

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 5, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Donald Nelson, Centenary United Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 8, 9, 10, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27

ACTION: (Bright/Lang, unan.)

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 Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the December 22, 1981, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

UNFINISHED BUSINESS

3. Recommend to City Council the adoption of a Public Hot Tub/Bath Establishment Policy.
(On December 21, 1981, the Planning Commission adopted Resolution No. 81-269 recommending to the City Council the adoption of a Public Hot Tub/Bath Establishment Policy. Resolution adopting policy needed.)

ACTION: Res. 82-1 adopted (Lang/Elliott, unan.) adopting policy. (Planning to handle)

1/5/82

CONSENT

4. Final adoption of Ord. No. 2104-C.S., rezoning from R-1 to P-D(321), property located north of Elm Avenue and west of Emerald Avenue to allow a 27-unit, one-story condominium project. (Lyons Bros.)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2104-C.S. adopted.

(Clerk to handle)

HEARINGS

5. Hearing on appeal on behalf of Lang's Enterprises to a decision of the City's Environmental Review Committee concerning a decision that no Environmental Impact Report be required for the new bus maintenance facility and storage yard.

ACTION: Res. 82-2 adopted (Elliott/Lang, majority, Muratore, Siefkin, Mayor Mensinger-no) denying appeal and upholding Environmental Assessment Committee's decision.
Res. 82-3 adopted (Lang/Bright, unan.) setting hearing on revised plan for service and bus yard, on February 23, 1982, 7:30 p.m.

Res. 82-4 adopted (Lang/Bright, unan.) setting hearing on application for a federal grant for the expansion of the bus and service yard, to be held February 23, 7:30 p.m.
(Clerk to handle)

6. Hearing to consider an amendment to P-D(53), property located at the northeast corner of Sylvan Avenue and Coffee Road to allow a family amusement machine center with a skate shop in Sylvan Square Neighborhood Shopping Center.
(Rocky and Karlea Gould)

ACTION: Res. 82-5 adopted (Elliott/Siefkin, majority, Muratore-no) denying amendment and certifying review of environmental assessment.

(Clerk/Planning to handle)

7. Hearing to consider an amendment to Sec. 19-3-10 of the Zoning Map to rezone a portion of P-D(238) to R-1, property located at the southeast corner of East Orangeburg Avenue and Fara Biundo Drive. (Fire Station No. 9 site)

ACTION: By motion (Bright/Muratore, unan.) Ord. No. 2105-C.S. introduced.

Res. 82-6 adopted (same vote) certifying review of environmental assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

8. Consider acceptance of Hansens's, Inc.'s contract for McHenry Museum heating, ventilating, air conditioning and lighting as complete. (Original contract: \$156,148)
(All work on this project has been completed to the satisfaction of the Parks and Recreation and Public Works Departments; therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$157,610; funds are budgeted.)

ACTION: Res. 82-7 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider declaring six vendors as low bidders meeting City specifications and authorize the issuance of six purchase orders for athletic and recreational equipment.
(Memorandum with agenda. Six resolutions authorizing the issuance of six purchase orders needed. Estimated cost: \$5,982; funds are budgeted.)

ACTION: Res. 82-8 adopted authorizing the issuance of six purchase orders.
(Finance to handle)

CONSENT

10. Consider authorizing the City Manager to sign a contract with Montgomery Elevator Company containing hold harmless provisions to modify the Police Department elevator to earthquake standards.
(Modification is required for compliance with earthquake safety standards as outlined in the State of California Title 8: Council approval for hold harmless provisions is required. Resolution authorizing City Manager to sign contract with Montgomery Elevator Company containing hold harmless provisions needed. Estimated Cost: \$425.00 Funds are budgeted.)

ACTION: Res. 82-9 adopted authorizing City Manager to sign contract.
(Finance to handle)

11. Consider Data Processing Steering Committee's recommendations for acquisition of word processing systems for the City of Modesto.
(Report with agenda. Resolution waiving formal bid procedure and authorizing purchase of word processing equipment needed. Est. cost FY 1981-82: \$114,300; funds are budgeted. Minor transfers to be made between operating appropriations as part of the mid-year budget process.)

ACTION: Res. 82-10 adopted (Muratore/Elliott, unan.) waiving formal bid procedure.
(Finance to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened January 26, 1982, at 2:00 p.m., for furnishing two vertical centrifugal pumps and motors.
(Requested by the Public Works Sewerage Division, the pumps and motors will be used to lift wastewater to a higher elevation to maintain flow velocity. The pumps will replace similar units presently in service at Athens and LaLoma Lift Stations. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$10,138; funds are budgeted.)

ACTION: Res. 82-11 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider declaring Data Access Systems low bidder and authorize the purchase of ten (10) computer terminals from the firm for a total of \$16,907.
(Memorandum with agenda. Resolution authorizing the purchase of ten (10) computer terminals from Data Access Systems needed. Funds are budgeted.)

ACTION: Res. 82-12 adopted authorizing purchase. (Finance to handle)

CONSENT

14. Consider declaring Watts Equipment Company low bidder meeting City specifications and authorize the purchase of one rebuilt forklift for the total price of \$22,360.70.
(Memorandum with agenda. Resolution declaring Watts Equipment Company low bidder and authorizing the purchase of one rebuilt forklift needed. Funds are budgeted.)

ACTION: Res. 82-13 adopted authorizing purchase. (Finance to handle)

CONSENT

15. Consider acceptance of Chas. I. Cunningham Company's contract for construction of site improvements at Pump Station No. 14 as complete. (Original contract:\$7,796.00)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$7,667.60. Funds are budgeted.)

ACTION: Res. 82-14 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

16. Appeal on behalf of Lamatis and Pallios to a decision of the Planning Commission concerning a time extension for improvements to Sylvan Avenue and Oakdale Road.
(Resolution setting hearing January 19, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-15 adopted setting hearing. (Clerk to handle)

17. Letter from Merle Mensinger, Jr., Chairman of Downtown Improvement District, regarding rail traffic on 9th Street and its resulting effects within the DID boundaries.

Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Elliott/Muratore, unan., Mayor Mensinger absent) staff directed to set up the meeting requested by the Downtown Improvement District Advisory Board. (Mgr. to handle)

18. Letter from Rev. B. Carl Edwards, Secretary, Westside Ministerial Alliance, urging City Council to make January 15, Dr. Martin Luther King's birthdate, a holiday for City employees.

ACTION: By motion (Siefkin/Patterson, unan.) January 15, 1982, was proclaimed as Martin Luther King, Jr., Day and went on record as being willing to discuss January 15, as a possible holiday during meet and confer negotiations.

19.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Joe Byrne commended Harry Demmel on the policies for administering the housing program and on the job he and his staff are doing.

NEW BUSINESS

CONSENT

20. Consider amendment to Modesto Municipal Code Section 3-2.1011 regarding traffic regulations.

(Memo with agenda. Ordinance amending Section 3-2.1011 of the Code needed.)

ACTION: By motion, Ord. No. 2106-C.S. introduced. (Clerk to handle)

CONSENT

21. Consider approval of tenth amendment to agreement for engineering services with Kennedy/Jenks Engineers, Inc. relating to treatment plant improvements. (It has been necessary to amend our basic consultant agreement with Kennedy/Jenks Engineers, Inc. to provide for additional services. Memo with agenda. Resolution approving tenth amendment to agreement needed. Estimated cost: \$29,200; funds are budgeted.)

ACTION: Res. 82-16 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

22. Consider authorizing the City of Modesto to submit a preapplication for Request for Determination of Applicant Eligibility - Urban Development Action Grant Program.

(UDAG designation would allow persons and families applying for loans under the City of Modesto's proposed Mortgage Revenue Bond Issue to qualify if their income is no more than 150 percent of the median rather than 120 percent. Memo with agenda. Resolution authorizing preapplication needed.)

ACTION: Res. 82-17 adopted authorizing preapplication.

(Mgmt. Services to handle)

CONSENT

23. Consider authorizing the City of Modesto to submit a request for Special Impact Area Designation, following authorization by the Stanislaus County Board of Supervisors.

(Special Impact Area Designation by the United States Department of Commerce, Economic Development Administration, is needed along with UDAG designation in order for persons and families applying for loans under the City of Modesto's proposed Mortgage Revenue Bond Issue to qualify if their income is no more than 150 percent of the median rather than 120 percent. Memo with agenda. Resolution authorizing City to submit request needed.)

