 of Title V of the Modesto Municipal Code, and

WHEREAS, an application was filed with the City Clerk for a license to collect garbage within a specified area of the City by Ronald T. Driscoll and Diane M. Driscoll doing business as Orange Line Sanitation/ Company, on July 22, 1971, in accordance with the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as said chapter now exists, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, as said section now exists, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 26th day of July, 1971, adopted a resolution fixing the 9th day of August, 1971, at 7:40 o'clock P. M. in the Council Chambers located in the City Hall, 801 11th Street, Modesto, California, as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, as said section now exists, and

WHEREAS, on the 9th day of August, 1971, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application, recommending that the license be granted subject to specified terms and conditions, and

WHEREAS, this Council desires to grant a license to Ronald T. Driscoll and Diane M. Driscoll, dba Orange Line Sanitation Company to collect garbage within a specified area of the City in accordance with the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as said Chapter now exists, but desires to make said license subject to all of the applicable provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

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

SECTION 1. A license to collect garbage, including swill, industrial

garbage and salvageable waste, in the City of Modesto is hereby granted to Ronald T. Driscoll and Diane M. Driscoll, doing business as Orange Line Sanitation Company, 1224 Kiernan Avenue,  
Modesto, California, subject to the following terms and conditions.

(a) Said license shall be for a term of one year, commencing on January 1, 1972, and ending December 31, 1972.

(b) Said license shall be an exclusive license to collect garbage, except swill, industrial garbage and salvageable waste, within the area delineated and marked as Area D on the map attached hereto and identified as Exhibit "C", which is hereby made a part of this resolution. Said license shall be a non-exclusive license to collect swill, industrial garbage and salvageable waste.

(c) In accepting this license, licensee thereby agrees to serve the area covered by the license for a term herein specified in compliance with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

(d) Said license shall automatically extend to any portion of the licensee's service area as shown on the attached map which is hereafter annexed to the City, and licensee shall promptly extend his routes and services to such new portions of the City. Licensee shall hire additional personnel and obtain additional equipment to serve the said routes when necessary.

(e) The City hereby sets, as the rates to be charged for the collection of garbage during the term of this license, those rates set forth in "SCHEDULE OF CHARGES", Exhibit "A", and "CHARGES FOR GARBAGE SERVICE", Exhibit "B", attached hereto.

(f) The City reserves the right to revise the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as amended by Ordinance No. 1095-C. S., from time to time as required in order to protect the public health, safety and welfare of the City.

(g) The licensee shall comply with all existing and future State and federal laws, and all ordinances and regulations which in any manner affect those engaged or employed in the work, or which may in any way affect the conduct of the work.

(h) The licensee shall collect garbage at least once each calendar week on a Monday through Friday basis for residential collections, and on a Monday through Saturday basis for commercial and industrial collections. The licensee will not be required to make collections on Sundays or legal holidays observed by

the City. The licensee may arrange with commercial and industrial customers for Sunday and holiday collections, however. Scheduled collections not made on legal holidays shall be made within twenty-four (24) hours, Sundays excepted.

(i) The licensee shall have approved detachable containers available for apartment, commercial, and industrial services on a rental basis. The licensee shall be responsible for the general repair and upkeep of all detachable containers. Containers shall be kept in serviceable condition at all times.

(j) The licensee shall not litter any premises or public property in making collections of garbage, nor shall garbage be allowed to leak, blow or fall from collection vehicles; however, if in spite of normal precautions against spillage, a litter is made on any premises or public property, the licensee shall immediately remove same and clean up the area of spillage. The licensee shall, without delay, after removing garbage from any container replace the container in its designated position on the premises with its cover on, and shall repair or replace at his expense, any containers damaged as a result of his handling thereof, normal wear and tear excepted. The licensee shall close all gates after making collections and shall avoid crossing private or public planted areas and climbing or jumping over hedges and fences. Licensee's personnel shall make all collections in a quiet and orderly manner and shall refrain from making unnecessary disturbances and noise. If, for any reason, garbage is not picked up, such as overweight container, not in container, etc., the licensee shall attach a tag to the container explaining the reason therefor, and shall maintain a log or record of such refusals.

The licensee's collection vehicles shall be operated in full compliance with the California Vehicle Code and local ordinances. Vehicles shall be thoroughly washed and disinfected inside the collection body each day, or as approved by the Director of Public Works, and the outside of each vehicle shall be cleaned and washed at least once a week.

(k) The licensee shall have the full and exclusive right to all salvageable materials collected in connection with the collection of garbage under this license, and shall have the sole right to any and all funds received from the sale of said salvageable materials. Such funds shall be accounted for as part of the gross revenues of licensee.

Salvaging or scavenging by the licensee, or any of his employees, is prohibited on the collection routes and at the sanitary landfill. Salvaging at a suitable location is encouraged, however.

(l) The licensee shall file with the City Clerk and maintain during the term of this license, a corporate surety bond satisfactory to the City Attorney in the sum of One Thousand and no/100ths (\$1,000.00) Dollars for each vehicle used for collection purposes within the City, not to exceed the sum of Ten Thousand and no/100ths (\$10,000.00) Dollars. Said bond shall be conditioned upon the faithful performances of the terms and conditions of this license and the provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

(m) Licensee shall pay the annual license fee of One Hundred and no/100ths (\$100.00) Dollars required by Section 5-5.18 of the Modesto Municipal Code, as amended by Ordinance No. 1095-C. S. on or before January 10, 1972. Licensee shall be entitled to credit toward said fee the license fee of Twenty-five and no/100ths (\$25.00) Dollars required by Section 5-5.14 of the Modesto Municipal Code, as said section now exists, which fee licensee paid at the time of making his application for this license.

SECTION 2. Licensee shall, within thirty (30) days after the effective date of this resolution, file with the City Clerk a written instrument satisfactory to the City Attorney accepting the terms and conditions hereof. If licensee shall fail to file its acceptance with the City Clerk the license hereby granted shall be ipso facto void.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

Item No. 1 Base Charge - One Standard Container picked up once per week \$1.50 per month

The base charge above shall be multiplied by the factors tabulated below to establish the cost of garbage service for standard containers and detachable containers.

FACTORS FOR STANDARD CONTAINERS

No. of Cans	Number of Collections per Week					
	1	2	3	4	5	6
1	1.0	2.0	3.0	4.0	5.0	6.0
2	1.5	3.0	4.5	6.0	7.5	9.0
3	2.0	4.0	6.0	8.0	10.0	12.0
4	2.5	5.0	7.5	10.0	12.5	15.0
5	3.0	6.0	9.0	12.0	15.0	18.0
6	3.5	7.0	10.5	14.0	17.5	21.0

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 fifty (50¢) cents per month per container. When containers are located at a distance greater than one hundred (100') feet from the property line the charge for that service shall be handled as a Special Problem Service for which the rates are to be established by negotiation.

FACTORS FOR DETACHABLE CONTAINERS

Container Size	Number of Collections per Week					
	1	2	3	4	5	6
1 yd.	3.5	7.0	10.5	14.0	17.5	21.0
2 yds.	7.0	14.0	21.0	28.0	35.0	42.0
3 yds.	10.5	21.0	31.5	42.0	52.5	63.0
4 yds.	14.0	28.0	42.0	56.0	70.0	84.0

The monthly charge for services not covered above and including but not limited to Drop Box Container service, Special Collection service, Special Problem service and Detachable Container and Drop Box Container rental rates, shall be established by negotiation between the City and Licensee.

No. of Containers	Number of Collections per Week					
	1	2	3	4	5	6
1	1.50	3.00	4.50	6.00	7.50	9.00
2	2.25	4.50	6.75	9.00	11.25	13.50
3	3.00	6.00	9.00	12.00	15.00	18.00
4	3.75	7.50	11.25	15.00	18.75	22.50
5	4.50	9.00	13.50	18.00	22.50	27.00
6	5.25	10.50	15.75	21.00	26.25	31.50

DETACHABLE CONTAINERS

Container Size	Number of Collections per Week					
	1	2	3	4	5	6
1 cy	5.25	10.50	15.75	21.00	26.25	31.50
2 cy	10.50	21.00	31.50	42.00	52.50	63.00
3 cy	15.75	31.50	42.00	63.00	78.75	94.50
4 cy	21.00	42.00	63.00	84.00	105.00	126.00

DETACHABLE CONTAINER RENTAL RATES

Detachable Container Size	1 cy	2 cy	3 cy	4 cy
Monthly Rental Rates	\$5.00	\$5.50	\$6.00	\$6.50

DROP BOX CONTAINERS

Pickup Charge \$30.00/pickup  
Rental \$1.00/day with \$25.00 max 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 on transfer vehicle.

EXTRA PICKUPS

Standard Containers or Equivalent \$3.00 plus \$0.25/container  
Detachable Containers \$3.00 plus \$0.75/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 customer.

Reso 71-756  
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 62.  
Unable to remove safely for scanning.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-757

A RESOLUTION GRANTING A LIMITED LICENSE TO RUDY BONZI, INC. FOR THE COLLECTION OF INDUSTRIAL GARBAGE AND SALVAGEABLE WASTE IN THE CITY OF MODESTO.

WHEREAS, Chapter 5 of Title V of the Modesto Municipal Code, as said chapter now exists, contains provisions which regulate the granting of licenses for the collection of garbage within the City of Modesto, and

WHEREAS, Ordinance No. 1095-C. S., which was adopted on March 22, 1971, and becomes effective on January 1, 1972, revises the provisions of Chapter 5 of Title V of the Modesto Municipal Code, and

WHEREAS, an application was filed with the City Clerk for a license to collect industrial garbage and salvageable waste within the City of Modesto by Rudy Bonzi, Inc., on July 22, 1971, in accordance with the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as said chapter now exists, and

WHEREAS, said application complies with the provisions of Section 5-5.15 of the Modesto Municipal Code, as said section now exists, and

WHEREAS, the Council of the City of Modesto, at a regular meeting held on the 26th day of July, 1971, adopted a resolution fixing the 9th day of August, 1971, at 7:40 o'clock P. M. in the Council Chambers located in the City Hall, 801 11th Street, Modesto, California, as the time and place for a public hearing on said application in compliance with the provisions of Section 5-5.15 of said Code, as said section now exists, and

WHEREAS, on the 9th day of August, 1971, at the time and place above indicated, the Council held a public hearing on said application at which time the City Manager submitted his report on said application, recommending that the license be granted subject to specified terms and conditions, and

WHEREAS, this Council desires to grant a licence to Rudy Bonzi, Inc. to collect industrial garbage and a license to collect salvageable waste within the City of Modesto in accordance with the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as said chapter now exists, but desires to make said licenses subject to all of the applicable provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

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

SECTION 1. A license to collect industrial garbage and a license to collect salvageable waste, in the City of Modesto, are hereby granted to Rudy Bonzi, Inc., 2650 W. Hatch Road, Modesto, California, subject to the following terms and conditions.

(a) Said licenses shall be for a term of one year, commencing on January 1, 1972, and ending December 31, 1972.

(b) Said industrial garbage license shall be a nonexclusive license to collect industrial garbage within the City of Modesto. Said salvageable waste license shall be a nonexclusive license to collect salvageable waste within the City of Modesto.

(c) In accepting these licenses, licensee thereby agrees to provide industrial garbage service and salvageable waste service in compliance with the provisions of this resolution and the provisions of Chapter 5 of Title V of the Modesto Municipal Code as amended by Ordinance No. 1095-C. S.

(d) The City reserves the right to revise the provisions of Chapter 5 of Title V of the Modesto Municipal Code, as amended by Ordinance No. 1095-C. S., from time to time as required in order to protect the public health, safety and welfare of the City.

(e) The licensee shall comply with all existing and future State and federal laws, and all ordinances and regulations which in any manner affect those engaged or employed in the work, or which may in any way affect the conduct of the work.

(f) The licensee shall not litter any premises or public property in making collections of industrial garbage or salvageable waste, nor shall such garbage or waste be allowed to leak, blow or fall from collection vehicles; however, if in spite of normal precautions against spillage, a litter is made on any premises or public property, the licensee shall immediately remove same and clean up the area of spillage. The licensee's collection vehicles shall be operated in full compliance with the California Vehicle Code and local ordinances.

(g) Licensee shall pay the annual license fee of One Hundred and no/100ths (\$100.00) Dollars required by Section 5-5.18 of the Modesto Municipal Code, as amended by Ordinance No. 1095-C. S. on or before

January 10, 1972. Licensee shall be entitled to credit toward said fee the license fee of Twenty-five and no/100ths (\$25.00) Dollars required by Section 5-5.14 of the Modesto Municipal Code, as said section now exists, which fee licensee paid at the time of making his application for these licenses.

SECTION 2. Licensee shall, within thirty (30) days after the effective date of this resolution, file with the City Clerk a written instrument satisfactory to the City Attorney accepting the terms and conditions hereof. If licensee shall fail to file its acceptance with the City Clerk the licenses hereby granted shall be ipso facto void.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-758

A RESOLUTION APPROVING INCREASED PREMIUM AND INCREASED COVERAGE  
FOR THE CITY OF MODESTO'S PUBLIC LIABILITY INSURANCE AT MODESTO  
CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the following additional increase in the City of Modesto's comprehensive liability insurance coverage at the Modesto City-County Airport purchased from American Aviation Underwriters is hereby approved:

1. Basic policy, from \$3,000,000 liability coverage to \$5,000,000 liability coverage.

BE IT FURTHER RESOLVED that the increased premium from \$3,750 to \$4,750 per annum for the three-year policy period 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 August, 1971, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilman: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-759

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,676 FOR ADDITIONAL FUNDS NEEDED TO COVER INCREASED PREMIUM AND INCREASED COVERAGE IN LIABILITY INSURANCE AT THE AIRPORT

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

AIRPORT FUND (230)

FROM: General Reserve (60-230)	\$1,676
TO: Public Liability Insurance (415-46-230)	\$1,676

(To cover increased premium and increased coverage in liability insurance)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971 by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-760

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (NORWEGIAN NO. 1)

WHEREAS, there has been annexed to the City of Modesto on August 1,, 1971, certain territory known as \_\_\_\_\_  
Norwegian No. 1 \_\_\_\_\_ Addition, and

WHEREAS, the inclusion of the area contained in \_\_\_\_\_  
Norwegian No. 1 \_\_\_\_\_ Addition 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 Norwegian No. 1 \_\_\_\_\_ Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 76.

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

SECTION 5. Monday, September 20, 1971, at the hour of 4:05 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 judgment 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. 76.

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) 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) On the East side of Sunrise Avenue at the South side of Cavil Drain.
- (2) On the East side of Sunrise Avenue at the North side of Norwegian Avenue.
- (3) On the North side of Norwegian Avenue at the East boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 76, 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 9th day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Michael J. Brinton  
Public Works Department

8-5-71

## NORWEGIAN NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Southeast quarter of Section 16, 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 Northeastern corner of the SYLVAN ADDITION (113), as per description filed September 8, 1960, as Instrument 25490, Stanislaus County Records, said point being the interior quarter corner of Section 16 and on the Southern line of the NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along said Southern boundary of ADDITION (78), and the East-West quarter line of Section 16, South 89° 30' East, 27.00 feet, to the Southwestern corner of the MONTGOMERY VILLAGE ADDITION (100), as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (100), South 89° 30' East, 660.84 feet, to the Southwestern corner of the EAST FLOYD ADDITION (104), as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (104), South 89° 30' East, 511.35 feet, to the Northwestern corner of the ATHENS ADDITION (141), as per description filed November 19, 1962, as Instrument 43543, Stanislaus County Records; thence along the Western boundary of said ADDITION (141), South 0° 52' East, 616.28 feet, to the Northwestern corner of the NORWEGIAN NO. 3 ADDITION (256), as per description filed July 23, 1970, as Instrument 23539, Stanislaus County Records; thence continuing along the existing City Limits on the Western boundary of said ADDITION (256), South 0° 52' East, 616.30 feet, to the center line of a 60.00 foot public road known as Norwegian Avenue and the Southwestern corner of said ADDITION (256); thence leaving the existing City Limits and along the center line of said Norwegian Avenue, North 89° 31' West, 1231.34 feet, to the Southerly extension of the Western line of a 60.00 foot public road known as Sunrise Avenue; thence along said Southerly extension and Western line, North 0° 46' West, 30.00 feet, to the most Southeastern corner of ADDITION (78), and the existing City Limits; thence along the existing City Limits on the Eastern boundary of ADDITION (78), North 0° 46' West, 512.35 feet, to a Northeastern corner of said ADDITION (78), and the Southern boundary of ADDITION (113); thence along said Southern boundary, South 89° 31' East, 30.00 feet, to the Southeastern corner of said ADDITION (113); thence along the existing City Limits on the Eastern boundary of said ADDITION (113), North 0° 46' West, 690.53 feet, to the point of beginning, containing 34.332 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 9, 1971, 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 Councilman Simon, seconded by Councilman Smith, and adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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 10, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California  
W. T. CHYNOWETH

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-761

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND REMIJIO AND LUISA MONTEZ FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 817 LOMBARDO AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Remijio and Luisa Montez for sewer service to property outside the City at 817 Lombardo 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 9th day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-762

A RESOLUTION ACCEPTING IMPROVEMENTS IN RENEE MANOR NO. 3 SUBDIVISION  
AND AUTHORIZING RELEASE OF PERFORMANCE AND LABOR AND MATERIAL BONDS  
UPON EXPIRATION OF STATUTORY PERIODS

WHEREAS, George Klemm and Mollie Klemm, husband and wife, and Modesto Title Guaranty Company, a corporation, subdividers of Renee Manor No. 3 Subdivision, have filed Performance and Labor and Material Bonds in the amount of \$17,100 to guarantee improvements in Renee Manor No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated August 5, 1971 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 as complete and authorize the City Clerk to file a notice of completion and release the Performance and Labor and Material Bonds in the amount of \$17,100 upon expiration of the statutory periods.

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

1. The improvements in Renee Manor No. 3 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release immediately the Performance Bond in the amount of \$17,100, filed by the Subdividers to guarantee improvements in Renee Manor No. 3 Subdivision.
3. The City Clerk is hereby authorized to release the Labor and Materials Bond upon expiration of the six-months 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 August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

A RESOLUTION ACCEPTING IMPROVEMENTS IN RENEE MANOR NO. 4 SUBDIVISION AND AUTHORIZING RELEASE OF PERFORMANCE AND LABOR AND MATERIAL BONDS UPON EXPIRATION OF STATUTORY PERIODS

WHEREAS, George Klemm and Mollie Klemm, husband and wife, and Modesto Title Guaranty Company, a corporation, subdividers of Renee Manor No. 4 Subdivision, have filed Performance and Labor and Material Bonds in the amount of \$12,800 to guarantee improvements in Renee Manor No. 4 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated August 5, 1971 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 as complete and authorize the City Clerk to file a notice of completion and release the Performance and Labor and Material Bonds in the amount of \$12,800 upon expiration of the statutory periods.

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

1. The improvements in Renee Manor No. 4 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release immediately the Performance Bond in the amount of \$12,800, filed by the Subdividers to guarantee improvements in Renee Manor No. 4 Subdivision.
3. The City Clerk is hereby authorized to release the Labor and Materials Bond upon expiration of the six-months statutory period.

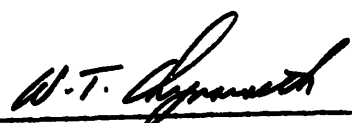
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-764

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

WHEREAS, the Modesto City Planning Commission has recommended to  
this Council an Urban Growth Policy for the City of Modesto, and

WHEREAS, this Council feels it is desirable to establish such a policy,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the following policy is hereby adopted as a guide for the urban growth  
of the City of Modesto:

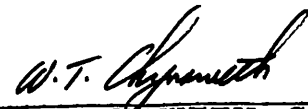
- (1) That the City work with the County to establish two policies:
  - (a) That all urban development in the City's existing sewer service area be served by City sanitary sewer and public water;
  - (b) That in the area between the existing sewer service area and the ultimate sewer service area, all urban uses that are developed be required to install a dry sanitary sewer system to city specifications in addition to the private septic system.
- (2) That the City work with the County and encourage the County to initiate rezoning of the A-1 Unclassified lands in the Modesto Area that are located within the ultimate sewer service area, with early attention being given to those A-1 zoned properties that are within the city's existing sewer service area.
- (3) Reaffirmation of the already adopted stand on open space contract referrals:
  - (a) Opposition to open space contracts in the existing sanitary sewer service area.
  - (b) No opposition to open space contracts outside of the ultimate sanitary sewer service area but within the County referral area.
  - (c) Case by case review of contracts in the area between the existing and ultimate sanitary sewer service areas.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

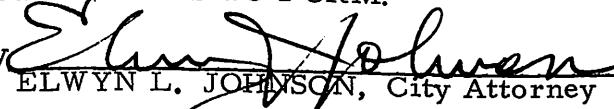
NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:   
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-765

A RESOLUTION APPROVING THE FINAL MAP OF THE  
RENEE MANOR NO. 5 SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, George Klemm and Mollie Klemm, husband and wife,  
and Modesto Title Guaranty Company, a corporation,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 10.12 acres, known as the Renee Manor No. 5  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 4th day of February, 1969, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Renee Manor 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,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that said final map of the Renee Manor No. 5  
Subdivision 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 in the amount of Two Thousand Two Hundred Eighty-Five  
and 70/100ths (\$2,285.70) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

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 9th day of August, 19 71, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A REQUEST FOR CONSENT TO COMMENCE PROCEEDINGS TO ANNEX CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO DESIGNATED AS THE SUNRISE-GRANGER ADDITION.

WHEREAS, a request has been filed by certain persons residing therein, stating that they desire to commence proceedings to annex certain inhabited territory to the City of Modesto, which territory is more particularly shown on the map attached hereto marked Exhibit "A" and made a part of this resolution, and

WHEREAS, it appears that said territory is subdivided and contiguous to the City of Modesto, and

WHEREAS, the Council of the City of Modesto cannot consent to the commencement of proceedings to annex subdivided territory to the City until it has received a report and recommendation from the Modesto City Planning Commission,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said request for consent to commence proceedings to annex the inhabited territory more particularly shown on the map attached hereto marked Exhibit "A" and made a part of this resolution be referred to the Modesto City Planning Commission for its report and recommendation. The territory referred to is situated in the County of Stanislaus, State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

(SEAL)

ATTEST: \_\_\_\_\_

*W. T. Agnew*  
City Clerk

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-767

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF SEWER LINES ALONG CARVER ROAD BETWEEN SCOTT AND RUMBLE

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

SECTION 1. The plans and specifications for the construction of sewer lines along Carver Road between Scott and Rumble

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 31, 1971 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.

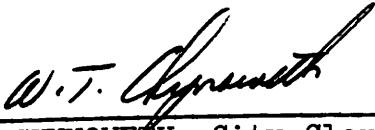
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-768

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN NORTHGATE NO. 8, RENEE MANOR NO. 5 AND ORANGEBURG EAST

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

SECTION 1. The plans and specifications for installation of Water Lines in Northgate No. 8, Renee Manor No. 5 and Orangeburg East

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 31, 1971 at 10:10 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.

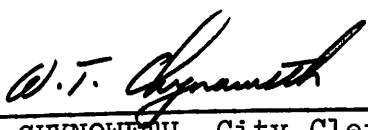
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-769

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR CONSTRUCTION OF TIEDOWN OVERLAY AT MODESTO CITY-COUNTY AIRPORT

WHEREAS, Resolution No. 71-696 , adopted by the Council of the City of Modesto on July 26, 1971 , approved the plans and specifications for the construction of tiedown overlay at Modesto City-County Airport and authorized the calling for bids, and

WHEREAS, the bids received for the construction of tiedown overlay at Modesto City-County Airport were opened at 10:00 A.M. on August 10, 1971 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 \$18,604.50 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The Flintkote Company in the amount of \$18,604.50 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 16th day of August, 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-770

A RESOLUTION ACCEPTING THE CONSTRUCTION OF GEORGE REED INC. CONTRACT FOR ASPHALT CONCRETE RESURFACING VARIOUS CITY STREETS, 1971-72

WHEREAS, a report has been filed by the Director of Public Works that the construction of Asphalt Concrete Resurfacing Various City Streets, 1971-72 has been completed by George Reed, Inc.

in accordance with the contract agreement dated July 12, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of Asphalt Concrete Resurfacing Various City Streets, 1971-72 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 \$59,226.80 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 16th day of August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:   
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-771

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D (92).

WHEREAS, a verified application for an amendment to Section 16-3-9 of the Zoning Map was filed by Fellowship Homes  
Inc.

on May 14, 1971, to reclassify from One-family Residential  
Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that portion of Lots 14, 15, 16, 19, 20, and 21 of the Pomona Villa Tract, according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 16, 1904, in Volume 2 of Maps, at Page 4, and more particularly described as follows:

Commencing at a three-quarter (3/4") inch iron pipe monument marking the intersection of the centerline of Norwegian Avenue with the East line of McHenry Avenue; thence along the centerline of Norwegian Avenue south 89° 39' East 1531.75 feet to a point on the Northerly extension of the East line of the property conveyed to Modesto Racquet Club, a California corporation, by Deed recorded November 8, 1960, in Volume 1643 of Official Records, at page 401, as Instrument No. 31891, Stanislaus County Records; thence South 0° 49' East along said East line so extended, 20 feet to a point on the southerly line of Norwegian Avenue and the true point of beginning of this description; thence along the Southerly line of said Norwegian Avenue South 89° 39' East 500.00 feet; thence parallel to the Easterly line of said Pomona Villa Tract South 0° 53' East 703.61 feet to a point on the Southwesterly line of said Lot 19; thence along the Southwesterly line of said Lots 19, 20, and 21, being the Southwesterly line of a 33-foot street known as Orange Avenue, North 70° 33' West 533.76 feet to the Southeast corner of said Modesto Racquet Club parcel; thence along the Easterly line of said Modesto Racquet Club parcel North 0° 49' West 528.90 feet to the true point of beginning.

Including also the southerly 10 feet of Norwegian Avenue immediately adjacent to the above described property.

Excluding therefrom the northerly one-half of the Modesto Irrigation District Lateral No. 3 canal immediately adjacent to the above described property.

WHEREAS, after public hearing held on June 15, 1971, 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 applicant has operated a retirement center-convalescent care complex at the subject location for a number of years, which complex has proven compatible with the surrounding area.
2. Compatibility of the complex with surrounding uses will be maintained due to required landscaping and other conditions of approval.
3. The proposed expansion would not generate an undue amount of automobile traffic as measured by experience with the existing complex as well as other similar projects in the community.

WHEREAS, after a public hearing held on August 16,  
1971, the Council found and determined that the application of  
Fellowship Homes 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 16th day of August, 1971, reclassifying the  
above-described property from One-family Residential Zone, R-1,  
to Planned-Development Zone, P-D(92),

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(92), is hereby approved in accordance  
with the plan titled "Site Plan - Casa de Modesto"

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amended in red on its face and  
dated July 20, 1971, which said plan is/on file in the  
office of the Planning Director, subject to the following condi-  
tions:

1. That all development shall be in accordance with the above mentioned plan.
2. That a minimum of 90 parking spaces shall be provided on the premises and that all parking and driveway areas be improved in accordance with the provisions of Section 10-2.1805 and 10-2.1807 of the Municipal Code.
3. That the developer shall provide on-site drainage facilities in accordance with the requirements of the Modesto Building Inspection Division.
4. That the development shall be connected to City of Modesto water and sewer facilities.
5. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant, for approval by both the Planning Director and the Director of Parks and Recreation. 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.
6. That any new signs to be placed on the premises shall conform to the sign requirements as specified in the R-2 zone.
7. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

8. That this development be designed specifically for occupancy by the elderly, with occupancy limited to persons 62 years of age and older, their spouses and persons who are physically handicapped.
9. That prior to the issuance of a building permit, the developer shall install three additional fire hydrants in accordance with the requirements and to the specifications of the Fire Chief and the Director of Public Works.
10. That all two and three-story structures shall be fully sprinklered with a fully supervised fire sprinkler system in accordance with the requirements of the Fire Chief.
11. That prior to the issuance of a building permit, the applicant shall obtain approval for the project from the Stanislaus Comprehensive Health Planning Council.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (92):

That the entire construction program be accomplished in one phase, construction to begin on or before September 1, 1973, and be completed not later than September 1, 1974.

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 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 (92) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-772

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
CURB, GUTTER AND SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (Grape Ave. at 1722  
Evergreen Avenue, Lot 16 of Block 6108 - Mr. Grady L. Tunnell)

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 curb, gutter and sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that curb, gutter and sidewalk have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Block 6108, Grape Avenue, and

WHEREAS, the Council, did, on August 2, 1971, adopt its Resolution No. 71-726, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 16th day of August 1971, at 4:20 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 notice to be given as directed by said Resolution No. 71-726, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-726 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 16th day of August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-773

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF  
SIDEWALK ALONG CERTAIN  
STREETS IN THE CITY OF MODESTO (805 Magnolia Ave.,  
North 55' of Lot 36 of Block 709 - Miss M. D. Vaughn)

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 sidewalk may be required, and

WHEREAS, in accordance with Section 5876 of the Streets and Highways Code, the Superintendent of Streets finds that sidewalk have been constructed in front of the properties constituting more than fifty per cent (50%) of the street frontage along Block 709, Magnolia Avenue, and

WHEREAS, the Council, did, on August 2, 1971, adopt its Resolution No. 71-727, directing the Superintendent of Streets to give notice requiring the construction of sidewalk along certain streets in the City of Modesto, as provided therein, and

WHEREAS, the Council did by said resolution, set the 16th day of August 1971, at 4:20 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 notice to be given as directed by said Resolution No. 71-727, 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 are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project in accordance with the provisions of Resolution No. 71-727 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 16th day of August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-774

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (527 Milo Street, portion of Block 1012 - Mr. Stanley R. Person - \$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 curbs, gutters and sidewalks may be required, and

WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_\_

adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curbs, gutters and sidewalks along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs, gutters and sidewalks as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, August 16, 1971, at 4:25 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$310.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$310.00, be assessed in 6 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 120 feet of the East 489.9 feet of the South 60 feet of the North 252.54 feet of Lot 43 of Broughton Colony as per map filed March 17, 1904 in Volume 1 of Maps, Page 78, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 034-0223-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 16th day of August, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-775

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS, GUTTERS AND SIDEWALKS 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 (1218 Lucern Ave., portion of Block 1012 - Mr. Cecil R. Wethern - \$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 curbs, gutters and sidewalks may be required, and

WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER \_\_\_\_\_, 19\_\_ adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curbs, gutters and sidewalks along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs, gutters and sidewalks as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, August 16, 1971, at 4:25 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$310.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$310.00, be assessed 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 60 feet of the East 489.9 feet of the South 102.538 feet of the North 132.538 feet of Lot 43 of Broughton Colony as per map filed March 17, 1904 in Volume 1 of Maps, Page 78, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 034-0220-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 16th day of August 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-776

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 (Pearl Street at 1452 College Ave., Lot 17 of Block 6070 - Mrs. Margaret H. Lind - \$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 sidewalks may be required, and

WHEREAS, the Council did, on May 3, 1971 adopt its Resolution No. 71-398, directing the Superintendent of Streets to give notice requiring the construction of sidewalks along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalks as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, August 16, 1971, at 4:25 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$118.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$118.00, be assessed 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 6070 of Roosevelt Center as per map filed September 8, 1950 in Volume 17 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 118-0803-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 16th day of August 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO, 71-777

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (Pearl St. and Ardmor Ave. at 1506

(Mr. Hsuan -  
\$418.00)

Ardmor Ave., Lot 11 and South 1/2 of Lot 12 of Block 6122./

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 construc-  
tion of sidewalks may be required, and

WHEREAS, the Council did, on March 22, 1971  
adopt its Resolution No. 71-238, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalks along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalks  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, August 16, 1971, at 4:25 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$418.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$418.00, be assessed 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 11 and the South 1/2 of Lot 12 of Block 6122 of Roosevelt Center as per map filed September 8, 1950 in Volume 17 of Maps, Page 12, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 118-0627-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 16th day of August 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-778

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS 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 (1424 Del Vale Ave., south 100 feet of Lot 1 of Block 6080 - Mr. Virgil R. Daniel - \$332.10) 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 curbs and gutters may be required, and WAIVED BY PROPERTY OWNER

WHEREAS, the Council did, on -----, 19--- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs and gutters as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, August 16, 1971, at 4:25 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$332.10.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$332.10, be assessed 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 South 100 feet of Lot 1 of Block 6080 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-0929-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 16th day of August 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-779

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS 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 (1444 Del Vale Ave., Lot 28 of Block 6080 - Mrs. Bonnie Ringer - \$363.70)

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 curbs and gutters may be required, and

WAIVED BY PROPERTY OWNER

WHEREAS, the Council did, on -----, 19--

adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs and gutters ----- as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, August 16, 1971, at 4:25 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$363.70.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$363.70, be assessed in 7 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 6080 of Wilen Tract as per map filed April 27, 1945 in Volume 14 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 117-0901-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 16th day of August, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-780

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURBS AND GUTTERS 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 (Covena Ave. at 1421 Haddon Ave., Lot 12, 13 & south 10' of 11 of Block 2089 - Mrs. Darlene M. Beard \$457.10

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 curbs and gutters may be required, and

WHEREAS, the Council did, on November 17, 1969 adopt its Resolution No. 69-1069, directing the Superintendent of Streets to give notice requiring the construction of curbs and gutters along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curbs and gutters as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, August 16, 1971, at 4:25 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$457.10.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$457.10, be assessed in 10 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:

Lots 12 and 13 and the South 10 feet of Lot 11 of Block 2089 of Wilson School Tract No. 2 as per map filed May 17, 1940 in Volume 11 of Maps, Page 74, Stanislaus County Records.

(Stanislaus Assessor's Parcel No. 002-01 108-0937-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 16th day of August, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-781

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO MODESTO BOWL TO PERMIT INSTALLATION OF BICYCLE RACKS ON SIDEWALK ADJACENT TO THE FRONT OF MODESTO BOWL

WHEREAS, Modesto Bowl has filed a request with the Council of the City of Modesto for permission to install bicycle racks on the sidewalk adjacent to the front of the Modesto Bowl, 1120 Thirteenth Street, Modesto, California; and

WHEREAS, August 16, 1971 at 4:30 P.M. in the City Hall, 801 11th Street, Modesto, California, was set as the time and place for hearing the request; and

WHEREAS, the Director of Public Works in a memorandum dated August 11, 1971 has recommended that the request for installation of bicycle racks in the public right of way be approved, subject to certain conditions.

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

1. An encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to said applicant to permit installation of bicycle racks on the sidewalk adjacent to the front of the Modesto Bowl, 1120 Thirteenth Street, Modesto, California, subject to the following conditions:

(a) The bicycle racks shall be constructed and installed in a manner and location approved by the Director of Public Works.

(b) The bicycle racks shall be adjacent to the property line and shall not require more than five feet of the sidewalk width when a bicycle is placed in the racks.

(c) Permittee, his successors and assigns, during the term of this permit, shall indemnify and hold the city harmless from any and all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee agrees to defend, at his own cost and expense, any and all law suits that may arise out of or be connected in any way with the exercise of the rights granted by the permit.

(e) Permittee shall furnish insurance in the amount of \$100,000-\$300,000 public liability and \$25,000 property damage to cover the liability assumed by this permit. Evidence of such insurance shall be posted with the City Clerk.

(f) The permit shall be revocable at any time by the City Council.

2. The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have twenty days from and after the adoption of this resolution within which to file written acceptance of this permit and all the terms and conditions hereof, 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 16th day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-782

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND R. B. WELTY AND ASSOCIATES FOR ENGINEERING SERVICES PERTAINING TO THE CONSTRUCTION OF A GOLF COURSE CLUBHOUSE AT MUNICIPAL 9-HOLE GOLF COURSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and R. B. Welty and Associates for engineering services pertaining to the construction of a Golf Course Clubhouse at Municipal 9-hole Golf Course (estimated cost 8% of total construction cost of structure) 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 August 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Newton

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-783

A RESOLUTION REJECTING BIDS FOR GOLF CAR STORAGE BUILDING AT  
DRYDEN GOLF COURSE OPENED JUNE 22, 1971

WHEREAS, the Council of the City of Modesto on June 7, 1971 approved plans and specifications and authorized a call for bids for the construction of a golf cart storage building at Dryden Municipal Golf Course; and

WHEREAS, the bids were duly opened June 22, 1971 at 10:10 A.M.; and

WHEREAS, the Director of Parks and Recreation in a memorandum dated August 11, 1971 has recommended that the bids be rejected due to the fact that the low bid received was substantially higher than anticipated.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bids opened June 22, 1971 for a golf car storage building at Dryden Golf Course are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-784

A RESOLUTION APPROVING SALE OF SURPLUS PROPERTY ADJACENT TO DOWNEY PARK TO ZANE R. GARD AND ERMA J. GARD, HUSBAND AND WIFE, AND RESCINDING RESOLUTION NO. 71-455

WHEREAS, Resolution 71-455 adopted by the Council of the City of Modesto May 17, 1971 approved the sale of surplus City of Modesto property adjacent to Downey Park, to Zane R. Gard and Erma J. Gard, husband and wife, for \$6,500; and

WHEREAS, Resolution 71-455 also approved execution of a deed granting the property to Mr. and Mrs. Gard; and

WHEREAS, Resolution 71-455 and the deed granting the property failed to reserve a ten-foot public utilities easement needed by the City of Modesto.

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

1. Resolution No. 71-455 adopted by the Council of the City of Modesto May 17, 1971 approving sale of surplus City of Modesto property adjacent to Downey Park, to Zane R. Gard and Erma J. Gard, husband and wife, for \$6,500 is hereby rescinded.
2. Sale of the following property to Zane R. Gard and Erma J. Gard, husband and wife, for \$6,500 is hereby approved:

All that portion of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Parcel C as per map filed July 26, 1967, in Volume 3 of Parcel Maps, Page 121, Stanislaus County Records, containing 0.475 Acre net, more or less.

EXCEPT that portion of the 60.00 foot right of way for a public road known as Crestview Drive.

ALSO RESERVING as a Public Utilities Easement, the 10.00 foot wide strip of land shown on the above mentioned parcel map lying adjacent to the Northern and Eastern line of Crestview Drive.

3. BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the corrected deed in 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 16th day of August, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-785

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. (MONTCLAIR NO. 3)

WHEREAS, there has been annexed to the City of Modesto on August 4, 1971, certain territory known as Montclair No. 3 Addition, and

WHEREAS, the inclusion of the area contained in Montclair No. 3 Addition 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 Montclair No. 3 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 77.

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

SECTION 5. Monday, October 4, 1971, at the hour of 4:05 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 judgment 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. 77.

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) 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) On the East side of Carver Road at the South boundary of the annexation.
- (2) On the East side of Carver Road at the North boundary of the annexation.
- (3) On the South side of Standiford Avenue at the West boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 77, 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 16th day of August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Michael F. Brinton  
Public Works Department

*RMH*  
*8-13-71*

DESCRIPTION

All that certain real property situate in portion of the Southeast and the Southwest Quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

BEGINNING at the Northwest corner of Block 13214 of Tully Manor No. 5, according to the Official Map thereof, recorded in Volume 22 of Maps at Page 50, Stanislaus County Records, said corner being the Northwest corner of the Montclair No. 2 Addition (247) per description recorded February 5, 1970 as Instrument No. 3848; thence South  $89^{\circ} 09' 53''$  East along the North line of said Tully Manor No. 5 and the North line of said Montclair No. 2 Addition 772.78 feet to the West line of the Francek Addition (150) per description recorded February 8, 1963 as Instrument No. 5121; thence North  $1^{\circ} 02' 40''$  West along said West line of the Francek Addition 274.31 feet to the South line of the North 270 feet of said Southeast Quarter of Section 7; thence North  $89^{\circ} 08'$  West along said South line of the North 270 feet of the Southeast Quarter of Section 7 a distance of 751.75 feet to the Southwest corner of that property conveyed to D. J. Metzger as described in Deed recorded in Volume 1847 of Official Records at Page 640, Stanislaus County Records; thence North  $1^{\circ} 02' 40''$  West along the West line of said Metzger property 270.01 feet to the North line of said Southeast Quarter of Section 7, being the centerline of Standiford Avenue; thence North  $89^{\circ} 08'$  West along said North line of the Southeast Quarter of Section 7 and said centerline of Standiford Avenue 272.45 feet; thence South  $0^{\circ} 52'$  East 542.00 feet; thence North  $89^{\circ} 08'$  West 519.00 feet to the centerline of Carver Road; thence South  $0^{\circ} 52'$  East along said centerline of Carver Road 400.10 feet to the Northwest corner of property conveyed to the Protestant Episcopal Bishop of San Joaquin as described in Deed recorded August 22, 1963 as Instrument No. 32023, being also the Northwest corner of the Montclair Addition (233) per description recorded June 2, 1969 as Instrument No. 19185; thence South  $89^{\circ} 09' 53''$  East along the North line of said church property and the Easterly extension thereof and the North line of said Montclair Addition 773.31 feet to the West line of said Tully Manor No. 5 and the Southwest corner of said Montclair No. 2 Addition; thence North  $1^{\circ} 02' 40''$  West along said West line of Tully Manor No. 5 and West line of said Montclair No. 2 Addition 397.03 feet to the point of beginning.

CONTAINING 15.22 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 16, 1971, 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 Councilman Smith, seconded by Councilman Simon, and adopted by the following vote:

AYES: Councilmen: Dunlap, Simon, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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 17, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-786

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. ( CLAREMONT NO. 2)

WHEREAS, there has been annexed to the City of Modesto on August 4, 1971, certain territory known as Claremont No. 2 Addition, and

WHEREAS, the inclusion of the area contained in Claremont No. 2 Addition 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 Claremont No. 2 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 78.

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

SECTION 5. Monday, October 4, 1971, at the hour of 4:10 P.M., is hereby named as the time and the City

- (1) On the South side of Sylvan Avenue at the West boundary of the annexation.
- (2) On the South side of Sylvan Avenue at the East boundary of the annexation.
- (3) On the West side of Claremont Avenue at the South boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 78, 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 16th day of August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Michael A. Brinton  
Public Works Department

RJH  
8-13-71

CLAREMONT NO.2 ADDITION

All that real property in the State of California, County of Stanislaus, 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 the Northeastern corner of the CLAREMONT ADDITION (216) as per description filed June 19, 1968, as Instrument 18952, Stanislaus County Records; thence along the existing City Limits, South  $89^{\circ} 15' 48''$  West, 130.01 feet; thence along a tangent curve concave to the Southeast, having a Radius of 559.26 feet, a Central Angle of  $71^{\circ} 09' 17''$  and an Arc Length of 694.54 feet, to its intersection with the center line of a 60.00 foot public road known as Claremont Avenue; thence along said center line, South  $00^{\circ} 44' 34''$  East, 255.28 feet, to the Southwestern corner of above mentioned Addition (216), said corner also being a Northeastern corner of CRESTWOOD TERRACE NO. 2 ADDITION (162) as per description filed March 24, 1964, as Instrument 11958, Stanislaus County Records; thence along the Northern line of said Addition (162), North  $89^{\circ} 30'$  West, 659.21 feet; thence leaving the existing City Limits on the North-South quarter section line, North  $00^{\circ} 45' 30''$  West, 1480.10 feet, to the interior quarter corner, said corner, being on the center line of a 40.00 foot public road known as Sylvan Avenue; thence along said center line and quarter section line, South  $89^{\circ} 17'$  East, 809.59 feet; thence South  $00^{\circ} 45'$  East, 435.00 feet; thence South  $89^{\circ} 15'$  West, 17.00 feet; thence South  $00^{\circ} 45'$  East, 101.00 feet; thence North  $88^{\circ} 00'$  East, 276.31 feet; thence North  $00^{\circ} 44' 25''$  West, 14.95 feet; thence North  $89^{\circ} 15' 35''$  East, 250.00 feet, to the East line of the East half of the West half of the Southeast quarter of Section 9; thence along said East line, South  $00^{\circ} 44' 25''$  East, 325.00 feet, to the point of beginning, containing 30.170 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 16, 1971, 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 Councilman Smith, seconded by Councilman Simon, and adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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 17, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-787

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$800 FOR FUNDS  
NEEDED FOR EMERGENCY REPLACEMENT OF COOLING UNIT, MANCINI HOUSE

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$800
TO: M & R, Bldgs. & Grounds (224-35-101)	\$800

(This transfer is necessary for emergency replacement of  
cooling unit, Mancini House)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 16th day of August,  
1971 by Councilman Smith , who moved its adoption, which motion'  
being duly seconded by Councilman Simon , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-788

EASEMENT

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MODESTO IRRIGATION DISTRICT TO PERMIT CONSTRUCTION OF SEWER IN IM-  
PROVEMENT DISTRICT NO. 18 (CHANGE ORDER NO. 1)

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
easement  
that the/agreement between the City of Modesto and Modesto Irri-  
gation District  
for to permit construction of sewer in Improvement District No. 18  
(Change Order No. 1)  
be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
easement  
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  
August 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-789

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND C. A. TALLENT AND DORIS M. TALLENT AND JAMES A. MORRISON, III FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3100 WYCLIFFE DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and C. A. Tallent and Doris M. Tallent and James A. Morrison, III for sewer service to property outside the City at 3100 Wycliffe Drive, located on Southwest corner of Scenic Dr. and Wycliffe Dr. 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 August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-790

A RESOLUTION APPROVING THE FINAL MAP OF THE  
BROOKVIEW ESTATES NO. 2 SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, Arthur J. Wylie and Florence E. Wylie,

husband and wife,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 12.86 acres, known as the Brookview Estates No. 2  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 4th day of February, 19 71, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Brookview 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 of the Brookview Estates No. 2  
Subdivision 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 in the amount of Two Thousand One Hundred Fifty-Four  
and 20/100ths (\$2,154.20) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

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 August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-791

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DIVISION OF HIGHWAYS, FOR MODIFICATION OF TRAFFIC SIGNALS ALONG 5TH AND 6TH STREETS AT G, H, AND I STREETS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and State of California, Division of Highways for modification of traffic signals along 5th and 6th Streets at G, H, and I 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 16th day of August 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-792

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$4,500 FOR ADDITIONAL FUNDS NEEDED TO PROVIDE FOR ENGINEERING AND INSPECTION AND TO PROVIDE FUNDS FOR INCLUSION OF THE INTERSECTION OF 6TH AND G IN THE PROJECT

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

SPECIAL FUND FOR CAPITAL OUTLAY (321)

FROM: General Reserve (60-321)	\$4,500
TO: Signal Modifications/5th & 6th Streets at G, H, & I Streets (6136-56-321)	\$4,500

(Additional funds needed to provide for engineering and inspection and to provide funds for inclusion of the intersection of 6th and G in the project)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-793

A RESOLUTION APPROVING THE FINAL MAP OF THE  
GRANADA PARK NO. 2 SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, James E. Price and Melba L. Price, husband and  
wife, and Edward Johnson and Velma Johnson, husband and wife,  
individuals,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 5.812 acres, known as the Granada Park No. 2  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 21st day of July, 1970, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Granada Park 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 of the Granada Park No. 2  
Subdivision 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 in the amount of One Thousand Three Hundred Eighty-Three  
and 50/100ths (\$1,383.50) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

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 August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-794

A RESOLUTION APPROVING PURCHASE OF PROPERTY FROM CLARE L. BERRY-  
HILL AND MARYELLEN BERRYHILL TO BE USED FOR PARK PURPOSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it hereby approves the purchase of a parcel of land located immediately west of the El Vista bridge FROM CLARE L. BERRYHILL and MARYELLEN BERRYHILL, containing 16.3 acres, for the sum of \$65,200, said land to be used for park purposes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-795

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$222 TO PROVIDE FOR CHANGE OF CARRIER AND INCREASE IN MEDICAL AND HEALTH INSURANCE FOR DOWNTOWN IMPROVEMENT DISTRICT DIRECTOR AND SECRETARY

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

DOWNTOWN IMPROVEMENT DISTRICT FUND (218)

FROM: General Reserve (60-218)	\$222
TO: Insurance, Misc. (422-218)	\$222

(Change of carrier and increase in Medical & Health Insurance for D.I.D. Director and Secretary)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-796

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,643 TO PROVIDE ADDITIONAL FUNDS NEEDED TO PAY INSURANCE PREMIUM FOR THE POLICY YEAR JULY 15, 1971 TO JULY 15, 1972

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

SERVICE DIVISION REVOLVING FUND (512)

FROM: General Reserve (60-512)	\$1,643
TO: Auto Insurance (412-48-512)	\$1,643

(To provide additional amount needed to pay insurance premium for the policy year 7/15/71 to 7/15/72. Appropriated amount was established prior to determination of actual costs)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-797

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,735 TO PROVIDE ADDITIONAL FUNDS NEEDED TO PAY INSURANCE PREMIUMS FOR THE POLICY YEAR JULY 15, 1971 TO JULY 15, 1972

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$2,735
TO: Fire Insurance (413-64-101)	\$ 622
Public Liability Insurance (415-64-101)	\$2,095
Boiler & Machinery Insurance (416-64-101)	\$ 18

(To provide additional amounts needed to pay insurance premiums for the policy year 7/15/71 to 7/15/72. Appropriated amounts were established prior to determination of actual costs.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August 1971 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-798

A RESOLUTION APPOINTING MEMBER OF THE EXECUTIVE COMMITTEE OF PROJECT GREATER MODESTO (Mrs. Sue Carmichael)

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 Executive Committee of Project Greater Modesto for the respective term as indicated:

Mrs. Sue Carmichael  
157 Norwegian Avenue  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Executive Committee of Project Greater / <sup>Modesto</sup> and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of August, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-799

A RESOLUTION ACCEPTING THE BID OF JONNIE E. GALLOWAY FOR LANDSCAPING  
MODESTO-STANISLAUS LIBRARY

WHEREAS, Resolution No. 71-724 , adopted by the Council of the  
City of Modesto on August 2, 1971 , approved the plans and  
specifications for the landscaping of Modesto-Stanislaus Library

and authorized the calling for bids, and

WHEREAS, the bids received for the landscaping of Modesto-Stanislaus  
Library

were opened at 2:00 P.M. on August 16, 1971 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 Jonnie E. Galloway in the amount of \$16,501

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of Jonnie E. Galloway in the amount of \$16,501

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 August,  
1971 , by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-800

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO, CALIFORNIA URGING THAT UTILITY USERS TAXES BE MADE DEDUCTIBLE FROM ADJUSTED GROSS INCOME FOR FEDERAL INDIVIDUAL INCOME TAX PURPOSES

WHEREAS, the City of Modesto and more than forty other California cities levy a utility users tax upon users of intra-state telephone service, gas, and electricity; and

WHEREAS, the Internal Revenue Service has ruled that under the provisions of the Internal Revenue Code, taxes paid under said utility users tax levy are not deductible on the federal income tax returns of individual taxpayers, although such taxes are deductible as a business expense when incurred in the carrying on of a trade or business; and

WHEREAS, the nondeductibility of the utility users tax on individual returns is a matter of substantial public interest in that taxpayers now numbering in the millions in California alone are paying this tax; and

WHEREAS, the Internal Revenue Code specifically permits the deduction of general sales taxes and state and local taxes on gasoline and other motor fuels, it would appear that the utility users tax, being similarly imposed on necessities and having the same final incidence, should also be deductible.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto, on behalf of the individual income taxpayers of this City, hereby urges that administrative or legislative action, as shall be necessary, be taken to authorize the deduction of utility users taxes on federal individual income tax returns.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be transmitted by the City Clerk to the Commissioner of Internal Revenue, Washington, D.C.; to Congressman John J. McFall, 15th Congressional District; and to California Senators Alan Cranston and John V. Tunney.

The foregoing resolution was introduced at a regular


meeting of the Council of the City of Modesto held on the 23rd day of August, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-801

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF AIRPLANE WASH RACK 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 construction of airplane wash rack at 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 September 7, 1971 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 23rd day of August, 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Nerton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-802

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATER LINES IN COFFEE TERRACE NO. 3

WHEREAS, Resolution No. 71-723 , adopted by the Council of the City of Modesto on August 2, 1971 , approved the plans and specifications for the installation of Water Lines in Coffee Terrace No. 3

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in Coffee Terrace No. 3

were opened at 10:00 A.M. on August 17, 1971 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 Construction in the amount of \$17,830

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 Construction in the amount of \$17,830

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 August, 1971 , by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-803

A RESOLUTION APPROVING ~~FIXED~~ SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SIX (6) GARDEN REFUSE TRUCK CAB AND CHASSIS

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

SECTION 1. The ~~plans and~~ specifications for six (6) garden refuse truck cab and chassis

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 7, 1971 at 10:10 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 23rd day of August, 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-804

A RESOLUTION APPROVING WAIVER OF FORMAL BID PROCEDURE AND AUTHORIZING STAFF TO NEGOTIATE FOR CAB MODIFICATION OF TWO TRUCKS AND FABRICATION OF SIX GARDEN REFUSE BODIES AUTHORIZED BY THE CITY COUNCIL.

WHEREAS, the Council by Resolution No. 71-803 approved the specifications and authorized a call for bids for the purchase of six garden refuse cab and chassis; and

WHEREAS, the Assistant Director of Public Works in a memorandum dated August 19, 1971 has requested that formal bid procedure be waived for cab modification of two of the trucks and fabrication of six garden refuse bodies.

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

1. Formal bid procedure for cab modification of two of the trucks, and fabrication of six garden refuse bodies authorized by Council Resolution No. 71-803 is hereby waived.