ACTION: Res. 82-18 adopted authorizing City to submit request. (Mgmt. Services to handle)

CONSENT

24. Consider establishing a \$70 fee which would be payable by persons who request a certificate that property about to be sold complies with all provisions of the Subdivision Map Act.

(Memo with agenda. Resolution setting hearing January 19, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-19 adopted setting hearing.

(Clerk to handle)

CONSENT

25. Consider approving agreement with Arthur J. and Florence E. Wylie for the acquisition of 2.3± acres of their property needed for Dry Creek Park.

(The Wylies have agreed to sell the required property for the appraised value of \$69,000. This is one of the last six parcels of this portion of Dry Creek Park left to acquire. Resolution approving agreement needed. Estimated cost: \$73,000 (\$69,000 purchase price; \$4,000 est. escrow); funds are budgeted.)

ACTION: Res. 82-20 adopted approving agreement.

(P.W. to handle)

CONSENT

26. Consider approving City co-sponsorship of an Energy Conservation Faire with Pacific Gas & Electric and Modesto Irrigation District.
(The Conservation Division of P.G. & E. is conducting energy conservation outreach programs for low-income and minority groups. They have requested the City of Modesto and M.I.D. to co-sponsor an Energy Faire on January 30, 1982, at the King-Kennedy Center. Staff has been working with the Planning Committee. Memo with agenda. Resolution approving co-sponsorship needed. Estimated cost: \$150; funds are budgeted.)

ACTION: Res. 82-21 adopted approving co-sponsorship. (P.W. to handle)

MISCELLANEOUS

CONSENT

27. Legislation

Staff recommends:

SUPPORTING

- a) H.R. 222 - Polling and Registration Accessibility fo Federal Office
 - b) H.R. 532 - Income Tax Incentives for Certain Facility Modification
- (Memos with agenda. Motion accepting staff recommendations needed.)

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

28. Appointments

None

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

None

The meeting adjourned at 6:40 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 12, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Bob Ihler, Maze Boulevard Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 8, 9, 12, 13, 16, 17, 18, 19, 20, 21, 22a

ACTION: (Siefkin/Muratore, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the January 5, 1982, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Selection of a market feasibility consultant for the Lincoln School site. (After interviewing six consultants on December 17 and 18, 1981, the staff recommends hiring Keyser Marston Associates, Inc. to prepare a market feasibility study for the Lincoln School site. Memo with agenda. Motion directing staff to prepare necessary agreement needed, and resolution approving appropriation transfer needed. Estimated cost: \$8,500.)

ACTION: By motion (Lang/Siefkin, unan.) staff directed to prepare agreement. Res. 82-22 adopted (Lang/Siefkin, unan.) approving appropriation transfer. (Planning/Finance to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2105-C.S. rezoning a portion of P-D(238) to R-1, property located at the southeast corner of East Orangeburg and Fara Biundo (Fire Station No. 9 site)
- b. Ord. No. 2106-C.S. amending Code section regarding parking on private property without consent.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

5. Informal hearing on two-year sign abatement strategy.

ACTION: By motion (Muratore/Patterson, unan.) staff directed to prepare an amendment to the sign ordinance to extend the time 2 years, providing for a letter of intent, and 10% discretionary tolerance. (Planning to handle)

6. Report of cost of commercial alleys, Phase II and Phase III.

DOWNTOWN ALLEY RECONSTRUCTION - PHASE II

BLOCK 42 I Street - J Street/7th Street - 8th Street

- (1) Frank H. Wyatt, portion of block, \$819.82
ACTION: Res. 82-23 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (2) Mineni, Mineni & Mineni, portion of block, \$1,200.49
ACTION: Res. 82-24 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (3) William B. Hughes, portion of block, \$790.58
ACTION: Res. 82-25 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (4) Stephen R. Abernathy, lots 17-21, \$878.43
ACTION: Res. 82-26 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (5) Eugene J. Reising, portion of block, \$439.21
ACTION: Res. 82-27 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (6) Ervin S. Blocher, portion of block, \$439.21
ACTION: Res. 82-28 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (7) Gertrude L. Teixeira, lots 27-29, \$527.06
ACTION: Res. 82-29 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (8) Bernie L. Shaw, lots 30-32, \$527.06
ACTION: Res. 82-30 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 43 H Street - I Street/7th Street - 8th Street

- (1) William B. Hughes, portion of block, \$1,341.08
ACTION: Res. 82-31 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (2) Hardy W. Clark, portion of block, \$268.22
ACTION: Res. 82-32 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (3) Mineni & Mineni, lots 10 & 11, \$357.62
ACTION: Res. 82-33 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)
- (4) Joy Tamaras, lots 12-16, \$894.05
ACTION: Res. 82-34 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Wilson, Bird & Helwig, lots 17-21, \$894.05

ACTION: Res. 82-35 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Robert C. Wheeler, lots 22-28, \$1,251.67

ACTION: Res. 82-36 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) David L. Martini, portion of block, \$715.24

ACTION: Res. 82-37 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 67 J Street - K Street/10th Street - 11th Street

(1) Elizabeth G. Kokko, lots 6-9, \$740.24

ACTION: Res. 82-38 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Covell Hotel Co., lots 10-16, \$1,295.42

ACTION: Res. 82-39 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Elmo Wilson, lots 17 & 18, \$370.12

ACTION: Res. 32-40 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Kounias & Kounias, lots 21 & 22, \$370.12

ACTION: Res. 32-41 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Louise B. Bacon, lots 23 & 24, \$370.12

ACTION: Res. 32-42 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) J.A. Saletta, lots 25 & 26, \$370.12

ACTION: Res. 32-43 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Theodore M. Cook, lots 27 & 28, \$370.12

ACTION: Res. 32-44 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) John L. Ward, lots 29 & 30, \$370.12

ACTION: Res. 32-45 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(9) John L. Ward, lots 31 & 32, \$370.12

ACTION: Res. 32-46 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 70 G Street - H Street/10th Street - 11th Street

(1) Benson & Zimmerman Co., lots 1-10, \$1,772.48

ACTION: Res. 32-47 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) McElroy, Bontrager & Baker, lots 11 & 12, \$354.50

ACTION: Res. 82-48 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Schonhoff, Saletta & Griffith, lots 13-16, \$708.99

ACTION: Res. 82-49 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Silva & Noble, lots 17-21, \$886.24

ACTION: Res. 82-50 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Silva & Noble, lot 22, \$177.25

ACTION: Res. 82-51 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Correia, Fernandes & Cozier, lots 23 & 24, \$354.50

ACTION: Res. 82-52 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) John E. Griffin, lots 25-28, \$708.99

ACTION: Res. 82-53 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) P. G. & E., portion of block, \$708.99

ACTION: Res. 82-54 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 87 L Street - M Street/11th Street - 12th Street

(1) Mil Farm Enterprises Inc., lots 1-9, \$1,623.35

ACTION: Res. 82-55 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) State Savings & Loan Association, lots 10-16, \$1,262.61

ACTION: Res. 82-56 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Sunkist Development Co., lots 17 & 18, \$360.75

ACTION: Res. 82-57 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Sunkist Development Co., lots 19 & 20, \$360.75

ACTION: Res. 82-58 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Marco G. Martinelli, portion of block, \$270.56

ACTION: Res. 82-59 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) James Dombrovski, portion of block, \$360.75

ACTION: Res. 82-60 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Larry G. Boss, portion of block, \$360.75

ACTION: Res. 82-61 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) Allan C. Heaston, portion of block, \$270.56

ACTION: Res. 82-62 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(9) Lynn W. Jamison, lots 28 & 29, \$360.75

ACTION: Res. 82-63 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(10) Hugo F. Wend, lots 30-32, \$541.12

ACTION: Res. 82-64 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 111 K Street - J Street/15th Street - 14th Street

(1) M.K. Properties, portion of block, \$658.82

ACTION: Res. 82-65 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Nard, Peterson & Jamison, portion of block, \$395.29

ACTION: Res. 82-66 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Bank of America NT & SA, portion of block, \$1,018.97

ACTION: Res. 82-67 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Marion T. Bradford, portion of block, \$737.88