2. The staff is hereby authorized to negotiate for cab modification of two trucks and fabrication of the six garden refuse bodies.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-805

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. ( COFFEE-FLOYD)

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 July 6, 1971, duly adopted Resolution No. 71-660 (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. 74 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, August 23, 1971, at the hour of 7:35 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. 74 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. 74 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. 74, 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. 74, 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

23rd day of August, 1971, by Councilman  
Dunlap, who moved its adoption, which motion being  
duly seconded by Councilman Newton, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

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

(SEAL)

APPROVED AS TO FORM:

BY *Elwyn L. Johnson*  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY *Michael F. Brintox*  
Public Works Department

*R. Hill*  
*7-9-71*

## COFFEE - FLOYD ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of the Northwest quarter of Section 15, 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 Southwestern corner of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being on the center line of a 50.00 foot public road known as Coffee Road and the section line common to Sections 15 and 16; thence along the existing City Limits on the Southern boundary of said ADDITION (252), North 89° 36' 50" East, 1190.00 feet, to a Southeastern corner of said ADDITION (252); thence North 00° 58' 40" West, 660.00 feet; thence North 89° 36' 50" East, 1435.36 feet, to a Southeast corner of Sylvan School Addition (252) and the Northwest corner of OAKDALE-FLOYD ADDITION (265) as per description filed January 5, 1971, as Instrument 192, Stanislaus County Records, said corner also being the North quarter of Section 15; thence along the quarter line of said Section 15 and the Western line of said Addition (265), South 00° 57' 40" East, 1320.14 feet, to the Northwest corner of the FLOYD ADDITION, as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records, said corner being on the South line of the North half of Section 15, which is also the center line of 40.00 foot public road known as Floyd Avenue; thence, leaving the existing City Limits and along said center line, South 89° 38' 20" West, 1312.50 feet, to the Northeastern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records; thence along said center line and the existing City Limits on the Northern Boundary of said ADDITION (175), South 89° 38' 20" West, 1312.49 feet, to the Northwestern corner of said ADDITION (175); thence leaving the existing City Limits and along the center line of Coffee Road and said section line, North 00° 58' 40" West; 659.00 feet, to the point of beginning, containing 61.491 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-806

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. ( EAST ORANGEBURG NO. 5)

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 July 6, 1971, duly adopted Resolution No. 71-661 (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. 75 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, August 23, 1971, at the hour of 7:40 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. 75 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. 75 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. 75, 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. 75, 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

23rd day of August, 1971, by Councilman

Smith, who moved its adoption, which motion being  
duly seconded by Councilman Dunlap, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Michael A. Brinton  
Public Works Department

RHM  
7-9-71

## EAST ORANGEBURG NO. 5 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 22, 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 Eastern Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 15, 1965, as Instrument 1768, Stanislaus County Records, said point being on the North-South quarter section line of said Section 22 and the center line of a 60.00 foot public road known as Rose Avenue; thence along the existing City Limits on a Northern boundary of said Addition (170), South  $89^{\circ} 54' 15''$  West, 1313.01 feet, to a Northeastern corner of said Addition (170); thence North  $0^{\circ} 25' 56''$  West, 330.14 feet, to the most Northern Northeastern corner of Addition (170) and the center line of a 60.00 foot public road known as East Orangeburg Avenue; thence leaving the existing City Limits, North  $0^{\circ} 36' 56''$  West, 329.30 feet, to the center line of 20.00 foot alley in Block 1175 of GREEN ACRES as per map filed November 24, 1954, in Volume 18 of Maps, Page 11, Stanislaus County Records, and the Southwestern corner of said Green Acres; thence along the Southern line of said Green Acres and the Southern line of GREEN ACRES NO. 2 as per map filed October 25, 1955, in Volume 18 of Maps, Page 38, Stanislaus County Records, and its Easterly extension, North  $89^{\circ} 53' 00''$  East, 1311.94 feet, to the center line of Rose Avenue; thence along said center line and the existing City Limits on the Western boundary of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records, South  $0^{\circ} 37' 00''$  East, 659.93 feet, to the point of beginning, containing 19.872 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-807

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PREZONED PLANNED DEVELOPMENT ZONE, P-PD(93).  
(HAWAII AND SAN FRANCISCO INVESTMENT COMPANY -  
SYLVAN AVENUE)

WHEREAS, a verified application for an amendment to Section 9-3-9 of the Zoning Map was filed by Hawaii and San Francisco Investment Company on June 15, 1971, to prezone Parcel 1 to Two-Family Residential Zone, R-2, and Parcel 2 to Planned Development Zone, P-PD, the following described property:

Parcel 1  
Prezone to R-2

All that certain real property situate in the south half of the Northwest Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the West Quarter corner of said Section 9, said corner being the intersection of the centerline of McHenry Avenue with the centerline of Sylvan Avenue; thence South  $89^{\circ} 23'$  East along the centerline of said Sylvan Avenue 827.93 feet to the point of beginning of this description; thence North  $0^{\circ} 37'$  East 90.00 feet; thence Northerly 307.07 feet along a tangent curve concave to the West, having a radius of 735.00 feet and a central angle of  $23^{\circ} 57' 14''$  to a point of reverse curve; thence Northerly 269.42 feet along a reverse curve concave to the East, having a radius of 688.00 feet and a central angle of  $22^{\circ} 26' 14''$ ; thence North  $0^{\circ} 53'$  West along a tangent line 674.24 feet to a point on the North line of said South half of the Northwest Quarter of Section 9; thence South  $89^{\circ} 18'$  East along said North line 130.05 feet; thence South  $0^{\circ} 53'$  East 670.65 feet; thence Southerly 218.52 feet along a tangent curve concave to the East, having a radius of 558.00 feet and a central angle of  $22^{\circ} 26' 14''$  to a point of reverse curve; thence Southerly 361.38 feet along a reverse curve concave to the West, having a radius of 865.00 feet and a central angle of  $23^{\circ} 56' 14''$ ; thence South  $0^{\circ} 37'$  West along a tangent line 90.00 feet to a point on the centerline of Sylvan Avenue; thence North  $89^{\circ} 23'$  West along said centerline 130.00 feet to the point of beginning.

Containing 4.00 Acres.

Parcel 2  
Prezone to P-D

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

Commencing at the West Quarter corner of said Section 9, said corner being the intersection of the centerline of McHenry Avenue with the centerline of Sylvan Avenue; thence South  $89^{\circ} 23'$  East along the centerline of said Sylvan Avenue 275.00 feet to the intersection of the southerly extension of the East property line of the Sylvan Improvement Club with the centerline of Sylvan Avenue, said intersection being the point of beginning of this description; thence North  $0^{\circ} 53'$  West 731.20 feet; thence North  $89^{\circ} 09'$  West 275.00 feet to a point on the

centerline of McHenry Avenue; thence North 0° 53' West along the centerline of said McHenry Avenue 60.03 feet; thence South 89° 09' East 447.81 feet; thence North 0° 53' West 533.69 feet to the North line of said South half of the Northwest Quarter of Section 9; thence South 89° 18' East along said North line of the South half 275.00 feet; thence South 0° 53' East 674.24 feet; thence Southerly 269.42 feet along a tangent curve concave to the East, having a radius of 688.00 feet and a central angle of 22° 26' 14" to a point of reverse curve; thence Southerly 307.07 feet along a reverse curve concave to the West, having a radius of 735.00 feet and a central angle of 23° 56' 14"; thence South 0° 37' West 90.00 feet to a point on the centerline of Sylvan Avenue; thence North 89° 23' West along the centerline of said Sylvan Avenue 552.93 feet to the point of beginning.

Containing 12.81 acres.

WHEREAS, after public hearing held on July 20, 1971, 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 Planned Development portion of the application is suitably located for multiple family development as the subject property abuts one major street, Sylvan Road, and is within close proximity to another major street, McHenry Avenue.

2. The proposed dwelling unit density of the Planned Development portion of the application at 26 dwelling units per acre is sufficiently low to allow for adequate open space.

3. The R-2 portion of the application is suitably located as it will have frontage upon a collector street and will provide a transition between the higher density residential uses planned to the west and the lower density residential uses planned to the east.

WHEREAS, after public hearing held on July 20, 1971, it was found and determined by the Planning Commission that an application for rezoning a portion of said property to R-3 and a portion of said property to H-1 had been denied by the Commission on April 20, 1971, but the applicant has shown substantially changed circumstances which justify a shorter period of time than one year for a reapplication for a zoning change and that the interest of the general public will not be adversely affected by the change; and the one-year limitation contained in Section 10-2.2103 of the Modesto Municipal Code was waived by the Planning Commission.

WHEREAS, after a public hearing held on August 23, 1971, the Council found and determined that the application of Hawaii and San Francisco Investment Company 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. 1140 -C.S. on the 23rd day of August, 1971, rezoning Parcel 1 to Two-Family Residential Zone, R-2, and Parcel 2 to Planned Development Zone, P-PD(93), as described above.

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

SECTION 1. DEVELOPMENT PLAN. The development plan for Rezoned Planned Development Zone, P-PD(93), is hereby approved in accordance with the plan titled, "Site Plan - McHenry Estates" dated July 20, 1971, as amended in red on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That all development shall be in accordance with the plan titled, "Site Plan - McHenry Estates" dated July 20, 1971, as amended in red on its face and on file in the office of the Planning Director.
2. That a minimum of 390 parking spaces shall be provided on the premises and that all parking and driveway areas be improved in accordance with the provisions of Section 10-2.1805 and 10-2.1807 of the Municipal Code.
3. That the developer shall provide on-site drainage facilities in accordance with the requirements of the Modesto Building Inspection Division.
4. That the development shall be connected to City of Modesto water and sewer facilities.
5. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant, for approval by both the Planning Director and the Director of Parks and Recreation. 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.
6. That any signs to be placed on the premises shall conform to the sign requirements as specified in the R-3 Zone.
7. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

8. That prior to the issuance of a building permit, the developer shall install four additional fire hydrants in accordance with the requirements and to the specifications of the Fire Chief and the Director of Public Works.

9. That prior to the issuance of a building permit, a subdivision map of the subject property shall be approved and recorded in accordance with Chapter 4 of Title IV of the Modesto Municipal Code.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(93):

That the entire construction program be accomplished in four phases as follows:

Phase I - To include 75 dwelling units, one recreation building and one swimming pool with commencement of construction to begin on or before March 1, 1972, and completion to be no later than November 1, 1972.

Phase II - To include 57 dwelling units, one recreation building and one swimming pool, with commencement of construction to begin on or before November 1, 1972, and completion to be no later than July 1, 1973.

Phase III - To include 61 dwelling units, one recreation building and one swimming pool, with commencement of construction to begin on or before July 1, 1973, and completion to be no later than March 1, 1974.

Phase IV - To include 67 dwelling units, one recreation building and one swimming pool, with commencement of construction to begin on or before March 1, 1974, and completion to be no later than November 1, 1974.

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 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 rezoning the above-described property to Planned Development Zone, P-PD(93) 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 August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-808

A RESOLUTION DENYING THE APPEAL OF GOLDEN SIGN CO. TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING THE APPLICATION OF ALFRED MATTHEWS FOR A VARIANCE FROM THE SIGN REGULATIONS, AND UPHOLDING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, the Council of the City of Modesto held a public hearing in the Council Chamber on August 23, 1971, at 7:50 o'clock P. M., for the purpose of considering an appeal filed by Golden Sign Co. to the decision of the Board of Zoning Adjustment denying the application of Alfred Matthews for a variance from the sign regulations to allow a second free-standing sign on its property located at 725 McHenry Avenue, Modesto, California, and

WHEREAS, said Council, after hearing evidence, both oral and documentary, found and determined as follows:

1. There are no exceptional or extraordinary circumstances or conditions applicable to the property involved because said property is similar in nature to other commercial parcels in the city, all of which must conform to the same sign regulations.
2. Such variance is not 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 there have been no other variances in which a retail establishment in a C-2 zone on McHenry Avenue has been granted a variance for more than the maximum number of signs allowed on the premises.
3. The granting of such variance would be materially detrimental to the public welfare or injurious to the property and improvements in the vicinity and zone in which the property is located as it would add to the sign clutter existing on McHenry Avenue as well as set a precedent for similar variances to be granted in the future.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Golden Sign Co. to the decision of the Board of Zoning Adjustment denying the application of Alfred Matthews for a variance from the sign regulations to allow a second free-standing sign on its property located at 725 McHenry Avenue, Modesto, California, be denied for the reasons set forth above, and the decision of the Board of Zoning Adjustment be affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman

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

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-809

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 15-3-9 OF THE ZONING MAP TO REZONE FROM ONE-FAMILY RESIDENTIAL ZONE, R-1, TO TWO-FAMILY RESIDENTIAL ZONE, R-2 (Robert P. Bomberger)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 17, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 15-3-9 of the zoning map to rezone from One-family Residential Zone, R-1, to Two-family Residential Zone, R-2, property located on the south side of Rumble Road east of Keller Street and on the north side of Floyd Avenue west of Rose Avenue, the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-104 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 Section 15-3-9 of the Zoning Map be set for September 20, 1971 at 4:10 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 August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that certain real property situate in the North half of the Northwest Quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Parcel 1

Commencing at the Northwest corner of said Section 15; thence North  $89^{\circ} 36' 50''$  East along the North line of said Section 15 a distance of 1706.28 feet to the centerline of Keller Street and the point of beginning of this description; thence continuing North  $89^{\circ} 36' 50''$  East along said North line of Section 15 and the centerline of Rumble Road 919.08 feet to the Northeast corner of said Northwest Quarter of Section 15; thence South  $0^{\circ} 57' 25''$  East along the East line of said Northwest Quarter of Section 15 a distance of 130.01 feet; thence South  $89^{\circ} 36' 50''$  West parallel with and 130 feet from said North line of Section 15 a distance of 920.37 feet; thence North  $0^{\circ} 23' 10''$  West 130.00 feet to the point of beginning.

Parcel 2.

Commencing at the Northwest corner of said Section 15; thence North  $89^{\circ} 36' 50''$  East along the North line of said Section 15 a distance of 1706.28 feet to the centerline of Keller Street; thence South  $0^{\circ} 23' 10''$  East 1320.28 feet to a point on the South line of said North half of the Northwest Quarter of Section 15 and the centerline of Floyd Avenue, being the point of beginning of this description; thence North  $89^{\circ} 38' 35''$  East along said centerline of Floyd Avenue 932.24 feet to the Southeast corner of said North half of the Northwest Quarter of Section 15; thence North  $0^{\circ} 57' 25''$  West along the East line of said North half of the Northwest Quarter of Section 15 a distance of 130.48 feet; thence South  $89^{\circ} 36' 50''$  West 930.94 feet; thence South  $0^{\circ} 23' 10''$  East 130.00 feet to the point of beginning.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-810

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 15-3-9 OF THE ZONING MAP TO REZONE FROM PLANNED DEVELOPMENT ZONE, P-D(73) TO PROFESSIONAL OFFICE ZONE, P-0 (Alex G. Spanos)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 17, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 15-3-9 of the Zoning Map to rezone from Planned Development Zone, P-D(73) for Memorial Hospital North, to Professional Office Zone, P-0, a long narrow sliver of land running east and west which lies north of Memorial Hospital on the east side of Coffee Road the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-105 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 15-3-9 of the Zoning Map be set for September 20, 1971 at 4:15 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 August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

EXHIBIT "A"

15-3-9  
(Spanos)

All that certain piece or parcel of land situated in and being a portion of Section 15, T. 3 S., R. 9 E., M.D.B. & M., City of Modesto, being more particularly described as follows:

Commencing at the point where the centerline of David Court intersects the West line of Section 15, T. 3 S., R. 9 E., M.D.B. & M.; thence North  $89^{\circ} 07'$  East a distance of 75.00 feet to the true point of beginning of this description; thence North  $89^{\circ} 47' 15''$  East a distance of 1236.75 feet to a point on the East line of the Southwest quarter of the Southwest quarter of said Section 15, a distance of 350.00 feet from the Southeast corner of Coffee Plaza #2 according to the Official Map thereof filed in Volume 21 of Maps at page 73, in the Office of the Recorder of Stanislaus County; thence South  $0^{\circ} 52' 30''$  East, a distance of 34.60 feet; thence South  $89^{\circ} 47' 15''$  West a distance of 997.39 feet; thence along a curve concave to the Northeast, having a central angle of  $17^{\circ} 04' 53''$  and a radius of 400.00 feet, an arc length of 119.25 feet; thence along a curve concave to the Southwest having a central angle of  $17^{\circ} 45' 08''$  and a radius of 400.00 feet, to the point of beginning.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-811

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 TO REZONE FROM ONE-FAMILY RESIDENTIAL ZONE, R-1, TO PROFESSIONAL OFFICE ZONE, P-0 (Downey Park Properties)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 17, 1971, 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 One-family Residential Zone, R-1, to Professional Office Zone, P-0, property located on the east side of Coffee Road immediately north of Downey High School the following described property:

SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-103 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 Section 22-3-9 of the Zoning Map be set for September 20, 1971 at 4:30 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 August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of Lot 20 of the Broughton Colony, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on March 17, 1904 in Volume 1 of maps, at page 78, described as follows:

Beginning at the Northwest corner of said Lot 20, said corner being South 0° 30' East 0.31 feet from a 5 x 5 x 16 concrete monument set for the quarter corner common to Sections 21 and 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence South 0° 30' East along the section line and the West line of said Lot 20, 493.31 feet to the North line of the South 5 acres of said Lot 20; thence Easterly along the North line of South 5 acres of said Lot 20, 357.00 feet to a point on the West line of the property described in the deed to the City of Modesto, a municipal corporation, recorded November 30, 1961, in Book 1725 at page 86 of Official Records, as Instrument No. 39819; thence Northerly along the West line of said City property 493.31 feet to a point on the North line of said Lot 20; thence Westerly along the North line of said Lot 20, 357.00 feet to the corner of beginning.

3.77 gross acres.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-812

A RESOLUTION CONSENTING TO COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY DESIGNATED AS THE SUNRISE-GRANGER ADDITION TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913.

WHEREAS, on August 9, 1971, a request for consent to commence proceedings to annex certain territory referred to as the SUNRISE-GRANGER Addition to the City of Modesto was presented to the Council, and

WHEREAS, on August 9, 1971, said request was referred to the Planning Commission of the City of Modesto for investigation, report and recommendation, and

WHEREAS, on August 17, 1971, the Modesto City Planning Commission rendered its report and recommendation to the City Council, favoring the commencement of annexation proceedings, and

WHEREAS, it is the desire of the City Council to give its consent to the commencement of such annexation proceedings upon the condition that the electors within said territory be informed at the time the petition for annexation is circulated that the question to be submitted to said electors shall be whether said territory shall be annexed to, incorporated in, and made a part of the City of Modesto and the property therein subjected to taxation after annexation equally with the property within the City to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election,

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

SECTION 1. That said unincorporated territory proposed to be annexed to the City of Modesto be and it is hereby designated as the SUNRISE-GRANGER Addition; said territory is contiguous to the City of Modesto and is shown on

that certain map marked Exhibit "A" entitled, "PROPOSED SUNRISE-GRANGER ADDITION",

dated August 5, 1971, which is attached hereto and made a part hereof.

SECTION 2. That consent be and it is hereby granted for the commencement of annexation proceedings of said SUNRISE-GRANGER Addition in accordance with the Annexation Act of 1913, as amended, provided the petition for annexation contains the request that the question to be submitted to the electors residing in the territory proposed to be annexed shall be whether said territory shall be annexed to, incorporated in, and made a part of the City of Modesto and the property therein subjected to taxation after annexation equally with the property within the City to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

LOCATION OF PROPOSED  
SUNRISE - GRANGER ADD.

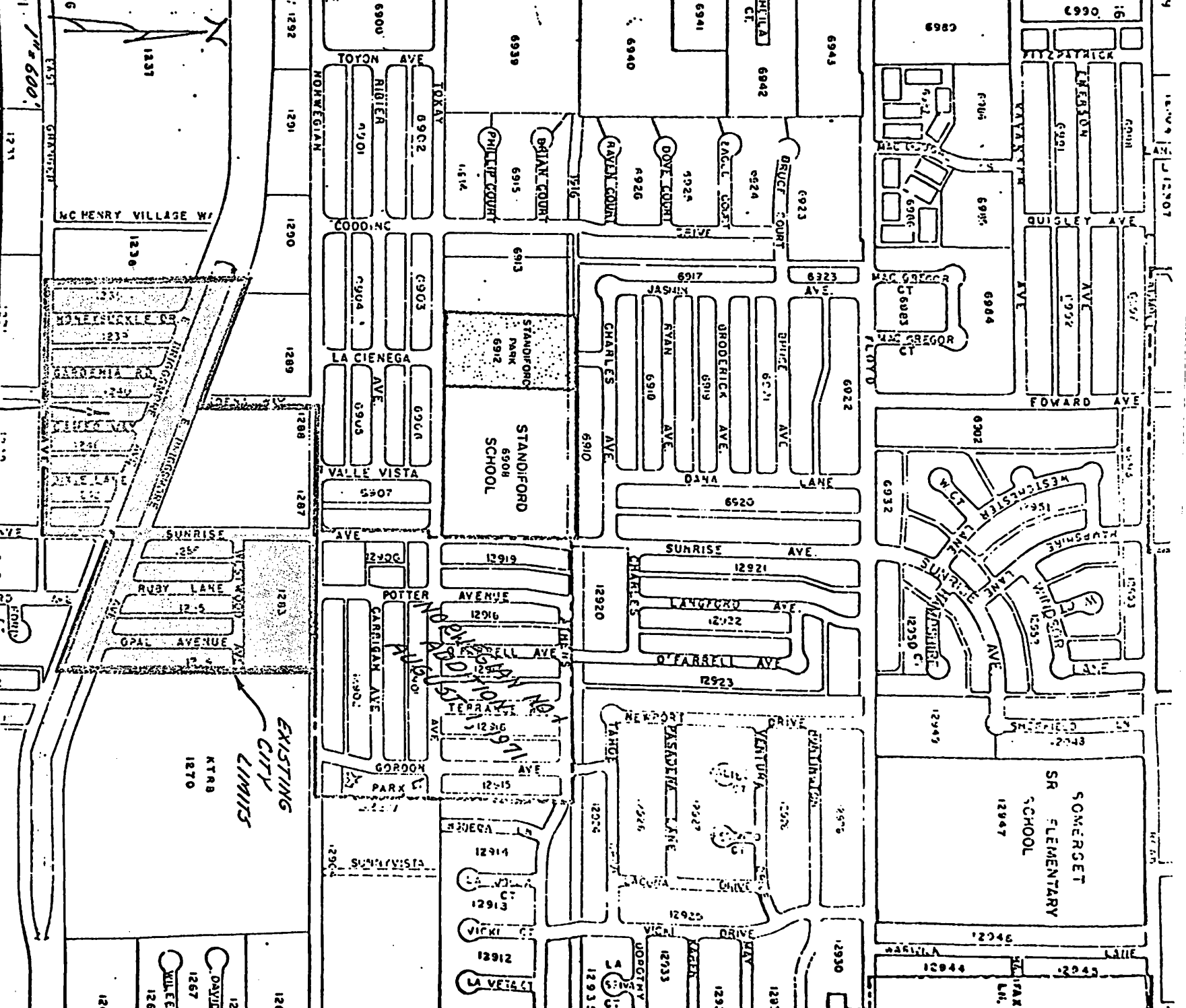


EXHIBIT "A"

Exhibit "A"  
8-5-71

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 813

A RESOLUTION APPROVING AND ADOPTING THE WORKABLE  
PROGRAM FOR COMMUNITY IMPROVEMENT.

WHEREAS, the Housing Act of 1949, as amended, requires as a condition of certain federal assistance a Workable Program which shall include an official plan of action for utilizing appropriate private and public resources to eliminate and prevent the spread of slums and blight, and

WHEREAS, on February 16, 1971, the Council authorized the staff to prepare a Workable Program application and a Federally Assisted Code Enforcement application, and

WHEREAS, a federally certified Workable Program is a prerequisite for a Federally Assisted Code Enforcement program, and

WHEREAS, the Council adopted the application for Code Enforcement, Grant No. 1 for Area No. 1, the Westside Improvement Program, on June 28, 1971, and

WHEREAS, the Planning Commission of the City of Modesto by its Resolution No. 71-107 adopted on August 17, 1971, has recommended to the Council that the Workable Program for Community Improvement contained in a document entitled "Workable Program 1971-73 Modesto, California" be adopted and forwarded to the U. S. Department of Housing and Urban Development for final review and certification, and

WHEREAS, the City Council has reviewed the Workable Program for Community Improvement as recommended by the Planning Commission,

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

1. The Workable Program for Community Improvement contained in a document entitled "Workable Program 1971-73 Modesto, California" is hereby approved and adopted as the Workable Program for the City of Modesto for a period of two years.

2. The City Manager is hereby authorized and directed to sign and submit said Workable Program to the U. S. Department of Housing and Urban Development.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

(SEAL)

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

APPROVED AS TO FORM:

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-814

A RESOLUTION APPROVING APPOINTMENTS AS CHAIRMEN OF THE RESPECTIVE  
COMMITTEES OF PROJECT GREATER MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the following people are hereby appointed as Chairmen of  
the respective committees of Project Greater Modesto:

<u>Committee</u>	<u>Chairman</u>
Ecology . . . . .	Dan Pollock
Land Use . . . . .	Homer Bowen
Business & Industry . . . . .	V. E. "Pete" Barton
Employment & Manpower . . . . .	James Morgenson
Disadvantaged . . . . .	Tom DeVine
Youth . . . . .	Jeff Cowan
Senior Citizens . . . . .	Betty Belle Smith
Transportation . . . . .	Edward S. Heyman
Water Resources . . . . .	Lowell Clark
Community Services. . . . .	Inez Wiser
Crime & Drugs . . . . .	Chas. Allen
Art & Culture . . . . .	Ray Abst

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 23rd day of  
August, 1971, by Councilman Simon, who moved its adoption, which  
motion being duly seconded by Councilman Smith, was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-815

A RESOLUTION DIRECTING CHANGING OF RECORDS TO REFLECT CORRECT NAME OF MODESTO GARBAGE COMPANY, INC.

WHEREAS, on August 9, 1971, the Modesto City Council adopted Resolution No. 71-755 granting a license to collect garbage to Modesto Garbage Company, Inc., doing business as Modesto Disposal Association, and

WHEREAS, by letter dated August 19, 1971, this Council has been informed that while the application for a license had been made in the name of Modesto Garbage Company, Inc., doing business as Modesto Disposal Association, it should have read Modesto Garbage Company, Inc., doing business as Modesto Disposal Service, and

WHEREAS, Modesto Garbage Company, Inc. has requested that the records be corrected to reflect the proper firm name and style under which said corporation is doing business.

NOW, THEREFORE, BE IT RESOLVED, that all records under the control of the City of Modesto be corrected to reflect the correct name and style under which Modesto Garbage Company, Inc. is doing business, to wit: Modesto Disposal Service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of September, 1971, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-816

A RESOLUTION SETTING TIME AND PLACE FOR HEARING APPEAL OF DOCTORS HOSPITAL FROM DENIAL BY PLANNING COMMISSION OF APPLICATION FOR UNCLASSIFIED USE PERMIT FOR EXPANSION TO INCLUDE A MENTAL HEALTH OUT PATIENT CLINIC AND LARGER PARKING LOT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 20, 1971, at 4:45 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of appeal of Doctors Hospital from denial by Planning Commission of application for unclassified use permit for expansion to include a Mental Health Out Patient Clinic and larger parking lot.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of September, / <sup>1971</sup> by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-817

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF UTILITY BUILDING 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 utility building at 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 September 21, 1971 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.

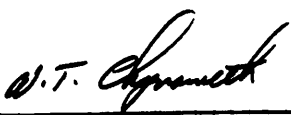
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of September, 1971, by Councilman Newton who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-818

A RESOLUTION ACCEPTING THE BID OF FERRERO ELECTRIC, INC. FOR CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTS AT COFFEE AND RUMBLE

WHEREAS, Resolution No. 71-698 , adopted by the Council of the City of Modesto on July 26, 1971 , approved the plans and specifications for the construction of Traffic Signals and Street Lighting at Coffee and Rumble and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Traffic Signals and Street Lighting at Coffee and Rumble were opened at 2:00 P.M. on August 31, 1971 and later tabulated by the Director of Parking & Traffic for the consideration of the Council, and

WHEREAS, the Director of Parking & Traffic has recommended that the bid of Ferrero Electric, Inc. in the amount of \$11,255

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, Inc. in the amount of \$11,255

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 September, 1971 , by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-819

A RESOLUTION ACCEPTING THE BID OF W. M. LYLES CO. FOR CONSTRUCTION OF  
SEWER ON CARVER BETWEEN SCOTT AND RUMBLE

WHEREAS, Resolution No. 71-767 , adopted by the Council of the  
City of Modesto on August 16, 1971 , approved the plans and  
specifications for the construction of sewer on Carver between Scott  
and Rumble

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of sewer on Carver  
between Scott and Rumble

were opened at 10:00 A.M. on August 31, 1971 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. M. Lyles Co. in the amount of \$29,564

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. M. Lyles Co. in the amount of \$29,564

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 September,  
1971 , by Councilman Newton , who moved its adoption, which motion  
being duly seconded by Councilman Dixon , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-820

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATER LINES IN NORTHGATE NO. 8, RENEE MANOR NO. 5 AND ORANGEBURG EAST SUBDIVISIONS

WHEREAS, Resolution No. 71-768 , adopted by the Council of the City of Modesto on August 16, 1971 , approved the plans and specifications for the installation of Water Lines in Northgate No. 8, Renee Manor No. 5 and Orangeburg East Subdivisions and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in Northgate No. 8, Renee Manor No. 5 and Orangeburg East Subdivisions were opened at 10:10 A.M. on August 31, 1971 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 Construction in the amount of \$33,164.20

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Valley Construction in the amount of \$33,164.20

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 7th day of September, 1971 , by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-821

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR STREET IMPROVEMENTS AT CITY PARK SITES ADJACENT TO NORTHGATE NO. 7 AND ROSE TERRACE NO. 3 SUBDIVISIONS

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

SECTION 1. The plans and specifications for Street Improvements at City Park Sites adjacent to Northgate No. 7 and Rose Terrace No. 3 Subdivisions

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 21, 1971 at 10:20 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 7th day of September, 1971, by Councilman Newton who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-822

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$ 35,000 TO PROVIDE FUNDS FOR THE CITY'S SHARE OF STREET IMPROVEMENTS AT CITY PARK SITES ADJACENT TO NORTHGATE NO. 7, ROSE TERRACE NO. 3 AND RIVERSIDE NORTH NO. 4 SUBDIVISIONS

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

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (60-321)	\$35,000
TO: Misc. Street Improvements, Park Development (6708-41-321)	\$35,000

(To provide funds for the City's share of Street Improvements at City Park sites adjacent to Northgate No. 7, Rose Terrace No. 3 and Riverside North No. 4 Subdivisions)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of September, 1971 by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-823

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN GRANADA PARK NO. 2 AND BROOKVIEW ESTATES NO. 2

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

SECTION 1. The plans and specifications for installation of Water Lines in Granada Park No. 2 and Brookview Estates No. 2

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 21, 1971 at 10:10 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 September, 1971, by Councilman Newton who moved its adoption, which motion being duly seconded by Councilman Dixon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-824

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR DOWNEY PARK DEVELOPMENT, IRRIGATION AND PLANTING

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

SECTION 1. The plans and specifications for Downey Park Development, Irrigation and Planting

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 21, 1971 at 10:15 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 September, 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Dunlap was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO., 71-825

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR KING-KENNEDY MEMORIAL CENTER PARKING LOT PAVING, LANDSCAPING AND IRRIGATION

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

SECTION 1. The plans and specifications for King-Kennedy Memorial Center Parking Lot paving, landscaping and irrigation

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 21, 1971 at 10:25 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 September, 1971, by Councilman Newton who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-826


A RESOLUTION REFERRING THE PROPOSED AMORTIZATION OF NONCONFORMING SIGNS TO THE MODESTO CITY PLANNING COMMISSION FOR FURTHER STUDY AND RECOMMENDATION

BE IT RESOLVED by the Council of the City of Modesto that the proposed amortization of nonconforming signs is hereby referred to the Planning Commission for further study and recommendation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of September, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-827

A RESOLUTION GRANTING FIRE PROTECTION SERVICE TO ST. PAUL'S EPISCOPAL CHURCH ON OLD OAKDALE ROAD.

WHEREAS, St. Paul's Episcopal Church in a letter dated August 16, 1971, requested City fire protection to its new facility, under construction in the County, on a site on Old Oakdale Road; and

WHEREAS, August 23, 1971, the matter was referred to staff for report and recommendation; and

WHEREAS, the Director of Planning in a memorandum dated September 1, 1971, has recommended that the request for City fire protection service be approved, subject to certain conditions.

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

1. Request for fire protection service at St. Paul's Episcopal Church on Old Oakdale Road is hereby granted to said applicant, subject to the following conditions:

- (a) That three hydrants and water line extensions thereto be constructed in accordance with the standards of the Fire Chief.
- (b) That installation of these improvements be completed no later than September 7, 1972, or prior to occupancy of the church, whichever occurs first.
- (c) That prior to the extension of fire protection, a bond or other security acceptable to the City Attorney be posted, guaranteeing the installation of these improvements.
- (d) That annexation be commenced no later than September 15, 1971, with the filing of a LAFCO letter with the Planning Department; that when requested to do so in writing, the church will sign petitions for annexation within 30 days of said request so that the annexation will be completed by January 1, 1972. The annexation shall include all of the church's property.

(e) That no additional applications for building permits, use permits or rezoning be filed with the County in this interim period prior to annexation. In the event the church wishes to immediately establish zoning other than the R-1 zoning that presently exists on the property, the church shall either:

(a) File for rezoning with the city, so that rezoning and annexation will be processed simultaneously; or

(b) Annex the property and then file for city rezoning.

2. The City Clerk shall furnish St. Paul's Episcopal Church with a copy of this resolution. St. Paul's Episcopal Church shall have twenty days from and after the adoption of this resolution within which to file written acceptance of all the terms and conditions hereof, and no right shall be conferred hereby until said acceptance is filed with the City Clerk.

3. The Fire Department shall begin to furnish fire protection to the subject property immediately upon receipt from the City Clerk of notice that an acceptable bond has been posted and written acceptance of all terms and conditions has been filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of September, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-828

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
BERNICE SELBY FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT  
119 S. SANTA ANA

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Bernice Selby  
for sewer service to property outside the City at 119 S. Santa Ana  
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  
September, 1971, by Councilman Newton , who moved its  
adoption, which motion being duly seconded by Councilman Dixon ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-829

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HUGH B. COFFELT AND ANNA R. COFFELT FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3204 SCENIC DRIVE


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Hugh B. Coffelt and Anna R. Coffelt for sewer service to property outside the City at 3204 Scenic 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 7th day of September, 1971, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-830

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN E. EDWARDS AND HELENE F. EDWARDS FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 505 META COURT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John E. Edwards and Helene F. Edwards for sewer service to property outside the City at 505 Meta Court 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 September, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-831

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RUSSELL M. EDSON AND ANNA E. EDSON FOR WATER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3456 McHENRY AVENUE


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Russell M. Edson and Anna E. Edson for water service to property outside the City at 3456 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 7th day of September, 1971, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-832

LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT P. BOMBERGER AND MURIEL F. BOMBERGER AND HARLEY D. BRANNAN AND NORMA BRANNAN FOR CITY'S SHARE OF COST OF PERIMETER STREET LIGHTS IN ROSE TERRACE NO. 3 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert P. Bomberger and Muriel F. Bomberger and Harley D. Brannan and Norma Brannan for City's share of cost of perimeter street lights in Rose Terrace No. 3 Subdivision

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/letter 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 September, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-833

LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT P. BOMBERGER AND MURIEL F. BOMBERGER AND HARLEY D. BRANNAN AND NORMA BRANNAN FOR CITY'S SHARE OF COST OF PERIMETER STREET LIGHTS IN NORTHGATE NO. 7 SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert P. Bomberger and Muriel F. Bomberger and Harley D. Brannan and Norma Brannan for City's share of cost of perimeter street lights in Northgate No. 7 Subdivision

be, and it is hereby approved.

letter

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 September, 1971, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:



W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-834

A RESOLUTION REQUESTING STANISLAUS COUNTY TO UNDERTAKE THE DEVELOPMENT OF A MASTER PLAN FOR AIRPORTS IN THE COUNTY

WHEREAS, California Airport Aid Program Regulations contain the following:

"ALLOCATION CRITERIA AND LIMITATIONS

The allocation program is designed to provide greatest and best utilization of limited CAAP funds. The primary goal of the allocations program is to further the proper development and maintenance of a statewide system of airports. This policy requires:

"(a) Each City, County, Airport District, Airport Authority, Port District, Port Authority, Public District, Public Authority, Political Subdivision or Public Corporation must have a master plan for its airport or heliport facility to be eligible for participation in the allocation program. The plan must be adequate for at least ten years and shall be updated annually. The plan must be approved by the Department of Aeronautics."

NOW, THEREFORE, BE IT RESOLVED by the Modesto City Council that the Stanislaus County Board of Supervisors be, and hereby is, requested to undertake the development of a master plan for airports in Stanislaus County.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of September, 1971, by Councilman Newton , who moved its adoption, which motion being duly seconded by Councilman Dixon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-835

A RESOLUTION INDICATING CITY'S DESIRE TO PARTICIPATE  
IN THE EMERGENCY EMPLOYMENT ACT OF 1971.

WHEREAS, the Congress of the United States has enacted the  
Emergency Employment Act of 1971, and

WHEREAS, under the provisions of said Act the County of Stanislaus  
has been designated as a Program Agent, and

WHEREAS, the City of Modesto wishes to participate in the program  
created by said Act,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the City will participate in the Emergency Employment Act of  
1971 through the County of Stanislaus as Program Agent.

BE IT FURTHER RESOLVED that the City will be an employment agency as  
provided in said Act.

The foregoing resolution was introduced at a regular meeting of the  
Council of the City of Modesto held on the 7th day of September,  
1971, by Councilman Newton, who moved its adoption, which motion  
being duly seconded by Councilman Dixon, was upon roll call carried  
and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: \_\_\_\_\_

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

(SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_

ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-836

A RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE CITY'S GROUP MEDICAL INSURANCE POLICY WITH CONTINENTAL CASUALTY COMPANY TO PROVIDE GROUP MEDICAL INSURANCE COVERAGE TO FULLTIME CITY EMPLOYEES WHO RETIRE ON AND AFTER JANUARY 11, 1972.

WHEREAS, City has a group medical insurance plan with the Continental Casualty Company for its employees, and

WHEREAS, City is desirous of providing for the extension of such coverage to its fulltime employees who want it, at their expense, and who retire on and after January 11, 1972, and

WHEREAS, Continental Casualty Company has indicated its willingness to amend the City's present plan to provide such coverage,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the City Manager to execute such documents as may be necessary in order to amend the City's present plan with the Continental Casualty Company, to provide for the extension of the City's group medical insurance coverage to fulltime city employees who desire it, at their expense, and who retire on and after January 11, 1972.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of September, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

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

(SEAL)

APPROVED AS TO FORM:

By Bruce W. Liedstrand  
BRUCE W. LIEDSTRAND, Assistant City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-837

A RESOLUTION CONCERNING PROPOSED STATE HIGHWAY ADDITIONS AND DELETIONS IN STANISLAUS COUNTY

BE IT RESOLVED by the Modesto City Council that the following additions to the State Highway System in Stanislaus County are recommended for approval:

- (1) Geer-Albers Roads (Turlock to Oakdale)
- (2) Easterly extension of Highway 130 from Patterson to Turlock.

BE IT FURTHER RESOLVED that the following proposed deletions from the State Highway System in Stanislaus County are opposed until such time as the Origin and Destination Study has been completed so that this information will be taken into account in arriving at a decision:

- (1) Highway 33
- (2) Highway 219
- (3) Highway 130 (between Interstate 5 and Patterson)

BE IT FURTHER RESOLVED that the City Clerk transmit copies of this resolution to the District Engineer, District X, Division of Highways, Senator Teale, Assemblyman La Coste 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 7th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-838

A RESOLUTION ACCEPTING THE BID OF GIB GOODRUM FOR CONSTRUCTION OF WASH  
RACK AT MODESTO CITY-COUNTY AIRPORT

WHEREAS, Resolution No. 71-801 , adopted by the Council of the  
City of Modesto on August 23, 1971 , approved the plans and  
specifications for the construction of Wash Rack at Modesto City-County  
Airport

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Wash Rack at  
Modesto City-County Airport  
were opened at 10:00 A.M. on September 7, 1971 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 Gib Goodrum in the amount of \$4,500.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of Gib Goodrum in the amount of \$4,500.00

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 September,  
1971 , by Councilman Dunlap , who moved its adoption, which motion  
being duly seconded by Councilman Newton , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-839

A RESOLUTION ACCEPTING THE CONSTRUCTION OF VALLEY CONSTRUCTION'S CONTRACT FOR INSTALLATION OF WATER LINES IN GRANADA PARK NO. 1 SUBDIVISION

WHEREAS, a report has been filed by the Director of Public Works that the construction of Water Lines in Granada Park No. 1 Subdivision has been completed by Valley Construction

in accordance with the contract agreement dated November 23, 1970

NOW, THEREFORE, BE IT RESOLVED that the construction of Water Lines in Granada Park No. 1 Subdivision be accepted from said contractor, Valley Construction

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$5,129.50 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 13th day of September, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-840

A RESOLUTION REJECTING ALL BIDS FOR SIX (6) GARDEN REFUSE TRUCK CAB AND CHASSIS RECEIVED BY THE CITY OF MODESTO AND OPENED SEPTEMBER 7, 1971, AT 10:10 A.M.

WHEREAS, the Council of the City of Modesto on August 23, 1971, approved specifications and authorized a call for bids for six (6) garden refuse truck cab and chassis; and

WHEREAS, only one bid was received, from Griswold and Wight, Modesto, California; and

WHEREAS, the Director of Finance in a memorandum dated September 8, 1971, indicates it was the intent of two other dealers to submit bids, but inadvertently failed to do so.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City Of Modesto that the bid received from Griswold and Wight, opened September 7, 1971, at 10:10 A.M., 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 September, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Vice Mayor Smith  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Mayor Davies

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-841

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR SIX GARDEN REFUSE TRUCK CAB AND CHASSIS

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

SECTION 1. The ~~SIXTEEN~~ specifications for six garden refuse truck cab and chassis

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 28, 1971 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 13th day of September 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-842

A RESOLUTION ACCEPTING THE NEGOTIATED BID OF WESTERN BODY AND HOIST CO. FOR CAB MODIFICATION OF TWO GARDEN REFUSE TRUCKS

WHEREAS, Resolution No. 71-804, adopted by the Council of the City of Modesto on August 23, 1971, approved specifications for the cab modification of two (2) garden refuse trucks, approved the waiver of formal bid procedure and authorized the staff to negotiate for cab modification of two (2) garden refuse trucks; and

WHEREAS, a negotiated bid of \$2,020.20 for modification of two (2) truck cabs was received from Western Body and Hoist Company, Huntington Beach, California, for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the negotiated bid of \$2,020.20 for cab modification of two (2) garden refuse trucks be accepted.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the negotiated bid of Western Body and Hoist Company in the amount of \$2,020.20 for cab modification of two (2) garden refuse trucks be accepted and the execution of a contract by the City's designated officials authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1971, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-843

A RESOLUTION ACCEPTING THE NEGOTIATED BID OF HEIL WESTERN FOR DUMP  
BODY FABRICATION OF SIX (6) GARDEN REFUSE TRUCKS

WHEREAS, Resolution No. 71-803 adopted by the Council of the City of Modesto on August 23, 1971, approved specifications for the fabrication of six (6) garden refuse dump truck bodies, approved the waiver of formal bid procedure, and authorized the staff to negotiate for fabrication of six (6) garden refuse truck bodies; and

WHEREAS, a negotiated bid was received from Heil Western, Ceres, California, for the consideration of the Council as follows: 4 conventional end dump bodies, \$2,945.25 each, total \$11,781.00; 2 low-profile side-dump bodies, \$3,976.35 each, total \$7,952.70; and

WHEREAS, the Director of Finance has recommended that the negotiated bid of Heil Western, Ceres, California, in the amount of \$19,733.70 for six (6) garden refuse truck bodies be accepted and the execution of a contract by designated officials authorized;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Heil Western, Ceres, California, in the amount of \$19,733.70 for six (6) garden refuse truck bodies be accepted and the execution of a contract by designated officials authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of September, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon, Mayor Davies

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-844

A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS McHENRY-SYLVAN ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 71-692, adopted on July 19, 19 71, the Council fixed the 13th day of September, 19 71, at the hour of 7:35 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 considering the petition of the owners of not less than one-fourth of the land in the hereinafter described territory by area and by assessed value requesting annexation of said territory to said City, and

WHEREAS, the City Clerk has caused a copy of said Resolution No. 71-692 to be published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and being the official newspaper of the City of Modesto and in the Ceres Courier, a newspaper of general circulation published outside the City of Modesto but in the County of Stanislaus, said publications being completed at least twenty (20) days prior to the date set for the hearing, as required by Sections 35307 and 35311 of the Government Code, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, notice has been duly given of said hearing and no person owning real property within such territory appeared at said time and place to protest said annexation and no written protests have been filed prior to final adjournment of the hearing on protests to the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby declares that a majority protest against the proposed annexation of said McHenry-Sylvan Addition has not been made and hereby declares its intention to proceed with the annexation of said territory, which is more particularly described as 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 13th day of September, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Mayor Davies

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Michael F. Brinton  
Public Works Department

RW  
7-27-71

## McHENRY - SYLVAN ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the South half of the Northwest 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 the Northeast corner of the Standiford Addition (264), as per description filed November 3, 1970, as Instrument 36118, Stanislaus County Records, said point being the West quarter corner of said Section 9 and on the center line of a 50.00 foot public road known as McHenry Avenue; thence along said center line and the section line common to Sections 8 and 9, North  $00^{\circ} 53' 00''$  West, 1033.00 feet; thence South  $89^{\circ} 10' 30''$  East, 447.88 feet; thence North  $00^{\circ} 53' 00''$  West, 311.27 feet to the North line of the South half of said Section 9; thence along said North line, North  $88^{\circ} 20' 10''$  East, 2190.88 feet to the North-South quarter section line of said Section 9; thence along said quarter section line, South  $00^{\circ} 49' 25''$  East, 1321.16 feet to the center line of a 40.00 foot public road known as Sylvan Avenue and the interior quarter corner of said Section 9; thence along the East-West quarter line of Section 9 and said center line of Sylvan Avenue, South  $88^{\circ} 15' 22''$  West, 2637.28 feet, to the point of beginning, containing 77.011 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-845

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
JESSIE RICE AND RENA RICE FOR SEWER SERVICE TO PROPERTY OUTSIDE THE  
CITY AT 1314 HOLM AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Jessie Rice  
and Rena Rice  
for sewer service to property outside the City at 1314 Holm 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 13th day of  
September, 1971, by Councilman Dunlap , who moved its  
adoption, which motion being duly seconded by Councilman Newton ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Vice Mayor Smith

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Simon, Mayor Davies

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-846

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BRYAN GRIMES AND RITA M. GRIMES AND EDNA CARROLL AND ARTHUR CARROLL FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 502 COLORADO AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bryan Grimes and Rita M. Grimes and Edna and Arthur Carroll for sewer service to property outside the City at 502 Colorado 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 13th day of September, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Vice Mayor Smith  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Simon, Mayor Davies

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-847

A RESOLUTION APPROVING EXTENSION OF TIME TO ST. PAUL'S EPISCOPAL CHURCH, OLD OAKDALE ROAD, FOR ACCEPTANCE OF CONDITIONS IMPOSED BY RESOLUTION NO. 71-827 RELATING TO FIRE PROTECTION FOR CHURCH

WHEREAS, Modesto City Council Resolution No. 71-827 adopted September 7, 1971, grants fire protection service to St. Paul's Episcopal Church on Old Oakdale Road subject to certain conditions; and

WHEREAS, Section 2 of Resolution No. 71-827 provides that the Church "shall have twenty days from and after the adoption of this resolution within which to file written acceptance of all the terms and conditions hereof, and no right shall be conferred hereby until said acceptance is filed with the City Clerk;" and

WHEREAS, Tom Sutter, Junior Warden of the Church, in a letter dated September 16, 1971, has requested an extension of time until October 14, 1971, within which to file acceptance of the conditions outlined in Resolution No. 71-827.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of St. Paul's Episcopal Church for an extension of time within which to file written acceptance of the terms and conditions imposed by Resolution No. 71-827 relating to fire protection for the church, located on Old Oakdale Road, 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 September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-848

A RESOLUTION ACCEPTING THE ~~CONSTRUCTION~~ HOUSE OF CARPETS' CONTRACT FOR FURNISHING AND INSTALLATION OF CARPET AT THE MODESTO-STANISLAUS LIBRARY

WHEREAS, a report has been filed by the Director of Public Works that the ~~construction of~~ furnishing and installation of carpet at the Modesto-Stanislaus Library has been completed by House of Carpets

in accordance with the contract agreement dated February 22, 1971

NOW, THEREFORE, BE IT RESOLVED that the ~~construction of~~ furnishing and installation of carpet at the Modesto-Stanislaus Library be accepted from said contractor, House of Carpets

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$39,846.00 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 September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-849

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. (NORWEGIAN NO. 1)

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 9, 1971, duly adopted Resolution No. 71-760 (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. 76 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, September 20, 1971, at the hour of 4:05 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:

Alfred H. Simpkins  
801 Tokay Avenue  
Modesto, California

In a written communication he stated he did not want to  
be included in the annexation.

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. 76 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. 76 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. 76, 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. 76, 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 September, 1971, by Councilman  
Simon, who moved its adoption, which motion being  
duly seconded by Councilman Smith, was upon roll  
call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

*R.M.H.*  
*8-17-71*  
By Michael J. Brinton  
Public Works Department

## NORWEGIAN NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Southeast quarter of Section 16, 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 Northeastern corner of the SYLVAN ADDITION (113), as per description filed September 8, 1960, as Instrument 25490, Stanislaus County Records, said point being the interior quarter corner of Section 16 and on the Southern line of the NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along said Southern boundary of ADDITION (78), and the East-West quarter line of Section 16, South  $89^{\circ} 30'$  East, 27.00 feet, to the Southwestern corner of the MONTGOMERY VILLAGE ADDITION (100), as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (100), South  $89^{\circ} 30'$  East, 660.84 feet, to the Southwestern corner of the EAST FLOYD ADDITION (104), as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (104), South  $89^{\circ} 30'$  East, 511.35 feet, to the Northwestern corner of the ATHENS ADDITION (141), as per description filed November 19, 1962, as Instrument 43543, Stanislaus County Records; thence along the Western boundary of said ADDITION (141), South  $0^{\circ} 52'$  East, 616.28 feet, to the Northwestern corner of the NORWEGIAN NO. 3 ADDITION (256), as per description filed July 23, 1970, as Instrument 23539, Stanislaus County Records; thence continuing along the existing City Limits on the Western boundary of said ADDITION (256), South  $0^{\circ} 52'$  East, 616.30 feet, to the center line of a 60.00 foot public road known as Norwegian Avenue and the Southwestern corner of said ADDITION (256); thence leaving the existing City Limits and along the center line of said Norwegian Avenue, North  $89^{\circ} 31'$  West, 1231.34 feet, to the Southerly extension of the Western line of a 60.00 foot public road known as Sunrise Avenue; thence along said Southerly extension and Western line, North  $0^{\circ} 46'$  West, 30.00 feet, to the most Southeastern corner of ADDITION (78), and the existing City Limits; thence along the existing City Limits on the Eastern boundary of ADDITION (78), North  $0^{\circ} 46'$  West, 512.35 feet, to a Northeastern corner of said ADDITION (78), and the Southern boundary of ADDITION (113); thence along said Southern boundary, South  $89^{\circ} 31'$  East, 30.00 feet, to the Southeastern corner of said ADDITION (113); thence along the existing City Limits on the Eastern boundary of said ADDITION (113), North  $0^{\circ} 46'$  West, 690.53 feet, to the point of beginning, containing 34.332 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-850

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RUSSELL D. MITCHELL FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND BIDDING DOCUMENTS FOR THE INSTALLATION OF AN AUTOMATIC SPRINKLER SYSTEM AT THE NINE-HOLE MUNICIPAL GOLF COURSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Russell D. Mitchell

for the preparation of Plans, Specifications and bidding documents for the installation of an automatic sprinkler system at the Nine-Hole Municipal Golf Course 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 September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-851

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO CITY SCHOOL DISTRICT OF STANISLAUS COUNTY WHEREBY CITY AGREES TO OPERATE TWENTY (20) MODESTO ELEMENTARY SCHOOL DISTRICT PLAYGROUNDS ON AN AFTERSCHOOL BASIS TO COMMENCE ON OR ABOUT SEPTEMBER 27, 1971 and to extend to on or about MAY 26, 1972

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto School District of Stanislaus County

for operation of twenty (20) Modesto Elementary School District playgrounds on an afterschool basis to commence on or about September 27, 1971, and to extend to on or about May 26, 1972

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 September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-852

A RESOLUTION APPROVING THE FINAL MAP OF THE  
MODESTO VERDE SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, KAISER-AETNA, a California Partnership,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 20.184 acres, known as the Modesto Verde  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 18th day of May, 19 71, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Modesto Verde 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 of the Modesto Verde  
Subdivision 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 in the amount of Five Thousand, One Hundred Ten and  
30/100ths (\$5,110.30) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be  
authorized to execute and attest, respectively, an agreement/with subdividers as  
including addendum thereto  
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 20th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By \_\_\_\_\_  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-853

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND ELVEDA TURNER MORRIS AND ACCEPTING GRANT DEED (Extension of Brighton Avenue)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Elveda Turner Morris for the extension of Brighton Avenue is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 20th day of September, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-854

A RESOLUTION ACCEPTING IMPROVEMENTS IN BRENTWOOD ESTATES NO. 3 SUB-DIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BOND UPON EXPIRATION OF STATUTORY PERIODS

WHEREAS, Chester Link and Patrecia N. Link, husband and wife, subdivider of Brentwood Estates No. 3 Subdivision, have filed a Subdivision Bond in the amount of \$61,300 to guarantee improvements in Brentwood Estates No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated September 15, 1971, 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 as complete and authorize the City Clerk to file a notice of completion and release the Subdivision Bond in the amount of \$61,300 upon expiration of the statutory periods.