ACTION: Res. 82-68 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Loeb Investment Co. Inc., lots 17-23, \$1,229.80

ACTION: Res. 82-69 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Loeb Investment Co. Inc., portion of block, \$281.10

ACTION: Res. 82-70 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Family Service Agency, portion of block, \$421.64

ACTION: Res. 82-71 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) Lowery, Costa, Pires & Fandick Trucking Inc., lots 28-32, \$878.43

ACTION: Res. 82-72 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

DOWNTOWN ALLEY RECONSTRUCTION - PHASE IIIBLOCK 54 H Street - G Street/9th Street - 10th Street

(1) Wright Enterprise Inc., lot 10, \$201.40

ACTION: Res. 82-73 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Bava, Bava, Bava & Bava, lots 11 & 12, \$402.80

ACTION: Res. 82-74 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Greyhound Lines Inc., lot 13-16, \$805.59

ACTION: Res. 82-75 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Thomas B. Conway, lots 17-20, \$805.59

ACTION: Res. 82-76 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Gary C. Gervasoni, lots 21-23, \$604.19

ACTION: Res. 82-77 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Curtis L. Mote, lot 24, \$201.40

ACTION: Res. 82-78 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Central Valley Hardware Co., lots 25-32, \$1,611.18

ACTION: Res. 82-79 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 55 I Street - H Street/9th Street - 10th Street

(1) World Savings & Loan Assn., portion of block, \$1,200.81

ACTION: Res. 82-80 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Center State Bank, Parcel "B", \$316.68

ACTION: Res. 82-81 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) O.C. Thompson, Parcel "A", \$698.20

ACTION: Res. 82-82 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Anna Kounias, portion of block, \$443.07

ACTION: Res. 82-83 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Anna Kounias, portion of block, \$563.91

ACTION: Res. 82-84 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Louie Inderbitzin, portion of block, \$410.85

ACTION: Res. 82-85 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Center State Bank, portion of block, \$1,804.52

ACTION: Res. 82-86 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 91 L Street - K Street/12th Street - 13th Street

(1) Ellen Thomas, portion of block, \$404.88

ACTION: Res. 82-87 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) William M. Mineni, lots 3-5, \$607.32

ACTION: Res. 82-88 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Eugene A. Cox, lots 6-7, \$404.88

ACTION: Res. 82-89 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Ruddy & Sutter, lots 8-10, \$607.32

ACTION: Res. 82-90 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Florence E. Corby, lots 11-16, \$1,214.63

ACTION: Res. 82-91 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Ruddy & Sutter, lots 17-19, \$607.32

ACTION: Res. 82-92 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Ruddy & Sutter, lots 20-24, \$1,012.20

ACTION: Res. 82-93 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) Ruddy & Sutter, lots 25-32, \$1,619.51

ACTION: Res. 82-94 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 95 H Street - G Street/12th Street - 13th Street

(1) Michael L. Hardin, lots 1-4, \$801.42

ACTION: Res. 82-95 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Stanislaus County, lots 5-7, \$601.07

ACTION: Res. 82-96 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Tangent Investment Co., lots 8 & 9, \$400.71

ACTION: Res. 82-97 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Franklin & Downs, lots 10 & 11, \$400.71

ACTION: Res. 82-98 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Lewis E. Franklin, portion of block, \$500.89

ACTION: Res. 82-99 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Susan M. Wiltse, portion of block, \$500.89

ACTION: Res. 82-100 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Franklin & Downs Funeral Home, lots 17-23, \$1,402.49

ACTION: Res. 82-101 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) Stanislaus County, lots 24-29, \$1,202.14

ACTION: Res. 82-102 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(9) Lane R. Ward, lots 30-32, \$601.07

ACTION: Res. 82-103 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 106 J Street - I Street/13th Street - 14th Street

(1) Thompson, Moon & Cremp, lots 1-4, \$801.42

ACTION: Res. 82-104 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) June A. Longley, lots 5-7, \$601.07

ACTION: Res. 82-105 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Lindberg & Boyd, lots 8-10, \$601.07

ACTION: Res. 82-106 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Goldie M. Davis, lots 11-13, \$601.07

ACTION: Res. 82-107 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Richard T. Tosaw, portion of block, \$601.07

ACTION: Res. 82-108 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Gregory J. Hobbs, lots 17-19, \$601.07

ACTION: Res. 82-109 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Donald K. Calkins Trust, lots 20 & 21, \$400.71

ACTION: Res. 82-110 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) Donald K. Calkins Trust, lot 22, \$200.36

ACTION: Res. 82-111 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(9) Roman Catholic Welfare Corp. of Stockton, lot 23, \$200.36

ACTION: Res. 82-112 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(10) Roger O. Sears, lot 24, \$200.36

ACTION: Res. 82-113 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(11) Larry D. Alexander, lot 25, \$200.36

ACTION: Res. 82-114 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(12) Margaret A. Bartlett, lot 26, \$200.36

ACTION: Res. 82-115 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(13) Ryan, Taylor, Arata, Arata, Gallo & Patton, lot 27-32, \$1,202.14

ACTION: Res. 82-116 adopted (Lang/Bright, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BIDS

CONSENT

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

ACTION: Res. 82-117 adopted authorizing sale. (Finance to handle)

CONSENT

9. Accept Oakdale Road at Wylie Drive traffic signal project as complete. (Memo with agenda. All work to construct traffic signals and street lighting on Oakdale Road at Wylie Drive has been completed. Resolution accepting the project as complete, authorizing City Clerk to file Notice of Completion and authorizing Finance Department to make final payment needed. Estimated cost: \$44,490; funds are budgeted.)

ACTION: Res. 82-118 adopted accepting project as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

10. Petition submitted by Raymond Brown concerning fire service in Whitmore No. 3 Annexation.

ACTION: By motion (Bright/Muratore, unan.) petition referred to staff for study and report.
(Fire to handle)

11. Letter from Linda Chilles concerning keeping animals at her private school on Veneman Avenue.

ACTION: Dave Bradford, representing Linda Chilles, said they would follow the correct procedure and appeal to the Board of Zoning Adjustment.

CONSENT

12. Appeal by Mid-Valley Engineering to a decision of the Planning Commission concerning the tentative subdivision map and proposed condominium development on the north side of East Coolidge, east of Melrose.
(Resolution setting hearing January 26, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-119 adopted setting hearing. (Clerk to handle)

CONSENT

13. Letter from Louis Galindez resigning from the Board of Zoning Adjustment.
(Resolution accepting with regret needed.)

ACTION: Res. 82-120 adopted accepting resignation with regret. (Clerk to handle)

14.

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

None

NEW BUSINESS

15. Consider increases in water service rates for school districts, and the establishment of new sewer service rates for school districts.
(The new rates would be effective November 1, 1982. Memo with agenda. Two resolutions establishing rates needed.)

Vice Mayor Lang excused due to a conflict of interest.

ACTION: Res. 82-121 adopted (Muratore/Siefkin, unan., Lang absent) establishing flat-rate charges for water service to schools.

Res. 82-122 adopted (Muratore/Siefkin, unan., Lang absent) establishing flat-rate charges for sewer service to schools.
(P.W./Finance to handle)

CONSENT

16. Consider agreement with Calibre Press for police officers street survival training.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-123 adopted approving agreement. (Police to handle)

CONSENT

17. Consider approving lease agreement with Donald P. LaTourette for the lease of Hangar No. 4 at the Modesto City-County Airport/Harry Sham Field.
(This is a renewal of an existing lease for a one-year term. At the end of the term the lease reverts to a month-to-month tenancy. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-124 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider approving amendment to lease agreement with Arnold W. and Marilyn Romey for the lease of the City-owned house at 1004 N. Thrasher which was acquired for Airport Neighborhood Park site.
(This is an amendment to a lease agreement to allow the tenants to pay a fire insurance deductible of \$1,000 over the remainder of the lease instead of one lump sum. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 82-125 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

19. Consider establishing a fee to maintain utility cuts of \$1.14 per lineal foot.
(This fee would be paid by persons who cut street pavements for the purpose of installing utilities. Memo with agenda. Resolution setting public hearing February 2, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-126 adopted setting hearing. (Clerk to handle)

CONSENT

20. Consider the following:
a. Withdrawing California-Spencer Annexation from Woodland Fire Protection District.
b. Set hearing to determine that the public interest and convenience require that the California-Spencer Annexation be annexed to Modesto Municipal Sewer District No. 1.
(The effective date of the annexation is December 30, 1981. Resolution withdrawing from fire district needed, and resolution setting hearing to annex to sewer district, February 16, 1982, at 4:00 p.m. needed.) (Five affirmative votes needed.)

ACTION: Res. 82-127 adopted withdrawing California-Spencer Annexation from Fire District.
Res. 82-128 adopted setting hearing to annex to Sewer District No. 1.
(Clerk to handle)

MISCELLANEOUS

CONSENT

21. Legislation:

Staff recommends: SUPPORTING

- a. H.R. 1958 - Income Tax Incentives to Encourage Fire Prevention
(Memo and attachment with agenda. Motion accepting staff recommendation needed.)

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

22. Appointments

CONSENT

- a. Consider reappointing Carole Davis to the Board of Zoning Adjustment.
(On January 4, 1982, the Planning Commission adopted Resolution 82-1 recommending to the City Council that Carole Davis be reappointed to the Board of Zoning Adjustment to serve as the Planning Commission's representative. Resolution appointing Carole Davis needed.)
re-

ACTION: Res. 82-129 adopted/appointing Carole Davis to Board of Zoning Adjustment.
(Clerk to handle)

b. Other appointments

None

23.

MATTERS TOO LATE FOR THE AGENDA


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

None

ADJOURNMENT

The meeting adjourned at 9:12 p.m.

ATTEST:


Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 19, 1982, AT 4:00 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Catherine

Invocation: Lt. / Russell, Salvation Army

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 10, 11, 15, 16, 17, 18,
19, 20, 21

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the January 12, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARING

3. Hearing to consider Byron-Emerald Annexation to the City of Modesto.

ACTION: Res. 82-130 adopted (Siefkin/Muratore, unan., Mayor Mensinger absent)
annexing to City. (Clerk to handle)

4. Appeal on behalf of Lamatis and Pallios to a decision of the Planning Commission concerning a time extension for improvements to Sylvan Avenue and Oakdale Road.

ACTION: By motion (Elliott/Bright, unan., Mayor Mensinger absent) the decision was delayed two weeks to allow staff and appellant to attempt to resolve differences. (P.W. to handle)

5. Hearing to consider setting a fee for providing certificate that property about to be sold complies with Subdivision Map Act provisions.

ACTION: Res. 82-131 adopted (Elliott/Siefkin, unan., Mayor Mensinger absent) setting fee. (P.W. to handle)

6. Appeal by Trinity United Presbyterian Church to a Board of Zoning Adjustment decision concerning roofs on freestanding signs for churches.

ACTION: Res. 82-132 adopted (Siefkin/Elliott, unan., Mayor Mensinger absent) denying appeal. (Clerk to handle)

7. Hearing to consider granting an unclassified use permit to Friendly Tabernacle Church for church expansion and a private school, property located on the north and south sides of K Street between 6th and 7th Streets.

ACTION: A motion to approve died for lack of a second.
A motion to deny resulted in a tie vote.
By motion (Siefkin/Bright, unan.) this item was continued one week.
(Clerk to handle)

BIDS

CONSENT

8. Consider approving specifications and authorize call for bids to be opened February 16, 1982, at 2:00 p.m. for furnishing twenty trash bins and nine trailers.
(Requested by the Parks and Recreation Department, the trash bins and trailers will be used by Parks maintenance crews to collect and transport trash from parks to a portable packer located at the City's Corporation Yard; the packer will be leased from a commercial source. The equipment will not replace any similar units presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$25,000; funds are budgeted.)

ACTION: Res. 82-133 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider authorizing the purchase of one packer truck cab and chasis from Dow Hammond for the total price of \$49,341.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 82-134 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider waiving formal bid procedures and authorize the purchase of six Police patrol motorcycles from Modesto Kawasaki for the total price of \$30,522.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 82-135 adopted authorizing purchase. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

11. Request by four residents that a public walkway between College Avenue and Wildwood Drive, north of Hawthorne, be abandoned.
(Motion referring to Planning Commission needed.)

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

12.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Dennis Wilson commented on a football game between City of Modesto and Mid-Valley Engineering Co. employees, which Mid-Valley Engineering won.

Bill Hughes requested a further hearing concerning allowing a family amusement center in Sylvan Square Shopping Center.

ACTION: Res. 82-136 adopted (Muratore/Elliott, majority, Siefkin-no, Mayor Mensinger absent) waiving the one year waiting period for reapplying and the filing fees.

NEW BUSINESS

13. Naming of City-owned Parks and Recreation facilities.
(Memo with agenda. Resolution establishing policy needed.)

ACTION: By motion (Elliott/Bright, unan., Mayor Mensinger absent) this matter was referred to the staff for recommendation. (P.R. to handle)

Councilmember Siefkin left the meeting at 5:50 p.m.

14. Consider response to Civil Aeronautics Board (CAB) giving City's views on the results of the CAB's recently completed rate conferences with the airlines proposing to provide service to Modesto.
(The City has recently received material from the CAB summarizing the information developed at their recently concluded rate conferences. Staff is reviewing this material and will be submitting a written report and recommendation for consideration by the Council at the Council meeting. Motion adopting statement concerning air passenger service to Modesto needed.)

ACTION: By motion (Muratore/Patterson, unan., Siefkin and Mayor Mensinger absent) support was given to Aspen Airways as the designated airline for Modesto. (P.W. to handle)

CONSENT

15. Consider approval of the final map of the Oslo Plaza subdivision of the City of Modesto. This subdivision is a conversion of an apartment complex to condominiums and no subdivision agreement is required. Subdividers: Robert M. and Marilyn D. Weeks
(All fees have been paid for this condominium conversion. Oslo Plaza is located on the north side of Norwegian Avenue, west of Coffee Road. It contains 3.330 acres. Memo with agenda. Resolution approving final map needed.)

ACTION: Res. 82-137 adopted approving final map. (Clerk to handle)

CONSENT

16. Consider acceptance of improvements in Scenic Parks Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Modesto Development
(Scenic Park Estates subdivision is located north of Scenic Drive between Wycliffe Drive and Springcreek Drive. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 82-138 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

17. Consider operating procedures for parking lot on the west side of 11th Street between K and L Streets.
(Memo with agenda. This lot is on the newly acquired Community Center site, and it is recommended that it be operated as a reserved parking lot until needed for another use. Resolution establishing municipal off-street parking facilities, providing control thereof, and rescinding Resolution 81-628 needed. Estimated cost: \$500; funds are budgeted.)

ACTION: Res. 82-139 adopted establishing municipal off-street parking facilities, providing control thereof, and rescinding Res. 81-628. (P.T. to handle)

CONSENT

18. Consider the following:

- a. Withdrawing Haddon-El Vista Annexation from the Empire Fire Protection District
- b. Set hearing to determine that the public interest and convenience require that the Haddon-El Vista Annexation be annexed to Modesto Municipal Sewer District #

(The effective date of the annexation is January 7, 1982. Resoution withdrawing from the fire district needed, and resolution setting hearing March 2, 1982, at 4:00 p.m. to annex to sewer district needed.) (Five affirmative votes needed.)

ACTION: Res. 82-140 adopted withdrawing Haddon-El Vista from the Empire Fire District.
Res. 82-141 adopted setting hearing to annex Haddon-El Vista to the Sewer District. (Clerk to handle)

CONSENT

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

ACTION: By motion, receipt of report acknowledged.

CONSENT

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

ACTION: Res. 82-142 adopted authorizing filing of application. (P.R. to handle)

MISCELLANEOUS

Legislation

CONSENT

21. Consider opposing legislation terminating the office of the Civil Aeronautics Board earlier than planned (January, 1985), under the Airline Deregulation Act of 1978.
(Congress is considering the possibility of terminating the Civil Aeronautics Board activity as early as 1983. We believe this would be detrimental to many communities, especially those that are served by a single airline. It is recommended that the Council oppose this action. Memo with agenda. Motion opposing legislation terminating Civil Aeronautics Board earlier than planned needed.)

ACTION: By motion, legislation opposed.

(Mgmt. Services to handle)

22. Appointments

None

- 23.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

The meeting adjourned at 6:15 p.m.