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

1. The improvements in Brentwood Estates No. 3 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision Bond in the amount of \$61,300, filed by the Subdivider to guarantee improvements in Brentwood Estates No. 3 Subdivision upon expiration of the statutory periods.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-855

A RESOLUTION ACCEPTING IMPROVEMENTS IN CARVER MANOR NO. 1. SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF STATUTORY PERIODS

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger, husband and wife, and Harley D. Brannan and Norma Brannan, husband and wife, subdividers of Carver Manor No. 1 Subdivision, have filed an Instrument of Credit in the amount of \$111,100 to guarantee improvements in Carver Manor No. 1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated September 15, 1971, 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 as complete and authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$111,100 upon expiration of the statutory periods.

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

1. The improvements in Carver Manor No. 1 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$111,100, filed by the Subdivider to guarantee improvements in Carver Manor No. 1 Subdivision upon expiration of the statutory periods.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 856

A RESOLUTION AMENDING RESOLUTION NO. 70-753  
ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT  
PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(74)."

WHEREAS, on August 10, 1971, the Council adopted Resolution No. 70-753 approving a development plan for Planned-Development Zone, P-D(74) which resolution authorized construction of an 80-unit apartment complex on the south side of Evergreen Avenue West of Pearl Street and specified that the entire construction program was to be accomplished in one phase with construction to begin on or before August 15, 1971, and to be completed not later than August 15, 1973, and

WHEREAS, an application has been made for an amendment to said Resolution so as to extend said development schedule for a period of one year for the reason that arrangements necessary to secure acceptable financing have taken much longer than originally anticipated, and

WHEREAS, Section 10-2.2709(d) of the Municipal Code which pertains to development schedules, states that "upon request of the property owner and for good cause shown, the Planning Commission may extend the time limit of the development schedule provided that any request for an extension of the limits shall be on file in the office of the Planning Director at least thirty (30) days prior to the expiration of any time limit required by the development schedule", and

WHEREAS, said request for a time extension was not received by the Planning Commission at least thirty (30) days prior to the expiration of the time limit, as required by Section 10-2.2709(d) of the Municipal Code, and

WHEREAS, at a meeting of the Planning Commission held on September 7, 1971, the Commission found that the P-D(74) Zone currently meets all the latest development standards which would be applied if it were being requested presently, and

WHEREAS, at said meeting of the Planning Commission above referred to, the Commission by Resolution No. 71-119 found and determined that a one-year time extension as requested by the owners of P-D(74) was in the interest of the public's general welfare for the reasons hereinafter set forth:

- 1. The current P-D(74) meets all of the planning criteria for locating medium density apartments.
- 2. The present P-D(74) Zone meets all of the current development criteria imposed on Planned Development Zones.
- 3. The granting of the one-year time extension as requested would obviate needless staff time being spent on rezoning procedures.

WHEREAS, the Planning Commission by the adoption of Resolution No. 71-119 recommended approval of said one-year time extension for said reasons.

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

SECTION 1. Section 2 entitled "Development Schedule" set forth in Resolution No. 70-753 is hereby amended to read as follows:

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(74):

That the entire construction program be accomplished in one phase, construction to begin on or before August 15, 1972, and to be completed not later than August 15, 1974."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-857

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$4,230 TO PROVIDE FUNDS FOR DOWNTOWN IMPROVEMENT DISTRICT

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

DOWNTOWN IMPROVEMENT DISTRICT (218)

FROM: General Reserve (60-218)	\$4,230
TO: Postage (201-218)	480
Communications (204-218)	600
Rent of Real Property (215-218)	1,800
Newsletter (435-218)	1,350

(These new accounts were established and approved at the budget hearings but were inadvertently left out in the adoption of the Final Budget)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-858

A RESOLUTION APPROVING EXTENSION OF TIME WITHIN WHICH GARBAGE COMPANIES OPERATING WITHIN THE CITY OF MODESTO MAY FILE WRITTEN ACCEPTANCE OF TERMS OF RESOLUTIONS NO. 71-753, 71-754, 71-755, 71-756 AND 71-757

WHEREAS, Resolutions No. 71-753, 71-754, 71-755, 71-756 and 71-757 grant licenses to Sanders Bros., Inc., Leroy Gilton and Eugene Gilton, dba Airport Garbage Service, Modesto Garbage Company, dba Modesto Disposal Service, Ronald T. and Diane M. Driscoll, dba Orange Line Sanitation Company, and Rudy Bonzi, Inc., respectively, to collect garbage in the City of Modesto; and

WHEREAS, said RESOLUTIONS provide that licensees shall each within thirty days after the effective date of the resolutions, file with the City Clerk a written instrument accepting the terms and conditions thereof.

WHEREAS, a request has been made that the time to file written acceptance of the terms be extended to forty-five days after the effective date of the resolutions within which a written instrument of acceptance may be filed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the time within which the licensees may file written acceptance of the terms imposed by the above resolutions is hereby extended to forty-five days after the effective date of the resolutions.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-859

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT SCENIC AND BODEM AND AT TULLY AND GRANGER

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

SECTION 1. The plans and specifications for construction of traffic signals and street lighting at Scenic and Bodem and at Tully and Granger

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 2, 1971 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 <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-860

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING COMPANY FOR IMPROVEMENT OF STREETS ADJACENT TO CITY PARK SITES IN ROSE TERRACE NO. 3 AND NORTHGATE NO. 7 SUBDIVISIONS

WHEREAS, Resolution No. 71-821 , adopted by the Council of the City of Modesto on September 7, 1971 , approved the plans and specifications for the IMPROVEMENT of Streets adjacent to City Park Sites in Rose Terrace No. 3 and Northgate No. 7 Subdivisions and authorized the calling for bids, and

WHEREAS, the bids received for the Improvement of Streets adjacent to City Park Sites in Rose Terrace No. 3 and Northgate No. 7 Subdivisions were opened at 10:20 A.M. on September 21, 1971 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 \$23,355.00

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 \$23,355.00

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 an <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-861

A RESOLUTION ACCEPTING THE BID OF ALBERT M. BIEHL FOR THE PLANTING AND IRRIGATION AT DOWNEY PARK

WHEREAS, Resolution No. 71-824 , adopted by the Council of the City of Modesto on September 7, 1971 , approved the plans and specifications for the planting and irrigation at Downey Park

and authorized the calling for bids, and

WHEREAS, the bids received for the planting and irrigation at Downey Park

were opened at 10:15 A.M. on September 21, 1971 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 Albert M. Biehl in the amount of \$49,386.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Albert M. Biehl in the amount of \$49,386.00

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 an <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-862

A RESOLUTION ACCEPTING THE BID OF VALLEY CONSTRUCTION FOR INSTALLATION OF WATER LINES IN GRANADA PARK NO. 2 AND BROOKVIEW ESTATES NO. 2

WHEREAS, Resolution No. 71-823 , adopted by the Council of the City of Modesto on September 7, 1971 , approved the plans and specifications for the installation of Water Lines in Granada Park No. 2 and Brookview Estates No. 2

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in Granada Park No. 2 and Brookview Estates No.2 were opened at 10:10 A.M. on September 21, 1971 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 Construction in the amount of \$6,972.00

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 Construction in the amount of \$6,972.00

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 an <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-863

A RESOLUTION ACCEPTING THE CONSTRUCTION OF LEE A CAIN'S CONTRACT FOR CONSTRUCTION OF FENCE AND SIDEWALK ON BRIGGSMORE AVENUE, BLOCK 6711

WHEREAS, a report has been filed by the Director of Public Works that the construction of Fence and Sidewalk on Briggsmore Avenue, Block 6711 has been completed by Lee A. Cain

in accordance with the contract agreement dated August 11, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of Fence and Sidewalk on Briggsmore Avenue, Block 6711 be accepted from said contractor, Lee A. Cain

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$7,957.50 as provided in the contract, be authorized.

The foregoing resolution was introduced at an <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-864

A RESOLUTION ACCEPTING THE BID OF THE FLINTKOTE COMPANY FOR CONSTRUCTION OF PARKING LOT AT KING-KENNEDY CENTER

WHEREAS, Resolution No. 71-825 , adopted by the Council of the City of Modesto on September 7, 1971 , approved the plans and specifications for the construction of Parking Lot at King-Kennedy Center

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Parking Lot at King-Kennedy Center

were opened at 10:25 A.M. on September 21, 1971 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 \$15,261.00

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 \$15,261.00

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 <sup>adjourned</sup> a regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-865

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ACME CONSTRUCTION COMPANY'S CONTRACT FOR NEW LIBRARY BUILDING (MODESTO-STANISLAUS LIBRARY)

WHEREAS, a report has been filed by the Director of Public Works that the construction of the New Library Building (Modesto-Stanislaus Library) has been completed by Acme Construction Company

in accordance with the contract agreement dated April 6, 1970

NOW, THEREFORE, BE IT RESOLVED that the construction of the New Library Building (Modesto-Stanislaus Library) be accepted from said contractor, Acme Construction Company

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$1,724,519.55 as provided in the contract, be authorized.

The foregoing resolution was introduced at <sup>adjourned</sup> ~~a~~/regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 866

A RESOLUTION SUPPORTING STANISLAUS COUNTY'S APPLICATION FOR FEDERAL FINANCIAL ASSISTANCE TO STUDY DRAINAGE, WATER QUALITY AND SOLID WASTE MANAGEMENT AND OFFERING TO CONTRIBUTE FUNDS FOR SAID STUDY.

WHEREAS, Stanislaus County is in the process of requesting federal financial assistance under the Urban Systems Engineering Demonstration Program to conduct a county-wide master study of drainage, water quality and solid waste management, and

WHEREAS, Stanislaus Area Association of Governments (SAAG) at the July 14, 1971, meeting, determined that the study is necessary, and

WHEREAS, Stanislaus County has requested the support of all agencies concerned with some or all of the parts of the proposed study, and

WHEREAS, the estimated cost of the study, if approved, will be shared on the basis of seventy-five (75%) percent federal funds and twenty-five (25%) percent local funds, and

WHEREAS, Stanislaus County will pay seventy-five (75%) percent of the local share and all other local jurisdictions will pay twenty-five (25%) percent of the local share, and

WHEREAS, the City of Modesto's share has been determined to be Three Thousand and no/100ths (\$3,000.00) Dollars, payable over the two (2) year period during which the study will be conducted, and

WHEREAS, the City of Modesto has requested that the county-wide study of drainage include a precise drainage study of a trunk sewer system for the Modesto urban area, and

WHEREAS, the twenty-five (25%) percent local share of the cost of said precise drainage study will be Six Thousand, Three Hundred and no/100ths (\$6,300.00) Dollars,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto supports Stanislaus County's application for federal financial assistance under the Urban Systems Engineering Demonstration Program to conduct a county-wide master study of drainage, water quality and solid waste management.

BE IT FURTHER RESOLVED that the City of Modesto will pay Three Thousand and no/100ths (\$3,000.00) Dollars as its share of the cost of the study to be paid by local jurisdictions; said Three Thousand and no/100ths (\$3,000.00)

Dollars to be paid over the two (2) year period during which the study will be conducted.

BE IT FURTHER RESOLVED that the City of Modesto will pay Six Thousand, Three Hundred and no/100ths (\$6, 300. 00) Dollars which is the total local share of the cost of the precise drainage study of a trunk sewer system for the Modesto urban area; said Six Thousand, Three Hundred and no/100ths (\$6, 300. 00) Dollars to be paid over the two (2) year period during which the study will be conducted.

The foregoing resolution was introduced at a <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: **Dixon, Dunlap, Newton, Simon, Smith, Mayor Davies**
- NOES: Councilmen: **None**
- ABSENT: Councilmen: **Elliott**

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

(SEAL)

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-867

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RUSSELL D. MITCHELL FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND BIDDING DOCUMENTS FOR THE INSTALLATION OF AUTOMATIC SPRINKLER SYSTEMS AT ROOSEVELT, PIKE AND T. B. SCOTT PARKS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Russell D. Mitchell

for the preparation of plans, specifications and bidding documents for the installation of automatic sprinkler systems at Roosevelt, Pike and T. B. Scott Parks 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 <sup>adjourned</sup> ~~ay~~ regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

A RESOLUTION REAFFIRMING THE CITY COUNCIL'S POSITION  
REGARDING EQUAL OPPORTUNITY EMPLOYMENT ON PUBLIC  
WORKS PROJECTS.

WHEREAS, it has been the policy of the City of Modesto to require persons and firms performing work for the City to be equal opportunity employers, and

WHEREAS, the specifications for all public works projects in the City of Modesto contain a nondiscrimination clause, and

WHEREAS, this Council desires to reaffirm its position regarding equal opportunity employment on work performed for the City, and

WHEREAS, this Council desires to specify the wording of the non-discrimination clause which is included in the specifications for all public works projects in the City of Modesto and to provide for a reference to said nondiscrimination clause to be included in the "Notice to Contractors",

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it reaffirms that no person shall, on the grounds of race, creed, color or national origin, be excluded from employment by any contractor or subcontractor performing work on a public works project in the City of Modesto.

BE IT FURTHER RESOLVED that the specifications for all City of Modesto public works projects shall contain a nondiscrimination clause in substantially the following form:

"Nondiscrimination: In connection with the performance of work under this contract, the contractor agrees that neither he nor any subcontractor who performs any work or labor or renders any service pursuant hereto shall discriminate against any employee or applicant for employment because of race, creed, color or national origin."

BE IT FURTHER RESOLVED that the "Notice to Contractors" for each call for bids for a public works project in the City of Modesto shall contain a paragraph in substantially the following form:

"Bidders' attention is hereby called to the nondiscrimination clause contained in Section \_\_\_\_\_ of the specifications."  
adjourned

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott  
(SEAL)

ATTEST:

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

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-869

A RESOLUTION OF THE CITY OF MODESTO APPROVING THE PROPOSED FEDERAL-AID URBAN STREET SYSTEM FOR THE MODESTO URBAN AREA PORTION OF MODESTO-CERES URBANIZED AREA.

WHEREAS, the Federal Highway Act of 1970 directed the establishment of a Federal-Aid Urban System for the Urbanized Areas; and

WHEREAS, the Federal legislation provided that routes on the Urban System shall be selected by appropriate local officials and the State Highway Department in cooperation with each other, and

WHEREAS, the local agencies of Urbanized Modesto-Ceres in cooperation with the Division of Highways, have selected a proposed Federal-Aid Urban System within the 1970 Bureau of Census Urbanization Limits conforming to the instructions of the Federal Highway Administration, and

WHEREAS, the proposed routes of Federal-Aid Urban Systems for the Modesto-Ceres Urbanized Area conform to the Federal functional classification system of the region,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto approves the proposed Federal-Aid Urban System selected for the City of Modesto portion of the Modesto-Ceres Urbanized Area and any changes in the Federal-Aid Secondary System and other Federal-Aid Systems, all as shown on the attached map, Exhibit "A", and recommends them for submission to the Federal Highway Administration by the California Division of Highways.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 870

A RESOLUTION AUTHORIZING THE TRANSFER OF THREE HUNDRED THOUSAND AND NO/100THS (\$300, 000. 00) DOLLARS FROM THE GENERAL FUND (FUND NO. 101) OF THE CITY OF MODESTO TO THE SPECIAL FUND FOR CAPITAL OUTLAY (FUND NO. 321).

WHEREAS, it is anticipated that a sum of Three Hundred Thousand and no/100ths (\$300, 000. 00) Dollars is available in the General Reserve (Account No. 60) of the General Fund (Fund No. 101), and

WHEREAS, said sum will not be required for operating costs of the City during the 1971-72 fiscal year, and

WHEREAS, the Council desires to transfer said sum to the Special Fund for Capital Outlays (Fund No. 321) to establish a contingency reserve to be utilized for the construction of an auditorium,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Three Hundred Thousand and no/100ths (\$300, 000. 00) Dollars be and is hereby transferred from the General Reserve (Account No. 60) of the General Fund (Fund No. 101) to the Contingency Reserve (Account No. 61) of the Special Fund for Capital Outlays (Fund No. 321).

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

adjourned

The foregoing resolution was introduced at a/regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 871

A RESOLUTION ENDORSING THE REGION VII NORTH  
CRIMINAL JUSTICE PLANNING BOARD AS THE REGIONAL  
CRIMINAL JUSTICE PLANNING AGENCY FOR THE CITY  
OF MODESTO.

WHEREAS, the Region VII North Criminal Justice Planning Board  
has requested recognition and support from the City of Modesto to fill the  
function of an area-wide Criminal Justice Planning body, and

WHEREAS, the Region VII North Criminal Justice Planning Board  
is available to the City of Modesto to develop and improve activities in the  
criminal justice system, and

WHEREAS, participation by the City of Modesto in programs  
recommended by the Region VII North Criminal Justice Planning Board is  
voluntary and at the discretion of the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the Region VII North Criminal Justice Planning Board be endorsed  
as the Criminal Justice Planning Agency for Modesto and the surrounding area.

The foregoing resolution was introduced at a/regular meeting  
of the Council of the City of Modesto held on the 30th day of September,  
1971, by Councilman Smith, who moved its adoption, which motion  
being duly seconded by Councilman Simon, was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 872

A RESOLUTION REVISING THE POSITION CLASSIFICATION  
PLAN OF THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted by  
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 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  
by resolution of the City Council,

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

SECTION 1. The Position Classification Plan of the City of  
Modesto is hereby amended to abolish certain classes of positions as follows:

Assistant City Engineer  
Land Agent - Project Assistant  
Water Service Foreman

The foregoing resolution was introduced at an adjourned regular  
meeting of the Council of the City of Modesto held on the 30th day of  
September, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-873

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEPARTMENT OF PUBLIC WORKS OF THE STATE OF CALIFORNIA, DIVISION OF HIGHWAYS, TO MODIFY SIGNAL DETECTORS ON MORRIS, ROSEBURG, ORANGEBURG AT McHENRY AND TO INSTALL LONGER MAST ARMS AND LARGER SIGNALS AT FLOYD AND McHENRY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Department of Public Works of the State of California, Division of Highways for modifying signal detectors on Morris, Roseburg, Orangeburg at McHenry and to install longer mast arms and larger signals at Floyd and McHenry 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 <sup>adjourned</sup> ~~an~~/regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-874

A RESOLUTION GRANTING PUBLIC UTILITY EASEMENT TO MODESTO IRRIGATION DISTRICT ACROSS THE EAST RUMBLE ROAD FRONTAGE OF SYLVAN SCHOOL PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it hereby grants a public utility easement to Modesto Irrigation District across the east Rumble Road frontage of Sylvan School/<sup>park site</sup> for construction of underground electrical facilities along the property frontage.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the deed granting the easement to Modesto Irrigation District.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: J. Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-875

A RESOLUTION GRANTING PUBLIC UTILITY EASEMENT TO MODESTO IRRIGATION DISTRICT ACROSS DOWNEY PARK AT COFFEE ROAD AND BRIGHTON AVENUE (BLOCK 12881)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it hereby grants a public utility easement to Modesto Irrigation District across Downey Park at Coffee Road and Brighton Avenue for construction of underground electrical facilities along the property frontage.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the deed granting the easement to Modesto Irrigation District.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-876

A RESOLUTION APPROVING SALE OF GRAPES AT WOODROW PARK SITE TO GALLO WINERY

WHEREAS, an offer has been received from Gallo Winery to purchase Grenache grapes on city-owned Woodrow Park site; and

WHEREAS, \$95.00 per ton for the estimated 18 to 25 ton crop has been offered, less picking cost of approximately \$15.00 per ton and hauling cost of \$60.00 per load.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the offer of \$95.00 per ton by Gallo Winery for an estimated 18 to 25 tons of Grenache grapes on city-owned Woodrow Park site, less picking and hauling costs, is hereby approved.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-877


A RESOLUTION SETTING TIME AND PLACE FOR HEARING PLANNING COMMISSION RECOMMENDATION TO AN AMENDMENT TO CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE (permitted uses and off-street parking provisions) (P.O. Zones)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that October 18, 1971 , at 4:10 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of Planning Commission recommendation to an amendment to Chapter 2 of Title X of the Modesto Municipal Code (permitted uses and off-street parking provisions)(P-O Zones)

The foregoing resolution was introduced at an <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-878

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 6-4-9 OF THE ZONING MAP TO PREZONE TO PLANNED DEVELOPMENT ZONE, P-P-D, PROPERTY LOCATED ON THE SOUTH SIDE OF PARADISE ROAD OPPOSITE MAYETTE AVENUE (The Brittany)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 21, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 6-4-9 of the zoning map to prezone to Planned Development Zone, P-P-D, property located on the south side of Paradise Road opposite Mayette Avenue

the following described property:

All of parcels No. 1 and No. 2 as shown and designated on that certain Parcel Map filed in the office of the County Recorder of Stanislaus County, California on February 25, 1966 in volume 1 of Parcel Maps, Page 63, and being a portion of the northwest quarter of the northeast quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the southerly 25 feet of Paradise Road immediately adjacent to said Parcel No. 1 and the northerly 15 feet of Rouse Avenue immediately adjacent to Parcel No. 2.

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-124 recommending to the Council that pre zoning 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 6-4-9 of the Zoning Map be set for October 18, 1971 at 4:05 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed pre zoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at an <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-879

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 TO REZONE FROM NEIGHBORHOOD COMMERCIAL ZONE, C-1, TO PLANNED DEVELOPMENT ZONE P-D (property located at the easterly corner of 14th and E Streets) (John N. Uhl)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 21, 1971, 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 Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D, to allow construction of a two-story, 6-unit apartment in conjunction with an existing 1-story office building, on property located at the easterly ~~the following described property~~ corner of 14th and E Streets the following described property:

That portion of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

All of Lots 31 and 32 of Block 117 in the City of Modesto.

Including also the northeasterly 40 feet of 14th Street and the southeasterly 40 feet of E Street all being immediately adjacent to the above described ~~and~~ property.

and  
WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-127 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 28-3-9 of the Zoning Map be set for October 18, 1971 at 4:15 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 <sup>adjourned</sup> a regular meeting of the Council of the City of Modesto held on the 30th day of September, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-880

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,500 TO PROVIDE FUNDS FOR THE SURFACING OF FIRE TRUCK TURNING AREA AT FIRE STATION NO. 5, 200 W. BRIGGSMORE

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

SPECIAL FUND FOR CAPITAL OUTLAY (321)

FROM: General Reserve (60-321)	\$2,500
TO: Surfacing of Turning Area at Fire Station No. 5 (7901-41-321)	\$2,500

(To provide funds for the surfacing of fire truck turning area at Fire Station No. 5, 200 W. Briggsmore. (See attached copy of memo to City Manager for details)


The foregoing resolution was introduced at an <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 30th day of September, 19 71 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Elliott, Newton

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-881

A RESOLUTION APPROVING USE OF DOWNTOWN SIDEWALKS OCTOBER 7, 8,  
AND 9, 1971 FOR SIDEWALK SALES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the request of the Modesto Downtown Improvement District for use of downtown sidewalks on October 7, 8 and 9, 1971 for Downtown's Fall Sidewalk Sale is hereby approved subject to the following conditions:

(1) No more than 50% of the sidewalk width be obstructed in any manner. This would include the merchandise, display tables and racks, and sales personnel.

(2) That the use of the sidewalks for the display and sale of merchandise be limited on the days requested to the hours of 8:00 A.M. to 9:00 P.M.

(3) That the only signs be price signs placed on the merchandise itself indicating the sale price and that no general advertising matter, pennants, banners, streamers, etc. will be allowed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT:: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-882

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE DRILLING, CASING, TESTING AND DEVELOPMENT OF ONE DEEP WELL FOR THE CITY OF MODESTO - WELL NO. 39

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

SECTION 1. The plans and specifications for the drilling, casing, testing and development of one deep well for the City of Modesto - Well No. 39

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 19, 1971 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 4th day of October, 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Elliott was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-883

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SHIELD CONSTRUCTION COMPANY, INC. CONTRACT FOR THE IMPROVEMENT OF COLLEGE AVENUE FROM COLDWELL TO ORANGEBURG AVENUE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the Improvement of College Avenue from Coldwell to Orangeburg Avenue has been completed by Shield Construction Company, Inc.

in accordance with the contract agreement dated July 26, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of the Improvement of College Avenue from Coldwell to Orangeburg Avenue be accepted from said contractor, Shield Construction Company, Inc.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$78,654.10 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 4th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-884

A RESOLUTION AUTHORIZING STAFF TO ACCEPT NEGOTIATED OFFER OF R. H. GORMAN CO., HAYWARD, CALIFORNIA, TO FURNISH A USED FRONT-END BUCKET LOADER

WHEREAS, Resolution No. 71-669, adopted by the Council of the City of Modesto July 12, 1971, authorized the staff to negotiate for the purchase of a front-end bucket loader.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the staff to accept the negotiated offer of R. H. Gorman Co., Hayward, California, for one used front-end bucket loader at an estimated cost of \$12,500.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-885

A RESOLUTION ACCEPTING THE BID OF BILL HUGHES DODGE FOR FOUR 2-TON CONVENTIONAL CAB AND CHASSIS (GARDEN REFUSE)

WHEREAS, Resolution No. 71-841 , adopted by the Council of the City of Modesto on September 13, 1971 , approved the plans and specifications for the four 2-ton conventional cab and chassis (garden refuse)

and authorized the calling for bids, and

WHEREAS, the bids received for the four 2-ton conventional cab and chassis (garden refuse) were opened at 2:00 P.M. on September 28, 1971 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 Bill Hughes Dodge in the amount of \$18,200.28

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 Hughes Dodge in the amount of \$18,200.28

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 October, 1971 , by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-886

A RESOLUTION ACCEPTING THE BID OF BEST CHEVROLET FOR TWO (2) 2-TON TILT CAB FORWARD CAB AND CHASSIS (GARDEN REFUSE)

WHEREAS, Resolution No. 71-841 , adopted by the Council of the City of Modesto on September 13, 1971 , approved the plans and specifications for the two (2) 2-ton tilt cab forward cab and chassis (garden refuse) and authorized the calling for bids, and

WHEREAS, the bids received for the two (2) 2-ton tilt cab forward cab and chassis (garden refuse) were opened at 2:00 P.M. on September 28, 1971 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 \$13,868.20 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Best Chevrolet in the amount of \$13,868.20 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 4th day of October, 1971 , by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-887

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$28,846 TO PROVIDE SUFFICIENT FUNDS FOR THE PURCHASE OF SIX (6) GARDEN REFUSE TRUCK CABS AND CHASSIS

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

WORKING CAPITAL FUND (512)

FROM: General Reserve (60-521)	\$28,846.00
TO: Garden Refuse Trucks (5403-48-512)	\$28,846.00

(To provide sufficient funds for the purchase of six (6) Garden Refuse truck cabs and chassis. This is an addition to the amounts previously budgeted to provide a total budget of \$54,825 for the acquisition of Garden Refuse Trucks. Included in the total is \$1,000 for City Shop service to make the vehicles road ready.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 19 71 by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-888

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE FLINTKOTE COMPANY'S  
CONTRACT FOR TIE-DOWN OVERLAY AT MODESTO CITY-COUNTY AIRPORT

WHEREAS, a report has been filed by the Director of Public  
Works that the construction of tie-down overlay at  
Modesto City-County Airport  
has been completed by The Flintkote Company

in accordance with the contract agreement dated August 16, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of  
tie-down overlay at Modesto City-County Airport  
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 \$18,724.61  
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 4th day of  
October, 1971, by Councilman Dixon, who moved its  
adoption, which motion being duly seconded by Councilman Elliott,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-889

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF WATER LINES IN MODESTO VERDE AND BLOCK 1250 (Spanos Court)

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 Lines in Modesto Verde and Block 1250 (Spanos Court)

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 19, 1971 at 10:10 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 4th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-890

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. ( MONTCLAIR NO. 3)

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 16, 1971, duly adopted Resolution No. 71-785 (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. 77 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, October 4, 1971, at the hour of 4:05 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. 77 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. 77 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. 77, 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. 77, 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 4th day of October, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Michael A. Brinton  
Public Works Department

*Rhill*  
8-23-71

D E S C R I P T I O N

All that certain real property situate in portion of the Southeast and the Southwest Quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

BEGINNING at the Northwest corner of Block 13214 of Tully Manor No. 5, according to the Official Map thereof, recorded in Volume 22 of Maps at Page 50, Stanislaus County Records, said corner being the Northwest corner of the Montclair No. 2 Addition (247) per description recorded February 5, 1970 as Instrument No. 3848; thence South  $89^{\circ} 09' 53''$  East along the North line of said Tully Manor No. 5 and the North line of said Montclair No. 2 Addition 772.78 feet to the West line of the Francek Addition (150) per description recorded February 8, 1963 as Instrument No. 5121; thence North  $1^{\circ} 02' 40''$  West along said West line of the Francek Addition 274.31 feet to the South line of the North 270 feet of said Southeast Quarter of Section 7; thence North  $89^{\circ} 08'$  West along said South line of the North 270 feet of the Southeast Quarter of Section 7 a distance of 751.75 feet to the Southwest corner of that property conveyed to D. J. Metzger as described in Deed recorded in Volume 1847 of Official Records at Page 640, Stanislaus County Records; thence North  $1^{\circ} 02' 40''$  West along the West line of said Metzger property 270.01 feet to the North line of said Southeast Quarter of Section 7, being the centerline of Standiford Avenue; thence North  $89^{\circ} 08'$  West along said North line of the Southeast Quarter of Section 7 and said centerline of Standiford Avenue 272.45 feet; thence South  $0^{\circ} 52'$  East 542.00 feet; thence North  $89^{\circ} 08'$  West 519.00 feet to the centerline of Carver Road; thence South  $0^{\circ} 52'$  East along said centerline of Carver Road 400.10 feet to the Northwest corner of property conveyed to the Protestant Episcopal Bishop of San Joaquin as described in Deed recorded August 22, 1963 as Instrument No. 32023, being also the Northwest corner of the Montclair Addition (233) per description recorded June 2, 1969 as Instrument No. 19185; thence South  $89^{\circ} 09' 53''$  East along the North line of said church property and the Easterly extension thereof and the North line of said Montclair Addition 773.31 feet to the West line of said Tully Manor No. 5 and the Southwest corner of said Montclair No. 2 Addition; thence North  $1^{\circ} 02' 40''$  West along said West line of Tully Manor No. 5 and West line of said Montclair No. 2 Addition 397.03 feet to the point of beginning.

CONTAINING 15.22 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-891

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. ( CLAREMONT NO. 2)

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 16, 19 71, duly adopted Resolution No. 71-786 (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. 78 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, October 4, 19 71, at the hour of 4:10 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. 78 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. 78 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. 78, 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. 78, 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 4th day of October, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Michael A. Brinton  
Public Works Department

Roll  
8-23-71

All that real property in the State of California, County of Stanislaus, 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 the Northeastern corner of the CLAREMONT ADDITION (216) as per description filed June 19, 1968, as Instrument 18952, Stanislaus County Records; thence along the existing City Limits, South  $89^{\circ} 15' 48''$  West, 130.01 feet; thence along a tangent curve concave to the Southeast, having a Radius of 559.26 feet, a Central Angle of  $71^{\circ} 09' 17''$  and an Arc Length of 694.54 feet, to its intersection with the center line of a 60.00 foot public road known as Claremont Avenue; thence along said center line, South  $00^{\circ} 44' 34''$  East, 255.28 feet, to the Southwestern corner of above mentioned Addition (216), said corner also being a Northeastern corner of CRESTWOOD TERRACE NO. 2 ADDITION (162) as per description filed March 24, 1964, as Instrument 11958, Stanislaus County Records; thence along the Northern line of said Addition (162), North  $89^{\circ} 30'$  West, 659.21 feet; thence leaving the existing City Limits on the North-South quarter section line, North  $00^{\circ} 45' 30''$  West, 1480.10 feet, to the interior quarter corner, said corner, being on the center line of a 40.00 foot public road known as Sylvan Avenue; thence along said center line and quarter section line, South  $89^{\circ} 17'$  East, 809.59 feet; thence South  $00^{\circ} 45'$  East, 435.00 feet; thence South  $89^{\circ} 15'$  West, 17.00 feet; thence South  $00^{\circ} 45'$  East, 101.00 feet; thence North  $88^{\circ} 00'$  East, 276.31 feet; thence North  $00^{\circ} 44' 25''$  West, 14.95 feet; thence North  $89^{\circ} 15' 35''$  East, 250.00 feet, to the East line of the East half of the West half of the Southeast quarter of Section 9; thence along said East line, South  $00^{\circ} 44' 25''$  East, 325.00 feet, to the point of beginning, containing 30.170 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-892

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND EDWARD JOHNSON AND LEWIS R. DUNHAM FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY, HERNDON ESTATES SUBDIVISION AT THE CORNER OF PECOS AND HERNDON AVENUES SOUTH OF THE TUOLUMNE RIVER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Edward Johnson and Lewis R. Dunham

for sewer service to property outside the city, Herndon Estates Subdivision at the corner of Pecos and Herndon Avenues south of the Tuolumne River  
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 October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-893

TOPICS PROGRAM

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, STATE OF CALIFORNIA FOR NEEDHAM - K-L PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
Topics Program  
that the/agreement between the City of Modesto and Department of  
Public Works, Division of Highways, State of California  
for Needham-K-L Project (City share estimated at \$123,453)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
Topics Program  
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  
October, 1971, by Councilman Dixon, who moved its  
adoption, which motion being duly seconded by Councilman Elliott,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-894

A RESOLUTION DENYING REQUEST OF RED TOP TAXI FOR WAIVER OF TAXI AND TAXI STAND FEES FOR THE REMAINDER OF THE WAGE/PRICE FREEZE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the request of Red Top Taxi for waiver of taxi and taxi stand fees by the City for the remainder of the federal wage/price freeze is hereby denied.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 895

A RESOLUTION AUTHORIZING TEMPORARY POSITIONS IN THE UNCLASSIFIED SERVICE OF THE CITY OF MODESTO TO BE FILLED BY PERSONS EMPLOYED UNDER THE PROVISIONS OF THE EMERGENCY EMPLOYMENT ACT OF 1971.

WHEREAS, the Federal Government has enacted the Emergency Employment Act of 1971 which has as its objective the furnishing of financial assistance to public employees to provide unemployed and underemployed persons with transitional jobs providing needed public services, and

WHEREAS, the County of Stanislaus has been designated as a Program Agent under the provisions of said Act and the City of Modesto has been designated a subgrantee of the County of Stanislaus and will be employing persons with funds provided under said Act, and

WHEREAS, it is necessary to authorize temporary positions in the Unclassified Service of the City of Modesto to be filled by persons employed under the provisions of the Emergency Employment Act of 1971,

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

1. The following temporary positions in the Unclassified Service of the City of Modesto are hereby authorized. Said positions shall be filled by persons employed under the provisions of the Emergency Employment Act of 1971:

<u>CLASSIFICATION</u>	<u>NO. OF POSITIONS</u>
Secretary	1
Parks Maintenance Man	12
Public Works Maintenance Man	9
Typist Clerk, Junior	4
Clerk, Intermediate	2
Engineering Aide, Junior	2
Accountant, Junior	1
Janitor	2
Fireman	5
Policeman	7
Building Inspector	1
Laborer	2

2. All persons employed by the City of Modesto under the provisions of the Emergency Employment Act of 1971, to fill positions created by Paragraph 1 above, shall be temporary employees in the Unclassified Service of the City of Modesto and shall not be regular employees in the Classified Service of the City of Modesto.

3. All persons employed by the City of Modesto under the provisions of the Emergency Employment Act of 1971, to fill positions created by Paragraph 1 above, shall, as required by said Act, be paid the same wages as regular employees in the Classified Service in the same classifications and shall receive all fringe benefits provided to regular employees in the Classified Service in the same classifications.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

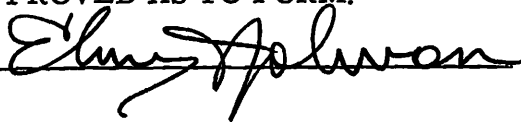
ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By



MODESTO CITY COUNCIL  
RESOLUTION NO. 71-896

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HEAD REST, INC. FOR THE ADMINISTRATION OF GRANT FUNDS FROM THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Head Rest, Inc.

for the administration of grant funds from the California Council on Criminal Justice

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 October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-897

A RESOLUTION ESTABLISHING A FUND TO ACCOUNT FOR GRANT FUNDS MADE AVAILABLE THROUGH THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968, ADMINISTERED BY THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE, AND TO ACCOUNT FOR MATCHING AMOUNTS PROVIDED BY HEAD REST, INC.

WHEREAS, the City of Modesto has agreed to act as applicant and fiscal agent for funds made available to Head Rest, Inc. through the Omnibus Crime Control and Safe Streets Act of 1968 administered by the California Council on Criminal Justice, and

WHEREAS, the City of Modesto, as applicant and fiscal agent for said grant funds, is required to account for grant funds received and disbursed, and to maintain detailed documentation of matching contributions by Head Rest, Inc. in accordance with the grant provisions,

NOW, THEREFORE, BE IT RESOLVED that a fund designated as the "Head Rest Fund" be established to maintain fiscal control and fund accounting procedures to assure proper disbursement of, and accounting for grant funds, and required non-federal expenditures, that meet the requirements of the State of California and the federal government as specified in Title I, Part C, of the Omnibus Crime Control and Safe Streets Act of 1968.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-898

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE SONOMA NO. 1 ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on September 17, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Sonoma No. 1 Addition,

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

That the annexation of said uninhabited territory designated as Sonoma No. 1 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *J. C. Margul*  
Public Works Department

*RAH*  
9-30-71

All that real property in the State of California, County of Stanislaus, in the Southeast Quarter of the Southwest Quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 4 of the ELBERT TRACT, as per map filed January 21, 1908 in Volume 3 of Maps, Page 28, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records, said point being on the center line of a 50.00 foot Modesto Irrigation District right of way; thence along the existing City Limits on the Eastern boundary of said ADDITION (187), North  $0^{\circ} 40'$  West, 428.87 feet, to the Northern line of Lot 4 of said Elbert Tract; thence along said Northern line, North  $89^{\circ} 49'$  East, 1183.38 feet, to the center line of a 40.00 foot public road known as Sonoma Avenue, which is also a quarter section line; thence along said quarter section line, South  $0^{\circ} 40'$  East, 372.40 feet, to the center line of the Modesto Irrigation District right of way; thence along the center line of said right of way, South  $69^{\circ} 48'$  West, 187.27 feet; thence continuing along said right of way center line, North  $84^{\circ} 43'$  West, 583.94 feet; thence South  $83^{\circ} 23'$  West, 428.36 feet, to the point of beginning, containing 11.048 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-899

A RESOLUTION SETTING TIME AND PLACE FOR HEARING PLANNING COMMISSION RECOMMENDATION TO AMEND TITLE X OF THE MODESTO MUNICIPAL CODE (SIGNS IN THE R-1 ZONE) AND TITLE IX, CORRESPONDING AMENDMENTS TO THE SIGN ORDINANCE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that October 26, 1971 , at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of Planning Commission recommendation to amend Title X of the Modesto Municipal Code (signs in the R-1 zone) and Title IX, corresponding amendments to the sign ordinance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of October, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott, , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-900

A RESOLUTION TRANSFERRING ONE HUNDRED THOUSAND AND NO/100THS (\$100, 000. 00) DOLLARS FROM THE GENERAL FUND (FUND NO. 101) OF THE CITY OF MODESTO TO THE SERVICE DIVISION REVOLVING FUND (FUND NO. 512).

WHEREAS, the sum of One Hundred Thousand and no/100ths (\$100, 000. 00) Dollars is available in the Unappropriated Fund Balance of the General Fund (Fund No. 101), and

WHEREAS, said sum will not be required for operating costs of the City during the 1971-72 fiscal year, and

WHEREAS, the Council desires to transfer said sum to the Service Division Revolving Fund (Fund No. 512) to be utilized for the replacement and acquisitions of equipment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of One Hundred Thousand and no/100ths (\$100, 000. 00) Dollars be and is hereby transferred from the Unappropriated Fund Balance of the General Fund (Fund No. 101) to the Service Division Revolving Fund (Fund No. 512).

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 4th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-901

A RESOLUTION ACCEPTING THE CONSTRUCTION OF B. J. ROMMEL'S CONTRACT FOR RESTROOM, STORAGE AREA, AND ELECTRICAL SYSTEM AT DOWNEY PARK

WHEREAS, a report has been filed by the Director of Public Works that the construction of restroom, storage area and electrical system at Downey Park has been completed by B. J. Rommel

in accordance with the contract agreement dated June 28, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of restroom, storage area and electrical system at Downey Park be accepted from said contractor, B. J. Rommel

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$25,388.80 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 12th day of October, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-902

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ALBERT BIEHL'S CONTRACT  
FOR THE PLANTING AND IRRIGATION AT MOOSE PARK

WHEREAS, a report has been filed by the Director of Public Works that the construction of planting and irrigation at Moose Park has been completed by Albert M. Biehl

in accordance with the contract agreement dated June 7, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of planting and irrigation at Moose Park be accepted from said contractor, Albert M. Biehl

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$21,822.00 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 October, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-903

COOPERATIVE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR THE RECONSTRUCTION OF SCENIC DRIVE-EL VISTA AVENUE INTERSECTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto <sup>cooperative</sup> that the/agreement between the City of Modesto and County of Stanislaus

for the reconstruction of Scenic Drive-El Vista Avenue intersection (estimated cost of City participation is \$40,000) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement <sup>cooperative</sup> 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 October, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 904

A RESOLUTION SUPPORTING THE ESTABLISHMENT  
OF A FLOODWAY FOR DRY CREEK THROUGH THE  
CITY OF MODESTO.

WHEREAS, the Reclamation Board of the State of California has proposed a floodway for Dry Creek through the City of Modesto, and

WHEREAS, the Council feels that the designation of a floodway for Dry Creek is desirable to control any further encroachment into the primary drainage area of Dry Creek,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby support the establishment by the Reclamation Board of the State of California of a floodway for Dry Creek through the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-905

A RESOLUTION SETTING TIME AND PLACE FOR HEARING RECOMMENDATION OF PLANNING COMMISSION TO AN AMENDMENT TO CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE - ZONING REGULATIONS RELATING TO OFF-STREET PARKING STANDARDS IN-LIEU PARKING PAYMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 22, 1971 , at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of recommendation of Planning Commission to an amendment to Chapter 2 of Title X of the Modesto Municipal Code - zoning regulations relating to off-street parking standards in lieu parking payments.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1971, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-906

A RESOLUTION SETTING TIME AND PLACE FOR HEARING RECOMMENDATION OF PLANNING COMMISSION TO AN AMENDMENT TO SECTION 10-2.2906 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE PERTAINING TO SIGNS IN THE H-1 ZONE (Zoning regulations)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 8, 1971 , at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of recommendation of Planning Commission to an amendment to Section 10-2.2906 of Chapter 2 of Title X of the Modesto Municipal Code pertaining to signs in the H-1 Zone (zoning regulations)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1971, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-907

A RESOLUTION SETTING TIME AND PLACE FOR HEARING RECOMMENDATION OF PLANNING COMMISSION TO AN AMENDMENT TO ARTICLE 17 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE PERTAINING TO ABATEMENT OF NONCONFORMING SIGNS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 8, 1971 , at 7:40 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of recommendation of Planning Commission to an amendment to Article 17 of Chapter 2 of Title X of the Modesto Municipal Code pertaining to abatement of nonconforming signs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of October, 1971, by Councilman Dunlap , who moved its adoption, which motion being duly seconded by Councilman Newton , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 908

A RESOLUTION RECOMMENDING TO THE STANISLAUS COUNTY BOARD OF SUPERVISORS THAT COMMERCIAL H-1 ZONING ON THE L. J. BANKS PARCEL IN THE PRESCOTT ROAD AREA BE GRANTED.

WHEREAS, the County Planning Department referred an application for H-1 rezoning to the City Planning Department for review and comment, and

WHEREAS, the Modesto Planning Commission reviewed the subject County referral on August 4, 1971, and by a unanimous vote, recommended to the County Planning Commission that the proposed H-1 rezoning be denied, and

WHEREAS, the County Planning Commission, on August 12, 1971, held its public hearing on the proposed H-1 rezoning, and by a 3-2 vote, recommended approval of the rezoning to the Board of Supervisors, and

WHEREAS, this matter was brought to the City Council's attention by the City Manager (memo from the Planning Director dated August 20, 1971), and

WHEREAS, at its meeting of September 7, 1971, the Council considered this matter and received a letter from L. J. Banks, the owner of the subject property, alleging that incomplete and inaccurate information was presented to the Modesto Planning Commission, and

WHEREAS, the Council, as a consequence, referred the matter back to the Planning Commission, and

WHEREAS, on October 5, 1971, the Planning Commission reconsidered this matter, and

WHEREAS, the Commission concluded that the neighborhood street circulation needs could be met by extending Budd Street over the Cavil Drain, and that the H-1 zoning, as requested, was required by public necessity, convenience, and general welfare for the following reasons:

1. The general area is oriented to Briggsmore Avenue, an expressway, and Freeway 99, with an interchange at the Briggsmore-Carpenter overpass.
2. Compatibility with surrounding uses could be insured as part of the H-1 plot plan review process by the City's Board of Zoning Adjustment.
3. The subject property is oriented to Prescott Road, a major street,

and

WHEREAS, the Commission recommended to the City Council that the requested H-1 rezoning be supported and that the applicant be urged to annex the

subject property to the City of Modesto prior to development, and

WHEREAS, the City Council reconsidered this matter on October 12, 1971,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that for the reasons set forth above it recommends to the Stanislaus County Board of Supervisors that the H-1 zoning request for the L. J. Banks property be granted, and that the applicant be urged to annex said property to the City of Modesto prior to development.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 12th day of October, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-909

A RESOLUTION CONGRATULATING MODESTO JUNIOR COLLEGE ON ITS 50TH ANNIVERSARY

WHEREAS, the Modesto Junior College is celebrating its 50th anniversary this year, and

WHEREAS, from its beginning in 1921 through June, 1965, the Modesto Junior College was established in the Charter of the City of Modesto as part of the secondary educational program of the Modesto schools operating as a separate district, but under the authority and administration of the Modesto Board of Education until the formation of the Yosemite Junior College District in 1965, and

WHEREAS, the Modesto Junior College is now included in the Yosemite Junior College District, an independent junior college district, and

WHEREAS, the Modesto Junior College has contributed to the education of many individuals and the general culture of the Modesto community through the education program provided for both youth and adults, and

WHEREAS, it is well known that the Modesto Junior College is held in high esteem by educators throughout California, the United States, and even world wide, and is respected by all for having provided an outstanding educational opportunity and learning environment,

NOW, THEREFORE, BE IT RESOLVED by the Modesto City Council that this resolution be adopted as an expression of appreciation and of congratulations to the Modesto Junior College. We further express our sincere thanks to the teaching and classified personnel and to the administration for a job well done and offer our best wishes for continued achievement in future years.

BE IT FURTHER RESOLVED that this resolution be inscribed upon the official minutes of the meeting of the Modesto City Council of October 18, 1971, and that a certified copy of the resolution be sent to the President of the Modesto Junior College and to the Superintendent of the Yosemite Junior College District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1971, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-910

A RESOLUTION ACCEPTING THE CONSTRUCTION OF VALLEY CONSTRUCTION'S CONTRACT FOR WATER LINES IN WYLDEWOOD ESTATES NO. 1 AND KRUGER DRIVE

WHEREAS, a report has been filed by the Director of Public Works that the construction of Water Lines in Wyldewood Estates No. 1 and Kruger Drive has been completed by Valley Construction

in accordance with the contract agreement dated July 26, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of Water Lines in Wyldewood Estates No. 1 and Kruger Drive be accepted from said contractor, Valley Construction

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$5,795.65 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 18th day of October, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-911

A RESOLUTION ACCEPTING THE CONSTRUCTION OF VALLEY CONSTRUCTION'S  
CONTRACT FOR WATER LINES IN PLEASANT VIEW ESTATES NO. 2

WHEREAS, a report has been filed by the Director of Public  
Works that the construction of Water Lines in Pleasant  
View Estates No. 2  
has been completed by Valley Construction

in accordance with the contract agreement dated August 9, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of  
Water Lines in Pleasant View Estates No. 2  
be accepted from said contractor, Valley Construction

that notice of completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due in the amount of \$3,513.80  
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 18th day of  
October, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-912

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PREZONED PLANNED DEVELOPMENT ZONE, P-PD(94).  
(THE BRITTANY)

WHEREAS, a verified application for an amendment to Section 6-4-9 of the Zoning Map was filed by "The Brittany" on July 15, 1971, to prezone to Planned Development Zone, P-PD, the following described property:

All of parcels No. 1 and No. 2 as shown and designated on that certain Parcel Map filed in the office of the County Recorder of Stanislaus County, California on February 25, 1966 in volume 1 of Parcel Maps, Page 63, and being a portion of the northwest quarter of the northeast quarter of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the southerly 25 feet of Paradise Road immediately adjacent to said Parcel No. 1 and the northerly 15 feet of Rouse Avenue immediately adjacent to Parcel No. 2.

WHEREAS, after public hearing held on August 17, 1971, it was found and determined by the Planning Commission that pre zoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The subject parcel is suitably located for multiple family development as it has frontage on Paradise Road, a major street, and Rouse Avenue, a collector street.
2. The proposed dwelling unit density of the project is sufficiently low at 22 dwelling units per acre to allow for adequate open space.
3. The proposed development is designed to serve moderate income families and will also provide child day care facilities on the site. The majority of the existing apartment complexes in the community do not accept children and are not designed for moderate income families.

WHEREAS, after a public hearing held on October 18,  
1971, the Council found and determined that the application of  
"The Brittany"

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 18th day of October, 1971, rezoning the above-  
described property to Planned Development Zone, P-PD(94).

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

SECTION 1. DEVELOPMENT PLAN. The development plan for  
Rezoned Planned Development Zone, P-PD(94), is hereby approved  
in accordance with the plan titled "The Brittany, 96-unit apartment  
Modesto, California"  
project for Sayous Associates, /, dated September 21, 1971,  
as amended in red on its face,  
which said plan is on file in the office of the Planning Director,  
subject to the following conditions:

1. That all development shall be in accordance with the  
plot plan entitled "The Brittany, 96-unit apartment project for  
Sayous Associates, Modesto, California", dated September 21, 1971, as  
amended in red on its face, and on file in the office of the Planning  
Director.
2. That when requested by the City, 15 feet of right-of-  
way along the Rouse Avenue frontage of the property be dedicated for  
street widening as well as right-of-way along the Paradise Road  
frontage of the property in accordance with the Precise Plan Line  
adopted by Stanislaus County.
3. That the Paradise Road frontage of the property be  
improved to City of Modesto major street standards and the Rouse  
Avenue frontage to collector street standards as required by the  
City Engineer.
4. That developer shall comply with conditions 3 and 11,  
prior to issuance of a building permit, or shall file with the City  
Clerk a cash deposit, savings and loan certificate, surety bond, or  
other instrument of credit, in a form approved by the City Attorney  
and in an amount determined by the City Engineer to guarantee  
compliance with said condition by July 1, 1974, or prior to occupancy,  
whichever shall first occur.
5. That a minimum of 144 parking spaces shall be provided  
on the premises and that all parking and driveway areas be improved in  
accordance with the provisions of Section 10-2.1805 and 10-2.1807 of  
the Municipal Code.
6. That the developer shall provide on-site drainage  
facilities in accordance with the requirements of the Director of  
Public Works.

7. That the development shall be connected to the City of Modesto water and sewer service.

8. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Planning Director and the Director of Parks and Recreation. 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.

9. That all landscaping, fences, and walls shall be maintained, and the premises shall be kept free of weeds, trash, and other debris.

10. That any signs on the premises shall conform to the sign requirements as specified in the R-3 Zone.

11. That the developer shall install one fire hydrant and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrant shall be installed as part of the required public improvements prior to the occupancy of the premises or by July 1, 1974, whichever occurs first.

12. That prior to the issuance of a building permit, the developer shall submit street improvement plans prepared by a registered Civil Engineer to the Public Works Department for approval by the City Engineer.

13. That prior to the issuance of a building permit, the developer shall pay to the City of Modesto, the cost of planting 14 street trees at the prevailing rate.

14. That the child day care center to be developed as part of this Planned Development Zone be limited to serve residents of the subject P-D Zone only.

**SECTION 2. DEVELOPMENT SCHEDULE.** The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(94):

That the entire construction program be accomplished in one phase with construction to begin on or before July 1, 1973, and completion to be no later than July 1, 1974.

**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 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 rezoning the above-described property to Planned Development Zone, P-PD(94) 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 October, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY William J. Nichols  
Planning Department

Reso 71-912  
Exhibit A – Map

Oversized map folded and bound within Resolution Book, Volume 62.  
Unable to remove safely for scanning.

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D (95).

WHEREAS, a verified application for an amendment to Section 28-3-9 of the Zoning Map was filed by John N. Uhl

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on August 16, 19 71, to reclassify from Neighborhood Commercial Zone, C-1, to Planned-Development Zone, P-D, the following described property:

That portion of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

All of Lots 31 and 32 of Block 117 in the City of Modesto.

Including also the northeasterly 40 feet of 14th Street and the southeasterly 40 feet of E Street all being immediately adjacent to the above described property.

WHEREAS, after public hearing held on September 21, 19 71, 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. A downtown location such as that of the subject property provides close walking proximity to the bus system, retail stores and service, medical and other professional offices.
2. The purpose of the downtown P-D Zone is "to encourage the development of high density residential units".
3. A definite need exists in Modesto for housing units to serve the elderly and others on fixed incomes.

WHEREAS, after a public hearing held on October 18,  
19 71, the Council found and determined that the application of  
John N. Uhl

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 18th day of October, 19 71, reclassifying the  
above-described property from Neighborhood Commercial Zone, C-1,  
to Planned-Development Zone, P-D (95),

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 (95), is hereby approved in accordance  
with the plan titled "Six Unit, Two-Story Apartment House"

dated September 21, 19 71, which said plan is on file in the  
office of the Planning Director, subject to the following condi-  
tions:

1. That all development be in accordance with the  
plan referred to above.
2. That the developer shall construct full concrete  
sidewalk on the 14th Street frontage of this development  
and shall construct curb and gutter and 5' sidewalk on  
the E Street frontage and shall patch E Street next  
to curb and gutter with matching street pavement.
3. That prior to the issuance of a building permit, a  
landscaping and irrigation plan shall be submitted  
by the applicant for approval by the Director of  
Planning and the Director of Parks and Recreation. The  
landscape and irrigation system shall be installed and  
maintained in accordance with the approved landscape  
and irrigation plan. Irrigation shall be by underground  
sprinkler system. Landscaping shall include planters on  
both sides of the parking area and a 42' high masonry wall  
adjacent to the parking area on the E Street side as  
shown in red on the plot plan.
4. That all landscaping, fences and walls be maintained and  
the premises be kept free of weeds, trash and other  
debris.
5. That the development shall be connected to City sanitary  
sewer and water facilities in accordance with the  
requirements of the Director of Public Works.
6. That all required public improvements shall be installed  
prior to occupancy of the premises for the proposed  
addition, or by December 1, 1973, whichever occurs first.

7. That prior to the issuance of a building permit, if all public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond or other instrument of credit in the amount to be determined by the City Engineer shall be filed with the City Clerk to guarantee installation of said public improvements by December 1, 1973, or prior to occupancy of the premises, whichever occurs first.
8. That all parking and driveway areas be improved in accordance with the provisions of Section 10-2.1805, and 10-2.1807 of the Municipal Code. Drainage facilities shall be constructed in accordance with the requirements of the Director of Public Works.
9. That any signs to advertise or identify the residential portion of the P-D Zone shall conform to the sign requirements as specified in the R-2 Zone, and that any signs to advertise or identify the commercial portion of the P-D Zone shall conform to the sign requirements as specified in the C-1 Zone.
10. That a minimum of five off-street parking spaces be provided which includes the parking spaces for the existing office building.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (95):

That the entire construction program be accomplished in one phase with construction to begin on or before December 1, 1972, and completion to be not later than December 1, 1973.

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 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 (95) 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 October, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY William Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-914

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR CITY TO BE A PARTICIPATING AGENCY UNDER THE EMERGENCY EMPLOYMENT ACT OF 1971


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus for City of Modesto to be a participating agency under the Emergency Employment Act of 1971 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 October, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-915

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ARTHUR J. WYLIE AND FLORENCE E. WYLIE FOR THE CONSTRUCTION OF A SANITARY SEWER ON EDGEBROOK DRIVE TO SERVE BROOKVIEW ESTATES NO. 2 SUBDIVISION


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Arthur J. Wylie and Florence E. Wylie for the construction of a sanitary sewer on Edgebrook Drive to serve Brookview Estates No. 2 Subdivision 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 October, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-916

A RESOLUTION APPROVING THE FINAL MAP OF THE  
ELMWOOD ESTATES NO. 3 SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, Kirkpatrick Homes, Inc., a corporation,

~~is~~  
~~was~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 4.88 acres, known as the Elmwood Estates No. 3  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 16th day of March, 1971, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Elmwood Estates 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,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that said final map of the Elmwood Estates No. 3  
Subdivision 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 in the amount of One thousand, two hundred five and 80/100ths  
(\$1,205.80) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

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 18th day of October, 19 71, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-917

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST BY CENTER STATE BANK FOR ENCROACHMENT PERMIT TO INSTALL FLAG RECEPTACLE IN PUBLIC SIDEWALK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that October 26, 1971 , at 7:40 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 Center State Bank for encroachment permit to install flag receptacle in public sidewalk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-918

A RESOLUTION ACCEPTING IMPROVEMENTS IN WALNUT TERRACE SUBDIVISION  
AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF  
STATUTORY PERIOD

WHEREAS, Charles M. Gargotto and Alta M. Gargotto, husband and wife, subdividers of Walnut Terrace Subdivision, have filed an Instrument of Credit in the amount of \$48,500 to guarantee improvements in Walnut Terrace Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated October 14, 1971, 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$48,500 upon expiration of the statutory period.

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

1. The improvements in Walnut Terrace Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$48,500, filed by the Subdividers to guarantee improvements in Walnut Terrace Subdivision, 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 18th day of October, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-919

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,000 TO PROVIDE FUNDS FOR UNEXPECTED MAINTENANCE COSTS FOR RENTAL PROPERTY

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$1,000
TO: Adm. of Rental Property (225-65-101)	\$1,000

(To provide for unexpected maintenance costs for rental property, including such things as: furnace repair, 604 Brighton, \$101.69; air conditioner compressor replacement, 608 Brighton, \$281.94; connection to sewer, 608 Brighton, \$494.04; cost of harvesting grapes on Woodrow Park, \$413.34)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of October 19 71 by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-920

A RESOLUTION APPROVING APPROPRIATION OF \$688.00  
FROM THE FUND BALANCE OF THE LIBRARY FUND TO  
SUBSIDIARY ACCOUNT NO. 464.

WHEREAS, on October 12, 1971, the Council approved a proposal to  
provide Six Hundred Eighty-eight and no/100ths (\$688.00) Dollars for library  
dedication ceremonies to be held November 13, 1971, and

WHEREAS, the sum of Six Hundred Eighty-eight and no/100ths  
(\$688.00) Dollars is available in the Fund Balance (Account No. 95) of the Library  
Fund (Fund No. 201),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto that the following appropriation be approved in the Library Fund  
(Fund No. 201):

From:	Fund Balance (Account No. 95)	\$688.00
Appropriation To:	Library Dedication (Subsidiary Account No. 464)	\$688.00

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 held on the 18th day of October, 1971,  
by Councilman Smith, who moved its adoption, which motion being  
duly seconded by Councilman Dunlap, was upon roll call carried  
and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-921

A RESOLUTION APPOINTING MEMBER OF THE HUMAN RIGHTS COMMISSION FOR A TERM ENDING MAY 1, 1974

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 Human Rights Commission for the respective term as indicated: (Term ending May 1, 1974)

Vera Hinton  
706 Tuolumne  
Modesto, California 95351

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Human Rights 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 18th day of October, 1971, by Councilman Newton, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-922

A RESOLUTION ACCEPTING THE BID OF E. J. "SKI" OPINSKI FOR CONSTRUCTION  
OF UTILITY BUILDING AT MODESTO CITY-COUNTY AIRPORT

WHEREAS, Resolution No. 71-817 , adopted by the Council of the  
City of Modesto on September 7, 1971 , approved the plans and  
specifications for the construction of Utility Building at Modesto  
City-County Airport  
and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Utility Build-  
ing at Modesto City-County Airport  
were opened at 10:00 A.M. on September 21, 1971 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 E. J. "Ski" Opinski in the amount of \$8,473.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that the bid of E. J. "Ski" Opinski in the amount of \$8,743.00

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 October,  
1971 , by Councilman Elliott , who moved its adoption, which motion  
being duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-923

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,000 TO PROVIDE ADDITIONAL FUNDS FOR CONSTRUCTION OF UTILITY BUILDING AT MODESTO CITY-COUNTY AIRPORT

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

AIRPORT FUND (230)

FROM: Airport Reserve (60-230)	\$2,000
TO: Maintenance Building (6521-46-230)	\$2,000

(Low bid received for the construction of the Airport Maintenance Building exceeded the budgeted amount. Additional funds are required to cover the cost of construction)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-924

A RESOLUTION ACCEPTING THE BID OF THE RUTAN COMPANY FOR INSTALLATION OF WATER LINES IN MODESTO VERDE AND BLOCK 1250

WHEREAS, Resolution No. 71-889 , adopted by the Council of the City of Modesto on October 4, 1971 , approved the plans and specifications for the installation of Water Lines in Modesto Verde and Block 1250

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in Modesto Verde and Block 1250

were opened at 10:10 A.M. on October 19, 1971 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 Rutan Company in the amount of \$17,672.00

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 Rutan Company in the amount of \$17,672.00

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 October, 1971 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-925

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR CONSTRUCTION OF WADING POOL AT MARSHALL PARK

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

SECTION 1. The plans and specifications for construction of wading pool at Marshall 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 November 9, 1971 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 26th day of October, 1971, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-926

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO CENTER STATE BANK TO INSTALL A METAL RECEPTACLE IN THE SIDEWALK AREA IN FRONT OF THE BANK AT 819 TENTH STREET, TO ACT AS A HOLDER FOR THE DISPLAY OF THE AMERICAN FLAG

WHEREAS, Center State Bank has filed a request with the Council of the City of Modesto for permission to install a metal receptacle in the sidewalk area in front of the bank at 819 Tenth Street, to act as a holder for the display of the American flag on a daily basis, and

WHEREAS, the Director of Public Works in a memorandum to the City Manager dated October 19, 1971, has stated that the metal receptacle will have a screw-on cap so that when the flag is removed the hole will be covered, and

WHEREAS, the Director of Public Works has recommended that the request of Center State Bank for an encroachment permit to install a metal receptacle in the sidewalk area in front of the bank in the sidewalk area<sup>for use</sup> on a daily basis be approved subject to certain conditions.

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

1. An encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to Center State Bank to permit the installation of a metal receptacle in the sidewalk area in front of the bank at 819 Tenth Street, to act as a holder for the display of the American flag on a daily basis, subject to the following conditions:

(a) Permittee, its successors and assigns, subject to the provisions of a resolution granting an encroachment permit, shall comply with all laws of the City, State of California, and United States of America.

(b) Permittee, its successors and assigns, during the term of this permit shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto or in any way connected with the exercise of the rights granted by this permit.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by this permit.

(d) Permittee shall take out and maintain insurance in the amount of \$100,000-\$300,000 public liability and \$25,000 property damage to cover any liability which may result from the exercise of the privileges granted by this permit. The policy of insurance so provided shall contain a contractual liability endorsement covering the liability assumed by permittee under the terms of this permit, and shall contain a provision that such policy may not be cancelled nor the amount of coverage reduced except after ten (10) days' notice in writing to be given to the City Clerk. A copy of the policy or certificate evidencing the same shall be filed with the City Clerk.

(e) Permittee shall install the receptacle to hold the flag display in a location and manner approved by the Director of Public Works. The type of receptacle used shall be approved by the Director of Public Works.

(f) Permittee shall be solely responsible for the installation and removal of the flag and the recapping of the receptacle upon removal of the flag.

2. The City Clerk shall furnish Permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written acceptance of this permit 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 October, 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-927

A RESOLUTION ACKNOWLEDGING RECEIPT OF A COPY OF NOTICE OF INTENTION TO CIRCULATE A PETITION FOR THE ANNEXATION OF INHABITED TERRITORY TO THE CITY OF MODESTO ( GLENDALE-MILLER ADDITION) WITH ACCOMPANYING STATEMENT, AND AN AFFIDAVIT OF PUBLICATION THEREOF AND APPROVING THE CIRCULATION OF A PETITION.

WHEREAS, on October 15, 1971, there was filed with the City Clerk of the City of Modesto a copy of Notice of Intention to Circulate a Petition for the Annexation of Inhabited Territory to the City of Modesto ( Glendale-Miller Addition) with accompanying statement, under the Annexation Act of 1913, as amended, together with an affidavit of publication showing that said notice and statement were published on October 14, 1971, in The Modesto Bee, and

WHEREAS, the Annexation Act of 1913, as amended, provides that the legislative body may within fifteen (15) days after such filing adopt a resolution acknowledging receipt of the notice and accompanying statement and approving the circulation of the petitions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the receipt of said notice with accompanying statement and affidavit be, and the same is hereby acknowledged, and that approval be, and is hereby given for the circulation of the petition for annexation of that certain territory designated as the Glendale-Miller Addition, twenty-one (21) days after the publication of said notice and statement, provided the petition contains a request that the question to be submitted to the electors residing in the territory proposed to be annexed shall be whether the territory shall be annexed to and incorporated in and made a part of the City of Modesto, and the property therein subjected to taxation after annexation equally with the property within the City, to pay the bonded indebtedness of the City of Modesto for the acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-928

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. ( McHENRY-SYLVAN)

WHEREAS, there has been annexed to the City of Modesto on September 13, 1971, certain territory known as McHenry-Sylvan Addition, and

WHEREAS, the inclusion of the area contained in McHenry-Sylvan Addition 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 McHenry-Sylvan Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 79.

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

SECTION 5. Monday, December 13, 1971, at the hour of 7:35 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 judgment 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. 79.

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) 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) On Northeastern corner of McHenry Avenue and Sylvan Avenue.
- (2) On McHenry Avenue 1033 feet North of Sylvan Avenue.
- (3) On Sylvan Avenue 550 feet East of Northhampton Lane.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 79, 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 26th day of October, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Mangnall  
Public Works Department

*RAM*  
*10-22-71*

## McHENRY - SYLVAN ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the South half of the Northwest 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 the Northeast corner of the Standiford Addition (264), as per description filed November 3, 1970, as Instrument 36118, Stanislaus County Records, said point being the West quarter corner of said Section 9 and on the center line of a 50.00 foot public road known as McHenry Avenue; thence along said center line and the section line common to Sections 8 and 9, North 00° 53' 00" West, 1033.00 feet; thence South 89° 10' 30" East, 447.88 feet; thence North 00° 53' 00" West, 311.27 feet to the North line of the South half of said Section 9; thence along said North line, North 88° 20' 10" East, 2190.88 feet to the North-South quarter section line of said Section 9; thence along said quarter section line, South 00° 49' 25" East, 1321.16 feet to the center line of a 40.00 foot public road known as Sylvan Avenue and the interior quarter corner of said Section 9; thence along the East-West quarter line of Section 9 and said center line of Sylvan Avenue, South 88° 15' 22" West, 2637.28 feet, to the point of beginning, containing 77.011 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 26, 1971, 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 Councilman Elliott, seconded by Councilman Smith, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith,  
Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-929

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. ( SONOMA NO. 1)

WHEREAS, there has been annexed to the City of Modesto on October 4, 1971, certain territory known as \_\_\_\_\_  
Sonoma No. 1 Addition, and

WHEREAS, the inclusion of the area contained in \_\_\_\_\_  
Sonoma No. 1 Addition 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 Sonoma No. 1 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 80.

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

SECTION 5. Monday, December 13, 1971, at the hour of 7:40 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 judgment 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. 80.

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) 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) On Sonoma Avenue at Northeastern corner of Addition.
- (2) On Sonoma Avenue at Southeastern corner of Addition.
- (3) In alley at Southwestern corner of Addition.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 80, 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 26th day of October, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R.C. Mangrad  
Public Works Department

*RAM*  
10-22-71

All that real property in the State of California, County of Stanislaus, in the Southeast Quarter of the Southwest Quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 4 of the ELBERT TRACT, as per map filed January 21, 1908 in Volume 3 of Maps, Page 28, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records, said point being on the center line of a 50.00 foot Modesto Irrigation District right of way; thence along the existing City Limits on the Eastern boundary of said ADDITION (187), North 0° 40' West, 428.87 feet, to the Northern line of Lot 4 of said Elbert Tract; thence along said Northern line, North 89° 49' East, 1183.38 feet, to the center line of a 40.00 foot public road known as Sonoma Avenue, which is also a quarter section line; thence along said quarter section line, South 0° 40' East, 372.40 feet, to the center line of the Modesto Irrigation District right of way; thence along the center line of said right of way, South 69° 48' West, 187.27 feet; thence continuing along said right of way center line, North 84° 43' West, 583.94 feet; thence South 83° 23' West, 428.36 feet, to the point of beginning, containing 11.048 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 26, 1971, 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 Councilman Elliott, seconded by Councilman Smith, and adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-930

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$415 TO PROVIDE FUNDS FOR A POPULATION ESTIMATE TO BE MADE BY THE STATE

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$415
TO: Special Surveys (421-65-101)	\$415

(For a population estimate to be made by State to determine the number of people living in Modesto for State subvention)


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-931

A RESOLUTION APPROVING REQUEST FOR AID UNDER THE AIRPORT AND AIRWAYS  
DEVELOPMENT ACT OF 1970

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Request for Aid under the Airport and Airways Development Act of 1970 for the construction of Medium Intensity Runway Lights, Taxiway Lights and Taxiway and Runup Pad Overlay, Land Acquisition - Clear Zone, Aircraft Apron Overlay, Fire Department Access Road, and Relocation Assistance is hereby approved.

BE IT FURTHER RESOLVED that the execution by the City Manager of said Request for Aid along with all other necessary documents be and is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-932

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HUGH B. COFFELT AND ANNA R. COFFELT FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 3200 SCENIC DRIVE

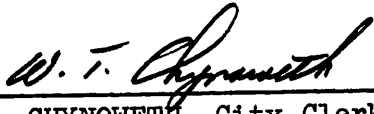
BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Hugh B. Coffelt and Anna R. Coffelt for sewer service to property outside the City at 3200 Scenic Drive be, and it is hereby approved.

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 26th day of October, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-933

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MYRTLE K. CALVERT FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 1414 GARDEN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Myrtle K. Calvert for sewer service to property outside the City at 1414 Garden 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 26th day of October, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-934

A RESOLUTION AMENDING SECTION 1(b) OF RESOLUTION NO. 62-29 ENTITLED "A RESOLUTION ESTABLISHING ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 59-191, ENTITLED 'A RESOLUTION ESTABLISHING PARKING METER ZONES, ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING ALL PRIOR RESOLUTIONS AND REGULATIONS RELATING THERETO', AND RESCINDING ALL SUBSEQUENT RESOLUTIONS AND REGULATIONS RELATING THERETO," AND RESCINDING RESOLUTION NO. 68-129.

BE IT RESOLVED by the Council of the City of Modesto that Section 1 (b) of Resolution No. 62-29 entitled, "A Resolution Establishing One-Way Streets and Alleys and Angle Parking in the City of Modesto and Rescinding Resolution No. 59-191, Entitled "A Resolution Establishing Parking Meter Zones, One-Way Streets and Alleys and Angle Parking in the City of Modesto and Rescinding All Prior Resolutions and Regulations Relating Thereto', and Rescinding All Subsequent Resolutions and Regulations Relating Thereto", be amended to read as follows:

(b) One-way Alleys:

Between 2nd and 3rd Streets, from Washington Street to I Street, southeasterly direction

Between 9th and 10th Streets, from H Street to K Street, southeasterly direction

Between 10th and 11th Streets, from I Street to J Street, northwesterly direction

Between 10th and 11th Streets, from 100 feet north of J Street to K Street, northwesterly direction

Between 10th and 11th Streets, from K Street to L Street, southeasterly direction

Between 11th and 12th Streets, from I Street to J Street, southeasterly direction

Between 11th and 12th Streets, from J Street to K Street, northwesterly direction

Between 12th and 13th Streets, from I Street to K Street, northwesterly direction

Between McHenry and Timothy beginning 136 feet north of Granger and continuing northerly 285 feet, northerly direction

Between Sheridan Street and Chicago Avenue, from Hudson Lane to Paradise Road, southeasterly direction

BE IT FURTHER RESOLVED that Resolution No. 68-129 adopted by the Council on February 5, 1968, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 935

A RESOLUTION RESCINDING RESOLUTION 65-559 ENTITLED  
"A RESOLUTION AUTHORIZING AND DIRECTING THE  
APPOINTMENT OF A MODESTO BEAUTIFICATION  
COMMITTEE".

BE IT RESOLVED by the Council of the City of Modesto that  
Resolution No. 65-559 adopted by the City Council on October 14, 1971,  
entitled "A Resolution Authorizing and Directing the Appointment of a  
Modesto Beautification Committee" be, and it is hereby, rescinded.

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 26th day of  
October, 1971, by Councilman Elliott, who moved  
its adoption, which motion being duly seconded by Councilman Smith,  
was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-936

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 TO REZONE FROM ONE-FAMILY RESIDENTIAL ZONE, R-1 TO P-D (Ellis and Klink)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 19, 1971, 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 One-family Residential Zone, R-1 to P-D to permit R-2 uses with specific development pattern

the following described property:

SEE EXHIBIT "A"

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-149 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 November 15, 1971 at 4:10 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 26th day of October, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of Lot 11 of the O. McHenry Ranch, as shown on the map recorded in Volume 2 of Maps at Page 7, Stanislaus County Records and lying in the northwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the centerline intersection of Orangeburg Avenue and Oakdale Road; thence South  $0^{\circ} 45'$  East along the centerline of said Oakdale Road a distance of 277.16 feet to the intersection with the westerly prolongation of the north line of the 14.00 foot wide part-width alley as shown on the map of Morningside Heights No. 3 filed in Volume 21 of Maps at Page 18, Stanislaus County Records; thence North  $89^{\circ} 08'$  East along the north line of said 14.00 foot wide part-width alley and its westerly and easterly prolongations thereof a distance of 457.13 feet to a point on a curve; thence in a northeasterly direction along a curve concave to the southeast from a tangent bearing North  $35^{\circ} 01' 33''$  East thru a central angle of  $43^{\circ} 14' 56''$ , having a radius of 60.00 feet, a curve distance of 45.29 feet; thence North  $1^{\circ} 09'$  West along the westerly line of said Morningside Heights No. 3 a distance of 245.96 feet to the centerline of said Orangeburg Avenue; thence West along said centerline of Orangeburg Avenue a distance of 492.71 feet to the point of beginning.

Containing: 3.085 acres gross

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-937

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF PLANNING COMMISSION RECOMMENDATION TO AMEND TO PLANNED DEVELOPMENT ZONE, P-D (30), TO ALLOW EXPANSION OF EXISTING FACILITIES LOCATED AT THE NORTH-EAST CORNER OF COFFEE ROAD AND LUCERN AVENUE (Stanislaus Medical Building Corporation)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 22, 1971 , at 7:40 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of Planning Commission recommendation to amend to Planned Development Zone, P-D(30), to allow expansion of existing facilities located at the northeast corner of Coffee Road and Lucern Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1971, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-938

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$640 TO PROVIDE FUNDS REQUESTED FOR SUPPLIES AND EQUIPMENT FOR BURGLARY PREVENTION PROGRAM

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$640
TO: Office Supplies (301-22-101)	\$640

(Funds are requested for supplies and equipment to be used by the Burglary Prevention Program. Donations of \$320.00 each were received from the Civitan Club, Modesto chapter and the Exchange Club, Modesto chapter, for this program. The donations were deposited in the General Fund this fiscal year)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dixon, Simon

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-939

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$265.00 TO PROVIDE FUNDS FOR THE PURCHASE OF METAL STAMPS TO BE USED IN CONJUNCTION WITH THE BICYCLE LICENSING PROGRAM

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$265.00
TO: Office Supplies (301-22-101)	\$265.00

(Funds are requested to purchase insignia metal stamps and numeral metal stamps for the bicycle licensing program. The stamps will be used by the participating merchants and members of the Fire Department.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-940

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,449.00 TO PROVIDE FUNDS FOR THE EQUIPMENT AND SUPPLIES OF SEVEN (7) ADDITIONAL POLICEMEN

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$3,449.00
TO: M/R Office Equipment (221-22-101)	65.00
M/R Equipment Other (228-22-101)	50.00
M/R Building & Grounds (224-22-101)	6.00
Office Supplies (301-22-101)	95.00
Books & Periodicals (302-22-101)	20.00
Tool, Shop, Field Supplies (308-22-101)	1,016.00
Revolvers (5409-22-101)	628.00
Portable dictating unit (5410-22-101)	447.00
Radio, Portable (5411-22-101)	1,122.00

(Funds are requested for the purchase of equipment and supplies necessary to equip seven (7) additional policemen to be hired under the provisions of the Public Employment Program (PEP))

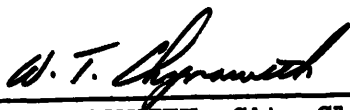
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-941

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF ROOFING AND DRAINAGE FACILITIES AT THE MCHENRY LIBRARY (MUSEUM), LOCATED AT 14TH AND I STREETS

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

SECTION 1. The plans and specifications for construction of Roofing and Drainage Facilities at the McHenry Library (Museum), located at 14th and I 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 November 16, 1971 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 1st day of November, 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-942

A RESOLUTION ACCEPTING THE CONSTRUCTION OF JONNIE E. GALLOWAY'S  
CONTRACT FOR LANDSCAPING OF THE MODESTO-STANISLAUS LIBRARY

WHEREAS, a report has been filed by the Director of Public Works that the construction of Landscaping of the Modesto-Stanislaus Library has been completed by Jonnie E. Galloway

in accordance with the contract agreement dated August 16, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of Landscaping of the Modesto-Stanislaus Library be accepted from said contractor, Jonnie E. Galloway

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$16,501 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-943

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF AUTOMATIC SPRINKLER SYSTEM, MUNICIPAL GOLF COURSE (NINE-HOLE)

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

SECTION 1. The plans and specifications for construction of Automatic sprinkler system, Municipal Golf Course (9-hole)

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 23, 1971 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 1st day of November, 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-944

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF NEW CLUBHOUSE AT THE NINE-HOLE MUNICIPAL GOLF COURSE

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

SECTION 1. The plans and specifications for construction of new Clubhouse at the Nine-Hole Municipal Golf course

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 23, 1971 at 10:10 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 1st day of November, 1971, by Councilman Smith who moved its adoption, which motion being duly seconded by Councilman Simon was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-945

A RESOLUTION ACCEPTING IMPROVEMENTS IN WAINWRIGHT VILLAGE SUBDIVISION  
AND AUTHORIZING RELEASE OF SUBDIVISION BOND UPON EXPIRATION OF STATU-  
TORY PERIOD

WHEREAS, Wainwright Realty, a co-partnership, subdividers of Wainwright Village Subdivision have filed a Subdivision Bond in the amount of \$17,900 to guarantee improvements in Wainwright Village Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated October 27, 1971, 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 as complete and to authorize the City Clerk to file a notice of completion and release the Subdivision Bond in the amount of \$17,900 upon expiration of the statutory period.

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

1. The improvements in Wainwright Village Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision Bond in the amount of \$17,900, filed by the Subdivider to guarantee improvements in Wainwright Village Subdivision, 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-946

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FRED G. GLORIA AND FLORA GLORIA FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 834 ERICKSEN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Fred G. Gloria and Flora Gloria for sewer service to property outside the City at 834 Ericksen 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 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-947

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK ON JEFFERSON ST. AT 201 LOCUST ST., LOTS 13 & 14 of BLOCK 422 (Mr. Lonnie Banks - \$831.35)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk on Jefferson St. at 201 Locust St., Lots 13 & 14 of Block 422 - \$831.35.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-948

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF DRIVEWAY APPROACH ON COVENA AVENUE AT 1421 HADDON AVENUE, LOTS 12 & 13 AND THE SOUTH 10 FEET OF LOT 11 OF BLOCK 2089 (Mrs. Darlene M. Beard - \$85.90)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of driveway approach on Covena Avenue at 1421 Haddon Avenue, Lots 12 & 13 and the south 10 feet of Lot 11 of Block 2089 - \$85.90.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-949

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 721 EL TERINO AVE., PORTION OF BLOCK 1038 (Mr. Patrick J. Casey - \$319.04)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 721 El Terino Ave., portion of Block 1038. (\$319.04)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-950

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 323 LAS PALMAS AVENUE, PORTION OF BLOCK 2022 (Mr. Paul A. Chiles - \$369.40)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 323 Las Palmas Avenue, portion of Block 2022 - \$369.40.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-951

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 705 EL TERINO AVENUE, PORTION OF BLOCK 1038 (Mrs. Vincenza Chirco - \$287.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 705 El Terino Avenue, portion of Block 1038 - \$287.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-952

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 318 LAS PALMAS AVENUE, PORTION OF BLOCK 2020 (Mr. Jerry C. Combs - \$369.40)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 318 Las Palmas Avenue, portion of Block 2020 - \$369.40.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-953

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 325 LAS PALMAS AVENUE, PORTION OF BLOCK 2022. (Mr. Gerald W. Dickens - \$369.40)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 325 Las Palmas Avenue, portion of Block 2022 - \$369.40.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-954

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 324 LAS PALMAS AVENUE, PORTION OF BLOCK 2020 (Mr. James F. Dodson - \$376.60)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 324 Las Palmas Avenue, portion of Block 2020 - \$376.60.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-955

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK AT 1215 PURDUE AVENUE, LOT 7 OF BLOCK 826 (Mr. Ernest W. Ehlers - \$139.92)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk at 1215 Purdue Avenue, Lot 7 of Block 826 - \$139.92.

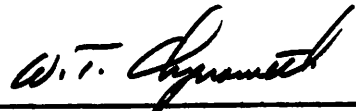
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-956

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 320 LAS PALMAS AVENUE, PORTION OF BLOCK 2020 (Mr. Kenneth N. Hansen - \$321.90)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 320 Las Palmas Avenue, portion of Block 2020 - \$321.90)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-957

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK ON ENSLEN AVENUE AT 600 BERMUDA WAY, LOT 6 OF BLOCK 6066 (Mr. Leslie L. Keim - \$288.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk on Enslen Avenue at 600 Bermuda Way, Lot 6 of Block 6066 - \$288.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-958

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 319 LAS PALMAS AVENUE, PORTION OF BLOCK 2022 (Mr. Ronald J. Lisek - \$579.10)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 319 Las Palmas Avenue, portion of Block 2022 - \$579.10.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-959

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK AT 321 WALNUT STREET, LOTS 3 & 4 OF BLOCK 402 (Mr. Melvin R. Parsons - \$87.88)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk at 321 Walnut Street, Lots 3 & 4 of Block 402 - \$87.88.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-960

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND GUTTER AT 321 E. FAIRMONT AVENUE, PORTION OF BLOCK 665 (Mr. Lewis M. Stiltz - \$451.80)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb and gutter at 321 E. Fairmont Avenue, portion of Block 665 - \$451.80.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-961

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK ON WALNUT STREET AT 710 S. FRANKLIN ST., LOT 1 and 2 OF BLOCK 402 (Mr. Willie C. Stone - \$128.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk on Walnut Street at 710 S. Franklin St., Lot 1 and 2 of Block 402 - \$128.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-962

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK AT 1012 COLLEGE AVENUE, PORTION OF BLOCK 823 (Mr. George P. Thomas - \$497.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk at 1012 College Avenue, portion of Block 823 - \$497.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-963

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 717 EL TERINO AVENUE, PORTION OF BLOCK 1038 (Mr. Veryl M. Thompson - \$292.34)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 717 El Terino Avenue, portion of Block 1038 - \$292.34.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-964

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB, GUTTER AND SIDEWALK AT 326 LAS PALMAS AVENUE, PORTION OF BLOCK 2020 (Mrs. Gracie M. Vogt - \$369.40)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb, gutter and sidewalk at 326 Las Palmas Avenue, portion of Block 2020 - \$369.40.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-965

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND GUTTER AT 637 DON STREET, LOT 8 AND W. 2' OF LOT 7 OF BLOCK 3176 (Mrs. Elsa S. Anderson - \$253.00)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb and gutter at 637 Don Street, Lot 8 and W. 2' of Lot 7 of Block 3176 - \$253.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-966

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND GUTTER AT 630 JEAN STREET, LOT 5 OF BLOCK 3176 (Mr. Charles E. Evans - \$253.60)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb and gutter at 630 Jean Street, Lot 5 of Block 3176 - \$253.60.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-967

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF CURB AND GUTTER AT 634 JEAN STREET, LOT 4 OF BLOCK 3176 (Mr. Shirley M. Jensen - \$253.60)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971, at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of curb and gutter at 634 Jean Street, Lot 4 of Block 3176 - \$253.60.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-968

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON THE COST OF INSTALLATION OF SIDEWALK ON PURDUE AVENUE AT 1205 PURDUE AVENUE, LOT 8 OF BLOCK 826 (Mr. Manuel L. Moniz - \$218.80)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 15, 1971 , at 4:05 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of report of Superintendent of Streets on the cost of installation of sidewalk on Purdue Avenue at 1205 Purdue Avenue, Lot 8 of Block 826 - \$218.80.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-969

A RESOLUTION APPROVING TRANSFER OF NEW PUBLIC LIBRARY BUILDING,  
FURNISHINGS AND EQUIPMENT TO COUNTY OF STANISLAUS, AUTHORIZING DEED  
AND BILL OF SALE TO ACCOMPLISH SAID TRANSFER.

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

1. Transfer of the new public library building, located at 1500 Eye Street, Modesto, California, to the County of Stanislaus is hereby approved.
2. Mayor Lee H. Davies is hereby authorized to execute the grant deed transferring the new library building to the County of Stanislaus.
3. City Manager, John C. Keefe, is hereby authorized to execute the bill of sale.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-970

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE CLAREMONT NO. 3 ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on October 15, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Claremont No. 3 Addition,

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

That the annexation of said uninhabited territory designated as Claremont No. 3 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor, Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R. C. Mangrall  
Public Works Department

RAM  
10-28-71

## CLAREMONT NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of the Southeast 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 Southwestern corner of the SYLVAN-COFFEE NO. 1 ADDITION (242), as per description filed October 9, 1969, as Instrument 33952, Stanislaus County Records, said point also being on the center line of a 40.00 foot public road known as Sylvan Ave.; thence along the existing City Limits on the Southern boundary of said ADDITION (242), and the center line of said Sylvan Ave., South 89° 17' 00" East, 1021.14 feet, to a Southwestern corner of said ADDITION (242); thence along the existing City Limits on a Western boundary of said ADDITION (242), South 0° 43' 23" East, 1294.99 feet, to the Northern boundary of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said ADDITION (157), North 89° 17' 00" West, 1020.75 feet, to the Northwestern corner of said ADDITION (157) and the Eastern boundary of the CLAREMONT ADDITION (216), as per description filed June 19, 1968, as Instrument 18952, Stanislaus County Records; thence along the existing City Limits on said Eastern boundary, North 0° 44' 25" West, 468.21 feet, to a Southeastern corner of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records; thence continuing along the existing City Limits on the Eastern boundary of said ADDITION (275), North 0° 44' 25" West, 325.00 feet to a Northeastern corner of said ADDITION (275); thence leaving the existing City Limits and along the West line of the East half of the Southeast quarter of Section 9, North 0° 44' 25" West, 501.79 feet, to the point of beginning, containing 30.342 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-971

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$520 TO PROVIDE FUNDS  
FOR TRANSPORTATION COSTS OF NEIGHBORHOOD YOUTH ADVISORS

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$520.00
TO: Gas, Oil, Lubricant (208-22-101)	\$520.00

(Funds are needed to reimburse policemen assigned as  
Neighborhood Youth Advisors who use their private vehicles  
while on duty)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 1st day of November,  
1971 by Councilman Smith , who moved its adoption, which motion  
being duly seconded by Councilman Simon , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-972

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$5,008 TO PROVIDE FUNDS FOR A SECRETARY FOR PROJECT GREATER MODESTO

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

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$5,008
TO: Salaries and Wages, Regular (110-8-101)	\$5,008

(To appropriate funds for a secretary for Project Greater Modesto)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-973

RE  
A RESOLUTION/APPOINTING MEMBER OF THE FARM-CITY ADVISORY COMMITTEE FOR  
A TERM ENDING MAY 1, 1975 (Robert Schmidt)

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/<sup>re</sup>appointed to the  
Farm-City Advisory Committee for the respective  
term as indicated: (Term ending May 1, 1975)

Robert Schmidt  
13500 Tim Bell Road  
Waterford, California 95386

SECTION 2. The City Clerk is hereby directed to transmit a copy  
of this resolution to the newly/<sup>re</sup>appointed member 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 1st day of  
November, 19 71, by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Dixon  
was upon roll call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Elliott

ATTEST:

  
W. T. CHYNOWETH, CITY CLERK

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-974

A RESOLUTION APPOINTING MEMBERS OF THE PROJECT GREATER MODESTO SUB-COMMITTEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that it hereby approves the appointment of persons to various sub-committees of Project Greater Modesto, as indicated on the attached list marked Exhibit "A" and made a part hereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of November, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Elliott

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

SUBCOMMITTEES FOR PROJECT GREATER MODESTOECOLOGY SUBCOMMITTEE

Mrs. Carol J. Christensen  
513 Barringham Lane  
Modesto, California 95350

Lester Corn  
842 Kansas Avenue  
Modesto, California 95351

Dennis Jackman  
1711A W. Orangeburg  
Modesto, California 95350

Henry M. Leer  
512 Custer Road  
Modesto, California 95351

Norma Lawry  
2316 Edgebrook  
Modesto, California 95351

Randy Siefkin  
1225 Brady  
Modesto, California 95350

Paul Porter  
506 Bowen  
Modesto, California 95350

LAND USE SUBCOMMITTEE

Richard G. Ericson  
1313 Como Park Way  
Modesto, California 95350

Richard A. Hammerstrom  
1113 Wellington Dr.  
Modesto, California 95350

Robert L. Head  
1121 Oberlin  
Modesto, California 95350

Arlo Hilkey  
2825 Merle Avenue  
Modesto, California 95350

Richard T. Hughes  
2518 Kirkwood Drive  
Modesto, California 95350

Jack R. Linaberry  
509 Cheshire Lane  
Modesto, California 95350

Jean Pike  
3405 Lancashire Lane  
Modesto, California 95350

Byron Schnitz  
902 Tenth Street  
Modesto, California 95354

Kris Sternitzke  
1021 Wellington  
Modesto, California 95350

Stan Stewart  
1312 Claus Road  
Modesto, California 95350

EMPLOYMENT AND MANPOWER SUBCOMMITTEE

Hugh Breckenridge  
504 Grace Avenue  
Modesto, California 95350

Jack Dadam  
125 Grove  
Modesto, California 95354

Ed Miller  
1113 Enslin Avenue  
Modesto, California 95350

Frank Russo  
1214 G Street, Apt. 3  
Modesto, California 95354

Norvin R. Spence  
1230 Encina Avenue  
Modesto, California 95351

George Ground (Executive Member)  
1026 McHenry Avenue, #15  
Modesto, California 95350

DISADVANTAGED SUBCOMMITTEE

Mrs. Howard Clarke  
716 Marshall  
Modesto, California 95351

Dr. Roy Elam  
2420 O'Farrell  
Modesto, California 95350

Mrs. Vera Hinton  
706 Tuolumne  
Modesto, California 95351

Helen Limon  
561 Bystrom  
Modesto, California 95351

Tina Payne  
620 Paradise Rd.  
20th Century Apts.  
Modesto, 95351

YOUTH SUBCOMMITTEE

Raul Arroyo  
5101 Escamilla  
Salida, California 95368

Marsha Bendex  
1944 Patterson Road  
Modesto, California 95350

Steve Collins  
1008 Annapolis Avenue  
Modesto, California 95350

Jim Edmondson  
218 Phillip Court  
Modesto, California 95350

Don Prather  
1321 Lorry Avenue  
Modesto, California 95350

Steve Sprunger  
1901 Devin Drive  
Modesto, California 95350

SENIOR CITIZENS SUBCOMMITTEE

Mrs. Jayne Coburn  
920 Tenth Street  
Modesto, California 95354

Gene Crismon  
660 El Vista  
Modesto, California 95351

Denis C. Genest  
1237 Sycamore Avenue  
Modesto, California 95350

Ronald R. Hosking  
913 Susan Lee  
Modesto, California 95350

Miss Garnnet J. Krantz  
1025 Douglas Avenue  
Modesto, California 95350

Mrs. Alberta Martone  
2302 Kirkwood Avenue  
Modesto, California 95350

Mrs. Dorothy Schreiner  
546 N. Olive  
Modesto, California 95350

Mrs. Susan D. Siefkin  
1225 Brady Avenue  
Modesto, California 95350

Dr. H. C. Smith  
1208 Clifton Drive  
Modesto, California 95350

Rev. Norman Van Walterop  
609 Roxbury Lane  
Modesto, California 95350

TRANSPORTATION SUBCOMMITTEE

Donald D. Fellows, Chairman  
2409 Kenmore Court  
Modesto, California 95350

Mark Anderson  
1526 Cherrywood  
Modesto, California 95350

Mrs. Russell P. Barrett  
3405 Locksley Court  
Modesto, California 95350

John Gagliano  
408 Barringham Lane  
Modesto, California 95350

Mrs. Jane K. Hsuan  
1506 Ardmore  
Modesto, California 95350

Richard D. Nott  
1421 Seville Way  
Modesto, California 95350

Richard D. Olson  
609 High Street  
Modesto, California 95354

Dean Russell  
1813 E. Orangeburg  
Modesto, California 95350

Richard C. Ulsh  
2018 La Villa Rose Court  
Modesto, California 95350

WATER RESOURCES SUBCOMMITTEE

Charles Aguilar  
1630 I Street  
Modesto, California 95354

Eddie Bean  
1120 K Street  
Modesto, California 95354

WATER RESOURCES SUBCOMMITTEE, (continued)

Jack Bowen  
3448 Wycliffe Drive  
Modesto, California 95350

Mrs. Elinor Conway  
814 Mills Avenue  
Modesto, California 95350

Les Davey  
1231 Eleventh Street  
Modesto, California 95354

E. K. Fawcett, M.D.  
1429 College Avenue  
Modesto, California 95350

Mario Fovinci  
1119 Twelfth Street  
Modesto, California 95354

Roy Fredricksen  
930 Fifteenth Street  
Modesto, California 95354

Mrs. Betty Gailfus  
1133 Purdue Avenue  
Modesto, California 95350

Carter Harrison  
1024 J Street  
Modesto, California 95354

James Sorensen  
1004 E. Street  
Modesto, California 95351

COMMUNITY SERVICES SUBCOMMITTEE

Mrs. Barbara Anderson  
1525 Nian Way  
Modesto, California 95351

Charles K. Brunn  
2506 Kenmore Court  
Modesto, California 95350

Clarke Coover  
1120 Oberlin Circle,  
Modesto, California 95350

Mrs. Zella Gharat  
1614 Del Vista Avenue  
Modesto, California 95350

Charles F. Harding  
1224 Mills Avenue  
Modesto, California 95350

Gordon M. Hart  
603 Myrtle  
Modesto, California 95350

Mrs. Dorothy McGrath  
540 Lucust  
Modesto, California 95351

Salvador Morales  
1424 Nelson  
Modesto, California 95350

Lloyd Ploutz  
702 Anchorage  
Modesto, California 95350

Rev. Charles Prewitt  
1110 Arboleda Drive  
Modesto, California 95351

Cal Purviance  
c/o KTRB, P. O. Box 3839  
Modesto, California 95352

Mrs. Mary Dale Smith  
1026 Arboleda Drive  
Modesto, California 95351

Mrs. Gloria Spradley  
2237 Nystrom Avenue  
Modesto, California 95350

CRIME AND DRUGS SUBCOMMITTEE

Gary Andrew  
1621 Glenwood Drive  
Modesto, California 95350

Gilbert Boyne  
136 Hintze Avenue  
Modesto, California 95354

Robert M. Fisher  
309 Magnolia Avenue  
Modesto, California 95354

Mrs. Jackie Gianelli  
602 Northgate Drive  
Modesto, California 95350

Jack Lewis  
1721 Kruger  
Modesto, California 95350

Hewitt Ryan, M.D.  
160 Bonita Circle  
Modesto, California 95351

ART AND CULTURE SUBCOMMITTEE

Harold Flesher  
2406 Dorrington Court  
Modesto, California 95350

Juan Morales  
2813 Hampshire Lane  
Modesto, California 95350

Mrs. Helen Nutson  
1706 Waverly Drive  
Modesto, California 95351

Mrs. Natalie Shastid  
1020 Carolyn Avenue  
Modesto, California 95350

Mary Soderstrom  
1335 Magnolia Avenue  
Modesto, California 95350

Ronald "Bud" Stone  
3300 Lancashire Lane  
Modesto, California 95350

Mrs. Mandy Williams  
704 Spencer Avenue  
Modesto, California 95351

Mrs. Ann Wooley  
5636 Coffee Road  
Modesto, California 95350

Evelynn Yabroff  
3024 Nottingham Lane  
Modesto, California 95350

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-975

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK, CURB AND GUTTER 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 AND RESCINDING RES. 70-619 (Floto Street at 217 Floto St. & 301 Semple St., Block 571, Lots 22 & 23 - Mr. John V. Marshall) 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 sidewalk, curb and gutter may be required, and

WHEREAS, the Council did, on January 12,, 1970 adopt its Resolution No. 70-48, directing the Superintendent of Streets to give notice requiring the construction of sidewalk, curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk, curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, July 6, 1970, at 4:40 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$840.46.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$840.46, be assessed in 10 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:

Lots 22 and 23 of Block 571 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 571, Stanislaus County Records.

Parcel Number 002-01-111-04-55-001 as per Stanislaus County Assessor's Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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.

Resolution No. 70-619 dated 7-6-70 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-976

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST OF NORMAN WINSOR'S APPEAL FROM DECISION OF PLANNING COMMISSION IN DENYING REQUEST FOR PREZONING TO R-2 AND P-D FOR A 128-UNIT APARTMENT DEVELOPMENT, PROPERTY LOCATED ON THE NORTH SIDE OF MAZE BLVD. WEST OF EMERALD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 13, 1971 , at 7:45 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 of Norman Winsor's appeal from decision of Planning Commission in denying request for prezoning to R-2 and P-D for a 128-unit apartment development, property located on the north side of Maze Blvd. west of Emerald Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 977

A RESOLUTION TEMPORARILY TRANSFERRING \$3,500.00  
FROM THE GENERAL FUND TO THE HEAD REST FUND.

WHEREAS, a sum of Three Thousand, Five Hundred and no/100ths  
(\$3,500.00) Dollars is available in the Fund Balance of the General Fund (Fund 101), and

WHEREAS, said sum will not be required for approved projects of the  
City during the 1971-72 fiscal year, and

WHEREAS, the Council desires to temporarily transfer said sum to the  
Head Rest Fund (Fund No. 606) to be utilized for operations of the Community  
Response to Drug Abuse Program until grant funds are received from the California  
Council on Criminal Justice,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the sum of Three Thousand, Five Hundred and no/100ths (\$3,500.00)  
Dollars be and is hereby transferred from the Fund Balance of the General Fund  
(Fund 101) to the Head Rest Fund (Fund No. 606) to be utilized for operations  
of the Community Response to Drug Abuse Program until grant funds are received  
from the California Council on Criminal Justice.

BE IT FURTHER RESOLVED that the transferred funds are to be  
transferred back to the Fund Balance of the General Fund (Fund No. 101)  
upon receipt of grant funds from the California Council on Criminal Justice.

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 8th day of November, 1971, by  
Councilman Simon, who moved its adoption, which motion being duly  
seconded by Councilman Smith, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-978

A RESOLUTION ACCEPTING THE BID OF COLLINS ELECTRICAL CO., INC. FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT SCENIC AND BODEM AND TULLY AND GRANGER

WHEREAS, Resolution No. 71-859 , adopted by the Council of the City of Modesto on September 30, 1971 , approved the plans and specifications for the construction of traffic signals and street lighting at Scenic and Bodem and at Tully and Granger and authorized the calling for bids, and

WHEREAS, the bids received for the construction of traffic signals and street lighting at Scenic and Bodem and at Tully and Granger were opened at 2:00 P.M. on November 2, 1971, and later tabulated by the Director of Parking & / <sup>Traffic</sup> for the consideration of the Council, and

WHEREAS, the Director of Parking & Traffic has recommended that the bid of Collins Electrical Co., Inc. in the amount of \$17,760

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 Co., Inc. in the amount of \$17,760

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

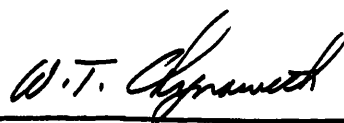
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1971 , by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Dunlap , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-979

A RESOLUTION ACCEPTING THE CONSTRUCTION OF HOWK WELL & EQUIPMENT'S  
CONTRACT FOR CONSTRUCTION OF PUMP STATION NO. 38 FACILITIES

WHEREAS, a report has been filed by the Director of Public  
Works that the construction of Pump Station No. 38  
Facilities  
has been completed by Howk Well & Equipment Co., Inc.

in accordance with the contract agreement dated May 17, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of  
Pump Station No. 38 Facilities  
be accepted from said contractor, Howk Well & Equipment Co., Inc.

that notice of completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due in the amount of \$15,154  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-980

A RESOLUTION ACCEPTING THE CONSTRUCTION OF VALLEY CONSTRUCTION'S CONTRACT FOR INSTALLATION OF WATER LINES IN COFFEE TERRACE NO. 3 SUBDIVISION

WHEREAS, a report has been filed by the Director of Public Works that the construction of Water Lines in Coffee Terrace No. 3 Subdivision has been completed by Valley Construction


in accordance with the contract agreement dated August 23, 1971, NOW, THEREFORE, BE IT RESOLVED that the construction of Water Lines in Coffee Terrace No. 3 Subdivision be accepted from said contractor, Valley Construction

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$18,535.75 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 8th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-981

A RESOLUTION ACCEPTING THE CONSTRUCTION OF VALLEY CONSTRUCTION'S CONTRACT FOR WATER LINES IN WALNUT TERRACE, RIVERSIDE NORTH NO. 4 AND GREENFIELD VILLAGE NO. 2 SUBDIVISIONS

WHEREAS, a report has been filed by the Director of Public Works that the construction of Water Lines in Walnut Terrace, Riverside North No. 4 and Greenfield Village No. 2 Subdivisions has been completed by Valley Construction

in accordance with the contract agreement dated June 28, 1971.

NOW, THEREFORE, BE IT RESOLVED that the construction of Water Lines in Walnut Terrace, Riverside North No. 4 and Greenfield Village No. 2 Subdivisions be accepted from said contractor, Valley Construction

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$16,555.06 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-982

AN AMENDMENT TO THE  
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
CUSHMAN COMPANY FOR GOLF CAR STORAGE BUILDING AT DRYDEN GOLF COURSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
amendment to the  
that the/agreement between the City of Modesto and Cushman Company

for Golf car storage building at Dryden Golf Course (Cushman to pay  
\$6,000 of cost immediately, and also provides for amortization of  
costs)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
amendment to the  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-983

LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
DAROLD JOLLIFF, OWNER OF HAWKE FLYING SERVICE, FOR OPERATION OF UNI-  
COM AT CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
letter  
that the/agreement between the City of Modesto and Darrold Jolliff,  
owner of Hawke Flying Service  
for operation of Unicom at City-County Airport

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
letter  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-984

A RESOLUTION APPROVING REQUEST OF MR. RALPH MORGAN, CIVIL ENGINEER, REPRESENTING THE OWNERS OF PROPERTY AT 910 - 12TH STREET TO CONSTRUCT EXPOSED AGGREGATE CONCRETE IN PUBLIC SIDEWALK

WHEREAS, Mr. Ralph Morgan, Civil Engineer, representing the owners of property at 910 - 12th Street, has requested permission to install aggregate finish in a piece of public sidewalk; and

WHEREAS, the Director of Public Works in a memorandum dated November 3, 1971, states that the Council has on two previous occasions (1) the Bartoni Building and (2) the Kauffman Building on Tenth Street, approved installation of the aggregate finish, and on this basis feels it would be in order to approve the request to construct exposed aggregate finish on a 15-foot wide strip of sidewalk directly in front of 910 - 12th Street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the request of Mr. Ralph Morgan, representing the owners of property at 910 - 12th Street, for permission to construct exposed aggregate concrete sidewalk 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-985

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
BENO'S INC. OF MODESTO, A CORPORATION, FOR THE SALE OF BICYCLE  
LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Beno's Inc.  
of Modesto, a corporation  
for the sale of bicycle licenses (Remuneration to the dealer at  
\$.10 for each license sold)  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-986

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
BOB'S CYCLERY FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Bob's Cyclery  
for the sale of bicycle licenses (Remuneration to the dealer at  
\$.10 for each license sold)  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-987

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
EDWARDS LAWN MOWER-CYCLE SHOP FOR THE SALE OF BICYCLE LICENSES


BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Edwards Lawn  
Mower-Cycle Shop  
for the sale of bicycle licenses (Remuneration to the dealer at  
\$.10 for each license sold)  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-988

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
S. H. KRESS AND COMPANY, A CORPORATION, FOR THE SALE OF BICYCLE  
LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and S. H. Kress  
and Company, a corporation  
for the sale of bicycle licenses (Remuneration to the dealer at  
\$.10 for each license sold)  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-989

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND K MART DISCOUNT STORES, A CORPORATION, FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and K Mart Discount Stores, a corporation for the sale of bicycle licenses (Remuneration to the dealer at \$.10 for each license sold) 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-990

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LONGS DRUG STORE, A CORPORATION, FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Longs Drug Store, a corporation for the sale of bicycle licenses (Remuneration to the dealer at \$.10 for each license sold) 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-991

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LUCKY AUTO SUPPLY, INC., A CORPORATION, FOR THE SALE OF BICYCLE LICENSES


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lucky Auto Supply, Inc., a corporation for the sale of bicycle licenses (Remuneration to the dealer at \$.10 for each license sold) 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-992

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MONTGOMERY WARD AND COMPANY, A CORPORATION, FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Montgomery Ward and Company, a corporation for the sale of bicycle licenses (Remuneration to the dealer at \$.10 for each license sold) 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-993

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND J. C. PENNEY COMPANY, A CORPORATION, FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and J. C. Penney Company, a corporation for the sale of bicycle licenses (Remuneration to the dealer at \$.10 for each license sold) 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-994

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SEARS ROEBUCK AND COMPANY, A CORPORATION, FOR THE SALE OF BICYCLE LICENSES


BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Sears Roebuck and Company, a corporation for the sale of bicycle licenses (Remuneration to the dealer at \$.10 for each license sold) 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-995

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SKAGGS PAY LESS DRUG STORE, A CORPORATION, FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Skaggs Pay Less Drug Store, a corporation

for the sale of bicycle licenses (Remuneration to the dealer at \$.10 for each license sold)

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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-996

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TURNER HARDWARE, A CORPORATION, 9TH & H STREETS, FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Turner Hardware, a corporation, 9th & H Streets for the sale of bicycle licenses (Remuneration to the dealer at \$.10 for each license sold) 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-997

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
TURNER HARDWARE COMPANY, A CORPORATION, 2021 YOSEMITE BLVD., FOR  
THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Turner Hardware  
Company, a corporation, 2021 Yosemite Blvd.  
for the sale of bicycle licenses (Remuneration to the dealer at  
\$.10 for each license sold)  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-998

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
TURNER HARDWARE COMPANY, A CORPORATION, 1700 McHENRY AVENUE, FOR  
THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Turner Hardware  
Company, a corporation, 1700 McHenry Avenue  
for the sale of bicycle licenses (Remuneration to the dealer at  
\$.10 for each license sold)  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-999

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
VALLEY SPORTING GOODS FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Valley Sporting  
Goods

for the sale of bicycle licenses (Remuneration to the dealer at  
\$.10 for each license sold)

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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1000

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
WEEKS SPORT SHOP FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Weeks Sport Shop for the sale of bicycle licenses (Remuneration to the dealer at \$.10 for each license sold) 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1001

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
WESTERN AUTO ASSOCIATE STORE FOR THE SALE OF BICYCLE LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Western Auto  
Associate Store  
for the sale of bicycle licenses (Remuneration to the dealer at  
\$.10 for each license sold)  
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  
November, 1971, by Councilman Smith, who moved its  
adoption, which motion being duly seconded by Councilman Dunlap,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1002

A RESOLUTION APPROVING CLOSURE OF PARKING LOT ON WEST SIDE OF 10TH STREET BETWEEN K AND L STREETS LEASED FROM LOSHER'S, A CORPORATION

WHEREAS, the City of Modesto entered into a lease agreement with Losher's, a corporation, on November 1, 1956, for lease of the following premises located on the west side of 10th Street between K and L Streets, for use as a parking lot, more particularly described as follows:

All of lots 9, 10, 11, and 12 of Block 58, and

WHEREAS, the Director of Parking and Traffic in a memorandum dated November 3, 1971, has recommended that this lot be closed effective December 31, 1971.