ATTEST:



NORRINE COYLE City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 26, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Robert Segerhammar, Emanuel Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22

Removed from consent: 9

ACTION: (Lang/Muratore, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the January 19, 1982, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of application for an unclassified use permit to Friendly Tabernacle Church for church expansion and a private school, property located on the north and south sides of K Street between 6th and 7th Streets. (Continued from January 19, 1982, meeting due to a tie vote.)

ACTION: Res. 82-143 adopted (Elliott/Siefkin, majority, Bright, Lang, and Muratore-no) denying application without prejudice. (Clerk to handle)

HEARINGS

4. Hearing to consider annexing South Airport Annexation to Modesto Municipal Sewer District No. 1.

ACTION: Res. 82-144 adopted (Elliott/Siefkin, unan.) annexing. (Clerk to handle)

5. Hearing to consider annexing North Airport Annexation to Modesto Municipal Sewer District No. 1.

ACTION: Res. 82-145 adopted (Muratore/Elliott, unan.) annexing. (Clerk to handle)

6. Hearing to consider appeal of Jack Posner to a Board of Zoning Adjustment decision concerning an application for a conditional use permit for a hot tub rental business at 1315 McHenry Avenue.

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 82-146 adopted (Siefkin/Patterson, unan., Mayor Mensinger absent) denying appeal. (Clerk to handle)

7. Hearing on appeal by Mid-Valley Engineering to a decision of the Planning Commission concerning the tentative subdivision map and proposed condominium development on the north side of East Coolidge, east of Melrose.

ACTION: Res. 82-147 adopted (Lang/Siefkin, unan.) denying the appeal concerning the rezoning without prejudice.

Res. 82-148 adopted (Lang/Siefkin, unan.) denying the appeal concerning the tentative subdivision map. (Clerk to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for the installation of a rock well and the replacement of the desanding unit at water well No. 25.
(Suggested bid opening: February 16, 1982, at 11:00 a.m. Sand trap at pump station No. 25 is leaking and almost unrepairable. Since well No. 25 is a large producing well, it was decided to replace the sand separator now and re-budget the replacement of the sand trap at No. 17. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,970 (Contract \$22,700; Engineering \$2,270); funds are budgeted.)

ACTION: Res. 82-149 adopted calling for bids. (P.W. to handle)

9. Consider awarding contract to Adhesive Engineering, Inc., to seal cracks in Eleventh Street Parking Garage.
(Memo with agenda. Numerous cracks have opened up in the concrete structure. This is a common problem with this type of construction. Epoxy injection is the preferred remedy and is proposed. Resolution awarding contract needed. Estimated cost: \$7,488; funds are budgeted.)

ACTION: Res. 82-150 adopted (Patterson/Bright, unan.) awarding contract. (P.T. to handle)
A detailed report concerning the garage was requested.

CONSENT

10. Consider acceptance of Ireland's Pools' contract for construction of Sylvan Park pool as complete. (Original contract and final cost: \$48,751)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 82-151 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider approval of purchase of automotive and heavy equipment pursuant to bids received.
(Memo with agenda. Five resolutions authorizing purchases needed, and one resolution rejecting bids for nine two-door sedans needed.)

ACTION: Res. 82-152 adopted awarding bid to G & W Ford for furnishing cars, trucks & vans.
Res. 82-153 adopted awarding bid to Dow Hammond for furnishing trucks & vans.
Res. 82-154 adopted awarding bid to Best Chevrolet for furnishing trucks & vans.
Res. 82-155 adopted awarding bid to Prismo Universal Corp. for furnishing one stencil-paint stripe truck.
Res. 82-156 adopted rejecting all bids for 9 two-door sedans.
Res. 82-157 adopted waiving formal bid procedure and authorizing purchase of 9 sedans from Hertz Corporation. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

12. Request by the Modesto Camellia Society that the City of Modesto again donate the annual Sweepstakes Trophy for the Camellia Show.
(Motion approving request needed.)

ACTION: By motion, request approved.

(Finance to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Jeanetta Ayres spoke briefly.

NEW BUSINESS

CONSENT

14. Consider approving lease agreement with C. J. Rumble and Sons for the lease of 5± acres of land acquired for the Chrysler 99 No. 2 Park Site.
(The Rumbles have been leasing this property from the City since it was acquired from them. The existing trees have now become uneconomical and should be removed. The Rumbles will remove the trees in return for two years free rent. Because of the trees poor production it would probably cost the City in excess of the 2 years' free rent to remove the trees for park development. Resolution approving agreement needed.)

ACTION: Res. 82-158 adopted approving agreement.

(P.W. to handle)

CONSENT

15. Consider approving two agreements with Berberian Trust Properties to acquire 17.252± acres from them needed for the Yosemite Neighborhood School and Park Site and to lease the property back to them for this crop year.
(Berberian Trust Properties has agreed to sell the required property for \$562,900 which is consistent with the appraised value of \$515,000, since the appraisal is over one year old. Also, the grantors will lease the property back for \$1,500. Since the property can't be leased by anyone else, this is good for the City. Two resolutions approving agreements needed. Estimated total cost: \$567,900 (\$562,900 cost; \$5,000 est. escrow); funds are budgeted.)

ACTION: Res. 82-159 adopted purchasing property needed for school and park site.

Res. 82-160 adopted leasing property back to Berberian for this crop year.
(P.W. to handle)

CONSENT

16. Consider approving lease agreement with Haig Berberian for the lease of a portion of the former McClure property.
(This is a renewal of an existing lease with two changes. First, the rent has been increased from \$1,500/year to \$1,600/year; and second, the amount of land has been reduced. This is because part of the property is now being leased by Joe DiAnna in a separate lease. Resolution approving agreement needed.)

ACTION: Res. 82-161 adopted approving agreement. (P.W. to handle)

CONSENT

17. Consider authorizing the City Manager to sign a lease/purchase agreement with the Bank of America for the purchase of a Wang central word processing system. (Resolution 82-10 authorized the purchase of the Wang central word processing system through a lease/purchase agreement with Bank of America. A resolution approving the lease/purchase agreement needed. Estimated cost: \$243,303.18 total financing (\$40,550.53 due 1981/82 fiscal year); funds are budgeted.)

ACTION: Res. 82-162 adopted approving lease/purchase agreement. (Finance to handle)

CONSENT

18. Consider approval of golf cart rental agreement with Andrew J. Silva, Golf Professional at the Modesto Municipal and Dryden Park Municipal Golf Courses. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-163 adopted approving agreement. (P.R. to handle)

CONSENT

19. Consider work experience and training agreements with the Employee Development Department.
(Memorandum with agenda. Resolution approving agreements needed.)

ACTION: Res. 82-164 adopted approving agreements. (Mgmt. Services to handle)

CONSENT

20. Consider approving extension of provisional appointments in Data Processing Division of the Finance Department.
(Memo with agenda. Motion approving extension of provisional appointments needed.)

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

CONSENT

21. Consider request of State Mortgage Bond Allocation Committee for a \$25 million allocation for a 1982 Single Family Mortgage Revenue Bond Issue. (Memo with agenda. A Spring 1982 bond issue is planned. Motion approving request and authorizing the City Manager to submit the application needed. To be paid by participating developers.)

ACTION: By motion, request approved and City Manager authorized to submit the application. (Planning to handle)

CONSENT

22. Proposed pay station for collection of utility bills. (A new pay station is proposed at Bonnie's Arts and Crafts, 3430 Tully Road, Modesto. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-165 adopted approving agreement. (Finance to handle)

MISCELLANEOUS

23. Appointments

ACTION: Res. 82-166 adopted (Lang/Siefkin, unan.) appointing and reappointing the following persons to the Modesto Youth Commission;

- Julie Fink - Beyer High School (term to expire 12-1-82)
Cheryl Geisler - Davis High School (term to expire 12-1-82) (reappointed)
Georgia Andritsakis - Downey High School (term to expire 6-1-82)
John Hallford - Modesto High School (term to expire 12-1-82)
Dan Schmidt - Modesto Christian High School (term to expire 12-1-82)

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

None

ADJOURNMENT

The meeting adjourned at 9:00 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 2, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Loyal Friesan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 13, 14,
15, 16, 17, 18

Dropped from Agenda - 12

ACTION: (Muratore/Bright, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the January 26, 1982, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Consider approval of an agreement with Keyser Marston Associates, Inc., for a market evaluation of the Lincoln School Site.
(Memo and agreement with agenda. \$8,500 was appropriated by the City Council for this study on January 12, 1982. Resolution approving agreement needed. Estimated cost for first phase: \$6,500; funds are budgeted.)