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

1. Closure of the parking lot located on the west side of 10th Street between K and L Streets, leased by the City of Modesto from Losher's, a corporation, is hereby approved.
2. The City Manager is hereby authorized to notify the owner of the parking lot of cancellation of the tenancy effective December 31, 1971.


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1003

A RESOLUTION APPROVING CLOSURE OF PARKING LOT ON WEST SIDE OF 10TH STREET BETWEEN K AND L STREETS LEASED FROM JESSIE V. TUREBLOOD

WHEREAS, the City of Modesto entered into a lease agreement with Jessie V. Trueblood on October 26, 1956, for lease of the following premises located on the west side of 10th Street between K and L Streets, for use as a parking lot, more particularly described as follows:

All of lots 6, 7, and 8 of Block 58, and

WHEREAS, the Director of Parking and Traffic in a memorandum dated November 3, 1971, has recommended that this lot be closed effective December 31, 1971.

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

1. Closure of the parking lot located on the west side of 10th Street between K and L Streets, leased by the City of Modesto from Jessie V. Trueblood is hereby approved.
2. The City Manager is hereby authorized to notify the owner of the parking lot of cancellation of the tenancy effective December 31, 1971.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of November, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1004

A RESOLUTION ACCEPTING IMPROVEMENTS IN HAGSTROM PARK NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF STATUTORY PERIOD

WHEREAS, Vince G. Lancey, subdivider of Hagstrom Park No. 2 Subdivision, has filed an Instrument of Credit in the amount of \$42,800 to guarantee improvements in Hagstrom Park No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated November 4, 1971, 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$42,800 upon expiration of the statutory period.

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

1. The improvements in Hagstrom Park No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$42,800, filed by the Subdivider to guarantee improvements in Hagstrom Park No. 2 Subdivision, 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1005

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM H. STEWART AND JANILA LEE STEWART FOR SEWER SERVICE TO PROPERTY OUTSIDE THE CITY AT 909 MEADOWOOD DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and William H. Stewart and Janila Lee Stewart for sewer service to property outside the City at 909 Meadowood Dr. 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1006

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. ( CLAREMONT NO. 3)

WHEREAS, there has been annexed to the City of Modesto on November 1, 1971, certain territory known as Claremont No. 3 Addition, and

WHEREAS, the inclusion of the area contained in Claremont No. 3 Addition 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 Claremont No. 3 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 81.

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

SECTION 5. Monday, December 20, 1971, at the hour of 4:05 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 judgment 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. 81.

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) 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) On the South side of Sylvan Avenue at the West boundary of the annexation.
- (2) On the South side of Sylvan Avenue at the East boundary of the annexation.
- (3) On the East end of Claremont Avenue at the West boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 81, 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 8th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By R.C. Mangnell  
Public Works Department

*RAH*  
*11-23-71*

## CLAREMONT NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of the Southeast 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 Southwestern corner of the SYLVAN-COFFEE NO. 1 ADDITION (242), as per description filed October 9, 1969, as Instrument 33952, Stanislaus County Records, said point also being on the center line of a 40.00 foot public road known as Sylvan Ave.; thence along the existing City Limits on the Southern boundary of said ADDITION (242), and the center line of said Sylvan Ave., South  $89^{\circ} 17' 00''$  East, 1021.14 feet, to a Southwestern corner of said ADDITION (242); thence along the existing City Limits on a Western boundary of said ADDITION (242), South  $0^{\circ} 43' 23''$  East, 1294.99 feet, to the Northern boundary of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said ADDITION (157), North  $89^{\circ} 17' 00''$  West, 1020.75 feet, to the Northwestern corner of said ADDITION (157) and the Eastern boundary of the CLAREMONT ADDITION (216), as per description filed June 19, 1968, as Instrument 18952, Stanislaus County Records; thence along the existing City Limits on said Eastern boundary, North  $0^{\circ} 44' 25''$  West, 468.21 feet, to a Southeastern corner of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records; thence continuing along the existing City Limits on the Eastern boundary of said ADDITION (275), North  $0^{\circ} 44' 25''$  West, 325.00 feet to a Northeastern corner of said ADDITION (275); thence leaving the existing City Limits and along the West line of the East half of the Southeast quarter of Section 9, North  $0^{\circ} 44' 25''$  West, 501.79 feet, to the point of beginning, containing 30.342 Acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOWETH, 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 8, 1971, 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 Councilman Smith, seconded by Councilman Dunlap, and adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: 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 9, 1971

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1007

A RESOLUTION APPROPRIATING AN ADDITIONAL  
\$21,543.00 IN THE MCHENRY LIBRARY CAPITAL  
OUTLAY FUND.

WHEREAS, an amount of Twelve Thousand, Thirty-Eight and no/100ths  
(\$12,038.00) Dollars is available in the unappropriated Fund Balance of the McHenry  
Library Capital Outlay Fund (Fund No. 301), and

WHEREAS, additional amounts receivable in the McHenry Library  
Capital Outlay Fund (Fund No. 301) are estimated as follows:

Federal Grant (additional project share)	\$1,336.00
Stanislaus County (additional project share)	<u>\$8,169.00</u>
	\$9,505.00

and

WHEREAS, the amount available in the unappropriated Fund Balance  
plus the additional amounts receivable total Twenty-One Thousand, Five Hundred  
Forty-Three and no/100ths (\$21,543.00) Dollars, and are needed for the  
Modesto-Stanislaus County Library Construction Project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that the amount available in the Fund Balance of the McHenry Library  
Capital Outlay Fund (Fund No. 301) of Twelve Thousand, Thirty-Eight and  
no/100ths (\$12,038.00) Dollars be appropriated in the subsidiary account  
Library Construction (Account No. 6063) in the McHenry Library Capital  
Outlay Fund (Fund No. 301) for construction of the Modesto-Stanislaus County  
Library,

BE IT FURTHER RESOLVED that the estimated additional amounts  
of Nine Thousand, Five Hundred Five and no/100ths (\$9,505.00) Dollars in  
the McHenry Library Capital Outlay Fund (Fund No. 301) be appropriated in  
the subsidiary account Library Construction (Account No. 6063) in the McHenry  
Library Capital Outlay Fund (Fund No. 301) for construction of the Modesto-  
Stanislaus County Library.

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 8th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1008

A RESOLUTION TRANSFERRING \$13,255.00 FROM THE SPECIAL FUND FOR CAPITAL OUTLAYS TO THE MCHENRY LIBRARY CAPITAL OUTLAY FUND.

WHEREAS, an amount of Thirteen Thousand, Two Hundred Fifty-Five and no/100ths (\$13,255.00) Dollars is available in the Fund Balance of the Special Fund for Capital Outlays (Fund No. 321), and

WHEREAS, the said amount will not be needed for approved projects in the Special Fund for Capital Outlays (Fund No. 321) during the 1971-72 fiscal year, and

WHEREAS, the Council desires to transfer said sum to the McHenry Library Capital Outlay Fund (Fund No. 301) to be utilized for construction of library facilities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Thirteen Thousand, Two Hundred Fifty-Five and no/100ths (\$13,255.00) Dollars be and is hereby transferred from the Fund Balance of the Special Fund for Capital Outlays (Fund No. 321) to the subsidiary account (Account No. 6063) in the McHenry Library Capital Outlay Fund (Fund No. 301) to be used for the construction of library facilities.

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 8th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 1009

A RESOLUTION APPROPRIATING AN ADDITIONAL EIGHT THOUSAND, EIGHT HUNDRED SIXTY AND NO/100THS DOLLARS IN THE LIBRARY FUND (FUND NO. 201).

WHEREAS, an amount of Eight Thousand, Eight Hundred Sixty and no/100ths (\$8,860.00) Dollars is available in the Fund Balance of the Library Fund (Fund No. 201), and

WHEREAS, an additional amount of Eight Thousand, Eight Hundred Sixty and no/100ths (\$8,860.00) Dollars is estimated to be required for operating expenditures of the Library Fund (Fund No. 201) during the 1971-72 fiscal year,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Eight Thousand, Eight Hundred Sixty and no/100ths (\$8,860.00) Dollars be appropriated from the Fund Balance of the Library Fund (Fund No. 201) to the following subsidiary accounts:

Rent of Real Property (Account No. 215)	\$ 893.00
Contractual Services (Account No. 240)	\$7,967.00

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 held on the 8th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

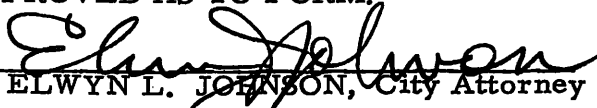
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 1010

A RESOLUTION TRANSFERRING AN AMOUNT OF NINE THOUSAND, TWO HUNDRED AND TWO AND NO/100THS (\$9, 202. 00) DOLLARS FROM THE LIBRARY FUND (FUND 201) TO THE MCHENRY LIBRARY CAPITAL OUTLAY FUND (FUND NO. 301).

WHEREAS, an amount of Nine Thousand, Two Hundred and Two and no/100ths (\$9, 202. 00) Dollars is available in the Fund Balance of the Library Fund (Fund No. 201), and

WHEREAS, said sum is not needed for operating expenditures in the Library Fund (Fund No. 201) during the 1971-72 fiscal year, and

WHEREAS, said sum is needed in the McHenry Library Capital Outlay Fund (Fund No. 301) for construction of library facilities,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Nine Thousand, Two Hundred and Two and no/100ths (\$9, 202. 00) Dollars be transferred from the Fund Balance of the Library Fund (Fund No. 201) to the McHenry Library Capital Outlay Fund (Fund No. 301) and appropriated in the subsidiary account (Account No. 6063) for construction of the Modesto-Stanislaus County Library.

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 8th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

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

(SEAL)

APPROVED AS TO FORM:

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

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1011

A RESOLUTION APPOINTING MEMBERS OF THE PROJECT GREATER MODESTO SUBCOMMITTEES (FRED PRICE FOR ECOLOGY SUBCOMMITTEE AND SHEREE TILLEMA FOR WATER RESOURCES AND STORM DRAINAGE 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 <sup>are</sup> ~~is~~ hereby appointed to ~~the~~ Project Greater Modesto Subcommittees to wit: ~~for the respective terms as indicated~~

Fred Price (Ecology Subcommittee)  
1229 Enslin Avenue  
Modesto, 95350

Sheree Tillema (Water Resources Subcom.)  
1213 Sycamore Ave.  
Modesto, 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Project Greater Modesto 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 8th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1012

A RESOLUTION OF THE CITY OF MODESTO APPROVING THE PROPOSED FEDERAL-AID URBAN STREET SYSTEM FOR THE MODESTO URBAN AREA PORTION OF MODESTO-CERES URBANIZED AREA.

WHEREAS, the Federal Highway Act of 1970 directed the establishment of a Federal-Aid Urban System for the Urbanized Areas, and

WHEREAS, the Federal legislation provided that routes on the Urban System shall be selected by appropriate local officials and the State Highway Department in cooperation with each other, and

WHEREAS, the local agencies of Urbanized Modesto-Ceres in cooperation with the Division of Highways, have selected a proposed Federal-Aid Urban System within the 1970 Bureau of Census Urbanization Limits conforming to the instructions of the Federal Highway Administration, and

WHEREAS, the proposed routes of Federal-Aid Urban Systems for the Modesto-Ceres Urbanized Area conform to the Federal functional classification system of the region,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto approves the proposed Federal-Aid Urban System selected for the City of Modesto portion of the Modesto-Ceres Urbanized Area and any changes in the Federal-Aid Secondary System and other Federal-Aid Systems, all as shown on the attached map, Exhibit "A", and recommends them for submission to the Federal Highway Administration by the California Division of Highways.

BE IT FURTHER RESOLVED that Resolution No. 71-869 adopted by the Council on September 30, 1971, be, and it 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

**Reso 71-1012**  
**Exhibit A – Map**

Oversized map folded and bound within Resolution Book, Volume 61.  
Unable to remove safely for scanning.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1013

A RESOLUTION ACCEPTING THE CONSTRUCTION OF clay infield, turf and IRRIGATION AT DOWNEY PARK

WHEREAS, a report has been filed by the Director of Public Works that the construction of clay infield, turf and irrigation at Downey Park has been completed by John Birges

in accordance with the contract agreement dated June 28, 1971.

NOW, THEREFORE, BE IT RESOLVED that the construction of clay infield, turf and irrigation at Downey Park be accepted from said contractor, John Birges

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$29,500.89 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1014

A RESOLUTION ACCEPTING THE ~~CONSTRUCTION OF~~ FURNISHING AND INSTALLATION OF FURNITURE, SECTIONS A THROUGH F, FOR THE MODESTO-STANISLAUS LIBRARY

WHEREAS, a report has been filed by the Director of Public Works  
that the ~~construction of~~ furnishing and installation  
of furniture, Sections A through F, for the Modesto-Stanislaus Library  
has been completed by Healey & Popovich

in accordance with the contract agreement dated June 7, 1971.

NOW, THEREFORE, BE IT RESOLVED that the ~~construction of~~  
furnishing and installation of furniture, Sections A through F, for  
the Modesto-Stanislaus Library  
be accepted from said contractor, Healey & Popovich,

that notice of completion be filed with the Recorder of Stanislaus  
County and that payment of amounts due in the amount of \$142,526  
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  
November, 1971 , by Councilman Smith , who moved its  
adoption, which motion being duly seconded by Councilman Simon,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST:

  
W. T. CHYNOWETH  
City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1015

A RESOLUTION ACCEPTING THE ~~CONSTRUCTION OF~~ INSTALLATION OF SHELVING AND COUNTERS, SECTIONS G & H, FOR THE MODESTO-STANISLAUS LIBRARY

WHEREAS, a report has been filed by the Director of Public Works that the ~~construction of~~ installation and furnishing of shelving and counters, sections g & h, for the Modesto-Stanislaus Library has been completed by Healey & Popovich,

in accordance with the contract agreement dated June 7, 1971.

NOW, THEREFORE, BE IT RESOLVED that the construction of furnishing and installation of shelving and counters, Sections G & H, be accepted from said contractor, Healey & Popovich,

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$82,784.49 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 November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

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

MODESTO CITY COUNCIL  
RESOLUTION NO, 71-1016

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (Jefferson St. at 201 Locust St., Lots 13 & 14 of Block 422 - Mr. Lonnie Banks - \$831.35)  
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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on September 28, 1970 adopt its Resolution No. 70-945, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$831.35.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$831.35, be assessed 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:

Lots 13 and 14 of Block 422 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 422, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 101-0514-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1017

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF DRIVEWAY APPROACH 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 (Covena Ave. at 1421 Haddon Ave. on the east side of Block 2089 - Mrs. Darlene M. Beard - \$85.90) 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 driveway approach may be required, and

WHEREAS, the Council did, on -----, 19-- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of driveway approach along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of driveway approach as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$85.90.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$85.90, be assessed as a lien against the parcel (s) of property fronting upon the work so constructed, this amount to be added to the assessment of \$457.10 approved 8/16/71 and absorbed in 10-year installment payments. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 12 and 13 and the South 10 feet of Lot 11 of Block 2089 of Wilson School Tract No. 2 as per map filed May 17, 1940 in Volume 11 of Maps, Page 74, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-0937-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 15th day of November 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1018

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (721 El Terino Ave., Portion of Block 1038 - Mr. Patrick J. Casey - \$319.04)  
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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_  
adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$319.04.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$319.04, be assessed in 6 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 North 56 feet of the North  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of the East  $\frac{1}{2}$  West of the East 25 feet of Lot 3 of Rice Colony as per map filed February 19, 1904 in Volume 1 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-3931-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1019

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (323 Las Palmas Ave., portion of Block 2022 - Mr. Paul A. Chiles - \$369.40)  
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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on \_\_\_\_\_, 19--  
WAIVED BY PROPERTY OWNER

adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$369.40.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$369.40, be assessed in 7 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 South 30 feet of Lot 8 and the North 30 feet of Lot 9 of Block 1 of Las Palmas Tract as per map filed February 20, 1930 in Volume 11 of Maps, Page 16, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1228-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1020

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (705 El Terino Ave., portion of Block 1038 - Mrs. Vincenza Chirco - \$287.00)

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 curb, gutter and sidewalk may be required, and WAIVED BY PROPERTY OWNER  
WHEREAS, the Council did, on -----, 19-- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$287.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$287.00, be assessed in 6 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 North 50 feet of the South 100 feet of the North  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of Lot 3 of Rice Colony as per map filed February 19, 1904 in Volume 1 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-3926-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

- AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1021

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (318 Las Palmas Ave., portion of Block 2020 - Mr. Jerry C. Combs - \$369.40)

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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on                     , 19   <sup>WAIVED BY PROPERTY OWNER</sup> adopt its Resolution No.           , directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$369.40.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$369.40, be assessed in 7 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 North 60 feet of the East 124.5 feet, more or less, of the West 154.5 feet, more or less, of Lot 41 of Wilson School Tract as per map filed March 24, 1924 in Volume 9 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1219-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1022

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 Las Palmas Ave., portion of Block 2022 - Mr. Gerald W. Dickens - \$369.40)

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 curb, gutter and sidewalk may be required, and WAIVED BY PROPERTY OWNER  
WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_ adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$369.40.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$369.40, be assessed 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 South 15 feet of Lot 7 and the North 45 feet of Lot 8 of Block 1 of Las Palmas Tract as per map filed February 20, 1930 in Volume 11 of Maps, Page 16, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1227-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 15th day of November 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO, 71-1023

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (324 Las Palmas Ave., portion of Block 2020 - Mr. James F. Dodson - \$376.60)

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 curb, gutter and sidewalk may be required, and  
WHEREAS, the Council did, on                     , 19    
adopt its Resolution No.       , directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$376.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$376.60, be assessed in 8 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 East 124.54 feet, more or less, of the West 154.54 feet, more or less, of the South 38 feet of Lot 38 and of the North 22 feet of Lot 39 of Wilson School Tract as per map filed March 24, 1924 in Volume 9 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1222-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(Installment)



SECTION 1. That the cost of the aforesaid work, being the amount of \$321.90, be assessed in six(6) 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 South 50 feet of the West 1/2 of Lot 40 of Wilson School Tract as per map filed March 24, 1924 in Volume 9 of Maps, Page 82, Stanislaus County Records.  
(Stanislaus County Assessor's Parcel No. 002-01 108-1220-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1025

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (Enslin Ave. at 600 Bermuda Way, Lot 6,  
Block 6066 - Leslie L. Keim - \$288.00)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on August 4, 1969  
adopt its Resolution No. 69-705, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$288.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$288.00, be assessed in six 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 6066 of Arbor Villa Tract No. 1 as per map filed July 5, 1951 in Volume 17 of Maps, Page 24, Stanislaus County Records.  
(Stanislaus County Assessor's Parcel No. 002-01 119-1044-001)  
(600 Bermuda Way)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1026

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (319 Las Palmas Ave., portion of Block 2022 - Mr. Ronald J. Lisek - \$579.10)

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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on                     , 19 -- adopt its Resolution No.         , directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$579.10.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$579.10, be assessed in 10 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:  
Begin on East line of Lot 10, 28 feet South of Northeast corner, thence, parallel to North line, West 124.30 feet to West line; along West line, South 44.42 feet to Northerly line of La Loma; along Northerly line, Southeast 139.95 feet to East line of Lot 11; along East line, North 106.38 feet to POB, all being a portion of Las Palmas Tract as per map filed February 20, 1930 in Volume 11 of Maps, Page 16, Stanislaus County Records. (Stanislaus County Assessor's Parcel No. 002-01 108-1230-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1027

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (321 Walnut Street, Lots 3 & 4 of Block 402 -  
Mr. Melvin R. Parsons - \$87.88)

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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on                     , 19    
                    , WAIVED BY PROPERTY OWNER  
adopt its Resolution No.                     , directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
                     as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$87.88.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$87.88, be assessed 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:

Lots 3 and 4 of Block 402 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 402, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 101-0831-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 15th day of November 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1028

A RESOLUTION CONFIRMING THE REPORT OF THE  
SUPERINTENDENT OF STREETS CONCERNING THE  
WORK OF CONSTRUCTION OF CURB AND GUTTER

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (321 E. Fairmont Ave., portion of Block 665 -  
Mr. Lewis M. Stiltz - \$451.80)  
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 construc-  
tion of curb and gutter may be required, and

WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER  
-----, 19--  
adopt its Resolution No. -----, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
curb and gutter along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of curb and gutter  
----- as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$451.80.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$451.80, be assessed in 9 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 South 207 feet of Lot 12 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. 002-01 112-0707-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1029

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (Walnut Street at 710 S. Franklin St., Lot 1  
and 2 of Block 402 - Mr. Willie C. Stone - \$128.00)

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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on June 7, 1971  
adopt its Resolution No. 71-533, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$128.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$128.00, be assessed in two annual installments as a lien against the parcel (s) of property fronting upon the work so constructed, said lien to be ~~assessed~~ <sup>added to the</sup> assessment of \$350.14 approved April 20, 1970 and paid over an additional two years. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1 and 2 of Block 402 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 402, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 101-0830-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1030

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (1012 College Ave., portion of Block 823 -  
Mr. George P. Thomas - \$497.00)

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 construc-  
tion of sidewalk may be required, and

WAIVED BY PROPERTY OWNER  
WHEREAS, the Council did, on \_\_\_\_\_, 19\_\_  
adopt its Resolution No. \_\_\_\_\_, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
\_\_\_\_\_ as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, November 15,, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$497.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$497.00, be assessed 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:

Begin at the Northwestern corner of Lot 5 of Block 823 of Campus Tract as per map filed October 11, 1937 in Volume 11 of Maps, Page 37, Stanislaus County Records, thence, Southerly 68.39 feet; Easterly 122.54 feet; Northerly 134.76 feet; Westerly 122.51 feet Southerly 64.98 feet to POB.

(Stanislaus County Assessor's Parcel No. 002-03 114-0434-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO, 71-1031

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (717 El Terino Ave., portion of Block 1038 - Mr. Veryl M. Thompson - \$292.34)

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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on WAIVED BY PROPERTY OWNER  
-----, 19--  
adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$292.34.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$292.34, be assessed in 6 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 South 51 feet of the North 107 feet of the North  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of Lot 3 of Rice Colony as per map filed February 19, 1904 in Volume 1 of Maps, Page 54, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-3930-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1032

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB, GUTTER 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 (326 Las Palmas Ave., portion of Block 2020 - Mrs. Gracie M. Vogt - \$369.40)

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 curb, gutter and sidewalk may be required, and

WHEREAS, the Council did, on -----, 19-- adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb, gutter and sidewalk along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb, gutter and sidewalk as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$369.40.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$369.40, be assessed in 7 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 east 124.56 feet, more or less, of the West 154.56 feet, more or less, of the South 32 feet of Lot 37 and of the North 28 feet of Lot 38 of Wilson School Tract as per map filed March 24, 1924 in Volume 9 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1223-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1033

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (637 Don Street, Lot 8 and W. 2' of Lot 7 of Block 3176 - Mrs. Elsa S. Anderson - \$253.00)

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 curb and gutter may be required, and

WAIVED BY PROPERTY OWNER

WHEREAS, the Council did, on -----, 19--

adopt its Resolution No. -----, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$253.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$253.00, be assessed 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 West 2 feet of Lot 7 of Block 3176 of Durand Tract as per map filed January 21, 1947 in Volume 16 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 037-2810-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1034

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 (630 Jean Street, Lot 5 of Block 3176 - Mr. Charles E. Evans - \$253.60)

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 curb and gutter \_\_\_\_\_ may be required, and \_\_\_\_\_ WAIVED BY PROPERTY OWNER WHEREAS, the Council did, on \_\_\_\_\_, 19-- adopt its Resolution No. \_\_\_\_\_, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter \_\_\_\_\_ along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter \_\_\_\_\_ as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$253.60.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$253.60, be assessed 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 3176 of Durand Tract as per map filed January 21, 1947 in Volume 16 of Maps, Page 19, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 037-2803-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

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

(Regular)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1035

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 (Lot 8, Block 826, 1205 Purdue)

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 \_\_\_\_\_ sidewalk \_\_\_\_\_ may be required, and

WHEREAS, the Council did, on March 22, 1971 adopt its Resolution No. 71-239, directing the Superintendent of Streets to give notice requiring the construction of \_\_\_\_\_ sidewalk \_\_\_\_\_ along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of \_\_\_\_\_ sidewalk \_\_\_\_\_ as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, November 15, 1971, at 4:05 P.M. 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$218.80.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$218.80, be assessed in four 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 826 of Campus Tract No. 3 as per map filed September 2, 1952 in Volume 17 of Maps, Page 42, Stanislaus County Records

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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 15th day of November, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1036

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D(97).

WHEREAS, a verified application for an amendment to Section 23-3-9 of the Zoning Map was filed by Lance E. Ellis and Norris L. Klink on July 16, 1971, to reclassify from One-family Residential Zone, R-1, to Two-family Residential Zone, R-2, the following described property:

All that portion of Lot 11 of the O. McHenry Ranch, as shown on the map recorded in Volume 2 of Maps at Page 7, Stanislaus County Records and lying in the northwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the centerline intersection of Orangeburg Avenue and Oakdale Road; thence South  $0^{\circ} 45'$  East along the centerline of said Oakdale Road a distance of 277.16 feet to the intersection with the westerly prolongation of the north line of the 14.00 foot wide part-width alley as shown on the map of Morningside Heights No. 3 filed in Volume 21 of Maps at Page 18, Stanislaus County Records; thence North  $89^{\circ} 08'$  East along the north line of said 14.00 foot wide part-width alley and its westerly and easterly prolongations thereof a distance of 457.13 feet to a point on a curve; thence in a northeasterly direction along a curve concave to the southeast from a tangent bearing North  $35^{\circ} 01' 33''$  East thru a central angle of  $43^{\circ} 14' 56''$ , having a radius of 60.00 feet, a curve distance of 45.29 feet; thence North  $1^{\circ} 09'$  West along the westerly line of said Morningside Heights No. 3 a distance of 245.96 feet to the centerline of said Orangeburg Avenue; thence West along said centerline of Orangeburg Avenue a distance of 492.71 feet to the point of beginning.

Containing: 3.085 acres gross.

WHEREAS, a public hearing was held on August 17, 1971, at which time the Planning Commission determined to have a tentative subdivision map of the subject property brought before it prior to further consideration of the zoning request; and

WHEREAS, the matter was continued to September 21, 1971, at which time the Planning Commission reviewed a tentative subdivision map of the subject property and determined that a Planned Development Zone was necessary to insure that the subdivision map would be recorded and thus accomplish all that is indicated on the tentative map; and

WHEREAS, the matter was again continued over to October 19, 1971, to allow the applicant to amend his application to request Planned Development zoning, incorporating all of the design features

indicated on the tentative map and otherwise allowing all R-2 uses and development criteria of the Zoning Regulations, and

WHEREAS, an amended application was filed on October 8, 1971, for an amendment to Section 23-3-9 of the Zoning Map by Lance E. Ellis and Norris L. Klink to reclassify said property from One-family Residential Zone, R-1, to Planned-Development Zone, P-D, and

WHEREAS, after public hearings held on August 17, 1971, and continued to September 21, 1971, and continued again to October 19, 1971, 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 subject property has frontage on Old Oakdale Road, which is a major street.
2. The subject property, under P-D Zoning allowing R-2 dwelling density, would provide a transition between the more restrictive R-1 to the south and east and the major street.
3. Development under P-D Zoning at R-2 density would not create a density overload on the East Orangeburg neighborhood.

WHEREAS, after a public hearing held on November 15, 1971, the Council found and determined that the amended application of Lance E. Ellis and Norris L. Klink 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. 1166 -C.S. on the 15th day of November, 1971, reclassifying the above-described property from One-family Residential Zone, R-1, to Planned-Development Zone, P-D(97),

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(97), is hereby approved in accordance with the plan titled, "Orangeburg Acres", dated October 19, 1971, as amended in red on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That all development be in accordance with the plan referred to above.
2. That prior to the issuance of a building permit for any development, a subdivision map shall be approved and recorded in accordance with Chapter 4 of Title IV of the Modesto Municipal Code.
3. Auto and pedestrian access from Lot No. 8 to either Sunland Way or Fairbairn Drive shall be allowed from only one dwelling unit.
4. That except as indicated otherwise by the approved plot plan for this Planned Development Zone, or the limitations set on the subdivision map, all development shall be in accordance with the provisions of the Two-family Residential Zone, R-2, and shall be subject also to all other provisions of the zoning regulations of the Modesto Municipal Code.
5. That vehicular access be denied from all lots to the alley adjacent to the south boundary of the subject property which opens onto Old Oakdale Road, except that access to said alley may serve lots containing no more than one dwelling unit.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(97):

That the entire construction program be accomplished in one phase, construction to begin on or before October 1, 1972, and completion to be not later than October 1, 1973.

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 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(97) 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 November, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY William J. Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1037

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS AS PROGRAM AGENT UNDER THE EMERGENCY EMPLOYMENT ACT OF 1971, PUBLIC LAW 92-54

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus as Program Agent under the Emergency Employment Act of 1971, Public Law 92-54 for allocation of funds in the sum of \$71,090 to the City of Modesto,  
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 November 1971, by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1038

A RESOLUTION OF THE CITY OF MODESTO AUTHORIZING SUBMISSION OF REVISED APPLICATION FOR CODE ENFORCEMENT GRANT WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER SECTION 117 OF THE HOUSING ACT OF 1949, AS AMENDED

WHEREAS, the Council of the City of Modesto adopted Resolution No. 71-646 on June 28, 1971, authorizing the filing of an application with the Department of Housing and Urban Development for a code enforcement grant under Section 117 of the Housing Act of 1949, as amended; and

WHEREAS, after receiving a copy of HUD relocation Handbook 1371.1 dated July 30, 1971, the City of Modesto finds it necessary to submit a revision to the application for Code Enforcement Grant No. 1; and

WHEREAS, the revised application contains the necessary assurances, a General Relocation Plan, and a request for an increase in Relocation Payment Grant from \$84,000 to \$135,500.

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

1. Revision of Application for Code Enforcement Grant No. 1 for the City of Modesto as outlined above is hereby approved.
2. The City Manager is hereby authorized to execute the revised application 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 15th day of November, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1039

A RESOLUTION ACCEPTING IMPROVEMENTS IN WYLDWOOD ESTATES NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BOND UPON EXPIRATION OF STATUTORY PERIOD

WHEREAS, ARTHUR J. WYLIE, JR. and SHARON L. WYLIE, sub-  
dividers of Wyldewood Estates No. 1 Subdivision, have filed  
an instrument of credit in amount of \$41,200 with the City  
of Modesto to guarantee improvements in Wyldewood Estates No.  
1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum  
dated November 11, 1971 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 im-  
provements as complete and to authorize the City Clerk to  
file a notice of completion and release the instrument of  
credit in the sum of \$41,200 upon expiration of the statutory  
period.

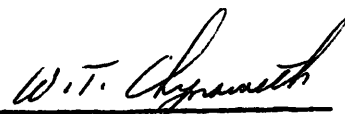
NOW, THEREFORE, BE IT RESOLVED by the Council of the City  
of Modesto:

1. The improvements in Wyldewood Estates No. 1 Subdivision  
are hereby accepted.
2. The City Clerk is hereby authorized to release the instru-  
ment of credit in the sum of \$41,200 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  
15th day of November, 1971 by Councilman Smith, who moved  
its adoption, which motion being duly seconded by Councilman  
Simon, was upon roll call carried and the resolution adopted  
by the following vote:

AYES: Dunlap, Elliott, Simon, Smith, Mayor Davies  
NOES: None  
ABSENT: Dixon, Newton

ATTEST

  
W. T. CHYNOWETH  
City Clerk

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES. ( BENJAMIN S. TAYLOR, et al.) (Needham)

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest and necessity require the acquisition, construction and completion of a public improvement, to wit Needham Avenue street widening, and the property described herein is necessary therefor.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be 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 the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the city in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

**BENJAMIN S. TAYLOR and ROSE TAYLOR, husband and wife,**

All that portion of Section 29, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 17, Block 549 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 Southeastern corner of said Lot 17; thence along the Southern line of Lot 17, North  $88^{\circ} 47' 30''$  West, 69.50 feet, to the Western line of the property conveyed to Benjamin S. and Rose Taylor by deed recorded April 18, 1961 as Instrument 12109, Stanislaus County Records; thence along said Western line, North  $01^{\circ} 07' 14''$  West, 7.51 feet, to a point on a line which is parallel with and 7.50 feet, measured at right angles, Northerly from the Southern line of Lot 17; thence along said parallel line, South  $88^{\circ} 47' 30''$  East, 60.56 feet, to the Eastern line of Lot 17; thence along said Eastern line, South  $00^{\circ} 40' 00''$  East, 7.50 feet, to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton


ATTEST:



(SEAL)


City Clerk  
W. T. CHYNOWETH

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By   
Public Works Department

  
11-9-71 5/6/65

A RESOLUTION AUTHORIZING THE INSTITUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE CERTAIN REAL PROPERTY IN THE CITY OF MODESTO TO BE USED FOR STREET WIDENING PURPOSES.  
( MICHAEL D. URSINI, et al.) (Needham )

BE IT RESOLVED by the Council of the City of Modesto that it finds and determines and hereby declares that:

The public interest and necessity require the acquisition, construction and completion of a public improvement, to wit Needham Avenue street widening, and the property described herein is necessary therefor.

The use of said real property for street widening purposes is a public use authorized by law.

The proposed widening of said street is planned in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED that the City Attorney of the City of Modesto be 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 the State of California, in and for the County of Stanislaus, as are necessary for the purpose of condemning and acquiring the hereinafter described real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Attorney be authorized to make application to said Court for an order fixing the amount of such security in the way of money deposit as such Court may direct, for an order permitting the City of Modesto to take immediate possession and use of said real property for the purposes and uses aforesaid.

BE IT FURTHER RESOLVED that the City Manager and City Auditor be authorized to make such deposits of such security out of proper funds under the control of the city in such amounts as so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

The real property hereinabove referred to, the condemnation of which is hereby authorized for the purpose aforesaid, is situated in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, and is more particularly described as follows:

**MICHAEL D. URSINI and ROSE E. URSINI, husband and wife,**

All that portion of Section 29, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; being a portion of Lot 18, Block 550 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Stanislaus County Records, described as follows:

Commencing at the Southwestern corner of said Lot 18; thence along the Western line of Lot 18, North  $00^{\circ} 40' 00''$  west, 7.50 feet, to a point on a line which is parallel with and 7.50 feet, measured at right angles, Northerly from the Southern line of Lot 18; thence along said parallel line, South  $88^{\circ} 47' 30''$  East, 45.00 feet, to the Western line of property deeded to Michael D. Ursini and Rose E. Ursini by deed recorded December 22, 1958 as Instrument 32615, Stanislaus County Records, and the true point of beginning; thence continuing along said parallel line, South  $88^{\circ} 47' 30''$  East, 74.50 feet; thence along a tangent curve, concave to the Northwest, having a Radius of 15.00 feet, a Central Angle of  $91^{\circ} 52' 30''$  and an Arc Length of 24.05 feet to its point of tangency on the Eastern line of Lot 18; thence along said Eastern line, South  $00^{\circ} 40' 00''$  East, 7.50 feet; thence along a tangent curve, concave to the Northwest, having a Radius of 15.00 feet, a Central Angle of  $91^{\circ} 52' 30''$  and an Arc Length of 24.05 feet, to its point of tangency on the Southern line of Lot 18; thence along said Southern line, North  $88^{\circ} 47' 30''$  West, 74.50 feet, to the Southwestern corner of said Ursini property; thence along the Western line of the Ursini property, North  $00^{\circ} 40' 00''$  West, 7.50 feet to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By B. C. Mangnall  
Public Works Department

5/6/65

*R. M. H.*  
11-9-71

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1042

A RESOLUTION APPOINTING MEMBERS TO THE BUSINESS & INDUSTRY SUBCOM-  
MITTEE OF PROJECT GREATER MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that it hereby approves the appointment of the following persons  
to the Business & Industry Subcommittee of Project Greater Modesto:

Vernon Brooks  
1713 Crestview Drive  
Modesto, California 95350

Clyda Ramos  
1748 Evans Road  
Ceres, California

Randy Clark  
1010 Enslen Avenue  
Modesto, California 95350

Armour Smith  
930 Sycamore Avenue  
Modesto, California 95350

Tom M. Quinn  
3404 Mark Allen Drive  
Modesto, California 95350

Joel Sowder  
1617 Irene Avenue  
Modesto, California 95350


The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 15th day of  
November, 1971, by Councilman Simon, who moved its adoption, which  
motion being duly seconded by Councilman Elliott, was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1043

A RESOLUTION APPOINTING MEMBER OF THE DISADVANTAGED SUBCOMMITTEE OF  
PROJECT GREATER MODESTO

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 Disadvantaged Subcommittee of Project Greater / <sup>Modesto</sup> for the respective term as indicated:

Rev. Dillon W. Throckmorton  
1206 Chehalem Dr.  
Modesto, California 95350

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Disadvantaged Subcommittee of Project Greater / <sup>Modesto</sup> and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of November, 19 71, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1044

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF JEFFREY P. COWAN AS CHAIRMAN OF THE YOUTH SUBCOMMITTEE OF PROJECT GREATER MODESTO

WHEREAS, Mr. Cowan was appointed as a member of the Youth Subcommittee of Project Greater Modesto on August 23, 1971; and

WHEREAS, Mr. Cowan has tendered his resignation from the Youth Subcommittee of Project Greater Modesto effective November 22, 1971, due to an unexpected management change in their business.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Mr. Cowan from the Youth Subcommittee of Project Greater Modesto is hereby accepted with regret.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1045

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 IMPROVE-  
MENT, AND DIRECTING THE METHOD OF COLLECTION  
OF SAID LIEN (325 Oak Street, Block 414, Lots 1 and 2 -  
Mr. James E. Sheppard) (Rescind Res. 70-914)  
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 construc-  
tion of sidewalk may be required, and

WHEREAS, the Council did, on March 23, 1970  
adopt its Resolution No. 70-275, directing the Superin-  
tendent of Streets to give notice requiring the construction of  
sidewalk along certain streets in the City  
of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to  
cause the completion of the construction of sidewalk  
as aforesaid, in compliance with the provisions  
of Chapter 27 of Part 3 of Division 7 of the Streets and Highways  
Code, and

WHEREAS, September 21, 1970, at 4:35 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 a hearing and passing upon the report of the Superintendent of  
Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said  
Council confirmed the report of the Superintendent of Streets, as  
submitted, and on file in the office of the City Clerk, the cost  
of said work specified in Section 1 of this resolution being  
determined in the total amount of \$130.00.

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

SECTION 1. That the cost of the aforesaid work, being the amount of \$130.00, be assessed in 10 annual installments as a lien against the parcel (s) of property fronting upon the work so constructed, this amount to be added to the unpaid balance of previous assessments amounting to \$346.36, leaving a balance of \$476.36 to be spread over a ten-year installment period. All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1 and 2 of Block 414 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 414, Stanislaus County Records.

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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.

SECTION 4. Resolution No. 70-914 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 November, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1046

A RESOLUTION ACCEPTING THE CONSTRUCTION OF GIB GOODRUM'S CONTRACT  
FOR WASH RACK AT MODESTO CITY-COUNTY AIRPORT

WHEREAS, a report has been filed by the Director of Public Works that the construction of Wash Rack at Modesto City-County Airport

has been completed by Gib Goodrum

in accordance with the contract agreement dated September 13, 1971.

NOW, THEREFORE, BE IT RESOLVED that the construction of Wash Rack at Modesto City-County Airport

be accepted from said contractor, Gib Goodrum

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$4,500.00 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 November, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1047

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF WATER LINES IN ELMWOOD ESTATES NO. 3 AND TRADEWINDS NO. 4 SUBDIVISIONS

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

SECTION 1. The plans and specifications for water lines in Elmwood Estates No. 3 and Tradewinds No. 4 Subdivisions

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 7, 1971 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 22nd day of November, 1971, by Councilman Simon who moved its adoption, which motion being duly seconded by Councilman Elliott was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1048

A RESOLUTION ACCEPTING THE BID OF ACME CONSTRUCTION COMPANY FOR ROOFING  
AND DRAINAGE FACILITIES AT McHENRY LIBRARY (MUSEUM)

WHEREAS, Resolution No. 71-941 , adopted by the Council of the  
City of Modesto on November 1, 1971 , approved the plans and speci-  
fications for the roofing and drainage facilities at McHenry Library  
(Museum)

and authorized the calling for bids, and

WHEREAS, the bids received for the roofing and drainage facilities  
at McHenry Library (Museum)  
were opened at 10:00 A.M. on November 16, 1971, 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 Company in the amount of \$10,990.00

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 Company in the amount of \$10,990.00

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 November,  
1971 , by Councilman Simon , who moved its adoption, which motion  
being duly seconded by Councilman Elliott , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1048A

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$11,500 FOR ROOFING AND DRAINAGE FACILITIES AT McHENRY LIBRARY (MUSEUM)

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

CAPITAL OUTLAYS (321)

FROM: General Reserve (60-321)	\$11,500
TO: Remodel Cultural Center (6546-31-321)	\$11,500

(The McHenry Library roof and drainage facilities have been inspected by the Building Inspection Department and found to be in immediate need of repair. The funds requested above will be reimbursed by the Citizens Cultural Center Committee.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1971 by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: \_\_\_\_\_

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1049

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$11,000 FOR ADDITIONAL FUNDS REQUIRED TO COVER THE INCIDENTAL EXPENSES FOR THE REMAINDER OF THE CONSTRUCTION PERIOD ON IMPROVEMENT DISTRICT NO. 19

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

CAPITAL OUTLAY FUND (321)

FROM: General Reserve (60-321)	\$11,000
TO: Storm Drain, Improvement District No. 19 (6603-41-321)	\$11,000

(The additional funds are required to cover the incidental expenses for the remainder of the construction period after which the contractor will reimburse the City for the amount expended.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1971 by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1050

A RESOLUTION COMMENDING THE LIBRARY AND CULTURE COMMISSION FOR A SUCCESSFUL WEEK OF FESTIVITIES IN CONNECTION WITH THE OPENING OF THE MODESTO-STANISLAUS COUNTY LIBRARY

WHEREAS, the opening of the Modesto-Stanislaus County Library was highlighted by a week of events which were so planned as to offer something of interest to a wide cross-section of the community, and

WHEREAS, the response of the public to the various events gave proof that the planning for the week's festivities had been accompanied by much hard work, and

WHEREAS, the Library and Culture Commission was the group responsible for the planning and execution of these festivities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Library and Culture Commission of the City of Modesto be, and hereby is, commended for the successful week of festivities in connection with the opening of the Modesto-Stanislaus County Library.

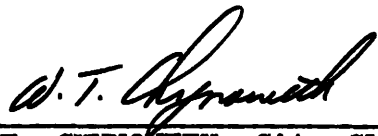
The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1051

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
KENNETH W. HOWELL, OWNER OF ZIONS CYCLERY, FOR THE SALE OF BICYCLE  
LICENSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Kenneth W.  
Howell, owner of Zions Cyclery  
for the sale of bicycle licenses (Remuneration to the dealer at  
\$.10 for each license sold)  
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  
November, 1971, by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Elliott,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1052

A RESOLUTION ACCEPTING IMPROVEMENTS IN ASPEN MANOR NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF STATUTORY PERIOD

WHEREAS, Arthur J. Wylie and Florence E. Wylie, husband and wife, individuals, subdividers of Aspen Manor No. 2 Subdivision, have filed an Instrument of Credit in the amount of \$13,400 to guarantee improvements in Aspen Manor No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated November 17, 1971, 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$13,400 upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Aspen Manor No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$13,400, filed by the Subdividers to guarantee improvements in Aspen Manor No. 2 Subdivision, 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 November, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1053  
AMENDMENT TO

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
ANDREW J. SILVA REGARDING GOLF CARS

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
amendment to  
that the/agreement between the City of Modesto and Andrew J. Silva

~~now~~ regarding Golf Cars (Amendment delegates certain responsibilities  
such as renting and maintaining the golf cars to Silva)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
amendment to  
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  
November, 1971, by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Elliott,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1054

A RESOLUTION APPROVING THE FINAL MAP OF THE  
TRADEWINDS NO. 4 SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, Gregory Development Company

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are possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 3.3 acres, known as the Tradewinds No. 4  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 3rd day of August, 19 71, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Tradewinds 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,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that said final map of the Tradewinds No. 4  
Subdivision 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 in the amount of Eight Hundred Thirty-One and 70/100ths  
(\$831.70) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

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 22nd day of November, 19 71, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:  
By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1055

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 27-3-9 OF THE ZONING MAP TO REZONE FROM ONE-FAMILY RESIDENTIAL ZONE, R-1, TO TWO-FAMILY RESIDENTIAL ZONE, R-2, PROPERTY LOCATED ON THE WEST SIDE OF EL VISTA AVENUE SOUTH OF EDGEBROOK DRIVE (Kirkpatrick Homes)

WHEREAS, the Modesto City Planning Commission held a public hearing on November 16, 1971, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 27-3-9 of the zoning map to rezone from One-family Residential Zone, R-1, to Two-family Residential Zone, R-2, property located on the west side of El Vista Avenue south of Edgebrooks Dr. the following described property:

"SEE EXHIBIT "A" ATTACHED

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-163 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 27-3-9 of the Zoning Map be set for December 20, 1971, at 4:10 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 22nd day of November, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

All that portion of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Beginning at the Southeast corner of Lot 1 of Block 2283 of Dry Creek Estates No. 1, according to the Official Map thereof, recorded in Volume 21 of Maps at Page 55, Stanislaus County Records, being on the West line of 100 foot wide El Vista Avenue; thence South  $89^{\circ} 42' 30''$  West along the South line of said Block 2283 a distance of 100.00 feet; thence South  $0^{\circ} 36'$  East 466.06 feet; thence South  $89^{\circ} 48'$  East 150.01 feet to the centerline of said El Vista Avenue; thence North  $0^{\circ} 36'$  West along said centerline of El Vista Avenue 467.36 feet; thence South  $89^{\circ} 42' 30''$  West 50.00 feet to the point of beginning.

Containing 1.608 Acres.

EXHIBIT "A"

Section 27-3-9  
(Kirkpatrick  
Homes)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1056

A RESOLUTION SETTING TIME AND PLACE FOR HEARING RECOMMENDATION OF PLANNING COMMISSION TO AN AMENDMENT TO PLANNED DEVELOPMENT ZONE, P-D (83) TO ALLOW HEAD REST, INC. INTERIM OCCUPANCY OF THE EXISTING CHURCH BUILDING LOCATED SOUTH OF DOWNEY AVE. NORTHWEST OF EYE STREET AND NORTHEAST OF 17TH STREET

BE IT HEREBY RESOLVED by the Council of the City of

Modesto that December 20, 1971 , at 4:15 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of recommendation of Planning Commission to an amendment to Planned Development Zone, P-D (83) to allow Head Rest, Inc. interim occupancy of the existing church building located south of Downey Ave. northwest of Eye Street and northeast of 17th Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of November, 1971, by Councilman Simon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1057

A RESOLUTION AMENDING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1972, TO ESTABLISH THE PUBLIC EMPLOYMENT PROGRAM FUND.

WHEREAS, the City of Modesto has been designated as a subgrantee in the Public Employment Program under the Emergency Employment Act of 1971, and is thereby authorized to receive subvention from the United States Department of Labor through the County of Stanislaus, and

WHEREAS, the United States Department of Labor requires that special accounting procedures be followed, and

WHEREAS, in order to provide such special accounting procedures, it is deemed advisable to establish a Public Employment Program Fund,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto Final Budget, 1971-72 be amended to establish a special operating fund to be known as "The Public Employment Program Fund" which fund will establish a means of accounting for revenues and expenditures of the contributions to be received from the County of Stanislaus acting as Program Agent for the United States Department of Labor for the Public Employment Program under the Emergency Employment Act of 1971.

BE IT FURTHER RESOLVED that the Public Employment Program funds available to the City of Modesto for the 1971-72 fiscal year are estimated as follows:

Federal Allocation	\$ 248,939.00
City In Kind Contribution	\$ 30,404.00

BE IT FURTHER RESOLVED that the City of Modesto final budget 1971-72, be amended to provide for the appropriation of the estimated available Public Employment Program funds as follows:

Salaries and Wages	\$ 212,956.00
Uniform Allowance	\$ 1,040.00
Compensation Insurance	\$ 5,178.00
Group Life Insurance	\$ 336.00
O. A. S. D. I. Contribution	\$ 7,616.00
P. E. R. S. Contribution	\$ 19,436.00
Group Health Insurance	\$ <u>2,377.00</u>
Total Public Employment Program Funds	\$ <u>248,939.00</u>

Communications	\$	65.00
Maintenance and Repair, Office Equipment	\$	65.00
Maintenance and Repair, Equipment, Other	\$	85.00
Equipment Rental Charges	\$	950.00
Laundry and Cleaning	\$	135.00
Maintenance and Repair, Buildings and Grounds	\$	6.00
Office Supplies	\$	195.00
Books & Periodicals	\$	80.00
Custodial Supplies	\$	131.00
Tools, Shop, Field Supplies	\$	1,906.00
Breathing Units (2)	\$	840.00
Radio Receivers (5)	\$	950.00
Desk and Chair	\$	435.00
Electric Typewriter	\$	475.00
Adding Machine	\$	170.00
Custodian Cart	\$	125.00
Revolvers	\$	628.00
Portable Dictating Unit	\$	447.00
Radio, Portable	\$	1,122.00
Administration	\$	2,765.00
Training & Supervision	\$	<u>18,829.00</u>
Total City In Kind Costs	\$	<u>30,404.00</u>
Total Appropriations	\$	<u><u>279,343.00</u></u>

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 22nd day of November, 1971, by Councilman Simon, who moved its adoption, which motion being

duly seconded by Councilman Elliott, was upon roll call carried  
and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST::

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1058

A RESOLUTION APPROVING APPROPRIATION OF \$30,404.00  
FROM THE UNAPPROPRIATED FUND BALANCE OF THE  
GENERAL FUND, TO ACCOUNT NO. 71, GENERAL FUND.

BE IT RESOLVED by the Council of the City of Modesto that the  
following appropriation be approved:

From:

Unappropriated Fund Balance (Account 95)  
General Fund (No. 101) \$ 30,404.00

Appropriation to:

Fund Transfer Appropriations (Account No. 71)  
General Fund (101) \$ 30,404.00

The foregoing resolution was introduced at a regular meeting of the  
Council of the City of Modesto held on the 22nd day of November, 1971, by  
Councilman Simon, who moved its adoption, which motion being  
duly seconded by Councilman Elliott, was upon roll call carried and  
the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1059

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DOUG LANE FOR OPERATION OF FOOD CONCESSION AT DRYDEN GOLF COURSE CLUBHOUSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Doug Lane for operation of food concession at Dryden Park Municipal Golf Course Clubhouse 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 November, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Sunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1060

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REQUEST FOR ENCROACHMENT PERMIT TO ALLOW MODESTO BEE BUILDING TO EXTEND SIX (6) INCHES BEYOND PROPERTY LINE ON 14TH STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 13, 1971 , at 7:55 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 for encroachment permit to allow Modesto Bee building to extend six (6) inches beyond property line on 14th Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1061

A RESOLUTION DECLARING SUPPORT AND ENCOURAGEMENT TO MODESTO JUNIOR COLLEGE STUDENTS IN THEIR FIGHT AGAINST HOUSING DISCRIMINATION

WHEREAS, for many years there has been housing discrimination against college students, and

WHEREAS, as a result of this discrimination students have experienced difficulty in obtaining adequate housing, and

WHEREAS, students at Modesto Junior College have requested the aid of the City of Modesto in their attempt to end housing discrimination against minorities and students.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that those students at Modesto Junior College who are making an attempt to alleviate the problems caused by housing discrimination be, and hereby are, commended.

BE IT FURTHER RESOLVED that the Modesto City Council supports the aims of the Modesto Junior College students and offers encouragement to them.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1062

A RESOLUTION DECLARING A CITY-OWNED STRUCTURE  
AS SURPLUS PROPERTY AND AUTHORIZING THE CITY  
MANAGER TO SELL SAID STRUCTURE.

WHEREAS, the Modesto Downtown Improvement District has requested that a certain structure constructed in 1967, and which has served as Santa's House since that time, be sold and replaced by a new structure, and

WHEREAS, inasmuch as said structure is no longer needed, it should be declared surplus property,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the structure constructed in 1967 which has served as Santa's House is declared surplus property to the City's needs.

BE IT FURTHER RESOLVED that the City Manager of the City be authorized to negotiate and sell said structure and to sign a bill of sale therefor.

BE IT FURTHER RESOLVED that the City Manager is hereby directed to make a report to the Council of the final disposition of said structure which has served as Santa's House, which report shall also include the price received for said structure.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1063

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF DR. JOHN S. RICE, JR. AS A MEMBER OF THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD

WHEREAS, Dr. John S. Rice, Jr. was appointed a member of the Downtown Improvement District Advisory Board on May 13, 1968; and

WHEREAS, Dr. Rice has tendered his resignation from the Downtown Improvement District Advisory Board effective December 6, 1971; and

WHEREAS, Dr. Rice has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Dr. Rice from the Downtown Improvement District Advisory Board is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Dr. Rice 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 6th day of December, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1064

A RESOLUTION ACCEPTING THE CONSTRUCTION OF LEE WHITE PAVING COMPANY'S CONTRACT FOR THE IMPROVEMENT OF STREETS ADJACENT TO CITY PARK SITES IN ROSE TERRACE NO. 3 AND NORTHGATE NO. 7 SUBDIVISIONS

WHEREAS, a report has been filed by the Director of Public Works that the ~~construction of~~ Improvement of Streets adjacent to City Park Sites in Rose Terrace No. 3 and Northgate No. 7 Subdivisions has been completed by Lee White Paving Co.

in accordance with the contract agreement dated September 30, 1971.

NOW, THEREFORE, BE IT RESOLVED that the ~~construction of~~ Improvement of Streets adjacent to City Park Sites in Rose Terrace No. 3 and Northgate No. 7 Subdivisions 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 \$22,881.68 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 December, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1065

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR WADING POOL AT MARSHALL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Wading Pool at Marshall 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 December 21, 1971 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 6th day of December, 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1066

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL  
FOR BIDS FOR ANNUAL REQUIREMENTS OF PIPE FOR WATER WORKS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for annual requirements of pipe for water works

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 21, 1971 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 December, 1971, by Councilman Dixon who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1067

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR IRRIGATION, TURF AND SANDYCLAY INFIELD, DAVIS PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Irrigation, Turf and Sandy Clay Infield, 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 December 28, 1971 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 6th day of December, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1068

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JUNIOR WOMEN'S CLUB OF MODESTO, INC. TO BUILD "SAFETY TOWN"

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Junior Women's Club of Modesto, Inc. ~~for~~ to build "Safety Town"


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 December, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1069

A RESOLUTION TERMINATING LEASE AGREEMENT BETWEEN THE CITY OF  
MODESTO AND ERNIE TIWATER AND TERRI TIWATER FOR LEASE OF  
PREMISES AT 620 Brighton Avenue

BE IT HEREBY RESOLVED by the Council of the City of  
Modesto that the lease agreement between the City of Modesto  
and Ernie Tiwater and Terri Tiwater for lease of city-owned  
premises at 620 Brighton Avenue is hereby terminated effective  
November 5, 1971.

BE IT FURTHER RESOLVED that execution of the Termination  
of Lease Agreement 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  
6th day of December, 1971 by Councilman Dixon, who moved its  
adoption, which motion being duly seconded by Councilman Elliott,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1070  
LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND  
TERRI J. DuBERG FOR RENTAL OF HOUSE AT 620 BRIGHTON AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
lease  
that the/agreement between the City of Modesto and Terri J. DuBerg

for rental of house at 620 Brighton Avenue (\$135 per month, plus  
\$5 permonth to be applied against the last month) effective 11/6/71  
be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
lease  
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  
December, 1971, by Councilman Dixon, who moved its  
adoption, which motion being duly seconded by Councilman Elliott,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1071

A RESOLUTION APPROVING THE FINAL MAP OF THE  
CARVER MANOR NO. 2 SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, Robert P. Bomberger and Muriel F. Bomberger, husband  
and wife, and Harley D. Brannan and Norma Brannan, husband and wife,

are possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 8.53 acres, known as the Carver Manor No. 2  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 1st day of February, 19 71, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Carver Manor 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 of the Carver Manor No. 2  
Subdivision 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 in the amount of Two Thousand, One Hundred Fifty-Three  
and 05/100ths (\$2,153.05) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

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 December, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1072

A RESOLUTION OF THE MODESTO CITY COUNCIL  
OFFERING NO OBJECTION TO PROPOSED OPEN  
SPACE CONTRACT APPLICATION NO. 72-711  
(NORMAN DRIVER)

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 Open  
Space Contract Application not be opposed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the  
City of Modesto that it does not oppose Open Space Contract  
Application No. 72-711 (Norman Driver).

The foregoing resolution was introduced at a regular  
meeting of the Council of the City of Modesto held on the 6th  
day of December, 1971, by Councilman Dixon,  
who moved its adoption, which motion being duly seconded by  
Councilman Elliott, was upon roll call carried and the  
resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1073

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, URBAN MASS TRANSPORTATION ADMINISTRATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964

WHEREAS, the Urban Mass Transportation Administrator is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs; and

WHEREAS, it is required by the Urban Mass Transportation Administration, issued pursuant to 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, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the Urban Mass Transportation Administration Regulation thereunder:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto as follows:

1. That the City Manager is authorized to execute and file an application on behalf of City of Modesto with the Urban Mass Transportation Administration, to aid in the financing of a capital improvement project generally described as: Purchase of one new 31-33-passenger diesel transit bus.
2. That the City Manager is authorized to execute and file with such application an assurance or any other document required by the Urban Mass Transportation Administration under its Regulation effectuating Title VI of the Civil Rights Act of 1964.
3. That John C. Keefe, City Manager, is authorized to furnish such additional information as the Urban Mass Transportation Administration may require in connection with the application or the project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1074

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND ACCEPTING THE BID OF HEWLETT-PACKARD FOR PROGRAMMABLE CALCULATOR

WHEREAS, funds have been budgeted for the programmable calculator during the current fiscal year; and

WHEREAS, informal bids were received for the programmable calculator, and considered by the Public Works Department; and

WHEREAS, the Director of Public Works has recommended that the bid of Hewlett-Packard for the programmable calculator be accepted (Hewlett-Packard Model 9810A, with alpha and mathematics modules) at a cost of \$4,863.79.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that waiver of formal bid procedure for the purchase of the equipment is hereby authorized.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that the bid of Hewlett-Packard for a programmable calculator (Hewlett-Packard Model 9810A, with alpha and mathematics modules) in amount of \$4,863.79 be accepted and the execution of a purchase order 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 December, 1971, by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1075  
LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND HEIDI WARNER, FOR THE MONTH OF DECEMBER, TO ASSIST IN OVERSEEING THE REMODELING AND THE SETTING UP OF THE MUSEUM

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
letter  
that the/agreement between the City of Modesto and Heidi Warner

for the month of December, to assist in overseeing the remodeling  
and the setting up of the museum (flat fee of \$250)

be, and it is hereby approved.

letter  
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  
December, 1971, by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Elliott,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1076

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF HEIDI WARNER AS A MEMBER OF THE LIBRARY & CULTURE COMMISSION

WHEREAS, Heidi Warner was appointed a member of the Library and Culture Commission on April 5, 1971; and

WHEREAS, Heidi Warner has tendered her resignation from the Library and Culture Commission effective December 6, 1971; and

WHEREAS, Heidi Warner has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Heidi Warner from the Library and Culture Commission is hereby accepted with regret, and

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Heidi Warner 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 6th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilmen Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1077

A RESOLUTION COMMENDING MRS. WILLIAM (HEIDI) WARNER FOR HER SERVICES  
IN DEVELOPMENT OF A MUSEUM IN MODESTO

WHEREAS, a public museum located in suitable quarters has long  
been the goal of many Modestans, and

WHEREAS, a small but dedicated group of citizens has worked  
long and arduous hours to achieve this goal, and

WHEREAS, Mrs. William (Heidi) Warner has been a constant and  
devoted leader in this endeavor, and

WHEREAS, this goal is now in sight with the museum to be located  
in the old McHenry Library Building.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
Modesto that Mrs. William (Heidi) Warner be, and hereby is, commended  
for her invaluable services in connection with the development of  
a museum in Modesto.

The foregoing resolution was introduced at a regular meeting  
of the Council of the City of Modesto held on the 6th day of Decem-  
ber, 1971, by Councilman Dixon, who moved its adoption, which motion  
being duly seconded by Councilman Elliott, was upon roll call carried  
and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1078

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE DALE ROAD NO. 1 ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on November 26, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Dale Road No. 1 Addition,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

That the annexation of said uninhabited territory designated as Dale Road No. 1 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R. C. Mangrall  
Public Works Department

R. C. Mangrall  
12-1-71

DALE ROAD NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Northwesterly corner of the North 99 Addition No. 3, (239) per description filed September 8, 1969, as Instrument No. 30099, Stanislaus County Records, said point being at the intersection of the Easterly extension of the Northerly line of Shoemake Avenue and the Southwesterly line of North Ninth Street; thence North  $58^{\circ} 37' 02''$  East, 318.06 feet, to a point on the Northeasterly line of Dale Road; thence North  $16^{\circ} 00' 18''$  West, 618.31 feet, to the Southwest corner of parcel owned by Stanislaus Motor-In, Inc., as shown in Volume 12 of Surveys at Page 67, Stanislaus County Records; thence South  $89^{\circ} 08' 21''$  East, along said South line of Stanislaus Motor-In, Inc. parcel, 289.60 feet; thence South  $28^{\circ} 22' 31''$  East, 664.65 feet; thence South  $12^{\circ} 58' 23''$  West, 205.50 feet, to a point on the Northeasterly line of Dale Road and the existing City Limits; thence along said Northeasterly line of Dale Road and the existing City Limits in a Northwesterly direction along a non-tangent curve concave to the Northeast, from a tangent bearing of North  $64^{\circ} 56' 27''$  West, a Central Angle of  $01^{\circ} 37' 20''$ , having a Radius of 773.00 feet and an Arc Length of 21.89 feet; thence continuing along said Northeasterly line of Dale road and the existing City Limits, North  $63^{\circ} 19' 07''$  West, 91.87 feet, to the intersection of the Easterly extension of the Northerly line of Shoemake Avenue and the Northeasterly line of Dale Road; thence South  $87^{\circ} 48' 29''$  West, along said Easterly extension of the Northerly line of Shoemake Avenue and the existing City Limits, 558.98 feet, to the point of beginning, containing 6.899 acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1079

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$1,000 FOR STATE  
BOARD OF EQUALIZATION FILING FEES

BE IT RESOLVED by the Council of the City of Modesto that the  
following appropriation transfer(s) are approved:

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$1,000
TO: Services, Professional and Otherwise, (235-14-101)	\$1,000

(Funds are needed for the last six months of fiscal year  
1971-72 because of new State Board of Equalization filing  
fees for annexations)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 6th day of December,  
1971 by Councilman Dixon , who moved its adoption, which motion  
being duly seconded by Councilman Elliott , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST: \_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1080

A RESOLUTION APPROVING THE TRANSFER OF \$114,000.00 FROM THE GENERAL RESERVE TO THE WATER LINES AND HYDRANT EXTENSIONS ACCOUNT (6804-50-101) AND NEW SERVICES ACCOUNT (5301-50-101)

WHEREAS, an amount of One Hundred Fourteen Thousand and no/100ths (\$114,000.00) Dollars is available in the General Reserve (60) of the General Fund (101), and

WHEREAS, said sum is needed in the Water Line and Hydrant Extensions and New Services Accounts in the General Fund to meet the need for water line expansion and to provide water service to new subdivisions being developed in the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of One Hundred Fourteen Thousand and no/100ths (\$114,000.00) Dollars be transferred from the General Reserve (60) of the General Fund (101) to the following subsidiary accounts in the General Fund:

Water Lines and Hydrant Extensions (6804-50-101) \$84,000.00  
New Services (5301-50-101) \$30,000.00.

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 held on the 6th day of December, 19 71, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY   
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1081

A RESOLUTION APPROVING APPROPRIATION OF \$42,000.00 FROM THE UNAPPROPRIATED FUND BALANCE OF THE GENERAL FUND TO THE WATER LINES AND HYDRANT EXTENSIONS ACCOUNT (6804-50-101).

WHEREAS, an amount of Forty-Two Thousand and no/100ths (\$42,000.00) Dollars is available in the Fund Balance of the General Fund (101), and

WHEREAS, said sum is needed in the Water Line and Hydrant Extensions Account in the General Fund to meet the need for water line expansion.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the sum of Forty-Two Thousand and no/100ths (\$42,000.00) Dollars be appropriated from the Unappropriated Fund Balance of the General Fund (101) to the subsidiary account Water Lines and Hydrant Extensions (6804-50-101) for construction of water lines and hydrant extensions,

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 6th day of December, 1971, by Councilman Dixon, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Smith

ATTEST:

*W. T. Chynoweth*  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY *Elwyn L. Johnson*  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1082

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,000 FOR APPRAISAL COSTS AND ENGINEERING FOR CLEAR ZONE LAND ACQUISITION, CITY-COUNTY AIRPORT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

AIRPORT FUND (230)

FROM: General Reserve (60-46-230)	\$2,000
TO: Clear Zone Land acquisition (6488-46-230)	\$2,000

(To cover cost of appraisals and preliminary engineering required on City's part for ILS installation at City-County Airport)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of December, 1971 by Councilman Dixon , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Simon, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Smith

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1083  
BASE

A RESOLUTION ACCEPTING THE/BID OF JOHN BIRGES FOR CONSTRUCTION OF IRRIGATION SYSTEM AT NINE-HOLE MUNICIPAL GOLF COURSE

WHEREAS, Resolution No. 71-943 , adopted by the Council of the City of Modesto on November 1, 1971 , approved the plans and specifications for the construction of irrigation system at Nine-Hole Municipal Golf Course

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of irrigation system at Nine-Hole Municipal Golf Course were opened at 10:00 A.M. on November 23, 1971, 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 <sup>base</sup> the/bid of John Birges in the amount of \$90,000

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that <sup>base</sup> the/bid of John Birges in the amount of \$90,000

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 December, 1971 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1084

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$9,140 FOR ADDITIONAL FUNDS NEEDED FOR CONSTRUCTION OF IRRIGATION SYSTEM AT NINE-HOLE MUNICIPAL GOLF COURSE

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

SPECIAL FUND FOR CAPITAL OUTLAYS (321)

FROM: General Reserve (60-321)	\$9,140
TO: Muni Golf, Stage 3 & 4 (6255-31-321)	\$9,140

(This amount is necessary because of the difference between the budgeted amount and the actual cost of the project.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 19 71 by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1085

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF GOLF CART STORAGE SHED AT DRYDEN GOLF COURSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of golf cart storage shed at Dryden Golf Course

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 28, 1971 at 10:10 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 13th day of December, 1971, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1086

A RESOLUTION APPROVING WITHDRAWAL OF BID OF B. J. ROMMEL FOR CONSTRUCTION OF CLUBHOUSE AT MUNICIPAL GOLF COURSE

WHEREAS, a low bid in the amount of \$39,481.00 for construction of a clubhouse at Municipal Golf Course was submitted to the City of Modesto by B. J. Rommel on November 23, 1971; and

WHEREAS, Mr. Rommel has informed the City that a mathematical error was made in the preparation of his bid, and has requested that he be permitted to withdraw his bid for construction of the clubhouse at Municipal Golf Course; and

WHEREAS, the Director of Public Works in a memorandum dated December 9, 1971, indicates that a bidder who makes an erroneous bid based on a reasonable mistake in the computation of his costs is entitled to be released from his bid if the City is promptly notified after the error is discovered, which was done by Mr. Rommel, and if the City is not harmed by the error other than by loss of the erroneous bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that withdrawal of the bid in the amount of \$39,481 submitted by B. J. Rommel for construction of the Municipal Golf Course Clubhouse on November 23, 1971, 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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1087

A RESOLUTION ACCEPTING THE BID OF OLSEN BROTHERS FOR CONSTRUCTION OF CLUBHOUSE AT NINE-HOLE MUNICIPAL GOLF COURSE

WHEREAS, Resolution No. 71-944 , adopted by the Council of the City of Modesto on November 1, 1971 , approved the plans and specifications for the construction of Clubhouse at Nine-Hole Municipal Golf Course

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Clubhouse at Nine-Hole Municipal Golf Course were opened at 10:10 A.M. on November 23, 1971, 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 Olsen Brothers in the amount of \$49,247

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Olsen Brothers in the amount of \$49,247

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 December, 1971 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1088

A RESOLUTION ACCEPTING THE BID OF S. M. McGAW CO., INC. FOR INSTALLATION OF WATER LINES IN ELMWOOD ESTATES NO. 3 & TRADEWINDS NO. 4 SUBDIVISIONS

WHEREAS, Resolution No. 71-1047 , adopted by the Council of the City of Modesto on November 22, 1971 , approved the plans and specifications for the installation of Water Lines in Elmwood Estates No. 3 and Tradewinds No. 4 Subdivisions and authorized the calling for bids, and

WHEREAS, the bids received for the installation of Water Lines in Elmwood Estates No. 3 & Tradewinds No. 4 Subdivisions were opened at 10:00 A.M. on December 7, 1971, 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 S. M. McGaw Co., Inc. in the amount of \$4,732.25

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of S. M. McGaw Co., Inc. in the amount of \$4,732.25

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 December, 1971 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1089

A RESOLUTION ACCEPTING THE CONSTRUCTION OF FLINTKOTE COMPANY'S  
CONTRACT FOR PARKING LOT AT KING-KENNEDY MEMORIAL CENTER

WHEREAS, a report has been filed by the Director of Public  
Works that the construction of Parking Lot at King-  
Kennedy Memorial Center

has been completed by The Flintkote Company

in accordance with the contract agreement dated September 7, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of  
Parking Lot at King-Kennedy Memorial Center

be accepted from said contractor, The Flintkote Company

that notice of completion be filed with the Recorder of Stan-  
islaus County and that payment of amounts due in the amount  
of \$15,494.75 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  
13th day of December, 1971, by Councilman  
Elliott, who moved its adoption, which motion being  
duly seconded by Councilman Smith, was upon roll  
call carried and the resolution adopted by the following  
vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1090

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. (MCHENRY-SYLVAN)

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 26, 1971, duly adopted Resolution No. 71-928 (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. 79 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, December 13, 1971, at the hour of 7:35 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. 79 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. 79 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. 79, 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. 79, 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 13th day of December, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R. C. Mangnell  
Public Works Department

RHM  
10-29-71

## McHENRY - SYLVAN ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the South half of the Northwest 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 the Northeast corner of the Standiford Addition (264), as per description filed November 3, 1970, as Instrument 36118, Stanislaus County Records, said point being the West quarter corner of said Section 9 and on the center line of a 50.00 foot public road known as McHenry Avenue; thence along said center line and the section line common to Sections 8 and 9, North  $00^{\circ} 53' 00''$  West, 1033.00 feet; thence South  $89^{\circ} 10' 30''$  East, 447.88 feet; thence North  $00^{\circ} 53' 00''$  West, 311.27 feet to the North line of the South half of said Section 9; thence along said North line, North  $88^{\circ} 20' 10''$  East, 2190.88 feet to the North-South quarter section line of said Section 9; thence along said quarter section line, South  $00^{\circ} 49' 25''$  East, 1321.16 feet to the center line of a 40.00 foot public road known as Sylvan Avenue and the interior quarter corner of said Section 9; thence along the East-West quarter line of Section 9 and said center line of Sylvan Avenue, South  $88^{\circ} 15' 22''$  West, 2637.28 feet, to the point of beginning, containing 77.011 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1091

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. ( SONOMA NO. 1)

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 26, 1971, duly adopted Resolution No. 71-929 (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. 80 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, December 13, 1971, at the hour of 7:40 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. 80 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. 80 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. 80, 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. 80, 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 13th day of December, 19 71, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R. C. Mangell  
Public Works Department

*R.M.*  
*10-29-71*

SONOMA NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southeast Quarter of the Southwest Quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 4 of the ELBERT TRACT, as per map filed January 21, 1908 in Volume 3 of Maps, Page 28, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records, said point being on the center line of a 50.00 foot Modesto Irrigation District right of way; thence along the existing City Limits on the Eastern boundary of said ADDITION (187), North 0° 40' West, 428.87 feet, to the Northern line of Lot 4 of said Elbert Tract; thence along said Northern line, North 89° 49' East, 1183.38 feet, to the center line of a 40.00 foot public road known as Sonoma Avenue, which is also a quarter section line; thence along said quarter section line, South 0° 40' East, 372.40 feet, to the center line of the Modesto Irrigation District right of way; thence along the center line of said right of way, South 69° 48' West, 187.27 feet; thence continuing along said right of way center line, North 84° 43' West, 583.94 feet; thence South 83° 23' West, 428.36 feet, to the point of beginning, containing 11.048 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1092

A RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO THE MODESTO BEE TO PERMIT ARCHITECTURAL FINS ON THE 14TH STREET SIDE OF THE NEW BUILDING TO PROTRUDE SIX INCHES IN THE PUBLIC RIGHT OF WAY

WHEREAS, Elmer E. Neill, Project Superintendent, The Austin Company, Los Angeles, California, has filed a request with the Council of the City of Modesto for permission to allow five architectural fins on the 14th Street side of the new Modesto Bee building to protrude six inches into the public right of way; and

WHEREAS, December 13, 1971, at 7:55 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, was set as the time and place for considering the request; and

WHEREAS, the Director of Public Works in a memorandum dated December 3, 1971, has recommended that an encroachment permit be granted allowing the column encroachments to remain until such time as the public interest requires that they be removed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. An encroachment permit, revocable upon demand of the City of Modesto, is hereby granted to the Modesto Bee to permit five architectural fins on the 14th Street side of the new Modesto Bee building to protrude six inches into the public right of way, in accordance with the drawing on file in the office of the Director of Public Works.

2. Said revocable encroachment permit is granted subject to the conditions set forth below, which conditions permittee agrees, by acceptance of this permit, to faithfully perform:

(a) Permittee, its successors and assigns, during the term of this permit, shall indemnify and save the City harmless of and from all damages, costs, and charges of any kind or character arising out of or relating thereto, or in any way connected with the exercise of the rights granted by this permit.

(b) The City Clerk shall furnish permittee with a copy of this resolution. Permittee shall have twenty (20) days from and after the adoption of this resolution within which to file written

acceptance of this permit and no right shall be conferred hereby until such acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1093

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$200 TO PROVIDE FUNDS FOR ELECTRICAL SERVICE AT DEL WEBB FIELD (MODESTO SOCCER CLUB)

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$200.00
TO: Utilities (210-35-101)	\$200.00

(To provide an additional amount for electrical service at Del Webb Field. The City Council has agreed to pay for electrical service resulting from the use of the field lights by the Modesto Soccer Club up to \$200.00.)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1971, by Councilman Simon, who moved its adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1094

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 during the year 1971, and officially became part of the City, as hereinafter set forth:

NAME OF ANNEXATION	ADOPTED BY	DATE ADOPTED	DATE OFFICIALLY BECAME PART OF CITY
RIVERSIDE NO. 4 ADDITION	Res. 70-1269	12/28/70	1/21/71
RIVERSIDE NO. 5 ADDITION	Res. 71-360	4/26/71	5/5/71

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, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the descriptions of which are 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.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY R. C. Mangrall  
Public Works Department

RHill  
11-8-71

August 12, 1970  
Corrected  
December 29, 1970

RIVERSIDE NO. 4 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 26, and the North-east quarter of Section 35, 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 Southeastern corner of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records, said point being on the South line of a 66.00 foot public road known as Yosemite Boulevard; thence along the Eastern boundary of said Addition (228) and the Eastern line of a 40.00 foot public road known as Riverside Drive and its Southerly extension, North  $00^{\circ} 33' 30''$  West, 1323.33 feet; thence South  $89^{\circ} 53' 24''$  East, 1601.95 feet, to the East line of the West half of the West half of the East half of the Southeast quarter of Section 26; thence along said line, and its Southerly extension, South  $00^{\circ} 32' 50''$  East, 1323.33 feet, to the Southern line of Yosemite Boulevard; thence along said Southern line, North  $89^{\circ} 53' 24''$  West, 1601.69 feet, to the point of beginning, containing 48.659 Acres, more or less.

March 16, 1971

RIVERSIDE NO. 5 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of the Northeast quarter of the Southwest quarter of Section 26, 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 ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records, said point also being on the center line of 60.00 foot public road known as Trask Lane and the North-South quarter, quarter line of said Section 26; thence along the existing City Limits on a Southern boundary of said Addition (228), which is also the Southern line of the Modesto Irrigation District Lateral Number 2, South  $89^{\circ} 58' 00''$  East, 1314.49 feet, to a Southwestern corner of said Addition (228) and the Western Boundary of a 40.00 foot public road known as North Riverside Drive, which is also the North-South quarter section line of said Section 26; thence along said quarter section line, South  $0^{\circ} 34' 00''$  East, 623.06 feet, to a Northeastern corner of said Addition (228); thence continuing along the existing City Limits on a Northern boundary of said Addition (228), North  $89^{\circ} 57' 00''$  West, 657.00 feet, to a Northwestern corner of said Addition (228); thence leaving the existing City Limits, North  $89^{\circ} 57' 00''$  West, 657.13 feet, to the center line of said Trask Lane; thence along said center line, North  $0^{\circ} 36' 00''$  West, 623.18 feet, to the point of beginning, containing 18.792 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1095

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 during the year 1971, and officially became part of the City, as hereinafter set forth:

NAME OF ANNEXATION	ADOPTED BY	DATE ADOPTED	DATE OFFICIALLY BECAME PART OF CITY
OAKDALE-FLOYD ADDITION	Res. 70-1230	12/14/70	1/5/71
CELESTE NO. 3 ADDITION	Res. 71-44	1/18/71	2/12/71
EAST ORANGEBURG NO. 4 ADDITION	Ord. 1107-C.S.	5/10/71	5/24/71
EAST ORANGEBURG NO. 5 ADDITION	Res. 71-539	6/7/71	6/22/71
NORWEGIAN NO. 1 ADDITION	Ord. 1123-C.S.	7/6/71	8/1/71
COFFEE-FLOYD ADDITION	Res. 71-541	6/7/71	6/22/71
CLAREMONT NO. 2 ADDITION	Res. 71-712	7/26/71	8/4/71
SONOMA NO. 1 ADDITION	Res. 71-898	10/4/71	10/20/71
CLAREMONT NO. 3 ADDITION	Res. 71-970	11/1/71	11/4/71

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, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the descriptions of which are 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.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson  
ELWYN L. JOHNSON City Attorney

APPROVED AS TO DESCRIPTION:

11-10-71 BY R.C. Mangual  
Public Works Department

## OAKDALE - FLOYD ADDITION

All that real property in the State of California, County of Stanislaus, being the North half of the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being all of the Robinson Tract as per map filed September 30, 1910, in Volume 5 of Maps, Page 15, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being the North quarter corner of Section 15; thence along the North line of Section 15, North 89° 36' 50' East, 2625.60 feet, to the Northeast corner of Section 15 which is also on the center line of a public road known as Old Oakdale Road; thence along said center line, South 0° 53' 48" East, 1321.53 feet, to the South line of the North half of the Northeast quarter of Section 15, said line also being on the center line of a public road known as Floyd Avenue; thence along said center line, South 89° 38' 20" West, 2624.12 feet, to the West line of the Northeast quarter of Section 15; thence along said quarter section line, North 0° 57' 40" West, 1320.40 feet, to the point of beginning, containing 79.596 Acres, more or less.

## CELESTE NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of the Southeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Parcel "D" as per map filed in Volume 7 of Parcel Maps, Page 68, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the CELESTE NO. 2 ADDITION (246), as per description filed December 29, 1969, as Instrument 42493, Stanislaus County Records, said point being on the East-West quarter line of Section 15, said point also being the Northwesterly corner of said Parcel "D"; thence along said quarter line and Northern line of said Parcel "D", South 89° 22' 05" East, 778.25 feet, to the East quarter corner of Section 15, said point being on the center line of a 40 foot Public Road known as Oakdale Road; thence along the East line of Section 15 and said center line of Oakdale Road, South 00° 01' 26" West, 645.67 feet, to the Northeastern corner of the ROSE ACRES ADDITION (181), as per description filed September 27, 1965, as Instrument 37370, Stanislaus County Records, said point being on the Easterly extension of the Northern line of the Tradewinds Subdivision, as per map filed March 8, 1966, in Volume 21 of Maps, Page 41, Stanislaus County Records; thence along the existing City Limits on the Northern line of the Rose Acres Addition (181) and the Tradewinds Subdivision, North 89° 41' 49" West, 1312.22 feet, to a point on the East line of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1968, as Instrument 29381, Stanislaus County Records; thence along the existing City Limits on the East line of the Rose Acres No. 2 Addition (222), North 00° 01' 05" East, 125.00 feet, to the Southwestern corner of the Celeste No. 2 Addition (246); thence along the existing City Limits on the South line of the Celeste No. 2 Addition (246), South 89° 41' 49" East, 531.46 feet, to the Southeastern corner of Celeste No. 2 Addition (246); thence along the existing City Limits on the Eastern line of th Celeste No. 2 Addition (246) North 00° 18' 11" East, 525.14 feet, to the point of beginning, containing 13.123 Acres, more or less.

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot 5 of the Broughton Colony as per map filed March 17, 1904, in Volume 1 of Maps, Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the MEMORIAL HOSPITAL NORTH ADDITION (261); as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, said point being the quarter corner common to Sections 21 and 22; thence along the section line common to Sections 21 and 22 and on the Eastern boundary of said Addition (261), North  $0^{\circ} 27' 00''$  West, 329.91 feet, to the Westerly extension of the South line of the GARDEN ACRES TRACT, as per map filed November 18, 1940, in Volume 14 of Maps, Page 9, Stanislaus County Records; thence along said extension and the Southern line of said Garden Acres Tract and its Easterly extension, North  $89^{\circ} 55' 35''$  East, 1314.12 feet, to the Eastern line of Lot 5 of the Broughton Colony; thence along said Eastern line, South  $0^{\circ} 36' 14''$  East, 329.31 feet, to the Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 1, 1965, as Instrument 1768, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said Addition (170), South  $89^{\circ} 54' 00''$  West, 328.01 feet, to the Northeastern corner of the DOWNEY PARK NO. 2 ADDITION (188), as per description filed May 3, 1966, as Instrument 15774, Stanislaus County Records; thence along said City Limits on the Northern boundary of said Addition (188), South  $89^{\circ} 54' 00''$  West, 550.99 feet, to the Northeastern corner of the EAST ORANGEBURG-COFFEE ADDITION (262), as per description filed November 3, 1970, as Instrument 36116, Stanislaus County Records; thence continuing along said City Limits on the Northern boundary of said Addition (262), South  $89^{\circ} 54' 00''$  West, 436.00 feet, to the point of beginning, containing 9.947 Acres, more or less.

## EAST ORANGEBURG NO. 5 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 22, 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 Eastern Northeastern corner of the LIBERINI ADDITION (170), as per description filed January 15, 1965, as Instrument 1768, Stanislaus County Records, said point being on the North-South quarter section line of said Section 22 and the center line of a 60.00 foot public road known as Rose Avenue; thence along the existing City Limits on a Northern boundary of said Addition (170), South  $89^{\circ} 54' 15''$  West, 1313.01 feet, to a Northeastern corner of said Addition (170); thence North  $0^{\circ} 25' 56''$  West, 330.14 feet, to the most Northern Northeastern corner of Addition (170) and the center line of a 60.00 foot public road known as East Orangeburg Avenue; thence leaving the existing City Limits, North  $0^{\circ} 36' 56''$  West, 329.30 feet, to the center line of 20.00 foot alley in Block 1175 of GREEN ACRES as per map filed November 24, 1954, in Volume 18 of Maps, Page 11, Stanislaus County Records, and the Southwestern corner of said Green Acres; thence along the Southern line of said Green Acres and the Southern line of GREEN ACRES NO. 2 as per map filed October 25, 1955, in Volume 18 of Maps, Page 38, Stanislaus County Records, and its Easterly extension, North  $89^{\circ} 53' 00''$  East, 1311.94 feet, to the center line of Rose Avenue; thence along said center line and the existing City Limits on the Western boundary of the KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records, South  $0^{\circ} 37' 00''$  East, 659.93 feet, to the point of beginning, containing 19.872 Acres, more or less.

## NORWEGIAN NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of the Southeast quarter of Section 16, 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 Northeastern corner of the SYLVAN ADDITION (113), as per description filed September 8, 1960, as Instrument 25490, Stanislaus County Records, said point being the interior quarter corner of Section 16 and on the Southern line of the NORTHEAST ADDITION (78), as per description filed January 31, 1958, as Instrument 2427, Stanislaus County Records; thence along said Southern boundary of ADDITION (78), and the East-West quarter line of Section 16, South 89° 30' East, 27.00 feet, to the Southwestern corner of the MONTGOMERY VILLAGE ADDITION (100), as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (100), South 89° 30' East, 660.84 feet, to the Southwestern corner of the EAST FLOYD ADDITION (104), as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence continuing along said quarter line on the Southern boundary of said ADDITION (104), South 89° 30' East, 511.35 feet, to the Northwestern corner of the ATHENS ADDITION (141), as per description filed November 19, 1962, as Instrument 43543, Stanislaus County Records; thence along the Western boundary of said ADDITION (141), South 0° 52' East, 616.28 feet, to the Northwestern corner of the NORWEGIAN NO. 3 ADDITION (256), as per description filed July 23, 1970, as Instrument 23539, Stanislaus County Records; thence continuing along the existing City Limits on the Western boundary of said ADDITION (256), South 0° 52' East, 616.30 feet, to the center line of a 60.00 foot public road known as Norwegian Avenue and the Southwestern corner of said ADDITION (256); thence leaving the existing City Limits and along the center line of said Norwegian Avenue, North 89° 31' West, 1231.34 feet, to the Southerly extension of the Western line of a 60.00 foot public road known as Sunrise Avenue; thence along said Southerly extension and Western line, North 0° 46' West, 30.00 feet, to the most Southeastern corner of ADDITION (78), and the existing City Limits; thence along the existing City Limits on the Eastern boundary of ADDITION (78), North 0° 46' West, 512.35 feet, to a Northeastern corner of said ADDITION (78), and the Southern boundary of ADDITION (113); thence along said Southern boundary, South 89° 31' East, 30.00 feet, to the Southeastern corner of said ADDITION (113); thence along the existing City Limits on the Eastern boundary of said ADDITION (113), North 0° 46' West, 690.53 feet, to the point of beginning, containing 34.332 Acres, more or less.

## COFFEE - FLOYD ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of the Northwest quarter of Section 15, 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 Southwestern corner of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records, said point being on the center line of a 50.00 foot public road known as Coffee Road and the section line common to Sections 15 and 16; thence along the existing City Limits on the Southern boundary of said ADDITION (252), North  $89^{\circ} 36' 50''$  East, 1190.00 feet, to a Southeastern corner of said ADDITION (252); thence North  $00^{\circ} 58' 40''$  West, 660.00 feet; thence North  $89^{\circ} 36' 50''$  East, 1435.36 feet, to a Southeast corner of Sylvan School Addition (252) and the Northwest corner of OAKDALE-FLOYD ADDITION (265) as per description filed January 5, 1971, as Instrument 192, Stanislaus County Records, said corner also being the North quarter of Section 15; thence along the quarter line of said Section 15 and the Western line of said Addition (265), South  $00^{\circ} 57' 40''$  East, 1320.14 feet, to the Northwest corner of the FLOYD ADDITION, as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records, said corner being on the South line of the North half of Section 15, which is also the center line of 40.00 foot public road known as Floyd Avenue; thence, leaving the existing City Limits and along said center line, South  $89^{\circ} 38' 20''$  West, 1312.50 feet, to the Northeastern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records; thence along said center line and the existing City Limits on the Northern Boundary of said ADDITION (175), South  $89^{\circ} 38' 20''$  West, 1312.49 feet, to the Northwestern corner of said ADDITION (175); thence leaving the existing City Limits and along the center line of Coffee Road and said section line, North  $00^{\circ} 58' 40''$  West; 659.00 feet, to the point of beginning, containing 61.491 Acres, more or less.

## CLAREMONT NO.2 ADDITION

All that real property in the State of California, County of Stanislaus, 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 the Northeastern corner of the CLAREMONT ADDITION (216) as per description filed June 19, 1968, as Instrument 18952, Stanislaus County Records; thence along the existing City Limits, South  $89^{\circ} 15' 48''$  West, 130.01 feet; thence along a tangent curve concave to the Southeast, having a Radius of 559.26 feet, a Central Angle of  $71^{\circ} 09' 17''$  and an Arc Length of 694.54 feet, to its intersection with the center line of a 60.00 foot public road known as Claremont Avenue; thence along said center line, South  $00^{\circ} 44' 34''$  East, 255.28 feet, to the Southwestern corner of above mentioned Addition (216), said corner also being a Northeastern corner of CRESTWOOD TERRACE NO. 2 ADDITION (162) as per description filed March 24, 1964, as Instrument 11958, Stanislaus County Records; thence along the Northern line of said Addition (162), North  $89^{\circ} 30'$  West, 659.21 feet; thence leaving the existing City Limits on the North-South quarter section line, North  $00^{\circ} 45' 30''$  West, 1480.10 feet, to the interior quarter corner, said corner, being on the center line of a 40.00 foot public road known as Sylvan Avenue; thence along said center line and quarter section line, South  $89^{\circ} 17'$  East, 809.59 feet; thence South  $00^{\circ} 45'$  East, 435.00 feet; thence South  $89^{\circ} 15'$  West, 17.00 feet; thence South  $00^{\circ} 45'$  East, 101.00 feet; thence North  $88^{\circ} 00'$  East, 276.31 feet; thence North  $00^{\circ} 44' 25''$  West, 14.95 feet; thence North  $89^{\circ} 15' 35''$  East, 250.00 feet, to the East line of the East half of the West half of the Southeast quarter of Section 9; thence along said East line, South  $00^{\circ} 44' 25''$  East, 325.00 feet, to the point of beginning, containing 30.170 Acres, more or less.

SONOMA NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southeast Quarter of the Southwest Quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 4 of the ELBERT TRACT, as per map filed January 21, 1908 in Volume 3 of Maps, Page 28, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records, said point being on the center line of a 50.00 foot Modesto Irrigation District right of way; thence along the existing City Limits on the Eastern boundary of said ADDITION (187), North  $0^{\circ} 40'$  West, 428.87 feet, to the Northern line of Lot 4 of said Elbert Tract; thence along said Northern line, North  $89^{\circ} 49'$  East, 1183.38 feet, to the center line of a 40.00 foot public road known as Sonoma Avenue, which is also a quarter section line; thence along said quarter section line, South  $0^{\circ} 40'$  East, 372.40 feet, to the center line of the Modesto Irrigation District right of way; thence along the center line of said right of way, South  $69^{\circ} 48'$  West, 187.27 feet; thence continuing along said right of way center line, North  $84^{\circ} 43'$  West, 583.94 feet; thence South  $83^{\circ} 23'$  West, 428.36 feet, to the point of beginning, containing 11.048 Acres, more or less.

## CLAREMONT NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of the Southeast 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 Southwestern corner of the SYLVAN-COFFEE NO. 1 ADDITION (242), as per description filed October 9, 1969, as Instrument 33952, Stanislaus County Records, said point also being on the center line of a 40.00 foot public road known as Sylvan Ave.; thence along the existing City Limits on the Southern boundary of said ADDITION (242), and the center line of said Sylvan Ave., South  $89^{\circ} 17' 00''$  East, 1021.14 feet, to a Southwestern corner of said ADDITION (242); thence along the existing City Limits on a Western boundary of said ADDITION (242), South  $0^{\circ} 43' 23''$  East, 1294.99 feet, to the Northern boundary of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said ADDITION (157), North  $89^{\circ} 17' 00''$  West, 1020.75 feet, to the Northwestern corner of said ADDITION (157) and the Eastern boundary of the CLAREMONT ADDITION (216), as per description filed June 19, 1968, as Instrument 18952, Stanislaus County Records; thence along the existing City Limits on said Eastern boundary, North  $0^{\circ} 44' 25''$  West, 468.21 feet, to a Southeastern corner of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records; thence continuing along the existing City Limits on the Eastern boundary of said ADDITION (275), North  $0^{\circ} 44' 25''$  West, 325.00 feet to a Northeastern corner of said ADDITION (275); thence leaving the existing City Limits and along the West line of the East half of the Southeast quarter of Section 9, North  $0^{\circ} 44' 25''$  West, 501.79 feet, to the point of beginning, containing 30.342 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1096

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE RIVERBANK  
FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Riverbank

Fire Protection District in Stanislaus County was annexed to the City of Modesto during the year 1971, and officially became part of the City, as hereinafter set forth:

<u>NAME OF ANNEXATION</u>	<u>ADOPTED BY</u>	<u>DATE ADOPTED</u>	<u>DATE OFFI- CIALLY BECAME PART OF CITY</u>
MC HENRY-SYLVAN ADDITION	Ord. 1142-C.S.	9/13/71	10/15/71

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, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the descriptions of which are attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Riverbank Fire Protection District in Stanislaus County.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Joenson  
ELWYN L. JOENSON City Attorney

APPROVED AS TO DESCRIPTION:

R.M.  
11-10-71 BY R. C. Mangnell  
Public Works Department

## McHENRY - SYLVAN ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the South half of the Northwest 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 the Northeast corner of the Standiford Addition (264), as per description filed November 3, 1970, as Instrument 36118, Stanislaus County Records, said point being the West quarter corner of said Section 9 and on the center line of a 50.00 foot public road known as McHenry Avenue; thence along said center line and the section line common to Sections 8 and 9, North  $00^{\circ} 53' 00''$  West, 1033.00 feet; thence South  $89^{\circ} 10' 30''$  East, 447.88 feet; thence North  $00^{\circ} 53' 00''$  West, 311.27 feet to the North line of the South half of said Section 9; thence along said North line, North  $88^{\circ} 20' 10''$  East, 2190.88 feet to the North-South quarter section line of said Section 9; thence along said quarter section line, South  $00^{\circ} 49' 25''$  East, 1321.16 feet to the center line of a 40.00 foot public road known as Sylvan Avenue and the interior quarter corner of said Section 9; thence along the East-West quarter line of Section 9 and said center line of Sylvan Avenue, South  $88^{\circ} 15' 22''$  West, 2637.28 feet, to the point of beginning, containing 77.011 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1097

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED  
TERRITORY FROM THE WOODLAND  
FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Woodland

Fire Protection District in Stanislaus County was annexed to the  
City of Modesto during the year 1971, and officially became part  
of the City, as hereinafter set forth:

NAME OF ANNEXATION	ADOPTED BY	DATE ADOPTED	DATE OFFI- CIALLY BECAME PART OF CITY
MONTCLAIR NO. 3 ADDITION	Res. 71-711	7/6/71	8/4/71

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 govern-  
ing body of the District and the Stanislaus County Board of Super-  
visors, 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, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the descriptions of which are attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Woodland Fire Protection District in Stanislaus County.

BE IT FURTHER RESOLVED that the City Clerk be, and he 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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY R. C. Marquell  
Public Works Department

Raid  
11-10-71

DESCRIPTION

All that certain real property situate in portion of the Southeast and the Southwest Quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

BEGINNING at the Northwest corner of Block 13214 of Tully Manor No. 5, according to the Official Map thereof, recorded in Volume 22 of Maps at Page 50, Stanislaus County Records, said corner being the Northwest corner of the Montclair No. 2 Addition (247) per description recorded February 5, 1970 as Instrument No. 3848; thence South 89° 09' 53" East along the North line of said Tully Manor No. 5 and the North line of said Montclair No. 2 Addition 772.78 feet to the West line of the Francek Addition (150) per description recorded February 8, 1963 as Instrument No. 5121; thence North 1° 02' 40" West along said West line of the Francek Addition 274.31 feet to the South line of the North 270 feet of said Southeast Quarter of Section 7; thence North 89° 08' West along said South line of the North 270 feet of the Southeast Quarter of Section 7 a distance of 751.75 feet to the Southwest corner of that property conveyed to D. J. Metzger as described in Deed recorded in Volume 1847 of Official Records at Page 640, Stanislaus County Records; thence North 1° 02' 40" West along the West line of said Metzger property 270.01 feet to the North line of said Southeast Quarter of Section 7, being the centerline of Standiford Avenue; thence North 89° 08' West along said North line of the Southeast Quarter of Section 7 and said centerline of Standiford Avenue 272.45 feet; thence South 0° 52' East 542.00 feet; thence North 89° 08' West 519.00 feet to the centerline of Carver Road; thence South 0° 52' East along said centerline of Carver Road 400.10 feet to the Northwest corner of property conveyed to the Protestant Episcopal Bishop of San Joaquin as described in Deed recorded August 22, 1963 as Instrument No. 32023, being also the Northwest corner of the Montclair Addition (233) per description recorded June 2, 1969 as Instrument No. 19185; thence South 89° 09' 53" East along the North line of said church property and the Easterly extension thereof and the North line of said Montclair Addition 773.31 feet to the West line of said Tully Manor No. 5 and the Southwest corner of said Montclair No. 2 Addition; thence North 1° 02' 40" West along said West line of Tully Manor No. 5 and West line of said Montclair No. 2 Addition 397.03 feet to the point of beginning.

CONTAINING 15.22 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1098

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN  
FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan was adopted by Resolution 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 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 by resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Position Classification Plan of the City of Modesto is hereby amended to create a new position as follows:

CLASSIFICATION CREATED

Property Agent

SECTION 2. The specifications for the classification 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.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

## PROPERTY AGENT

### Definition

Under direction, to prepare appraisal reports and to negotiate agreements for the purchase of real property, management of real property, rights of way, easements, leases, and other legal property interests for municipal purposes and to perform such other duties as assigned.

### Typical Tasks

Makes estimates and appraisals of real property and rights-of-way costs; negotiates for the donation, sale, purchase, lease, or rental of real property and improvements; assists in preparing and processing legal descriptions, deeds, easements, agreements, options, contracts and other documents pertaining to real property transactions; assists in preparing for legal actions and acts as a witness in court; secures title searches, confers with property owners as necessary to expedite the purchase or sale of land and improvements; gathers statistical data and compiles reports as required.

### Employment Standards

Any combination of training and experience equivalent to graduation from college in business, law, economics, or engineering, and three years of experience in the valuation and transfer of real property.

### Desirable Qualifications

Knowledge of established standards governing appraisal of real property and of factors affecting real property values. Knowledge of procedures involved in real estate transactions, title searches and principles of business law governing such transactions; ability to gather and compile data and prepare comprehensive and concise written reports; ability to express oneself effectively at public meetings and hearings; ability to work cooperatively with others and maintain good public relations.

City of Modesto

Exhibit "A"

1971

MODESTO CITY COUNCIL  
RESOLUTION NO. 71- 1099

A RESOLUTION AMENDING EXHIBIT "B" OF RESOLUTION NO. 71-632 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. 71-632. Exhibit "B" entitled "Personnel Office Alphabetical Listing of Classifications In Modesto City Service 1971-72, attached to Resolution No. 71-632, is hereby amended as shown on the Amended Exhibit "B", which is attached hereto and made a part hereof as though set forth in full herein. Said Amended Exhibit "B" adds the position of Property Agent, Range 27.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

Personnel Office

ALPHABETICAL LISTING  
OF

CLASSIFICATIONS IN MODESTO CITY SERVICE

1971-72

(Effective 6-29-71, amended 9-1, 9-27 & 12-13-71)

<u>Title of Classification</u>	<u>Range No.</u>	<u>Title of Classification</u>	<u>Range No.</u>
Account Clerk	14.5	Electrician	23.5
Account Clerk, Senior	18.5	Electrician Leadman	24.5
Accountant	26	Engineering Aide	20.5
Accountant, Junior	22.5	Engineering Aide, Junior	17.5
Accountant, Senior	29	Engineering Aide, Principal	26
Administrative Assistant	26	Engineering Aide, Senior	23.5
Airport Manager	26.5	Equipment Mechanic	21.5
Assistant City Attorney	34	Equipment Mechanic, Senior	22.5
Assistant City Clerk	20.5	Equipment Serviceman	18.5
Asst. Dir. of Public Works	34		
Assistant Fire Chief	31.5	Fire Chief	35.5
Assistant Planner	26	Fire Engineer	23.5
Assistant Poundmaster	17.5	Fire Lieutenant	25.5
Assistant to City Manager/ Personnel Officer	31.5	Fireman	22.5
Associate Civil Engineer	32	Golf Course Maint. Foreman	25
Associate Planner	29		
		Heavy Equipment Operator	20.5
Battalion Chief	28.5		
Building Inspector	25	Janitor	14.5
Building Inspector, Senior	27	Junior Civil Engineer	26
Building Maintenance Foreman	22		
		Key Punch Operator	13
Chief Building Official	32		
Chief Electrician	27	Laboratory Technician	20.5
Chief of Police	36.5	Laborer	16.5
City Attorney	N/A		
City Clerk and Auditor	30.5	Office Machine Operator	16
City Manager	N/A	Office Machine Supervisor	19
Civil Engineering Assistant	28		
Clerk, Intermediate	13	Parking Meter Svc. & Reprmn.	18.5
Clerk, Junior	10	Parks and Recreation Supt.	28.5
Construction Inspector	25	Parks Foreman	25
		Parks Leadman	22
Data Processing Supervisor	22.5	Parks Maintenance Man	18.5
Deputy City Manager	39.5	Parks Maintenance Mechanic	19.5
Director of Finance	35.5	Planning Aide	20.5
Director of Parking & Traffic	36	Planning Aide, Junior	17.5
Dir. of Parks & Recreation	35	Planning Aide, Senior	23.5
Director of Planning	36	Police Captain	32
Director of Public Works and City Engineer	39.5	Police Lieutenant	29.5
		Police Property Clerk	17.5

<u>Title of Classification</u>	<u>Range No.</u>
Police Records Supervisor	24.5
Police Sergeant	27.5
Policeman	24.5
Policewoman	24.5
Poundmaster	20.5
Property Agent	27
Public Works Foreman	25
Public Works Leadman	22
Public Works Maintenance Man	18.5
Public Works Maint. Mechanic	19.5
Public Works Maint. Supt.	27
Purchasing Officer	27.5
Radio-Telephone Operator	19.5
Recreation Supervisor I	23.5
Secretary	18.5
Secretary to City Attorney	20.5
Secretary to City Manager	21.5
Senior Planner	32
Shop Foreman	25
Stenographer Clerk, Inter.	14.5
Stenographer Clerk, Junior	11
Stores & Equipment Clerk	19.5
Stores & Equipment Supervisor	22.5
Supervisor of General Services	23.5
Telephone Oper.-Receptionist	13
Traffic Painter	20.5
Tree Foreman	25
Tree Leadman	22
Tree Trimmer	20.5
Typist Clerk, Intermediate	13
Typist Clerk, Junior	10
Water Quality Control Foreman	25
Water Quality Control Opr. I	18.5
Water Quality Control Opr. II	21.5
Water Quality Control Supt.	29
Zoning Inspector	25

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1100

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND REORGANIZED CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS AND ACCEPTING GRANT DEED (Widening of Needham Avenue)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Reorganized Church of Jesus Christ of Latter Day Saints for the widening of Needham Avenue is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 13th day of December, 1971, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1101

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR PARTICIPATION IN THE STANISLAUS COUNTY WELFARE DEPARTMENT GENERAL RELIEF RECIPIENT WORK PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and County of Stanislaus

for participation in the Stanislaus County Welfare Department General Relief Recipient Work Program (Permit City to use welfare recipients who are qualifying for general relief in special short term work projects) 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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1102

A RESOLUTION OF THE CITY OF MODESTO ESTABLISHING  
FLAT-RATE CHARGES FOR WATER SERVICE TO SCHOOLS  
WITHIN THE SYLVAN UNION SCHOOL DISTRICT AND  
RESCINDING RESOLUTIONS NO. 60-170, 63-458, 64-373  
66-47 AND 67-295

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 services to schools, and

WHEREAS, charges for water services to schools in Sylvan Union School District were last established by Resolution No. 60-170 on May 11, 1960; Resolution No. 63-458 on October 7, 1963; Resolution No. 64-373 on July 6, 1964; Resolution No. 66-47 on January 17, 1966; and Resolution No. 67-295 on April 24, 1967, and

WHEREAS, a flat-rate water service charge to schools will be fair and equitable to both the City and the 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 Schools' System 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 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. . . . . \$945.00 per year
- (2) 301 to 600 pupils. . . . . \$964.00 per year
- (3) 601+ pupils . . . . . \$974.00 per year

Sherwood School:

- (1) 1 to 300 pupils. . . . . \$841.00 per year
- (2) 301 to 600 pupils. . . . . \$860.00 per year
- (3) 601+ pupils . . . . . \$870.00 per year

Standiford School:

- (1) 1 to 300 pupils. . . . . \$843.00 per year
- (2) 301 to 600 pupils. . . . . \$862.00 per year
- (3) 601+ pupils . . . . . \$872.00 per year

Woodrow Avenue School:

- (1) 1 to 300 pupils. . . . . \$ 49.00 per year
- (2) 301 to 600 pupils. . . . . \$ 76.00 per year
- (3) 601+ pupils . . . . . \$ 89.00 per year

Somerset Junior High School:

- (1) 1 to 500 pupils. . . . . \$355.00 per year
- (2) 501 to 800 pupils. . . . . \$448.00 per year
- (3) 801 to 1,200 pupils. . . . . \$541.00 per year

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.