ACTION: Res. 82-167 adopted approving agreement. (Planning to handle)

HEARINGS

5. Hearing to consider establishing a fee for maintaining utility cuts, of \$1.14 per lineal foot.

ACTION: By motion (Bright/Muratore, unan.) hearing continued to March 9, 1982, 7:30 p.m. (Clerk to handle)

BIDS

CONSENT

6. Consider approving specifications and authorize call for bids to be opened February 23, 1982, at 2:00 p.m. for furnishing one rough terrain crane.
(Requested by the Public Works Sewerage Division, the crane will be used at the remote ponding site on Jennings Road to lift aerator pumps out of the water for repair or service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$103,000; funds are budgeted.)

ACTION: Res. 82-168 adopted calling for bids. (Finance to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for waterline strengthening project - Lone Palm and Woodland Avenues across Freeway 99 to Emerald Avenue.
(Suggested bid opening: February 23, 1982, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$49,967.50 (Contract \$45,425; Engineering \$4,542.50); funds are budgeted.)

ACTION: Res. 82-169 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider declaring Standun Controls, Inc. low bidder meeting City specifications and authorize the purchase of one traffic signal controller from the firm for the total price of \$9,452.02.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 82-170 adopted authorizing purchase.

(Finance to handle)

CONSENT

9. Consider acceptance of Mac's Backhoe Service's contract for waterline extension at Oakdale and Sylvan as complete. (Original contract: \$111,190.10)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$110,199.41; funds are budgeted.)

ACTION: Res. 82-171 adopted accepting work as complete.

(Clerk to handle)

11. MATTERS FOR THE GOOD OF THE COMMUNITY

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

Dave Kilby and Laurence Martin, representing the Chamber of Commerce, presented a study of office space in Modesto.

NEW BUSINESS

CONSENT

12. Consider approving lease agreement with Richard D. and Joanne Hyman for the lease of the old sewer pond site and the former Forcade property.
(The City of Modesto, the City of Ceres, and Stanislaus County own several properties near the wastewater treatment facilities which will eventually be a part of Tuolumne River Regional Park. Under the terms of the regional park agreement, the City can lease park properties for periods of less than one year. This is a lease of the subject properties for the winter crop year and will expire June 30, 1982. The lessee will "dry farm" the area free of charge because of the great risk. The benefit to the City is the saving of man-hours required to maintain these properties. Also the lessee will pay possessary interest taxes. Resolution approving agreement needed.)

Dropped from agenda.

CONSENT

13. Consider approving lease agreement with Salida Union School District for the lease of Pelandale Neighborhood Park site.
(Salida Union School District is going to farm the grape vineyard on this future school site themselves. As a result, they wish to lease our adjacent park site. They will pay the City 30% of the crop, pay any taxes, and maintain the property. Resolution approving agreement needed.)

ACTION: Res. 82-172 adopted approving agreement. (P.W. to handle)

CONSENT

14. Consider approving a one-year renewal of an airport concession agreement with United Courier, Inc.
(This agreement allows United Courier to pick up/deliver at the Airport. For this they pay \$25 per month plus \$25 per month for one designated parking place. Resolution approving agreement needed.)

ACTION: Res. 82-173 adopted approving agreement. (P.W. to handle)

CONSENT

15. Presentation of Midyear Budget Report including proposed adjustments to the 1981-82 Budget.
(Report with agenda. Resolution amending the 1981-82 Budget needed.)

ACTION: Res. 82-174 adopted amending budget. (Finance to handle)

CONSENT

16. Termination of Parking Lot 24 on the southeast corner of 9th & J Streets.
(Memo with agenda. The landlord wants to reclaim this small lot for the exclusive use of the Lotus Restaurant. The lease has expired and the staff has no objection to the termination. No action is required.)

No action taken.

CONSENT

17. Annual Risk Management report for calendar year 1981.
(Memorandum with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

18. Consider setting hearing date on proposal to establish fees for the copying of maps and producing various types of prints.
(Section 54992 of the Government Code requires a public hearing for any changes in fee schedules. Resolution setting hearing at 4:00 p.m., February 16, 1982 needed.)

ACTION: Res. 82-175 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

19. Appointments

None

20.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 82-176 adopted (Siefkin/Lang, unan.) approving application for funds under the Roberti-Z'berg Urban Open Space and Recreation Program.
(P.R. to handle)

21.

CLOSED SESSION

(Closed session to consider acquisition of property.)

ADJOURNMENT

The meeting adjourned to closed session at 5:00 p.m. with the announcement that Council would not return to open session.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 9, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 9, 10, 11,
12, 13, 14, 15, 16

Removed from consent: 4

ACTION: (Bright/Lang, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the February 2, 1982, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of appeal on behalf of Lamatis and Pallios to a decision the Planning Commission concerning a time extension for improvements to Sylvan Avenue and Oakdale Road. (Continued from January 19, 1982, meeting.)

ACTION: Res. 82-177 adopted (Elliott/Siefkin, unan.) granting in part and denying in part the appeal. (P.W. to handle)

4. Consider nonconforming sign abatement procedures.
(Memo with agenda that includes a suggested letter to the owners/users of non-conforming signs, suggested Notice of Intent to Comply form, and a six month timetable. Motion approving procedures and instructing staff to proceed needed.)

ACTION: By motion (Muratore/Siefkin, unan.) procedures approved with changes in wording and staff instructed to proceed. (Planning to handle)

HEARINGS

5. Hearing to consider amendment to Section 13-3-8 to rezone from P-D(212) and R-1 to H-1 and R-2, property located at the northerly corner of Sisk Road and Brenner Way. (Hian Investments)

ACTION: By motion (Siefkin/Bright, unan.) Ord. No. 2107-C.S. introduced.

Res. 82-178 adopted (Siefkin/Bright, unan.) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

6. Consider waiving formal bid procedures and authorize the purchase of one used Namco forklift.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Estimated cost: \$5,668; funds are budgeted.)

ACTION: Res. 82-179 adopted waiving formal bid and authorizing purchase. (Finance to handle)

CONSENT

7. Consider acceptance of Dee Burton's contract for Project 11 - replacement of curb, drive aprons and sidewalk at various locations as complete. (Original contract: \$84,700)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$85,556.25; funds are budgeted.)

ACTION: Res. 82-180 adopted accepting work as complete. (Clerk to handle)

8.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Hugh Barton asked the Council to support the filling of New Melones Dam. Council-member Bright was excused due to a conflict of interest.

ACTION: Res. 82-181 adopted (Siefkin/Elliott, unan., Bright absent) supporting filling of New Melones dam and limiting release of water to a maximum of 1,500 cubic feet per second. (Atty. to handle)

Edward Melker and Richard Little requested further information regarding agenda Item #10.

NEW BUSINESS

CONSENT

9. Consider authorizing City Manager to execute two street improvement agreements for the Yosemite Neighborhood School/Park Site. (When the City acquired this property it assumed the future obligation to improve the streets created when the property was parceled from the larger parcel. Memo with agenda. Resolution approving two street improvement agreements needed.)

ACTION: Res. 82-182 adopted approving agreement regarding Yosemite Neighborhood School site

Res. 82-183 adopted approving agreement regarding Yosemite Neighborhood Park site. (P.W. to handle)

CONSENT

10. Consider approving agreement with Randolph P. and Kathleen M. High for the acquisition of their property at 1904 H Street (former Crosby Paint store). (The Highs have agreed to sell the required property for the appraised value of \$92,000. This property is needed to improve the traffic circulation in the area at the present time and is needed to enhance the development/use of the Lincoln School Site. Resolution approving agreement needed, and resolution amending budget needed. Estimated cost: \$96,500 (Purchase price \$92,000; escrow expenses \$3,000; appraisal \$1,500); funds are budgeted.)

ACTION: Res. 82-184 adopted approving agreement.