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 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 Schools shall receive water from the City water system on a regular metered basis.

BE IT FURTHER RESOLVED that this City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 60-170 adopted by the Council on May 11, 1960; Resolution No. 63-458 adopted by the Council on October 7, 1963; Resolution No. 64-373 adopted by the Council on July 6, 1964; Resolution No. 66-47 adopted by the Council on January 17, 1966; and Resolution No. 67-295 adopted by Council on April 24, 1967 are 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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Daviès  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1103

A RESOLUTION ACCEPTING IMPROVEMENTS IN RIVERSIDE NORTH NO. 4 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF STATUTORY PERIOD

WHEREAS, Harley D. Brannan and Norma Brannan, husband and wife, subdividers of Riverside North No. 4 Subdivision, have filed an Instrument of Credit in the amount of \$138,600 to guarantee improvements in Riverside North No. 4 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated December 8, 1971, indicated 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$138,600 upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Riverside North No. 4 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$138,600, filed by the subdividers to guarantee improvements in Riverside North No. 4 Subdivision, 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 13th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1104

ESTATES

A RESOLUTION ACCEPTING IMPROVEMENTS IN PLEASANT VIEW/NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENT OF CREDIT UPON EXPIRATION OF STATUTORY PERIOD

WHEREAS, Gilbert Medeiros and Opal Medeiros, husband and wife and A. W. McGuire and Ruth McGuire, husband and wife, individuals, subdividers of Pleasant View Estates No. 2 Subdivision, have filed an Instrument of Credit in the amount of \$31,000 to guarantee improvements in Pleasant View Estates No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated December 8, 1971, 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 as complete and to authorize the City Clerk to file a notice of completion and release the Instrument of Credit in the amount of \$31,000 upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Pleasant View Estates No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit in the amount of \$31,000, filed by the Subdividers to guarantee improvements in Pleasant View Estates No. 2 Subdivision, 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 13th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1105

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIS KLEINENBROICH, DBA MODESTO MOTOR BUS SERVICE, FOR BUS SERVICE FOR 1972

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Willis Kleinenbroich, dba Modesto Motor Bus Service, for bus service for 1972

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 December, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1106

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$8,040 TO PROVIDE FUNDS NEEDED FOR INSURANCE PREMIUM, REPAIRS AND REPLACEMENTS FOR BUSESSES

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$8,040
TO: Bus Subsidy (232-65-101)	\$8,040

(To provide funds as per City Council approved agreement.  
Estimated allocation: liability insurance advance of premium.  
\$1,500; physical damage insurance premium up to \$1,580;  
major repairs and replacements for busses, \$4,420; partial  
payment for liability insurance premium, \$540 (6 months at \$90)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1971 by Councilman Smith , who moved its adoption, which motion being duly seconded by Councilman Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Sunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1107

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND E. R. VINE AND SONS FOR DELIVERY OF OIL PRODUCTS 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 E. R. Vine and Sons for delivery of oil products at the Modesto City-County Airport (fee schedule at Airport requires payment of 5¢ per gallon of oil delivered) 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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1108

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
CENTRAL CALIFORNIA ART LEAGUE, INC. FOR RENTAL OF SPACE IN OLD  
McHENRY LIBRARY BUILDING

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Central Calif-  
ornia Art League, Inc.

for rental of four rooms on the basement floor of the old McHenry  
Library 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 13th day of  
December, 1971, by Councilman Simon , who moved its  
adoption, which motion being duly seconded by Councilman Dunlap ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1109

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$400 TO PURCHASE A  
TRANSCRIBING MACHINE

BE IT RESOLVED by the Council of the City of Modesto that the  
following appropriation transfer(s) are approved:

GENERAL FUND (101)

FROM: General Reserve (60-101)	\$400
TO: Transcribing Machine (5501-17-101)	\$400

(Transcribing machine must be purchased for Personnel  
Office in order to transcribe policeman candidate back-  
ground investigations prior to possible employment)

The foregoing resolution was introduced at a regular meeting of  
the Council of the City of Modesto held on the 13th day of December,  
19 71 by Councilman Elliott , who moved its adoption, which motion  
being duly seconded by Councilman Smith , was upon roll call  
carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1110

**A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,208 FOR FUNDS  
NEEDED FOR CARVER TRUNK RELIEF**

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

SEWER SERVICE FUND (101)


FROM:	General Reserve (60-212)	\$2,208
TO:	Carver Trunk Relief/Bypass to North Trunk (6578-212)	\$2,208

(Funds are not adequate to cover required change order.  
Change Order 1 - Item 1, Concrete Backfill in Trenches  
Item 2, Lower Sewer Service Laterals)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1111

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,449 TO REVERSE RESOLUTION 71-940, OCTOBER 26, 1971, IN CONNECTION WITH PUBLIC EMPLOYMENT PROGRAM

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

GENERAL FUND (101)

FROM: M/R Office Equipment (221-22-101)	\$ 65.00
M/R Equipment Other (223-22-101)	50.00
M/R Buildings & Grounds (224-22-101)	6.00
Office Supplies (301-22-101)	95.00
Books and Periodicals (302-22-101)	20.00
Tools, Shop, Field Supplies (308-22-101)	1,016.00
Revolvers (5409-22-101)	628.00
Portable Dictating Unit (5410-22-101)	447.00
Radio, Portable (5411-22-101)	1,122.00
TO: General Reserve (60-101)	\$3,449.00

(To reverse entries made from Appropriation Transfer #30 dated 10-28-71, for purchase of equipment and supplies determined to be needed to equip policemen hired under the provisions of the Public Employment Program. By Council action Res. 71-1058, a special fund was established to account for the expenditures under the Public Employment Program and funds were transferred to that fund for the City's share of cost)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1112

A RESOLUTION APPROVING APPOINTMENT OF COUNCILMAN JAMES DIXON AS A REPRESENTATIVE OF CITY OF MODESTO TO THE STANISLAUS AREA TRANSPORTATION STUDY POLICY ADVISORY COMMITTEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Councilman James Dixon is hereby appointed as a representative of the City of Modesto to the Stanislaus Area Transportation Study Policy Advisory Committee.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of December, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1113

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER 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 AND RESCINDING RES. 70-913 (116 Maple Street, Block 418, Lot 23 and West 15' of Lot 22 - Mr. Floyd Patrick) 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 curb and gutter may be required, and

WHEREAS, the Council did, on April 27, 1970 adopt its Resolution No. 70-415, directing the Superintendent of Streets to give notice requiring the construction of curb and gutter along certain streets in the City of Modesto as provided therein, and

WHEREAS, the Superintendent of Streets proceeded to cause the completion of the construction of curb and gutter as aforesaid, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code, and

WHEREAS, September 21, 1970, at 4:35 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 a hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, upon the completion of said hearing, said Council confirmed the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk, the cost of said work specified in Section 1 of this resolution being determined in the total amount of \$209.60.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the cost of the aforesaid work, being the amount of \$209.60, be assessed in 4 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 23 and the West 15 feet of Lot 22 of Block 418 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 418, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 2-01 101-0550-001)

SECTION 2. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 3. 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.

Resolution No. 70-913 dated 9-21-70 is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(Installment)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1114

A RESOLUTION ACCEPTING THE CONSTRUCTION OF VALLEY CONSTRUCTION'S CONTRACT FOR INSTALLATION OF WATER LINES IN GRANADA PARK NO. 2 AND BROOKVIEW ESTATES NO. 2 SUBDIVISIONS

WHEREAS, a report has been filed by the Director of Public Works that the construction of water lines in Granada Park No. 2 and Brookview Estates No. 2 Subdivisions has been completed by Valley Construction

in accordance with the contract agreement dated October 1, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of water lines in Granada Park No. 2 and Brookview Estates No. 2 Subdivisions be accepted from said contractor, Valley Construction

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$6,890.40 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 20th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1115

A RESOLUTION ACCEPTING THE CONSTRUCTION OF W. M. LYLES CO. CONTRACT TO CONSTRUCT SEWER ON CARVER BETWEEN SCOTT AND RUMBLE

WHEREAS, a report has been filed by the Director of Public Works that the construction of sewer on Carver between Scott and Rumble

has been completed by W. M. Lyles Co.

in accordance with the contract agreement dated September 10, 1971

NOW, THEREFORE, BE IT RESOLVED that the construction of sewer on Carver between Scott and Rumble

be accepted from said contractor, W. M. Lyles Co.

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of \$31,648.30 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 December, 1971,, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1116

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF LIGHTS AT MANCINI PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for installation of lights 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 January 4, 1972 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 20th day of December, 1971, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1117

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF WATER LINES IN CARVER MANOR NO. 2, TULLY MANOR NO. 6 AND STANDIFORD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for installation of Water Lines in Carver Manor No. 2, Tully Manor No. 6 and Standiford 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 4, 1972 at 10:15 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 20th day of December, 1971, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1118

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE DRILLING, CASING, TESTING AND DEVELOPMENT OF ONE DEEP WELL FOR THE CITY OF MODESTO WELL NO. 39

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Drilling, casing, testing and development of one deep well for the City of Modesto Well No. 39

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 4, 1972 at 10:10 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 20th day of December, 1971, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Smith was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1119

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. (CLAREMONT NO. 3)

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 November 8, 1971, duly adopted Resolution No. 71-1006 (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. 81 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to 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 Municipal Sewer and Water 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 Monday, December 20, 1971, at the hour of 4:05 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. 81 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. 81 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. 81, 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. 81, 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 December, 1971, by Councilman Smith, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY A. C. Mangnell  
Public Works Department

*Bill*  
*11-15-71*

## CLAREMONT NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of the Southeast 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 Southwestern corner of the SYLVAN-COFFEE NO. 1 ADDITION (242), as per description filed October 9, 1969, as Instrument 33952, Stanislaus County Records, said point also being on the center line of a 40.00 foot public road known as Sylvan Ave.; thence along the existing City Limits on the Southern boundary of said ADDITION (242), and the center line of said Sylvan Ave., South 89° 17' 00" East, 1021.14 feet, to a Southwestern corner of said ADDITION (242); thence along the existing City Limits on a Western boundary of said ADDITION (242), South 0° 43' 23" East, 1294.99 feet, to the Northern boundary of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said ADDITION (157), North 89° 17' 00" West, 1020.75 feet, to the Northwestern corner of said ADDITION (157) and the Eastern boundary of the CLAREMONT ADDITION (216), as per description filed June 19, 1968, as Instrument 18952, Stanislaus County Records; thence along the existing City Limits on said Eastern boundary, North 0° 44' 25" West, 468.21 feet, to a Southeastern corner of the CLAREMONT NO. 2 ADDITION (275), as per description filed August 4, 1971, as Instrument 29023, Stanislaus County Records; thence continuing along the existing City Limits on the Eastern boundary of said ADDITION (275), North 0° 44' 25" West, 325.00 feet to a Northeastern corner of said ADDITION (275); thence leaving the existing City Limits and along the West line of the East half of the Southeast quarter of Section 9, North 0° 44' 25" West, 501.79 feet, to the point of beginning, containing 30.342 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1120

NOT USED

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1121

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE  
CITY OF MODESTO TO CALL A SPECIAL ELECTION TO  
ANNEX TERRITORY TO THE CITY OF MODESTO.  
(GLENDALE-MILLER ADDITION)

WHEREAS, on the 20th day of December, 19 71, a  
petition proposing that the following described new territory, to  
wit, Glendale-Miller Addition, be annexed to the  
City of Modesto, was duly received by the Council of the City of  
Modesto, and

WHEREAS, said petition is signed by not less than one-  
fourth (1/4) of the qualified electors residing within said  
described territory as shown by the County registration of voters,  
and

WHEREAS, said petition contains said description of the  
said new territory proposed to be annexed to said City of Modesto,

NOW, THEREFORE, it is hereby resolved that it is the  
intention of this Council to call a special election for the pur-  
pose of submitting to the electors residing within the hereinafter  
described territory the question whether or not said described  
territory should be annexed to said City of Modesto, and the  
property therein subjected to taxation after annexation equally  
with the property within the City, to pay the bonded indebtedness  
of the City of Modesto for the acquisition, construction or com-  
pletion of municipal improvements outstanding or authorized at the  
date of the first publication of the notice of the election. Said  
territory is described as attached hereto.

Said territory shall be designated and referred to upon  
election ballots as Glendale-Miller Addition.

Any person owning real property within the said described  
territory may appear before the Council of the City of Modesto on  
the 24th day of January, 19 72, at the hour of 7:35  
o'clock P.M., at the Council Chambers located in the City Hall,  
801 - 11th Street, Modesto, California, concerning written protest  
against the annexation filed pursuant to Government Code Section 35120.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

*RAM*  
*12-15-71* BY RC Maxwell  
Public Works Department

GLENDALE-MILLER ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 27 and the Southwest quarter of Section 26, 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 Southeast corner of the GLENDALE NO. 2 ADDITION(254), as per description filed June 15, 1970, as Instrument 19307, Stanislaus County Records, said point being on the center line of a 60.00 foot public road known as Parry Avenue; thence along the existing City Limits on the Eastern boundary of said ADDITION (254), and the Eastern boundary of the Glendale No. 1 ADDITION (253), as per description filed June 15, 1970, as Instrument 19306, Stanislaus County Records, North 0° 36' 00" West, 275.00 feet, to the Northeast corner of said Addition (253); thence along the Southern boundary of the LA LOMA-YOSEMITE ADDITION (55), as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records, South 89° 50' 00" East, 619.50 feet, to the most Eastern Boundary of said Addition (55), which is also the Western line of an 80.00 foot public road known as El Vista Avenue; thence continuing along the existing City Limits on the Western line of said El Vista Avenue, North 0° 36' 30" West, 180.00 Feet; to a Northeastern corner of said Addition (55), and the Northern line of Miller Avenue; thence along the existing City Limits on the Northern line of Miller Avenue, North 89° 50' 00" West, 124.48 feet, to an Eastern boundary of said Addition (55); thence continuing along the existing City Limits North 0° 36' 00" West, 566.88 feet, to the center line of a 60.00 foot public road known as Haddon Avenue; thence leaving the existing City Limits and along the center line of said Haddon Avenue, South 89° 46' 00" East, 164.41 feet, to the center line of El Vista Avenue which is also the section line common to Section 26 and 27; thence continuing along the center line of Haddon Avenue, South 89° 56' 10" East, 1313.45 feet, to the center line of a 60.00 foot public road known as Trask Lane; thence North 80° 35' 00" East, 121.43 feet; thence continuing along the center line of Haddon Avenue, South 89° 56' 20" East, 537.25 feet, to the existing City Limits as established by the Western boundary of the RIVERSIDE ADDITION (228), as per description filed March 24, 1969, as Instrument 9772, Stanislaus County Records; thence along the existing City Limits South 0° 34' 20" East, 902.30 feet, to a Southwestern corner of said Addition (228); thence along the existing City Limits on a Southern boundary of said Addition (228), South 89° 56' 20" East, 200.00 feet; thence continuing along the existing City Limits on a Western boundary of said Addition (228), South 0° 34' 20" East, 358.63 feet, to a Northern boundary of said Addition (228); and the Northern line of an 83.00 foot public road known as Yosemite Boulevard; thence along the Northern line of said Yosemite Boulevard, North 89° 54' 15" West, 886.91 feet, to the Eastern boundary of the YOSEMITE LANES ADDITION (163), as per description filed May 19, 1964, as Instrument 19735, Stanislaus County Records and the Western line of Trask Lane; thence along said Western line, North 0° 35' 20" West, 218.00 feet, to a Northeast corner of said Addition (163); thence along a Northern boundary of said Addition (163), North 89° 54' 15" West, 656.55 feet, to the Western line of a 60.00 foot public road known as Colfax Avenue and an Eastern boundary of said Addition (163); thence along the existing City Limits on an Eastern boundary of said Addition (163), North 0° 35' 55" West, 85.18 feet; thence continuing along the existing City Limits on a tangent curve concave to the Southwest, having a Radius of 15.00 feet, a Central Angle of 89° 18' 20" and an Arc Length of 23.38 feet; thence continuing along the existing City Limits, North 89° 54' 15" West, 125.18 feet; thence along the existing City Limits South 0° 35' 55" East, 100.00 feet; thence along a Northern boundary of said Addition (163), North 89° 54' 15" West, 486.56 feet, to the center line of El Vista Avenue; thence continuing along the existing City Limits on a Northern boundary of Additions (163) and (55), North 89° 50' 00" West, 659.53 feet, to the point of beginning, containing 57.809 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1122

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT 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. ( DALE ROAD NO. 1 ADDITION)

WHEREAS, there has been annexed to the City of Modesto on December 6, 1971, certain territory known as Dale Road No. 1 Addition, and

WHEREAS, the inclusion of the area contained in Dale Road No. 1 Addition 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 Dale Road No. 1 Addition (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Municipal Sewer and Water 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. 82.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Monday, February 7, 1972, at the hour of 4:05 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 judgment 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. 82.

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) 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) On the North side of Dale Road at the West boundary of the annexation.
- (2) On the North side of Dale Road at the South boundary of the annexation.
- (3) On the North side of Dale Road at the East boundary of the annexation.

Said posting shall be made not earlier than the sixtieth (60th) nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) 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 shown upon such roll, or (b) as such owner is otherwise known to the City Clerk 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. 82, 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 20th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM: -

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

*R.M.*  
*12-16-71*  
By R.C. Mangall  
Public Works Department

## DALE ROAD NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Northwesterly corner of the North 99 Addition No. 3, (239) per description filed September 8, 1969, as Instrument No. 30099, Stanislaus County Records, said point being at the intersection of the Easterly extension of the Northerly line of Shoemake Avenue and the Southwesterly line of North Ninth Street; thence North  $58^{\circ} 37' 02''$  East, 318.06 feet, to a point on the Northeasterly line of Dale Road; thence North  $16^{\circ} 00' 18''$  West, 618.31 feet, to the Southwest corner of parcel owned by Stanislaus Motor-In, Inc., as shown in Volume 12 of Surveys at Page 67, Stanislaus County Records; thence South  $89^{\circ} 08' 21''$  East, along said South line of Stanislaus Motor-In, Inc. parcel, 289.60 feet; thence South  $28^{\circ} 22' 31''$  East, 664.65 feet; thence South  $12^{\circ} 58' 23''$  West, 205.50 feet, to a point on the Northeasterly line of Dale Road and the existing City Limits; thence along said Northeasterly line of Dale Road and the existing City Limits in a Northwesterly direction along a non-tangent curve concave to the Northeast, from a tangent bearing of North  $64^{\circ} 56' 27''$  West, a Central Angle of  $01^{\circ} 37' 20''$ , having a Radius of 773.00 feet and an Arc Length of 21.89 feet; thence continuing along said Northeasterly line of Dale road and the existing City Limits, North  $63^{\circ} 19' 07''$  West, 91.87 feet, to the intersection of the Easterly extension of the Northerly line of Shoemake Avenue and the Northeasterly line of Dale Road; thence South  $87^{\circ} 48' 29''$  West, along said Easterly extension of the Northerly line of Shoemake Avenue and the existing City Limits, 558.98 feet, to the point of beginning, containing 6.899 acres, more or less.

CLERK'S CERTIFICATE

I, W. T. CHYNOETH, 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 20, 1971, 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 Councilman Elliott, seconded by Councilman Smith, and adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

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:

  
\_\_\_\_\_  
City Clerk of the City of Modesto,  
California

(SEAL)

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1123

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEPARTMENT OF JUSTICE, STATE OF CALIFORNIA, FOR THE USE OF SELECTED EQUIPMENT FOR POLICE INTELLIGENCE ACTIVITIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Department of Justice, State of California for the use of selected equipment for police intelligence activities 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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1124

A RESOLUTION APPROVING THE FINAL MAP OF THE  
TULLY MANOR NO. 6 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Tully Manor Enterprises, a partnership, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 14.26 acres, known as the Tully Manor No. 6 Subdivision, and

WHEREAS, a tentative map of a portion of said tract was approved by the City Planning Commission on the 6th day of January 1971, and a tentative map of the remainder of said subdivision was approved by the City Planning Commission on the 20th day of July 1971, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS the City Engineer of the City of Modesto has certified that the final map of said Tully Manor 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,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map of the Tully Manor No. 6 Subdivision 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 in the amount of Three Thousand One Hundred Fifty-Three and 20/100ths (\$3,153.20) Dollars, as required by the Modesto Municipal Code, for checking, copies of maps and recording have been paid, and subdividers have furnished improvement securities as defined in Section 11612 of the Business and Professions Code of the State of California. Said improvement securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause (b) of the second sentence of the third paragraph of said Section 11612.

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 20th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1125

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. ARNOLD C. DICKENS FOR THE APPROXIMATELY 20-ACRE PEACH ORCHARD ON RIVERSIDE PARK SITE FOR THE PERIOD ENDING SEPTEMBER 30, 1972

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
lease  
that the/agreement between the City of Modesto and Mr. Arnold C.  
Dickens

for the approximately 20-acre peach orchard on the Riverside Park  
site for the period ending September 30, 1972 (rental will be 10% of  
the gross receipts from the sale of the peaches)  
be, and it is hereby approved.

lease  
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  
December, 1971, by Councilman Elliott, who moved its  
adoption, which motion being duly seconded by Councilman Smith,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1126

LEASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. ARNOLD C. DICKENS FOR THE APPROXIMATELY 16-ACRE PEACH ORCHARD ON THE DRY CREEK PARK SITE FOR THE PERIOD ENDING SEPTEMBER 30, 1972

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
lease  
that the/agreement between the City of Modesto and Mr. Arnold C. Dickens

for the approximately 16-acre peach orchard on the Dry Creek Park site for the period ending September 30, 1972 (rental will be 10% of the gross receipts from the sale of the peaches) be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
lease  
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 December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: Dunlap, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1127

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND MR. AND MRS. THOMAS A. DAVIS AND ACCEPTING GRANT DEED (Northeast corner of the intersection of Scenic Dr. and Old Oakdale Rd.)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Mr. and Mrs. Thomas A. Davis for completion of a joint project for improvement of Old Oakdale Road, including the bridge across Dry Creek by the City, Stanislaus County, and the State Division of Highways is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 20th day of December, 1971, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1128

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WALLY DeVe AND HELEN DeVe TO PROVIDE SEWER AND WATER TO THE PALOMINO ESTATES SUBDIVISION OUTSIDE THE CITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Wally DeVe and Helen DeVe  
~~for~~ to provide sewer and water to the Palomino Estates Subdivision out side 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 20th day of December, 1971, by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1129

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$2,800 TO PROVIDE FUNDS NEEDED FOR FIRE-PROOFING AND FIRE PROTECTION ALONG WITH BOILER REPAIR FOR REMODELING THE McHENRY LIBRARY BUILDING (MUSEUM)

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

CAPITAL OUTLAYS (321)

FROM: General Reserve (60-321)	\$2,800
TO: Remodel Cultural Center (6546-31-321)	\$2,800

(To provide funds for fire-proofing and fire protection along with boiler repair for remodeling the Cultural Center)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1971 by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1130

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE SONOMA NO. 2 ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on November 26, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Sonoma No. 2 Addition,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

That the annexation of said uninhabited territory designated as Sonoma No. 2 Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 19 71, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

*W. T. Chynoweth*  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Elwyn L. Johnson*  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By *RC Marquell*  
Public Works Department

*PAH*  
-12-16-71

## SONOMA NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being all of Lot 3 of the ELBERT TRACT as per map filed January 21, 1908, in Volume 3 of Maps, Page 28, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of SONOMA NO. 1 ADDITION (276), as per description filed October 20, 1971, as Instrument 40190, Stanislaus County Records, said point being on the center line of a 40.00 foot public road known as Sonoma Avenue; thence along the existing City Limits on the Northern boundary of said ADDITION (276), South 89° 49' West, 1183.38 feet, to the Northwestern corner of said ADDITION (276) and the Eastern line of the SCENIC VILLAGE ADDITION (187), as per description filed March 24, 1966, as Instrument 10379, Stanislaus County Records; thence along the existing City Limits on the Eastern boundary of said ADDITION (187), said line also being the Western line of Lot 3 of said Elbert Tract, North 0° 40' West, 361.46 feet, to the Northeastern corner of said ADDITION (187); thence leaving the existing City Limits and continuing along said Western line of Lot 3 of the Elbert Tract, North 0° 40' West, 374.70 feet, to the Northern line of Lot 3 of the Elbert Tract; thence along said Northern line, North 89° 49' East, 1183.38 feet, to said center line of Sonoma Avenue, which is also a quarter section line; thence along said quarter section line, South 0° 40' East, 736.16 feet, to the point of beginning, containing 19,998 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1131

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR  
PLANNED-DEVELOPMENT ZONE, P-D (30). (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 Lucerne Avenue to Planned Development Zone, P-D(30), to allow  
expansion of an existing medical clinic, and

WHEREAS, a verified application for an amendment to P-D (30)  
was filed by Stanislaus Medical Building Corporation on September 15,  
1971, to permit an additional expansion of the existing medical facilities on  
the following described property:

All that real property in Section 22, Township 3 South,  
Range 9 East, Mount Diablo Base and Meridian and  
being a portion of the south half of Lot 30 of the Broughton  
Colony Tract, as recorded March 17, 1904, in Volume 1 of  
Maps, at Page 78, Stanislaus County Records, and Lot 8,  
Block 1032 of Downey Manor, as per map filed August 5,  
1955, in Volume 18 of Maps at Page 32, Stanislaus County  
Records; and portions of adjacent rights-of-way, more  
particularly described as follows:

Commencing at the Southwest corner of said Section 22,  
thence Northerly along the west line of Section 22, 20 feet  
to the true point of beginning; thence Easterly along the  
northerly right-of-way line of a 40-foot wide public street  
known as Lucerne Avenue to its intersection with the easterly  
line of said Lot 30, said point also being on the westerly line  
of a 20-foot wide public street known as Sunnyside Avenue;  
thence Northerly along the easterly line of said Lot 30 and  
the westerly line of Sunnyside Avenue to its intersection  
with the centerline of an east-west 20-foot alley; thence  
Westerly along the centerline of said alley to its intersection  
with the southerly extension of the easterly line of Lot 8,  
Block 1032 as shown on the map of Downey Manor subdivision,  
recorded on August 5, 1955, in Volume 18 of Maps at Page 32,  
Stanislaus County Records; thence Northerly along said easterly  
lot line and the prolongation thereof to its intersection with the  
centerline of a 60-foot wide public street known as Locke Road;  
thence Westerly along the centerline of said Locke Road to its  
intersection with the West line of Section 22, also being the  
centerline of a 90-foot wide public street known as Coffee Road;  
thence Southerly along said section line to the point of beginning,

and

WHEREAS, after public hearing held on October 19, 1971, 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. P-D (30), located at the corner of Coffee Road, a major street, and Lucerne Avenue, a collector street, is a proper location for medical facilities.
2. An amendment to the P-D Zone would permit expansion and improvement of a facility that has existed at the same location for a number of years.
3. Planned Development zoning will insure that expansion of the medical facilities will not be detrimental to the adjacent residential area.

and

WHEREAS, after a public hearing held on November 22, 1971, the Council found and determined that the application of Stanislaus Medical Building Corporation to permit an additional expansion of the existing medical facilities 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. 1167 -C. S. on the 20th day of December, 1971, amending Planned-Development Zone, P-D (30) so as to permit the additional uses recommended by Planning Commission Resolution No. 71-151,

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 (30), is hereby approved in accordance with the plan titled "1971-72 Additions and Remodeling - Gould Medical Group", dated October 19, 1971, as amended in red on its face and on file in the office of the Planning Director, subject to the following conditions:

1. That all new development be in accordance with the plan referred to above, said new development to be in two additional phases, referred to herein as Phase II and Phase III.
2. That the applicant shall install two additional fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed prior to the occupancy of any portion of the new development.
3. That a minimum of 246 parking spaces shall be provided on the site for Phase II of construction as set forth in Section 3 of this resolution. An additional 40 parking spaces shall be provided on the site for Phase III of construction, for a total of 286 spaces. The parking requirement is determined on the basis of 1 space per 500 square feet of building area for pharmacy and non-medical areas as noted on the approved plot plans and 1 space per 200 square feet of building area for medical areas. New parking spaces shall be improved in accordance with the provisions of the Municipal Code.
4. That the total building's square footage shall not exceed 64,200 square feet.
5. That all landscaping, fences, and walls shall be maintained, and the premises shall be kept free of weeds, trash, and other debris.
6. That any additional signs to be constructed on the premises shall conform to the sign requirements as specified in the P-0 Zone. That a parking identification sign shall be constructed on the Lucern Avenue entrance to the parking area to help alleviate the on-street parking problems on that street.
7. That prior to the issuance of a building permit for Phase III the applicant shall submit four copies of a revised plot plan showing the development as approved by the Planning Commission, which plan shall include the additional parking spaces required in Condition No. 3.
8. That 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.
9. That said development shall comply with all conditions set forth in City Council Resolution No. 67-352 and not in conflict herewith.

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 two (2) phases as follows:

Phase II: To include the north-south wings and one-half of the east wing of the third floor and all of the fourth floor, with construction to begin on or before January 1, 1973, and be completed not later than July 1, 1974.

Phase III: To include the business office, X-ray, lobby and pharmacy expansions and pediatric wing, elevator and foyer construction on the first floor; X-ray addition, lobby expansion and elevator on the second floor; one-half of the east wing, lobby expansion and elevator on the third floor, with construction to begin on or before January 1, 1977, and be completed not later than July 1, 1978.

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 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 amending Planned-Development Zone, P-D (30) so as to permit the additional uses recommended by Planning Commission Resolution No. 71-151 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 December, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

(SEAL)

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

William J. Nichols  
Planning Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1132

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$28,000 TO PROVIDE FUNDS TO MODERNIZE STREET LIGHT CONTROLLERS AT STATION NO. 3

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

CAPITAL OUTLAYS (321)

FROM:	Street Light Structure/Controls at Stn. 5 (6636-41-321)	\$18,000
	Street Light Controls at Stn. 7 (6637-41-321)	\$10,000
TO:	Modernize Street Light Controls at Stn. No. 3 (6634-41-321)	\$28,000

(Funds needed to modernize street light controls at Stn. No.3 due to major problems in controller)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of December, 1971 by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Elliott, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap, Simon

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1133

A RESOLUTION AUTHORIZING THE PURCHASING OFFICER TO NEGOTIATE FOR  
THE PURCHASE OF TWO (2) REPLACEMENT LAWN MOWERS

WHEREAS, the Director of Parks and Recreation in a memorandum dated December 22, 1971, states that it has been reported that the Locke Manufacturing Division is the only firm which manufactures a lawn mower with features which are desired by the Parks and Recreation Department; and

WHEREAS, the Purchasing Agent and Public Works Department has recommended that it would be in the best interest of the City to waive formal bid proceedings and negotiate for the purchase of two (2) Locke mowers.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

1. Formal bid procedure required by Section 8-3.06 for the purchase of two (2) replacement lawn mowers is hereby waived.
2. Purchase of two (2) Locke mowers by negotiation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1134

A RESOLUTION ACCEPTING THE BID OF WOLVERINE BUILDING SERVICE, INC. FOR CONSTRUCTION OF WADING POOL AT MARSHALL PARK

WHEREAS, Resolution No. 71-1065 , adopted by the Council of the City of Modesto on December 6, 1971 , approved the plans and specifications for the construction of wading pool at Marshall Park

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of wading pool at Marshall Park

were opened at 10:00 A.M. on December 21, 1971 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 Wolverine Building Service, Inc. in the amount of \$18,300

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Wolverine Building Service, Inc. in the amount of \$18,300

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 December, 1971 , by Councilman Elliott , who moved its adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1135

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF STOREROOM AT MADDUX YOUTH CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of Storeroom at Maddux Youth Center

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 11, 1972 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 27th day of December, 1971, by Councilman Elliott who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1137

APPROVING AND PROVIDING FOR THE EXECUTION OF A CONTRACT FOR GRANT FOR URBAN BEAUTIFICATION AND IMPROVEMENT NO. CALIF. B-181 (G) BY AND BETWEEN THE CITY OF MODESTO AND THE UNITED STATES OF AMERICA

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The pending proposed Contract for Grant for Urban Beautification and Improvement No. Calif. B-181 (G) is hereby in all respects approved.

SECTION 2. The City Manager of the City of Modesto is hereby authorized and directed to execute Contract No. Calif. B-181 (G) in two (2) counterparts on behalf of the City of Modesto and the City Clerk is hereby authorized and directed to impress and attest the official seal of the Public Body on each such counterparts and to forward such counterparts to the Department of Housing and Urban Development, for execution on behalf of the Government together with such other documents relative to the approval and execution of such counterparts as may be required by the Government.

SECTION 3. This resolution shall take effect immediately.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1138

A RESOLUTION ADOPTING THE CITY OF MODESTO  
EMERGENCY SERVICES OPERATIONAL PLAN.

WHEREAS, Chapter 4 of Title III of the Modesto Municipal Code, entitled "Emergency Services Organization and Functions" provides for the preparation and carrying out of plans for the protection of persons and property within the City of Modesto in the event of an emergency, and

WHEREAS, Section 3-4.08 of the Modesto Municipal Code authorizes the City Council by Resolution to adopt an Emergency Plan to provide for the effective mobilization of all of the resources of the City, both public and private, to meet any condition constituting a local emergency and to provide for the organization, powers and duties, services and staff of the emergency organization of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that pursuant to the authority set forth in Section 3-4.08 of the Modesto Municipal Code, that certain document entitled "City of Modesto - Emergency Services Operational Plan" marked Exhibit "A" and attached hereto is hereby adopted as the City of Modesto Emergency Plan.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, \_\_\_\_\_, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

EMERGENCY SERVICES OPERATIONAL PLAN

1971

Exhibit "A"

ORDINANCE

City of Modesto Emergency Services Ordinance

BASIC PLAN

Part I - Planning Basis

- A. Authority
- B. Planning Considerations

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- A. Operation of Emergency Operational Center (EOC)
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ORDINANCE NO. 1163 - C.S.

AN ORDINANCE ADDING CHAPTER 4 ENTITLED "EMERGENCY SERVICES, ORGANIZATION, AND FUNCTIONS" TO TITLE III OF THE MODESTO MUNICIPAL CODE.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Chapter 4 entitled "Emergency Services, Organization and Functions" is hereby added to Title III of the Modesto Municipal Code to read as follows:

CHAPTER 4

EMERGENCY SERVICES, ORGANIZATION AND FUNCTIONS

SEC. 3-4.01. PURPOSES. The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within this City in the event of an emergency; the direction of the emergency organization and the coordination of the emergency functions of this City with all other public agencies, corporations, organizations, and affected private persons.

SEC. 3-4.02. DEFINITION. As used in this chapter, "emergency" shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this city, requiring the combined forces of other political subdivisions to combat.

SEC. 3-4.03. DISASTER COUNCIL MEMBERSHIP. The Modesto Disaster Council is hereby created and shall consist of the following:

- (a) The Mayor, who shall be Chairman.
- (b) The Director of Emergency Services, who shall be Vice Chairman.
- (c) The Assistant Director of Emergency Services.
- (d) Such Chiefs of Emergency Services as are provided for in a current emergency plan of this City, adopted pursuant to this chapter.

(e) Such representatives of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the Director with the advice and consent of the City Council.

SEC. 3-4.04. DISASTER COUNCIL POWERS AND DUTIES. It shall be the duty of the Modesto Disaster Council, and it is hereby empowered, to develop and recommend for adoption by the City Council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Disaster Council shall meet upon call of the Chairman or, in his absence from the City or inability to call such meeting, upon call of the Vice Chairman.

SEC. 3-4.05. DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES.

(a) There is hereby created the office of Director of Emergency Services. The City Manager shall be the Director of Emergency Services.

(b) There is hereby created the office of Assistant Director of Emergency Services, who shall be appointed by the Director.

SEC. 3-4.06. POWERS AND DUTIES OF THE DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES.

(a) The Director is hereby empowered to:

(1) Request the City Council to proclaim the existence or threatened existence of a "local emergency" if the City Council is in session, or to issue such proclamation if the City Council is not in session. Whenever a local emergency is proclaimed by the Director, the City Council shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect.

(2) Request the Governor to proclaim a "state of emergency" when, in the opinion of the Director, the locally available resources are inadequate to cope with the emergency.

(3) Control and direct the effort of the emergency organization of this City for the accomplishment of the purposes of this chapter.

(4) Direct cooperation between and coordination of services and staff of the emergency organization of this City; and resolve questions of authority and responsibility that may arise between them.

(5) Represent this City in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.

(6) In the event of the proclamation of a "local emergency" as provided herein, the proclamation of a "state of emergency" by the Governor or the Director of the State Office of Emergency

Services, or the existence of a "state of war emergency", the Director is hereby empowered:

(aa) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council;

(ab) To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the City for the fair value thereof and, if required immediately, to commandeer the same for public use;

(ac) To require emergency services of any City officer or employee and, in the event of the proclamation of a "state of emergency" in the county in which this City is located or the existence of a "state of war emergency", to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by State law for registered disaster service workers;

(ad) To requisition necessary personnel or material of any City department or agency; and

(ae) To execute all of his ordinary power as City Manager, all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant hereto adopted by the City Council, all powers conferred upon him by any statute, by any agreement approved by the City Council, and by any other lawful authority.

(b) The Director of Emergency Services shall designate the order of succession to that office, to take effect in the event the Director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the City Council.

(c) The Assistant Director shall, under the supervision of the Director and with the assistance of Emergency Service Chiefs, develop emergency plans and manage the emergency programs of this City; and shall have such other powers and duties as may be assigned by the Director.

SEC. 3-4.07. EMERGENCY ORGANIZATION. All officers and employees of this City, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of Section 3-4.06 (a)(6)(ac) of this chapter, be charged with duties incident to the protection of life and property in this City during such emergency, shall constitute the emergency organization of the City of Modesto.

SEC. 3-4.08. EMERGENCY PLAN. The Modesto Disaster Council shall be responsible for the development of the City of Modesto Emergency

Plan, which plan shall provide for the effective mobilization of all of the resources of this City, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and shall provide for the organization, powers and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the City Council.

SEC. 3-4.09. EXPENDITURES. Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Modesto.

SEC. 3-4.10. PUNISHMENT OF VIOLATIONS. It shall be a misdemeanor, punishable by a fine of not to exceed Five Hundred and no/100ths (\$500.00) Dollars, or by imprisonment for not to exceed six (6) months, or both, for any person, during an emergency, to:

(a) Willfully obstruct, hinder, or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon him by virtue of this chapter.

(b) Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if such act is of such a nature as to give or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of this City, or to prevent, hinder, or delay the defense or protection thereof.

(c) Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the State.

SEC. 3-4.11. CONTINUATION OF THE PROVISIONS OF THE MUNICIPAL CODE AMENDED BY THE PROVISIONS OF THIS CHAPTER. It is the intent of the City Council in enacting this chapter that it shall be considered a revision and continuation of the provisions of the Municipal Code amended by the provisions of this chapter, and the status of volunteers shall not be affected by such amendment; nor shall plans and agreements, rules and regulations, or resolutions adopted pursuant to such provisions be affected by such amendment until amended, modified, or superseded as provided in this chapter.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the

Council of the City of Modesto held on the 15th day of November, 1971,  
by Councilman Smith, who moved its introduction and passage to print,  
which motion being duly seconded by Councilman Simon, was upon roll call  
carried and ordered printed and published by the following vote:

AYES: Councilmen: Dunlap, Elliott, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon, Newton

APPROVED: LEE H. DAVIES, Mayor

ATTEST:

By: W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

EMERGENCY SERVICES OPERATIONAL PLAN

I. PLANNING BASIS

- A. Authority: The authority for this Operational Plan is Chapter 4 of Title 3 of the Modesto Municipal Code. Pursuant to the authority of Section 3-4.04 of said code, the City of Modesto Emergency Services Operational Plan is made an integral part of the Stanislaus County Emergency Plan.
- B. The City of Modesto Plan will employ the Purpose, Activation of Emergency Plan, Planning Factors, Assumptions and Operational Objectives set forth in the Stanislaus County Emergency Plan, Part I, II, and III.

II. ORGANIZATION

A. Organizational Structure:

- 1. Compatability with that of day-to-day governmental and private organizations;
- 2. Clear lines of authority and channels of communication;
- 3. Simplified functional structure;
- 4. Incorporation into the City's emergency organization of all available manpower and resources having disaster capabilities; and
- 5. Formation of special-purpose units having no pre-emergency counterparts to perform those activities peculiar to major emergencies.

B. The Emergency Organization:

The City of Modesto emergency organization consists of the following:

- 1. The City Council - the governing body.
- 2. The Director of Emergency Services - the City Manager.
- 3. The Assistant Director of Emergency Services - the Deputy City Manager.
- 4. Staff Services - see Section C-1 following
- 5. Emergency Services - see Section C-2 following

C. **Emergency Organization - Functional Assignments:**

1. **The staff functional assignments of the City of Modesto's emergency organization are as follows:**

(a) **Operations Control Service:**

Director of Emergency Services - City Manager

Assistant Director of Emergency Services -  
Deputy City Manager

Staff Source - Department Heads and clerical  
staff as assigned and City Attorney's office.

(b) **Intelligence Service:**

Intelligence Officer - Assistant City Attorney

(1) **Damage and Situation Section:**

Section Chief: Director of Planning

Staff Source: Planning Department staff

(c) **Communications Service:**

Communications Officer - Chief of Police

(1) **Communications Center Section:**

Section Chief: Police Lieutenant  
(Watch Commander)

Staff Source: Police Department  
(Radio-Telephone Operators)

(2) **Warning Section:** Same as (1) above

(3) **Emergency Public Information Section:**

Section Chief: Chief of Police

Staff Source: Police Department staff  
as assigned  
Mass media

2. **The line functional assignments are as follows:**

(a) **Welfare/Shelter Service:**

Coordinated through Stanislaus County Operational  
Service.

(b) Health and Medical Service:

Coordinated through Stanislaus County Operational Service.

(c) Law Enforcement Service:

Chief: Chief of Police

Personnel: Police Department regular and reserve personnel  
Mutual aid personnel from other agencies

(d) Engineering Service:

Chief: Director of Public Works and City Engineer

Personnel: Public Works Department  
Parking and Traffic Department  
Parks and Recreation Department

(e) Fire Service:

Chief: Fire Chief

Personnel: Modesto Fire Department regular and volunteer personnel  
Others available through mutual aid

(f) Supply and Special Services:

Chief: Director of Finance

Personnel: Finance Department  
Personnel Office  
City Clerk's Office

### III. TASK ASSIGNMENTS

#### A. General Responsibilities

1. Units of the emergency organization are assigned emergency tasks in accordance with the following general principles:
  - (a) All foreseeable tasks are assigned.
  - (b) Existing organizations are assigned emergency tasks which relate to their regular functions as much as possible.
  - (c) A basic task is assigned primarily to one unit.
  - (d) Auxiliary tasks are assigned to as many units as are appropriate.
  - (e) Tasks requiring direction of field activities are assigned to Emergency Services.

- (f) Supporting, coordinating, or staff tasks are assigned to Staff Services.
  - (g) Each unit is responsible for performing incidental tasks as necessary to carry out assigned basic and auxiliary tasks.
  - (h) Relative priority among basic and auxiliary tasks may change according to the situation.
  - (i) Responsibility for coordinating the efforts of more than one unit performing related task may be assigned to one service chief by the Director of Emergency Services.
  - (j) Each unit will effectively utilize and safeguard all of its resources.
2. Details on specific activities, techniques, and procedures necessary to accomplish assigned tasks are included in Standard Operating Procedures (SOP's) developed for each service.
  3. The City is responsible for the conduct of emergency tasks within its jurisdiction. The County emergency organization may be delegated authority by the cities to perform designated tasks inside city limits.
  4. The City will designate a representative to provide for planning, operations liaison and coordination of those activities conducted by the county within the limits of the city.
  5. Military units assisting are assigned tasks by the Director or Assistant Director of Emergency Services but remain under military command.
  6. Each unit of the emergency organization is responsible for developing a functional service plan which shall become an annex to this basic plan. Such annexes shall cover the various disaster contingencies to which the service may need to respond and include those actions to be taken "before" (Increased Readiness), "during" (Survival Operations), and "following" (Recovery Operations), the onset of the disasters.
  7. All civil defense workers are responsible for taking appropriate actions to protect themselves during an emergency.
  8. The general public is responsible for taking such actions as are indicated by information, advice, and instructions issued by civil defense authorities.
  9. Readiness operations and assumptions are contained in Sub-Plan A of the County of Stanislaus Basic Plan. Such assumptions will be used in the City of Modesto emergency planning and in individual service annexes.

B. Specific Responsibilities

1. The City Council:

- (a) The City Council establishes basic policies which govern city emergency organization actions.
- (b) The Mayor may ask the Chairman of the Board of Supervisors to request the Governor to proclaim a State of Emergency or a State of War Emergency in accordance with the provisions of the California Emergency Services Act, Chapter 7 of Division 1 of Title 2 of the Government Code.

2. City Disaster Council:

The City Disaster Council is a standing committee established by the City Emergency Organization which makes recommendations to and advises the City Council.

3. Director of Emergency Services:

The Director of Emergency Services is the City Manager who is also Vice Chairman of the Disaster Council.

4. Staff Services:

City staff services are assigned responsibility for performing tasks according to the following table:

(a) Staff Operations:

Director of  
Emergency Services:

- Issues rules, regulations, orders.
- Issues operations schedules, policies, priorities.
- Directs and controls the emergency organization.
- Provides instructions to the general public.

Intelligence  
Service:

Damage and Situation Section

- Manage the information collection and reporting system.
- Evaluate situation information including damage assessment.
- Disseminate situation intelligence.

Communications  
Service:

Communications Center Section

Manage communications systems.  
Receive, send, and record EOC messages.  
Distribute messages within EOC.  
Maintain and restore communications facilities.

Warning Section

Receive and disseminate emergency information.

Emergency Public Information Section

Prepare and disseminate emergency information.

(b) Line Operations

The various City Emergency Services are assigned responsibility for performing basic and auxiliary tasks according to the following table:

1. Welfare/Shelter Service - coordinated through Stanislaus County Emergency Organization and local Red Cross chapter.

Basic Tasks:     Manage and operate reception centers.  
                  Manage and operate public shelters.  
                  Inventory and allocate temporary lodging.  
                  Provide EOC housekeeping support.  
                  Provide rehabilitation and counseling services.  
                  Operate a registry.

Auxiliary  
Tasks:

Collect and report information.  
Operate fallout monitoring and reporting stations.  
Provide first aid.  
Provide facility contamination control.

2. Health and Medical Service - coordinated through Stanislaus County Emergency Organization.

Basic Tasks:     Provide medical treatment for sick and injured persons.  
                  Restore and maintain public health controls.

Manage health and medical services, activities, facilities, and resources.  
Provide technical supervision over biological and chemical detection and identification systems.  
Manage the identification and disposition of the deceased.

**Auxiliary  
Tasks:**

Collect and report information.  
Provide first aid in support of search and rescue.  
Provide facility contamination control.

**3. Law Enforcement Service**

**Basic Tasks:** Enforces laws, rules, and regulations.  
Provide security for facilities and resources.  
Control pedestrian and vehicular traffic.  
Collect and report information.

**Auxiliary  
Tasks:**

Coordinate traffic control with other agencies.  
Operate fallout monitoring and reporting stations.  
Assist in search and light rescue.  
Provide first aid.  
Provide area contamination control.

**4. Engineering Service**

**Basic Tasks:** Restore, maintain and operate essential facilities.  
Clear debris.  
Construct emergency facilities including expedient fallout shelters.  
Provide technical supervision over all emergency construction.

**Auxiliary  
Tasks:**

Collect and report information.  
Operate fallout monitoring and reporting stations.  
Assist in search and heavy rescue.

Assist in first aid.  
Provide facility and area  
decontamination.  
Assist in area contamination  
control.

5. Fire Service

Basic Tasks: Suppress fires and develop  
a fire defense.  
Manage the fallout monitoring  
station reporting system.  
Evaluate and disseminate  
radiological monitoring  
information.

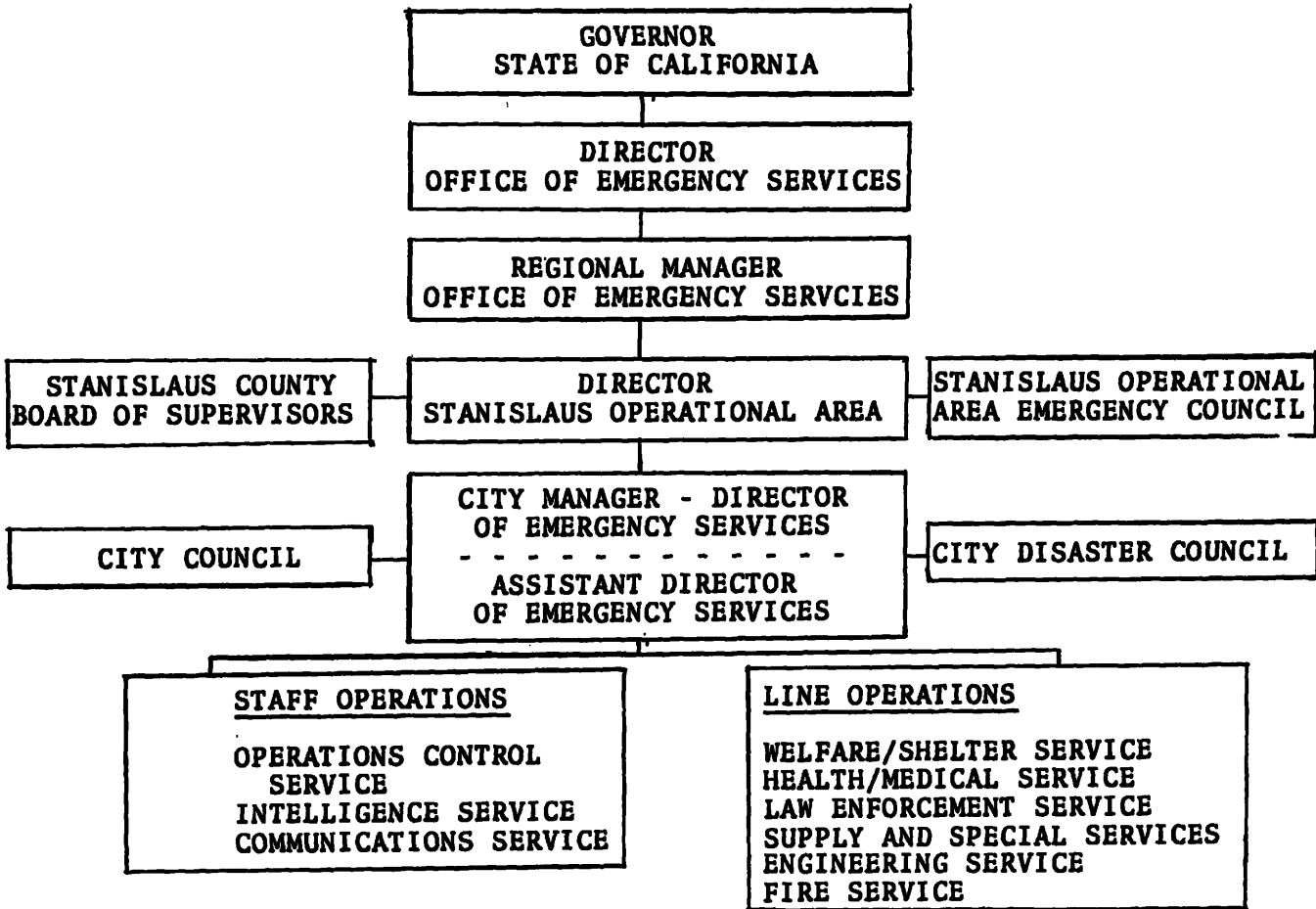
Auxiliary  
Tasks:

Provide search and light  
rescue.  
Assist in first aid.  
Provide facility and area  
decontamination.  
Provide area contamination  
control.

6. Supply and Special Services

Basic Tasks: Provide centralized supply and  
procurement, including coordi-  
nation with the activities of  
the area Emergency Resource  
Management Divisions. Also  
includes transportation, man-  
power, utilities and other  
supportive services.