Res. 82-185 adopted amending budget. (P.W./Finance to handle)

CONSENT

11. Consider approving agreement with Creative Alternatives, Inc. to provide a work experience opportunity for low income senior citizens. (Memorandum with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-186 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

12. Consider request by Dow Hammond Truck Company for refund of overpayment of Business Improvement Area Tax - \$1,555.29. (Memo with agenda. Resolution approving refund of overpayment of Business Improvement Area Tax needed.)

ACTION: Res. 82-187 adopted approving refund of overpayment. (Finance to handle)

CONSENT

13. Consider an ordinance adding Section 5-6.13.1 to Chapter 6 of Title V of the Modesto Municipal Code relating to sewage collection and disposal. (The City must have an ordinance controlling industrial users compliance with Clean Water Act Pub. L. 95-217. Federal pretreatment standard compliance is a condition to be met when receiving Federal grant funds. Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2108-C.S. introduced. (Clerk to handle)

CONSENT

14. Consider authorizing City Manager to sign application to the Public Utilities Commission of the State of California to widen an existing crossing of Whitmore Avenue across tracks of the Tidewater Southern Railway Company. (City staff has determined a public necessity to widen the existing two-lane grade crossing of Whitmore Avenue and has prepared the application. Resolution authorizing City Manager to sign application needed.)

ACTION: Res. 82-188 adopted authorizing City Manager to sign application. (P.W. to handle)

CONSENT

15. Consider approving amendment to letter agreement with Allan Thode, M.A.I., for appraisal services on the Downtown Transportation Center. (A change in scope on this project recommended by our architect requires additional appraisal work. Memo with agenda. Resolution approving amendment to letter agreement needed. Estimated cost: \$2,000; funds are budgeted.)

ACTION: Res. 82-189 adopted approving amendment to letter agreement. (P.T. to handle)

MISCELLANEOUS

CONSENT

16. Legislation: Staff recommends opposing:

- a) SB 1093 (Petris) - Mandatory Bonus for Parkland Dedication
 - b) SB 1108 (Speraw) - Conversion of Existing Community Apartment Projects to Condominium Status
- (Memos and attachments with agenda. Motion approving staff recommendations needed.)

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

17. Appointments
None

18. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)
None

ADJOURNMENT

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

The meeting adjourned at 8:50 p.m.

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 16, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 13, 14, 15, 16, 17, 18

Dropped from agenda: 11

ACTION: (Bright/Siefkin, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced Bill Curragh and John Ewen, Town Clerks from New Zealand, and presented each with a copy of the book "Scenes of Stanislaus". They each presented the Mayor with plaques representative of their cities.

MINUTES

CONSENT

2. Approval of the minutes of the February 9, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

a. Ord. No. 2107-C.S. rezoning from P-D(212) to H-1, and from R-1 to R-2, property located at the northerly corner of Sisk Rd. and Brenner Way (Hian).

b. Ord. No. 2108-C.S. relating to sewage collection and disposal, industrial users compliance with Federal pretreatment standards.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

4. La Loma Grace Brethren Church freestanding sign.
(Memo with agenda. Staff recommends that the Code not be amended to permit larger signs for churches in non-residential settings and that the church be encouraged to work with the sign provisions of the current code. Motion determining appropriate course of action needed.)

ACTION: By motion (Siefkin/Elliott, unan.) request of the Church for a Code text amendment was denied. (Planning to handle)

HEARINGS

5. Hearing to consider annexing the California-Spencer Annexation to the Modesto Municipal Sewer District No. 1.

ACTION: Res. 82-190 adopted (Lang/Elliott, unan.) annexing to Sewer District No. 1. (Clerk to handle)

6. Hearing regarding proposal to establish fees for the copying of maps and producing various types of prints.

ACTION: Res. 82-191 adopted (Patterson/Siefkin, unan.) establishing fees and charges for copies of various maps and prints obtained from the City of Modesto.
Res. 82-192 adopted (Patterson/Siefkin, unan.) establishing fees and charges for documents and transcripts obtained from the City of Modesto.
(P.W./Clerk/Finance to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for East La Loma Park chain link fence and control gate installation.
(Suggested bid opening: March 9, 1982, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$6,152.50 (\$5,350 contract; \$802.50 Engineering); funds are budgeted.)

ACTION: Res. 82-193 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider declaring J-M Squared Equipment sole bidder meeting City specifications and authorizing the purchase of two centrifugal pumps from the firm for the total price of \$5,947.66.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 82-194 adopted authorizing purchase. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

9. Letter from Modesto Disposal Service requesting a resolution supporting a grant application for funds to purchase equipment and to conduct a public awareness program to increase participation in the recycling program.
(Resolution supporting grant application needed.)

ACTION: Res. 82-195 adopted supporting grant application. (P.W. to handle)

10. Request by David Ketchum, Inland-Empire Airlines, to discuss air service in Modesto.

Mr. Ketchum discussed the capability of Air Chaparral dba Inland Empire Airlines to serve Modesto.

CONSENT

11. Request on behalf of Ruben Vega to file a late claim against the City of Modesto.
(Resolution denying request needed.)

Dropped from agenda.

12.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Request by Moose Lodge to hold a flea market on their and adjacent property on 5th Street between H and I Streets on March 6 and 7.

ACTION: By motion (Lang/Bright, unan.) request approved.

NEW BUSINESS

CONSENT

13. Consider request for sewer service to property outside City limits at 1810 Rouse Avenue, located on the south side of Rouse Avenue between Mamilane and Wade Street. Owners: Elvis, Patsy, Jimmy and Joan Whitworth.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limit, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-196 adopted approving agreement. (P.W. to handle)

CONSENT

14. Consider updating some radar and non-radar speed limits and adding one non-radar speed limit.
(Memo with agenda. Thirteen radar-enforceable speed limits are expiring. One new non-radar speed limit and two revised speed limits are also proposed. Ordinance amending Municipal Code Sections 3-2.1401 and 3-2.1401.1 needed. Estimated cost: \$300; funds are budgeted.)

ACTION: By motion, Ord. No. 2109-C.S. introduced. (Clerk to handle)

CONSENT

15. Consider application for a grant to conduct a Modesto Community Crime Resistance Program.
(The City of Modesto has been selected to receive \$48,207 in state funds to operate a Community Crime Resistance Program. The grant will cover salary and benefits of two Community Services Officers, related supplies and equipment. Resolution approving grant application needed. Estimated cost: \$5,356 local match required.)

ACTION: Res. 82-197 adopted approving grant application. (Police to handle)

CONSENT

16. Consider the following:
- a. Withdrawing Byron-Emerald Annexation from Woodland Avenue Fire District.
 - b. Setting hearing to consider determining that the public interest and convenience require that Byron-Emerald Annexation be annexed to Modesto Municipal Sewer District No. 1.

(The effective date for the Byron-Emerald Annexation to the City of Modesto is February 4, 1982. Resolution withdrawing Byron-Emerald Annexation from Woodland Avenue Fire District needed; resolution setting public hearing April 6, 1982, at 4:00 p.m. needed.) (Five affirmative votes needed.)

ACTION: Res. 82-198 adopted withdrawing Byron-Emerald Annexation from Fire District.
Res. 82-199 adopted setting hearing to determine annexation of Byron-Emerald Annexation to Sewer District No. 1. (Clerk to handle)

CONSENT

17. Presentation of monthly financial statement for January, 1982.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged,

MISCELLANEOUS

CONSENT

18. Legislation: Staff recommends opposing: SCA 21 (Keene & Greene) Public Pension System Investments.
(Memo and attachments with agenda. Motion approving staff recommendations needed.)