**EMERGENCY ORGANIZATION CHART  
(LINES OF DIRECTION AND CONTROL)**



Each staff service and line operation service will develop a special operational plan (S.O.P.). The above indicates both City and inter-jurisdictional lines of authority.

CONTINUITY OF GOVERNMENTA. Lines of Succession and Alternate Officials:

1. A successor to the position of Director of Emergency Services is designated to be the Deputy City Manager. If he should be unable to serve, then the Director of Public Works and Chief of Police, in that order, shall serve as Director until a successor has been appointed by the City Council. An individual serving as Acting Director will have the authority and powers of the Director.
2. Alternates to key positions in units of the emergency organization are shown in orders issued by the Service Chief.
3. The alternates to key positions in regular departments are shown in orders issued by the individual department.

B. Temporary Seat of Government:

1. The temporary seat of government, in the event the normal location is not practicable because of emergency conditions, will be as follows:

Modesto Police Station - First Alternate  
Modesto Fire Station #1 - Second Alternate

C. Preservation of Records:

1. Vital records of this jurisdiction are protected through the County of Stanislaus storage of records in the Santa Cruz Mountains. Space is available in the basements of the Police and City Hall buildings for emergency storage of records during increased readiness period, or upon announcement of a warning condition.

BASIC ACTIONS FOR INCREASED READINESSA. General:

1. An increase in international tension may require precautionary actions by Federal, State, and local governments for increased readiness and protection before notice or actual warning. The California Office of Emergency Services disseminates Readiness Conditions which designate progressive phases and automatically initiates specific actions for orderly and uniform transition from peacetime to wartime readiness.
2. The City of Modesto, being a part of the Stanislaus County Disaster Council, will follow the Readiness Conditions as outlined in "Attachment B" of the Stanislaus County Emergency Plan.

EMERGENCY COMMUNICATION SYSTEMSA. General:

The communications systems installed at or controlled from the Emergency Operating Center (EOC) will support the field activities of the various emergency services which make up the emergency organization. Other communication systems provide links to nearby jurisdictions or to higher levels of the state-wide emergency organization. The communications systems at the EOC include radio systems licensed to this jurisdiction. Such radio systems are augmented in an emergency by radio systems licensed to other agencies of government, to private industry and to individuals.

During a State of Emergency, privately-owned radio systems, equipment, and facilities, subject to approval by the licensee, will generally be used to support the field activities of emergency services not already linked directly to the EOC.

B. Operational Considerations:

1. The Communications Service is one of several staff services which are organized and assigned at the EOC to provide communications for the direction and control of emergency operations. Messages outside of the EOC are handled by communications operations under this staff service.

The Communications Center processes and distributes messages within the EOC. The EOC communications and message staff is supervised by the Communications Officer, who also has technical supervision of emergency service technicians who service or operate communications equipment in the field.

Operators to man the EOC communications equipment will be provided by those departments regularly using these systems. The Communications Officer will provide for operators of other communications equipment which augments regular capabilities, and will also provide for personnel to service and maintain communications equipment and facilities.

2. Allocation of Radio Systems:

Radio systems subject to City control will be used for message transaction of emergency services according to the following table, subject to such revisions as may be issued by the Communications Officer. Operators of radio equipment will provide service in accordance with this table or revisions as issued:

Radio System:

Police	Law Enforcement
Fire	Fire
Local Government	Engineering (Public Works and Parks and Recreation)
RACES	Health and Medical (through County Plan)
Citizens Band	Shelter and Welfare (through County Plan)

3. Emergency Public Information Media:

Emergency information, advice, and action instructions are announced to the public by various media. The Emergency Broadcast System (EBS) and outdoor warning devices (sirens and horns) are the primary media. Other media are mobile loudspeakers, bulletins, handbills, and the press. The Emergency Public Information Officer will release all emergency public information originated by this jurisdiction.

4. Message Priorities:

Message classifications and priorities are as follows:

Emergency Warning, Intelligence and Operational Messages	First Priority
Scheduled Intelligence and Operational Messages	Second Priority
General Messages	Third Priority
Routine Messages	Fourth Priority

Each message will be classified by the originator and a priority assigned in accordance with the above table and/or with rules issued by the Director of Emergency Services or the Communications Officer.

5. Procurements:

The various emergency services of the Emergency Organization will estimate communication requirements and deficiencies and advise the Communications Officer. Procurement of communications resources and services will be managed by the Supply and Special Services in consultation with and on advice from the Communications Officer.

C. Facilities:

1. Communications Systems Inventory: (EOC)
  - (a) Police radio (base station and mobiles)
  - (b) Fire (base station and mobiles)
  - (c) Local Government (base station and mobiles)
  - (d) Commercial telephone
  - (e) Department of Justice teletypewriter
  
2. Communications Systems Inventory: (Non-EOC)
  - (a) Industrial, contractor, trucking, taxi, bus, veterinary, medical, ambulance, hospital, railroad, etc.
  - (b) Radio Assistance Civil Emergency Service (RACES)
  - (c) Citizens band

EMERGENCY BROADCAST SYSTEM (EBS)A. General:

The State has been segmented into "EBS Operational Area" for the purpose of disseminating emergency information. Each EBS operational area encompasses one or more county emergency operational areas. Selected EBS stations have been provided with fallout-protected facilities. Other unprotected but authorized EBS stations will continue to operate as circumstances permit.

All authorized stations in each EBS operational area will broadcast a common program. A "program entry point" has been established for each EBS operational area. Emergency Service authorities for each jurisdiction will prepare emergency information and action instructions pertinent to the people in the respective jurisdictions, which will be routed to the designated program entry point for broadcast.

B. Operational Considerations:

Authorized stations will continue to broadcast on regular assigned frequencies during a war emergency, but the use of call letter identification will cease with the activation of EBS. Instead, stations will broadcast area identification. Listeners will be advised to monitor those stations which serve the area in which they are located, since EBS announcements may vary according to area served.

C. Facilities:

Program entry point for this area is KJOY-Stockton. Emergency information will be routed to the program entry point via the San Joaquin County Emergency Operating Center.

EBS stations serving this area are:

<u>Station</u>	<u>Frequency</u>
KTRB (protected)	860 KC
KBEE	970 KC

EMERGENCY OPERATING CENTERSA. General:

Emergency Operating Centers (EOC) are facilities for the centralized direction and control of the emergency organization and the general public. During an Increased Readiness Condition or an Alert Warning, all EOC facilities will be activated and manned to the extent required.

B. Operational Considerations:

The Chief of each unit of the emergency organization or his designated representative and such staff assistants as are assigned will direct and coordinate emergency operations from the primary EOC.

C. Facilities:

The following facilities are scheduled for emergency use:

<u>Name of Facility</u>	<u>Use</u>
City Hall	Director of Emergency Services Engineering Services Supply and Special Services Intelligence Service
Police Station (Alternate EOC)	Law Enforcement Service Communications Service
Fire Station #1	Fire Service

FALLOUT SHELTER SYSTEMA. General:

The fallout shelter system consists of existing facilities which, due to their construction features, will significantly reduce exposure to hazardous radiation in the event of fallout resulting from the detonation of nuclear weapons. Fallout shelters are a radiological defense countermeasure. Although the use of fallout shelters is the central countermeasure around which all war emergency civil defense operations are based, other radiological countermeasures must also be used to insure the minimum exposure of the population and the civil defense workers.

B. Operational Considerations:

The effective use of fallout shelters, existing and expedient, requires the timely dissemination of information, advice, and action instructions to the public and the regulation of movements to public shelter. The capacity of existing fallout shelters in this city is very limited with respect to the total population. Therefore, the construction of expedient shelters and the upgrading and expansion of existing shelters is a priority action in the event of a change in Readiness Condition.

C. Expedient Shelter:

The construction of expedient shelter (including upgrading and expanding of existing shelters) is governed by the following factors.

1. Designation of suitable sites.
2. Mobilization of emergency construction teams.
3. Mobilization of emergency construction equipment.
4. Provision of survival supplies.

AMERICAN NATIONAL RED CROSSA. General:

The Red Cross has legal responsibility to provide relief for the disaster-caused needs of persons affected by a natural disaster. The Red Cross conducts its programs through local chapters. The Red Cross finances its own natural disaster programs and exercises administrative control over its own operations. All assistance is provided on a grant basis through the following programs: mass care, including food, clothing, and lodging; supplemental medical and nursing care; family services; and rehabilitation. Recognizing that warning, rescue, and evacuation are governmental responsibilities, the Red Cross assists in these services when such help is requested by local governments.

Because of the Geneva Conventions and the National Blood Program obligations imposed on the Red Cross by the Federal government, it is necessary to maintain the operational capability of the local chapter during war-caused emergencies. Should the local Red Cross volunteer disaster committee be incorporated into the local civil defense plan for war-caused emergencies, the committee assists only in meeting mass care needs for food, clothing, and lodging. Government is responsible administratively and financially for the conduct of these programs in war-caused emergencies.

B. Agreement:

The American National Red Cross in the County of Stanislaus will, in natural disasters, furnish food, clothing, shelter registration and information service, supplementary medical service when requested, and rehabilitation to individuals and families affected by the disaster.

In war-caused disasters, the American National Red Cross will provide assistance in meeting three requirements for mass care of people: (1) food, (2) clothing, and (3) lodging. But government is responsible, administratively and financially, for the conduct of operations to care for distressed people.

The American National Red Cross will provide funds with which to finance all its relief activities during national disasters. Costs associated with Red Cross activities during war-caused emergencies are the responsibility of the user government.

The City Director of Emergency Services shall be responsible for arranging through the County Emergency Organization for participation of the Red Cross in the emergency organization as part of the Welfare/Shelter Service and for the working relationship between the Red Cross and this jurisdiction in case of natural disasters and other peacetime emergencies.

BASIC PLAN - ANNEX A

OPERATION OF EMERGENCY OPERATIONAL CENTER (EOC)

1. General:

The purposes of this annex are to provide for direction and control of emergency forces and provide emergency information and advice for the public. The Emergency Organization consists of all personnel who have been or are assigned tasks during an emergency situation.

The key personnel in the EOC are the Director of Emergency Services, Assistant Director of Emergency Services, City Council members, various Service and Section Heads, and their assistants.

This annex is intended to include, but is not limited to, the following emergency situations: nuclear war, natural disasters, major accidents, and civil disturbance.

2. Objectives:

The staff of the EOC shall conduct their operations in order to accomplish the following objectives:

- A. Provide immediate and effective responses in natural and man-made disaster situations.
- B. Operate at all times in cooperation with other operating services and under the operational control of the Director of Emergency Services, so that the use of vital resources will be utilized efficiently and effectively.
- C. Save lives and protect property.
- D. Provide mutual aid assistance to other jurisdictions when such aid is requested through proper channels.

3. Operations and Functions:

- A. Mutual aid shall be coordinated by the Director of Emergency Services. Requests for men, material, and supplies shall originate with the operating service chief only after the commitment of all available local resources is made.
- B. All emergency organization operations shall be directed and controlled from the primary EOC.

In case of a war situation, the Director of Emergency Services shall direct the entire emergency organization to mobilize and be on 24-hour operation. The following assignments shall be made but the Director may relocate personnel among EOC's as he deems necessary.

City Hall	Director and Assistant Director, City Council, Service and Section heads and their assistants
Police Station	Law Enforcement personnel
Fire Station #1	Fire personnel
Corporation Yard	Engineering personnel

- C. In cases of national disasters, a partial or complete mobilization may be necessary. The Director shall determine the extent of operations for natural disasters including earthquakes, floods, and large, uncontrolled fires. The Director may declare a State of Emergency exists in Modesto in the interest of time, but the City Council must concur as soon as possible thereafter.

In man-created disasters, the immediate response of fire, law enforcement, and health and medical operating services is needed. The Chiefs of these services shall be responsible for the emergency organizations immediate response but they must inform the Director of the situation. If the Director determines other services are needed, he shall direct the mobilization of other emergency services to the extent deemed necessary. In those cases, EOC operations would not normally be required.

In civil disturbances, both spontaneous and planned, the primary responsibility for quelling the disturbances shall be that of the Chief of the Law Enforcement Service. Again, if other emergency services are needed, the Director shall direct their mobilization to the extent deemed necessary. Again, EOC operations would not normally be necessary.

BASIC PLAN - ANNEX B

EMERGENCY COMMUNICATIONS

1. The Emergency Communications Center:

The City Emergency Communications Center is located at the Police Department at Eleventh and "F" Streets in the City of Modesto.

The Chief of the Law Enforcement Service is also Communications Officer and is directly responsible for the activities of the Communications Center.

In cases of national, state or county wide emergencies, the communications net will become part of the County Emergency Organization.

2. Responsibilities:

- A. Support Radiological Defense Monitoring (RADEF): A primary responsibility of the Fire Service. Assistance will come from the Law Enforcement Service.
- B. Support Law Enforcement activities.
- C. Support Fire Service in carrying out primary responsibility of firefighting and rescue. Other communications support is to be from RACES and Engineering Service.
- D. Shelter communications is a primary responsibility and will be supported by telephone communications plus mobile units from Law Enforcement Service and RACES. This activity will primarily be involved with the County-wide emergency organization.
- E. The emergency feeding and shelter activities again would fall under the County Emergency organization and the City Communications Service would supplement and assist the County Communications Service in these areas.
- F. The primary responsibility for debris clearance is the Engineering Service and their radio net has that assignment with support from the Law Enforcement Services, RACES, and telephone.

NOTE: The assignment of specific communications above is intended as a guide for communications use and is not a hard and fast requirement. As emergencies arise, it may become necessary for the City Communications Officer to reassign specific communications facilities to additional uses as the demand requires.

3. Maintenance:

All maintenance is performed regularly by City maintenance agreements with private firms.

4. Training:

Radio personnel are regular City employees and therefore receive daily training and special training at regular intervals. Personnel assigned to the Communications Service have been screened and character checked by the Personnel Office prior to employment.

## BASIC PLAN - ANNEX C

### WARNING

#### 1. Scope:

This annex becomes operative under a war situation and under certain major peacetime disasters. The objective of this annex is to disseminate as quickly as possible warning information received from the California Office of Emergency Services or other competent authority.

#### 2. Functions:

- A. Warn the general public of impending attack or attack in progress by the use of sirens, horns, public address systems, etc.
- B. Warn the general public of radiation hazards resulting from nuclear detonation.
- C. Warn the general public concerning floods, fires, heavy winds, and other dangers.

#### 3. Operations:

Warning actions are characterized by high priority operations over a short period of time; the use of mass media systems for passing warning to the public; a small number of workers to man the system; a need for fast activation of the system on short notice; and readiness to repeat all actions in the event of successive alerts or attacks.

##### A. War

- 1. Attack Warning: The National Warning System (NAWAS) relays warning information to the State Warning Point, Office of Emergency Services, Sacramento. Warning is received at the Police Department via the Bell and Light system. Alternate means of receipt are via the State Department of Justice Teletypewriter Network and public safety radio systems. All fire stations in the City then commence public warning by activating available engine sirens.
- 2. Strategic Warning: The Emergency Broadcast System (EBS) which includes radio stations KJOY (Stockton) and KBEE and KTRB (Modesto) will broadcast increased readiness information and instructions.

B. Major Peacetime

Warning of an extraordinary peacetime emergency may be received by the City over the State Department of Justice Teletypewriter Network, public safety radio systems, and/or NAWAS. The City Director of Emergency Services may then order the alert signal to be sounded by sirens, but only when local radio and television stations are prepared to broadcast emergency public information from government authorities. Dissemination for warning for other peacetime emergencies where human life is immediately in danger is the responsibility of the Chief of Police, such as flood evacuation.

EMERGENCY PUBLIC INFORMATION

1. Scope:

This annex provides for the orderly dissemination of emergency public information under increased readiness conditions, war conditions, and major peacetime disaster and civil disturbance conditions.

2. Functions:

A. Primary:

1. Inform the public of the local emergency organization and responsibilities.
2. Inform the public of private readiness actions to take.
3. Inform the public of fallout shelter locations and routes to take.
4. Educate the public on hazards of radio-active fallout and countermeasures.

B. Support:

1. Make public requests for emergency service volunteers for training and support of the operating services.

3. Operations:

News media will be used to inform the public as existing news dissemination agencies are the most effective method of message dissemination.

All newspapers, radio stations, and television stations in the County shall be kept informed of the emergency situation. News media representatives shall work with the Emergency Public Information Section Chief in acquiring information of the situation as reflected in reports, messages and intelligence.

Support to this Section will be from local radio, television, and newspaper facilities.

LAW ENFORCEMENT

1. Scope:

The scope of this annex covers both war and major peacetime disasters. The objectives of this annex are to maintain law and order under any emergency disaster condition in order to control and/or prevent subversive activities, sabotage, looting, rioting, panic, mob violence, and group disorders.

2. Functions:

A. Primary:

1. Protect lives and property
2. Preserve order
3. Enforce laws, rules, and regulations
4. Provide security for facilities and resources
5. Control vehicular and pedestrian traffic

B. Support:

1. The first priority in the utilization of law enforcement personnel and resources shall be given towards life-saving operations. Second priority shall be given towards the protection of property.
2. Law enforcement activities shall be coordinated with other emergency organization services through the Director of Emergency Services and Assistant Director of Emergency Services.
3. Law Enforcement Service will assist the Fire Service in search and light rescue and in first aid.

3. Operations:

A. War:

In a war situation, primary operations shall be directed towards orderly and swift movement of people to shelters. This includes traffic control on roads. Panic control will be a major factor.

1. Severe Damage:

In a widespread and severe blast and fire damage situation, operations shall be confined to sheltering and rescuing individuals and remedial movement of people.

2. Radiological Contamination:

In the immediate post-attack period, law enforcement personnel shall cease non-shelter activities when the radiation fallout level reaches .5R unless otherwise directed by the Chief Law Enforcement Service in order to protect lives in sheltering operations.

3. Shelter Utilization:

Law enforcement personnel shall proceed to the nearest fallout shelter when non-shelter activities are terminated by the Chief Law Enforcement Service due to fallout. They shall assist shelter managers in maintaining order within the shelters. During recovery operations their shelter activities shall cease, and they shall be directed from the primary EOC.

B. Major Peacetime Emergencies:

In a major peacetime disaster, such as earthquake, fire, flood, storm, industrial, chemical, and transportation accidents, and civil disturbances, the Chief Law Enforcement Service shall direct the immediate law enforcement response in cooperation with other services. The extent of the continued response and whether or not direction and control location shall be transferred to the primary EOC.

1. Planned Demonstrations:

The Director of Emergency Services shall be kept informed of the law enforcement response to planned demonstrations.

2. Mutual Aid:

Mutual aid shall be requested by the Chief Law Enforcement Service through the Director of Emergency Services only after all available local resources have been committed.

4. Organization:

Law Enforcement Service personnel shall include the Police Department staff and Police Reserve personnel.

In case of nuclear war, all Law Enforcement Service personnel shall be alerted upon notification of Readiness Condition Two and completely mobilized upon notification of Readiness Condition One. In case of attack without warning, immediate and complete mobilization is mandatory.

In major peacetime emergencies, the initial response shall be with regular on-duty Police personnel. The Director of Emergency Services shall determine upon the recommendation of the Chief Law Enforcement Service which additional personnel shall be mobilized to combat the disaster.

In all cases, the Law Enforcement Service shall coordinate its activities through the Area Coordinator with County Sheriff, other cities, the Department of Justice, California Highway Patrol, and other local agencies having law enforcement responsibilities.

# BASIC PLAN - ANNEX F

## ENGINEERING SERVICE

### 1. Scope:

The scope and objective of this annex is to provide for critical emergency engineering services under any disaster situation.

### 2. Functions:

#### A. Primary:

1. Swift construction of expedient public fallout shelters.
2. Debris clearance and demolition operations.
3. Restore, maintain, and operate essential facilities.
4. Construct emergency facilities including medical disaster wards, utility facilities, etc.
5. Provide technical supervision over all other emergency construction.
6. Decontamination operations.

#### B. Support:

1. First priority in a nuclear war situation shall be given to the swift construction of expedient public fallout shelters. In all other situations, first priority shall be given to the restoration of facilities.
2. Engineering Service activities shall be coordinated with other emergency organization services through the Director of Emergency Services.
3. The Engineering Service shall provide heavy rescue and demolition work in cooperation with the Fire Service. It shall assist other services with necessary engineering assistance.

### 3. Operations:

#### A. War:

The commencement of swift construction of expedient public fallout shelters shall be initiated.

1. Severe Damage:

In a widespread and severe blast and fire damage situation, operations shall be confined to rescue activities, sheltering people, and remedial movements of people. Construction activities would be impossible.

2. Radiological Contamination:

In the immediate post-attack period, Engineering Service personnel shall cease non-shelter activities when the radiation fallout level reaches .5R unless otherwise directed by the Chief of Engineering Services to protect lives in sheltering operations. In the recovery period, decontamination of critical facilities by washing down and street sweeping operations shall be the primary functions.

3. Shelter Utilization:

Engineering personnel shall proceed to their designated protected secondary EOC's when non-shelter activities are terminated by the Chief of Engineering Services. If the facility is unprotected, then they shall proceed to the nearest public fallout shelter. Their activities shall be directed from the primary EOC.

B. Major Peacetime:

In a major peacetime disaster, such as earthquake, fire, flood, storm, industrial, chemical, and transportation accidents and civil disturbances, the Chief of Engineering Services shall direct the immediate Engineering Service response in cooperation with other services. The Chief of Engineering Services shall determine the extent of the continued response and whether or not the direction and control location will be transferred to the primary EOC.

1. Planned Demonstrations:

The Director of Emergency Services shall determine the Engineering Service response to planned demonstrations after consultation.

2. Warning:

Engineering Service shall provide timely warning to threatened citizens in any major peacetime disaster that is within their operational capability to provide. The Director of Emergency Services shall be informed of warning operations in progress.

4. Organization:

Engineering Service personnel shall include Public Works Department, Parking and Traffic Department, and Parks and Recreation Department. Other personnel may be obtained as necessary.

In case of nuclear war, all Engineering Service personnel shall be alerted upon notification of Readiness Condition Two and completely mobilized upon notification of Readiness Condition One. In case of attack without warning, immediate and complete mobilization is mandatory.

In case of major peacetime emergency, first response shall be with on-duty Engineering Service personnel. If disaster occurs on non-regular working hours, then personnel shall be called out from alert roster maintained in the Public Works Department. The Director of Emergency Services shall determine upon the recommendation of the Chief of the Engineering Services if additional personnel shall be mobilized to combat the disaster.

The Engineering Service shall coordinate its activities with the County, other cities, the State Department of Public Works, irrigation districts, and private utilities.

## BASIC PLAN - ANNEX G

### FIRE SERVICE

#### 1. Scope:

The objectives of this annex are to suppress and control fires and perform rescue operations under any emergency disaster condition. This annex becomes operative under a war situation and any major peacetime disaster.

#### 2. Functions:

##### A. Primary:

1. Control and suppress fires
2. Conduct light rescue operations
3. Conduct radiological defense operations including operation of monitoring stations

##### B. Support:

1. First priority in the utilization of Fire Service personnel and resources shall be given towards life-saving operations. Second priority shall be given towards the protection of property.
2. Fire activities shall be coordinated with other emergency organization services through the Director of Emergency Services.
3. Support and assistance to other services including assistance in rendering first aid and provision for facility and area decontamination.

#### 3. Operations:

##### A. War:

Unless there is sufficient time, only those fires threatening shelterees shall be suppressed.

##### 1. Severe Damage:

In a widespread and severe blast and fire damage situation, fire suppression activities shall be cancelled in lieu of sheltering individuals, rescue operations, and remedial movement. In this situation, it is anticipated that fires would be out of control.

2. Radiological Contamination:

In the immediate post-attack period, Fire Service personnel shall cease non-shelter activities when the radiation fallout level reaches .5R unless otherwise directed in order to protect lives in sheltering operations.

3. Shelter Utilization:

Except for protected monitoring stations, Fire Service personnel shall proceed to the nearest fallout shelter when outside activities are terminated by the Chief due to fallout. They shall then assist Shelter Managers in fire fighting assignments within the shelter and shall assist in radiological monitoring. During recovery operations their shelter activities shall cease and they shall be directed from the primary EOC.

B. Major Peacetime Disasters:

In a major peacetime disaster, the Fire Chief shall direct the immediate Fire Service response in cooperation with other services. The Director of Emergency Services shall determine the extent of the continued response and whether or not direction and control location shall be transferred to the primary EOC.

1. Planned Demonstrations:

The Director of Emergency Services shall determine the Fire Service response to planned demonstrations after consultation.

2. Mutual Aid:

Mutual aid shall be requested by the Fire Chief only after all available local resources have been committed.

4. Organization:

The Fire Service shall consist of regular and volunteer Fire Department personnel.

In case of war, all Fire Service personnel shall be alerted. In case of attack without warning, immediate and complete mobilization is mandatory.

During major peacetime emergencies, initial response shall be with regular on-duty fire personnel. The Director of Emergency Services shall determine upon the recommendation of the Fire Chief which other personnel shall be mobilized to combat the disaster.

The Fire Service shall coordinate its activities through the Area Coordinator with other cities, districts, and the County.

SUPPLY AND SPECIAL SERVICES

1. Scope:

The objectives of this annex are to provide for the supply and special services operations including transportation, manpower, utilities, food, industrial protection, construction, and housing, and economic stabilization. This annex becomes operative under a war situation and under any major peacetime emergency.

2. Functions:

A. Primary:

1. Supply: Provide supply and procurement services for the emergency organization operations.
2. Transportation: Manage and operate essential transportation equipment and facilities.
3. Manpower: Provide for the recruitment and allocation of manpower skills.
4. Food: Provide for the conservation, allocation, and distribution of foodstocks.
5. Industrial Production: Implement the Statewide Industrial Production Plan for the emergency management production, conservation, distribution, and use of essential items in secondary inventories.
6. Construction and Housing: Provide for the repair, modification, and/or construction of emergency facilities and housing.
7. Economic Stabilization: Provide in line with the State Economic Stabilization Plan, for price stabilization, rent stabilization, and consumer rationing.

B. Support:

1. First priority shall be given to the transportation of people and the protection of lives. Second priority shall be given to the movement of supplies and restoration of systems and institutions.
2. Supply and Special Service activities shall be coordinated with other emergency organization services through the Director and Assistant Director of Emergency Services.

3. The Supply and Special Services shall provide technical advice with regard to contaminated food products and also assist in first aid.

3. Operations:

A. War:

1. Severe Damage:

In a widespread and severe blast and fire damage situation, operations shall be confined to sheltering people and remedial movement of people in lieu of primary functions.

2. Radiological Contamination:

In the immediate post-attack period, Supply and Special Services personnel shall cease non-shelter activities when the radiation level reaches .5R unless otherwise directed, in order to protect lives in sheltering operations.

3. Shelter Utilization:

Supply and Special Services personnel shall proceed to the nearest fallout shelter when non-shelter fallout activities are terminated by the Chief of the Service.

B. Major Peacetime Emergency:

In a general major peacetime emergency, the Director of Emergency Services shall determine the extent of the response and whether or not the direction and control location shall be transferred to the primary EOC.

C. Specific Divisional Operations:

1. Transportation: Transportation provides for the movement of people if private transportation is not available; the movement of critical supplies; the movement of emergency organization personnel; and coordinates the local transportation industry's recovery.
2. Manpower: Will receive manpower requests from all Services and attempt to supply persons and skills requested.

3. Utilities: The general utilities plan is to continue the operation of the utilities facilities both private and public under existing utility management. Utility activities will be coordinated through the Chief of the Service. Utilities will furnish local civil defense officials with instructions to the public regarding proper utilization and conservation of service.
4. Food: Immediately upon the existence of a state of extreme emergency, the Director of Emergency Services or City Council may close retail food stores if that action is deemed necessary. The Federal Government may issue rules, regulations, and orders to safeguard and control food stocks, and also the Governor is to establish adequate controls over food stocks during a state of extreme emergency.
5. Industrial Production: The City Council shall establish policies, if needed, governing industrial production at the time of the emergency and in accordance with the statewide industrial production plan.
6. Construction and Housing: Policies shall be established by the City Council at the time of the emergency.
7. Economic Stabilization: Subject to Federal and state controls, the City Council shall establish policies, rules, and regulations affecting the local economy at the time of the emergency.

4. Organization:

Personnel shall be drawn from the Finance Department, Personnel Office, and City Clerk's Office. Other personnel will be drawn as needed.

All Supply and Special Services personnel shall be alerted upon notification of Readiness Condition Two and completely mobilized upon notification of Readiness Condition One. In case of attack without warning, immediate and complete mobilization is mandatory.

In a major peacetime emergency, the Director of Emergency Services shall determine upon recommendation of the Service Chief which divisions and the number of personnel that shall be mobilized.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1139

A RESOLUTION APPROVING THE ESTABLISHMENT OF  
A POLICE RADIO RESERVE GROUP.

WHEREAS, the Police Department of the City of Modesto has established a Police Radio Reserve Group to assist the department in search and rescue operations and special events and projects by providing an observation and communication service, and

WHEREAS, the Chief of Police by a memorandum to the City Manager dated December 16, 1971 has set forth a description of said Police Radio Reserve Group, including a description of how the group will operate, the circumstances under which it will be used, and other details of the program, and

WHEREAS, said Police Radio Reserve Group will be a valuable addition to the crime prevention and detection functions of the Modesto Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the establishment and use by the Modesto Police Department of a Police Radio Reserve Group as described in a memorandum from the Chief of Police to the City Manager dated December 16, 1971, 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 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

Dpy Mgr	_____	Pub Wks	_____
Attorney	_____	Bldg Insp	_____
Clerk	_____	Pks & Rec	_____
Fire	_____	Pkg & Trf	_____
Police	_____	Personnel	_____
Library	_____	Planning	_____

Date: December 16, 1971

TO: City Manager  
 FROM: Chief of Police  
 SUBJECT: Formation of Police Radio Reserve Group

*O.K.*

A Police Radio Reserve Group has been established by the Modesto Police Department. The group enrollment is presently in excess of 90, and it is anticipated that a total of 150 persons will be associated in the program.

Five squads, or groups, have been formed consisting of approximately twenty members per group.

The Radio Reserves operate on a Class D Citizen Band license issued to the Modesto Police Department which authorizes up to 150 units. Members are both female and male who own a vehicle equipped with a Citizen's Band Radio. All Reserves are required to have a CB Radio that can transmit and receive on channels 7, 15 and 23. Although a few of the members only have these three channels, most of them have units operating twenty-three channels.

The only cost to the City for this program may be an expenditure of \$500.00 to obtain a 23 channel base station and antenna to be considered during our next budget period.

A criminal background check is completed on each applicant prior to acceptance.

When on duty, the Radio Reserves are covered under the City's Workmen's Compensation Insurance and are considered to be on duty only after they have signed in at the Police Department on the appropriate form. They are also required to sign out at the end of their tour of duty.

The Reserves will be used strictly for observation only and do not have peace officer powers. They are to be deployed in the following circumstances.

- A. Search and rescue operations.
  - 1. Missing and lost children.
  - 2. Drownings.
  - 3. Animal bite cases.
  - 4. Searching for evidence.
  - 5. All cases calling for additional manpower.
  
- B. Special events and projects.
  - 1. Halloween.
  - 2. Modesto Police Department Crime Prevention Program.
  - 3. Disaster and civil defense.
    - a. floods
    - b. storms causing major damage
    - c. electrical blackouts
  - 4. Stakeouts.
    - a. burglary cases where a particular pattern has developed or a known suspect is working in the area.
    - b. robbery cases where a pattern has developed.
    - c. arson cases.
    - d. residence of known suspect.
    - e. downtown auto burglaries during Christmas.

The Detective assigned to organize the unit has developed the necessary rules and regulations for the operation of this group. He supervises their function and coordinates their activities. The use of the Radio Reserves can be activated by Patrol and Investigation Division Supervisors by simply placing a telephone call to one of the assigned members of each squad. Once the Radio Reserves have been activated, they are required to sign in when they report to the police headquarters. A 23-channel base station is manned at the police facility and each group has a base station operator who handles all radio traffic between their units and the department. Department personnel brief the group on their assignment and assign them to their duties.

The Reserve program was first put into effect on September 1, 1971. Since September 15, 1971, the Reserves have logged in excess of 500 man hours. During the Halloween weekend, there were 57 Reserve units on the streets assisting the police department. Since that time they have also been used for a two week period on burglary stakeouts. They have been responsible

for the arrest of two subjects for burglary and have prevented at least two other burglaries by routing the suspect from the scene of the crime. In addition, they have been responsible for having numerous suspicious persons checked out by officers.

It is to be noted that the members reside throughout Stanislaus County. In addition, three of the members live in Merced County and one in San Joaquin County. By broadcasting an All Points Bulletin from the citizen band radio, the Modesto Police Department can get countywide coverage within a matter of seconds.

Example: The description of a suspect vehicle used in a rape case was given to the radio reserves at one of their regular monthly meetings. Within a matter of three days, the reserves had reported back six vehicles answering this description with their license numbers. The case is still under investigation, and it is quite likely that one of these vehicles will turn out to be the correct one.

The group has been well received by the members of the department, and has already proven its potential effectiveness in the community.

We have had several inquiries from other citizen band groups and police departments outside the county who are interested in starting up their own Radio Reserve program.



J. P. Ammerman

JPA:ls

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1140

A RESOLUTION REQUESTING THE PEACE OFFICERS STANDARDS AND TRAINING COMMISSION OF THE STATE OF CALIFORNIA TO DETERMINE WHETHER IT WOULD BE WILLING TO CONDUCT A FEASIBILITY STUDY ON ALTERNATE LAW ENFORCEMENT SYSTEMS.

WHEREAS, the City of Modesto and the County of Stanislaus have made a request to the California Council on Criminal Justice for a grant to conduct a feasibility study on Alternate Law Enforcement Systems, and

WHEREAS, the California Council on Criminal Justice has approved funding for said study, and

WHEREAS, the City-County Planning Committee for said study has recommended that the Peace Officers Standards and Training Commission of the State of California be considered as the project consultant to conduct said study, and

WHEREAS, the Executive Officer of the Peace Officers Standards and Training Commission has indicated the capability of said commission to conduct said study.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby requests the Peace Officers Standards and Training Commission of the State of California to determine whether it would be willing to act as project consultant to conduct a feasibility study on Alternate Law Enforcement Systems to be funded by the California Council on Criminal Justice.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

(SEAL)

W.T. Chynoweth  
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1141

A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND ELSIE G. RHIEN AND ACCEPTING GRANT DEED (Needham Street Widening Project)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the right of way agreement between the City of Modesto and Elsie G. Rhien for the widening of Needham Street is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said right of way agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with 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 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1142

A RESOLUTION AUTHORIZING ACQUISITION OF REAL PROPERTY FROM HAROLD L. GOODMAN AND VAUNDA I. GOODMAN, HIS WIFE; VAUNDA I. GOODMAN, AS TRUSTEE UNDER THE WILL OF MAXINE O. GOODMAN, DECEASED; AND ROY D. GOODMAN.

WHEREAS, the City of Modesto and the County of Stanislaus entered into an agreement dated June 15, 1970 with Harold L. Goodman and Vanuda I. Goodman, his wife, Vaunda I. Goodman, as Executrix of the Estate of Maxine O. Goodman and Roy D. Goodman regarding certain real property, and

WHEREAS, pursuant to said agreement the City of Modesto and County of Stanislaus have the right to exercise certain options to purchase parcels of said real property, and

WHEREAS, the City of Modesto and County of Stanislaus desire to exercise their right to purchase one of said parcels.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That the City of Modesto jointly with the County of Stanislaus purchase from Harold L. Goodman and Vaunda I. Goodman, his wife; Vaunda I. Goodman, as Trustee under the Will of Maxine O. Goodman, deceased; and Roy D. Goodman, the real property hereinafter described for the purchase price of Sixty-Five Thousand, Thirty-Five and 20/100ths (\$65,035.20) Dollars, the City of Modesto and the County of Stanislaus each to pay Thirty-Two Thousand, Five Hundred Seventeen and 60/100ths (\$32,517.60) Dollars of said total purchase price.

2. That the real property to be acquired is described as follows:

Parcel C as shown on that certain Parcel Map filed July 20, 1970 in Book 9 of Parcel Maps, page 44, Stanislaus County Records; being a portion of Section 3, Township 4 South, Range 10 East, M. D. B. & M., and Section 34, Township 3 South, Range 10 East, M. D. B. & M.

3. That said real property shall be purchased in accordance with the terms and conditions set forth in Paragraph 5 of the agreement dated June 15, 1970, entered into by the City of Modesto and the County of Stanislaus with Harold L. Goodman and Vaunda I. Goodman, his wife, Vaunda I. Goodman, as Executrix of the Estate of Maxine O. Goodman and Roy D. Goodman regarding certain real property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By PC Mangnoll  
Public Works Department

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1143

A RESOLUTION APPROVING THE FINAL MAP OF THE  
COLEMAN ACRES NO. 2 SUBDIVISION OF  
THE CITY OF MODESTO.

WHEREAS, Tully Manor Enterprises, a partnership,

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are possessed of a tract of land situate in the City of Modesto, County of Stanislaus,  
consisting of 2.81 acres, known as the Coleman Acres No. 2  
Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning  
Commission on the 20th day of July, 19 71, and

WHEREAS, the final map of said tract has been approved by the Secretary of  
the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the  
final map of said Coleman Acres 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 of the Coleman Acres No. 2  
Subdivision 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 in the amount of Two Thousand Three Hundred Sixty and  
92/100ths (\$2,360.92) Dollars, as required by the Modesto Municipal Code,  
for checking, copies of maps and recording have been paid, and subdividers have  
furnished improvement securities as defined in Section 11612 of the Business and  
Professions Code of the State of California. Said improvement securities shall be in  
forms acceptable to the City Attorney and in the amounts required by the Agreement  
hereinafter referred to, and shall secure the obligations set forth in clause (a) and clause  
(b) of the second sentence of the third paragraph of said Section 11612.

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 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

A RESOLUTION ACCEPTING AND ENDORSING ENVIRONMENTAL IMPACT STATEMENT DATED  
DECEMBER 27, 1971 PERTAINING TO AIRPORT DRAINAGE PROJECT AT THE MODESTO  
CITY-COUNTY AIRPORT

WHEREAS, the State Department of Aeronautics and Federal Aviation  
Administration require that an Environmental Impact Statement, accepted and  
endorsed by the Modesto City Council, be filed with each agency before  
participation in airport projects can be considered; and

WHEREAS, an Environmental Impact Statement dated December 27, 1971  
and pertaining to Airport Drainage Project at the Modesto City-County  
Airport, has been considered by the Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto  
that it hereby accepts and endorses the Environmental Impact Statement  
dated December 27, 1971, attached hereto, marked Exhibit "A" and made a  
part hereof.

The foregoing resolution was introduced at a regular meeting of the  
Council of the City of Modesto held on the 27th day of December, 1971,  
by Councilman Elliott, who moved its adoption, which motion being  
duly seconded by Councilman Smith, was upon roll call carried and  
the resolution adopted by the following vote:

AYES:	Councilmen:	Dixon, Dunlap, Elliott, / Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

Newton

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

The foregoing is a correct copy of the  
original on file in this office which has  
not been revoked and is now in full force  
and effect.

ATTEST:  
  
\_\_\_\_\_  
, City Clerk of the City  
of Modesto, County of Stanislaus, State of  
California.

(Pursuant to Section 102(2) (c), PL 91-190)

1. Description and Purpose of Proposed Development

a. Description

To construct a 42" drain line across the airport that will control the natural flow of water runoff from the East Modesto Road to the Tuolumne River, in order to prevent erosion across the airport.

b. Purpose

The Modesto City-County Airport provides both air carrier and general aviation aircraft service to an urban area of some 120,000 people. The airport is currently designated as a nonhub airport in the National Airport Plan. This type of airport is designed to accommodate all general aviation aircraft and air carrier aircraft up to 100,000 lbs. gross landing weight. The projects listed above are primarily designed to increase safety at the Modesto City-County Airport to meet both the present and future demands of our growing general aviation and air carrier fleet.

c. Proposed Method of Accomplishment

Routine construction techniques and safeguards will be utilized to avoid or minimize adverse effects on the environment which may occur during construction; however, no special or unusual safeguards are now known to be needed.

d. Communities Near Airport

The Modesto City-County Airport is located at the southeast edge of the City about two miles from the central business district. It is jointly owned by the City of Modesto and the County of Stanislaus. The City of Ceres is located two miles to the south of the airport and is the only other community near the airport. The airport is bordered by County lands which include residential areas to the west, industrial areas to the north and east. On the south the airport is bordered by a planned regional park and the Tuolumne River, which create a buffer zone between the airport and the predominantly agricultural land to the south of the river.

2. Probable Impact of Project on Both Human and Natural Environment, Including Impact on Ecological Systems Such as Wildlife, Fish and Marine Life

This is a negative impact statement because it is felt that little or no changes will result that will affect any environmental conditions. The only effect this project could possibly induce is that of protecting the lands, both on and adjacent to the airport from further erosion, which will, in fact, benefit the natural environment.

There will be no change in the amount or direction of water flow since the drainage project is designed to follow the natural flow to the river.



MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1145

A RESOLUTION APPROVING REQUEST FOR AID UNDER THE AIRPORT AND AIRWAYS DEVELOPMENT ACT OF 1970 FOR CONSTRUCTION OF AIRPORT DRAINAGE PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Request for Aid under the Airport and Airways Development Act of 1970 for the construction of Airport Drainage Project is hereby approved.

BE IT FURTHER RESOLVED that the execution by the City Manager of said Request for Aid along with all other necessary documents be and is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1146  
LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND HARLEY D. BRANNAN AND NORMA BRANNAN FOR PARTICIPATION IN THE COST OF STREET LIGHTS IN RIVERSIDE NORTH NO. 4 SUBDIVISION ADJACENT TO CITY PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
letter  
that the/agreement between the City of Modesto and Harley D.  
Brannan and Norma Brannan

for participation in the cost of street lights in Riverside North  
No. 4 Subdivision adjacent to City Park site  
be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/agreement  
letter  
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  
December, 1971, by Councilman Elliott , who moved its  
adoption, which motion being duly seconded by Councilman Smith ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1147

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND  
MRS. HEIDI WARNER FOR SERVICES AS MUSEUM SUPERVISOR

BE IT HEREBY RESOLVED by the Council of the City of Modesto  
that the agreement between the City of Modesto and Mrs. Heidi  
Warner  
for services as Museum Supervisor

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  
December, 1971, by Councilman Elliott , who moved its  
adoption, which motion being duly seconded by Councilman Smith ,  
was upon roll call carried and the resolution adopted by the  
following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

**MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1148**

**A RESOLUTION MODIFYING THE SCHEDULE FOR INSPECTION AND ENFORCEMENT OF THE DANGEROUS BUILDINGS CODE SO AS TO DISCONTINUE THE PRIORITY GIVEN TO UNOCCUPIED BUILDINGS AND SUPERSEDING RESOLUTION NO. 71-163.**

WHEREAS, at its meeting of September 21, 1964, the Council of the City of Modesto approved the recommendations of the Director of Public Works set forth in a memorandum to the City Manager, dated September 15, 1964, as the schedule for administration and enforcement of the Unsafe Structure Code, and

WHEREAS, in said memorandum dated September 15, 1964, the Director of Public Works described a 25 block downtown area to which the Unsafe Structure Code would apply for administration and enforcement, and

WHEREAS, in March, 1971, the Council of the City of Modesto adopted by ordinance the Uniform Dangerous Building Code to replace the Unsafe Structure Code, and

WHEREAS, by Resolution No. 71-163 adopted on March 8, 1971, the Council of the City of Modesto approved the continuance of the application of the Dangerous Building Code to the previously approved twenty-five (25) block downtown area, and

WHEREAS, said Resolution No. 71-163 further provided that priority was to be given to inspections of unoccupied buildings within said area, and

WHEREAS, the Public Projects Committee of the Council of the City of Modesto has reviewed the application of the Dangerous Building Code to the twenty-five (25) block downtown area and by a memorandum dated December 21, 1971 has recommended that the City continue the application of the Dangerous Building Code to the previously approved twenty-five (25) block downtown area but discontinue the policy of giving priority to inspections of unoccupied buildings.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby reaffirms and approves the application of the Dangerous Building Code to the previously approved twenty-five (25) block downtown area as set forth in the memorandum of the Director of Public Works to the City Manager dated September 15, 1964, a copy of which is on file in the Office of the City Clerk, and by this reference made a part hereof as though set forth in full.

BE IT FURTHER RESOLVED that the order of priority of inspection of buildings in said area not be affected by whether or not the building is unoccupied.

BE IT FURTHER RESOLVED that this resolution shall supersede Resolution No. 71-163 adopted on March 8, 1971.

The foregoing resolution was introduced at a regular meeting of the Council held on the 27th day of December, 1971, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1149

A RESOLUTION SETTING TIME AND PLACE FOR HEARING FURTHER REPORT OF DIRECTOR OF FINANCE AND DIRECTOR OF PARKING AND TRAFFIC ON DEFERRED COMPENSATION PLAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 10, 1972 , at 7:35 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California is hereby set as the time and place for consideration of further report from Director of Finance and Director of Parking and Traffic on Deferred Compensation Plan


The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1971, by Councilman Smith , who moved its adoption; which motion being duly seconded by Councilman Simon , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MODESTO CITY COUNCIL  
RESOLUTION NO77-1150

A RESOLUTION ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE FLOYD-ROSE ADDITION  
TO THE CITY OF MODESTO.

WHEREAS, a written petition was filed under the "Annexation of Uninhabited Territory Act of 1939" and amendments thereto, with the City Council as the Legislative Body of the City of Modesto, a municipal corporation, containing a description of uninhabited territory contiguous to land lying within the boundary of said City of Modesto, and requesting therein that said territory be included in such municipal corporation, and

WHEREAS, said petition was signed by or written consent was filed by the owners of all of the land in the territory to be annexed, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on December 17, 1971, authorize the annexation of said uninhabited territory to the City of Modesto, without notice and hearing by the Legislative Body, pursuant to the Government Code, and

WHEREAS, owners of all of the territory to be annexed have heretofore filed with the Clerk of the Legislative Body, their written consent to have the property to be annexed subjected to taxation after annexation equally with property within the City of Modesto to pay any indebtedness or liability of the City of Modesto outstanding or authorized at the time said territory is annexed, for the acquisition, construction, or completion of municipal improvements, and

WHEREAS, said territory so proposed to be annexed to the City of Modesto is designated as Floyd-Rose Addition,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

That the annexation of said uninhabited territory designated as Floyd-Rose Addition and hereinafter mentioned and described, as requested by said petition so filed with said City Council as the Legislative Body of said City of Modesto be and the same is hereby approved and said property be and the same is hereby subjected to

taxation after annexation equally with property within the City of Modesto to pay any indebtedness of the City of Modesto, outstanding or authorized at the time said territory is annexed, for the acquisition, construction or completion of municipal improvements, and said territory is hereby annexed to, incorporated and included in said City of Modesto, a municipal corporation.

BE IT FURTHER RESOLVED, that the specific description of the boundaries of the territory, the annexation of which is hereby approved is attached hereto and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED, that no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

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, and transmit to the Secretary of State of California, a certified copy of this resolution, stating the date of its passage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith,  
Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST:

W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By RC Mangansell  
Public Works Department

## FLOYD-ROSE ADDITION

All that real property in the State of California, County of Stanislaus, being the Southeast quarter of the Northwest quarter of Section 15, and a portion of the Northeast quarter of the Southwest quarter of Section 15, 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 Northeastern corner of the SHERWOOD MEADOWS ADDITION (175), as per description filed March 26, 1965, as Instrument 11993, Stanislaus County Records, said point being on the Southern line of the COFFEE-FLOYD ADDITION (272), as per description filed June 22, 1971, as Instrument 23064, Stanislaus County Records, said point also being on the Northern line of said Southeast quarter of the Northwest quarter of said Section 15, which is also the center line of a 40.00 foot public road known as Floyd Avenue; thence along the existing City Limits on the Southern line of said Addition (272) and the center line of Floyd Avenue, North  $89^{\circ} 44' 00''$  East, 1312.06 feet, to a point on the North-South quarter section line of Section 15, said point being the Southwestern corner of the OAKDALE-FLOYD ADDITION (265), as per description filed January 5, 1971, as Instrument 192, Stanislaus County Records, said point also being the Northwestern corner of the FLOYD ADDITION (259), as per description filed August 17, 1970, as Instrument 26194, Stanislaus County Records; thence along the existing City Limits on the Western line of said Addition (259), which is also the center line of a public road known as Rose Avenue, South  $00^{\circ} 52' 00''$  East, 1320.44 feet, to the Northwestern corner of the ROSE ACRES NO. 2 ADDITION (222), as per description filed September 19, 1968, as Instrument 29381, Stanislaus County Records; thence along the existing City Limits on the Western line of said Addition (222) and the center line of said Rose Avenue, South  $00^{\circ} 52' 00''$  East, 660.30 feet, to a point on the Northern boundary of the ROSE ACRES ADDITION (181), as per description filed September 27, 1965, as Instrument 37370, Stanislaus County Records; thence along the existing City Limits on the Northern boundary of said Addition (181), South  $89^{\circ} 08' 00''$  West, 100.00 feet; thence continuing along the existing City Limits on said Northern boundary of Addition (181), on a tangent curve concave to the Northeast, having a Radius of 1870.00 feet, a Central Angle of  $14^{\circ} 09' 00''$  and an Arc Length of 461.82 feet; thence continuing along the existing City Limits on the Northern boundary of said Addition (181), on a reverse curve concave to the Southwest, the center of which bears South  $13^{\circ} 17' 00''$  West, having a Radius of 2130.00 feet, a Central Angle of  $2^{\circ} 48' 06''$  and an Arc Length of 104.15 feet, to the Southeastern corner of the CELESTE NO. 1 ADDITION (249), as per description filed March 12, 1970, as Instrument 7974, Stanislaus County Records, from which point the center bears South  $10^{\circ} 28' 54''$  West; thence along the existing City Limits on the Eastern line of said Addition (249), North  $00^{\circ} 52' 30''$  West, 587.85 feet, to the Northeastern corner of said Addition (249) and a point on the East-West quarter section line of Section 15; thence continuing along the existing City Limits on the Northern line of said Addition (249), and said East-West quarter Section line, South  $89^{\circ} 45' 50''$  West, 653.02 feet, to the Northeastern corner of the SHERWOOD MEADOWS NO. 2 ADDITION (178), as per description filed July 13, 1965, as Instrument 27284, Stanislaus County Records, said point also being the Southeastern corner of Sherwood Meadows Addition (175); thence continuing along the existing City Limits on the Eastern line of said Addition (175), North  $00^{\circ} 52' 30''$  West, 1319.70 feet, to the point of beginning, containing 49.440 Acres, more or less.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1151

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 TO REZONE FROM R-1 TO R-2 AND R-3, PROPERTY LOCATED ON THE SOUTH SIDE OF SYLVAN AVENUE, WEST OF COFFEE ROAD

WHEREAS, the Modesto City Planning Commission held a public hearing on December 21, 1971, 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-1 to R-2 and R-3, property located on the south side of Sylvan Avenue, West of Coffee Road

the following described property:

SEE EXHIBIT "A"

and

WHEREAS, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 71-168 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 January 17, 1972 at 4:10 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 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon,  
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST:

  
W. T. CHYNOWETH, City Clerk

R-1 to R-3

All that certain real property situate in the Southeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the Northeast corner of said Southeast Quarter of Section 9; thence North  $89^{\circ} 17'$  West along the centerline of Sylvan Avenue 298.00 feet to the point of beginning of this description; thence continuing North  $89^{\circ} 17'$  West along said centerline 490.86 feet; thence South  $0^{\circ} 43' 15''$  East 320.00 feet; thence South  $89^{\circ} 17'$  East 490.86 feet; thence North  $0^{\circ} 43' 15''$  West 320.00 feet to the point of beginning.

Containing 3.60 Acres.

R-1 to R-2

All that certain real property situate in the Southeast Quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the Northeast corner of said Southeast Quarter of Section 9; thence North  $89^{\circ} 17'$  West along the centerline of Sylvan Avenue 788.86 feet to the point of beginning of this description; thence South  $0^{\circ} 43' 15''$  East 289.94 feet; thence South  $89^{\circ} 16' 45''$  West 130.00 feet; thence North  $0^{\circ} 43' 15''$  West 108.15 feet; thence South  $89^{\circ} 17'$  East 14.19 feet; thence North  $0^{\circ} 43'$  East 185.00 feet; thence South  $89^{\circ} 17'$  East along said centerline of Sylvan Avenue 111.21 feet to the point of beginning.

Containing 0.80 Acre.

MODESTO CITY COUNCIL  
RESOLUTION NO. 71-1152

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF \$3,663 TO PROVIDE FUNDS TO MAKE MAJOR REPAIRS TO FIRE DEPARTMENT ENGINE CO. 4

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

GENERAL RESERVE FUND (101)

FROM: General Reserve (60-101)	\$3,663
TO: Repower Engine #4 (5401-21-101)	\$3,663

(A replacement motor is needed in Engine No. 4 due to the frequency of motor failure and the difficulty and extremely high cost to obtain parts for the obsolete Hall-Scott gasoline motor in the 1955 International fire truck. We are requesting funds to repower the truck with a used Cummins diesel engine available locally and installed at a total cost of \$3,663. (See memo to City Manager for additional information)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of December, 1971, by Councilman Elliott, who moved its adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dixon, Dunlap, Elliott, Newton, Simon, Smith, Mayor Davies  
NOES: Councilmen: None  
ABSENT: Councilmen: None

ATTEST: W. T. Chynoweth  
W. T. CHYNOWETH, City Clerk