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

19. Appointments

ACTION: Res. 82-200 adopted (Muratore/Patterson, unan.) reappointing the following persons to the Downtown Improvement District Board: Jack Broome, Merle Mensinger, Frank Ruggieri, and Gary West, terms to expire 3/28/85. (Clerk to handle)

ACTION: Res. 82-201 adopted (Muratore/Patterson, unan.) reappointing the following persons to the Housing Program advisory committees, terms to expire 6/30/85:

Citizens Housing and Community Development Committee
Dick Loughmiller Laurence Martin, Jr.
Helen White Don Bernard

Housing Maintenance and Counseling Subcommittee
Don Bernard Joseph Byrne

Rehabilitation Loan Pool Subcommittee
Bessie Bresciani Frank Salas, Jr.
Doug Oliver

Neighborhood Advisory Committee #1
Arthur Vasquez, Jr. Doug Oliver
Don Bernard Paul Green

Neighborhood Advisory Committee #2
Dick Loughmiller Frank Salas, Jr.
Joe Byrne Virginia Bailey (Clerk to handle)

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

ACTION: Res. 82-202 adopted (Siefkin/Lang, unan.) setting time for informal hearing on revised plan for service and bus yards and rescinding Resolution No. 82-3.
(Clerk to handle)

Res. 82-203 adopted (Siefkin/Lang, unan.) setting time for hearing regarding filing a Federal Transit Capital Grant application for a new bus maintenance facility and expanded bus storage yard, and rescinding Resolution No. 82-4.
(Clerk to handle)

ADJOURNMENT

The meeting adjourned at 5:35 p.m. to Richard's Restaurant, 513 - 12th Street, Modesto, for a meeting with the Modesto Irrigation District Board of Directors.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
February 16, 1982

The Council of the City of Modesto met pursuant to adjournment at 6:00 p.m., at Richard's Restaurant, 513 12th Street, Modesto, California.

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

Absent: Councilmembers Lang, Siefkin

The Councilmembers met with members of the Modesto Irrigation District Board of Directors. There was discussion on the following topics:

1. Power Resources Update
2. M.I.D. Load Management Program
3. Evaluation of Underground Water Supply

The meeting adjourned at 8:50 p.m.

ATTEST:



NORRINE COYLE, City Clerk

2/16/82

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 23, 1982, AT 7:30P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Muratore, Patterson,
Siefkin, Acting Mayor Lang
(Councilmember Patterson arrived at 7:35 p.m.)
Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Donald Allgor, Superintendent of the California Conference of
the Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16

ACTION: (Muratore/Bright, unan., Patterson and Mayor Mensinger absent)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the February 16, 1982, regular City Council meeting, and the February 16, 1982, adjourned regular meeting of the City Council.
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2109-C.S. amending Sections 3-2.1401 and 3-2.1401.1 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code relating to speed limits in the City of Modesto.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2109-C.S. adopted. (Clerk to handle)

BIDS

CONSENT

4. Consider award of contract for the installation of a rock wall and the replacement of the desanding unit at water well No. 25. (Bids were opened on February 16, 1982. The low bid of \$24,940, submitted by Stanislaus Pump was 10% above the Engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Stanislaus Pump needed. Funds are budgeted.)

ACTION: Res. 82-204 adopted awarding contract.

(P.W. to handle)

CONSENT

5. Consider acceptance of William M. Mineni's contract for the construction of Revard Park picnic area as complete. (Original contract: \$7,838) (All work on this project has been completed to the satisfaction of the Parks and Recreation and Public Works Departments. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final Cost: \$7,828.92. Funds are budgeted.)

ACTION: Res. 82-205 adopted accepting work as complete.

(Clerk to handle)

CONSENT

6. Consider declaring H.V. Carter Company low bidder and authorize the purchase of two diesel tractor mowers painted factory orange for the total price of \$46,214 including trade-ins. (Memorandum with agenda. Resolution authorizing the purchase of two diesel tractors needed. Funds are budgeted.)

ACTION: Res. 82-206 adopted authorizing purchase.

(Finance to handle)

WRITTEN COMMUNICATIONS

- 6A. Letter from Jim Nicholas, Principal of Beyer High School, concerning a traffic signal in front of the school.

ACTION: By motion (Bright/Elliott, unan., Mayor Mensinger absent) staff directed to proceed with agreement with the County.

7.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

8. Consider approving increase in charges for metered and unmetered water service. (Water revenue has not kept pace with expenditures. It is necessary to raise water rates to keep the Water Enterprise Fund self-supporting. A 10% increase in water rates is recommended. Metered rates would increase March 1, 1982, and unmetered rates would increase April 1, 1982. Memo with agenda. Resolution approving proposed water rate increase needed.)

ACTION: Res. 82-207 adopted (Patterson/Elliott, unan., Mayor Mensinger absent) approving proposed water rate increase.

(Finance to handle)

CONSENT

9. Consider resolution approving insurance coverage for Auto-General-Personal Liability, Intra-City Transit Liability, Airport Liability, Special Events Coverage, and Fire Vehicles Physical Damage.
(Memorandum with agenda. Resolution approving agreements to provide insurance coverage needed. Estimated cost: Transit-Bus \$42,000; General Liability (incl. Airport) \$53,200; Vehicle Ins. \$2,521); funds are budgeted.)

ACTION: Res. 82-208 adopted approving agreement with Iris, Ltd. for airport insurance.

Res. 82-209 adopted approving agreement with Hamilton/Meridian Insurance, for general coverage, special events insurance, and vehicle physical damage insurance.
(Mgmt. Services to handle)

CONSENT

10. Consider approving a "Power and/or Communication Facilities Agreement" (encroachment permit) with the Southern Pacific Transportation Company.
(The Electrical Division of Public Works needs to install a 1½" conduit on the railroad right of way at Woodland Avenue to provide loop detectors west of the tracks. Funds for the permit (\$200) are available in the project for the controller installation. Resolution approving encroachment permit agreement needed.)

ACTION: Res. 82-210 adopted approving encroachment permit agreement. (P.W. to handle)

CONSENT

11. Requirement for construction of curbs and/or sidewalks at the following locations:
(81/08/01 - 05)

- a. Sidewalk at 1710 Sunrise Avenue, a portion of Block 1286. (Virgil T. Dughi)
- b. Sidewalk along Sunrise Avenue at 1702 Sunrise Avenue, a portion of Block 1286. (Ann M. Genova)
- c. Sidewalk at 1706 Sunrise Avenue, a portion of Block 1286. (Hugh W. Long)
- d. Sidewalk along Sunrise Avenue at 1718 Sunrise Avenue, a portion of Block 1286. (Natalie A. Merck)

(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting hearing March 23, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-211 adopted setting hearing, (Clerk to handle)

CONSENT

12. Consider an ordinance adding Section 3-1.124 to Chapter 1 of Title III of the Modesto Municipal Code relating to special locking devices for exit doors.
(Memorandum with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2110-C.S. introduced. (Clerk to handle)

CONSENT

13. Consider repealing Section 3-1.201 of the Modesto Municipal Code.
(When the 1979 edition of the Uniform Fire Code was adopted in 1981, Section 3-1.201, which establishes Fire Zones, was not deleted. As fire zones are no longer included in either the uniform fire code or building codes, they should be deleted from the Municipal Code. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2111-C.S. introduced. (Clerk to handle)

14. Consideration of County cable television franchise in Empire area.
(Memo with agenda. Resolution recommending to the Board of Supervisors boundaries for County cable television franchises in Empire area needed.)

ACTION: Res. 82-212 adopted (Patterson/Siefkin, unan., Mayor Mensinger absent) requesting Board of Supervisors to allow Cablecom General to operate in the ultimate sewer service area. (Planning to handle)

15. Request by County Board of Supervisors for Modesto to respond to the recommendations contained in County "Fire Service Study."
(Memorandum with agenda. Motion directing staff needed.)

ACTION: By motion (Elliott/Muratore, unan., Mayor Mensinger absent) it was determined that the City policy of requiring annexation before receiving City services would be maintained. (Fire to handle)

MISCELLANEOUS

CONSENT

16. Legislation: Staff recommends:

OPPOSING

- a. SB 1253 (Dills) Garbage Collection Franchises. Expansion of Grandfather Clause for Existing Businesses.

SUPPORTING

- b) SB 1336 (Davis) Comparable Fault: Public Entities.
c) AB 2335 (Johnston) as amended, Vehicles: Speed Traps.
(Motion approving staff recommendations needed.)

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

17. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 8:55 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 2, 1982, AT 4:00 P.M.
TO BE ADJOURNED TO THURSDAY, MARCH 4, AT 4:00 P.M.

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

Absent: Councilmember Patterson
Councilmember Lang arrived at 4:20 p.m.

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 12, 13, 14, 15,
16, 17, 18, 19, 20, 21, 22, 23

Dropped from agenda: 5

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the February 23, 1982, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

a. Ordinance No. 2110-C.S. adding Section 3-1.124 to Chapter 1 of Title III of the Municipal Code relating to special locking devices for exit doors.

b. Ordinance No. 2111-C.S. repealing Section 3-1.201 of Chapter 1 of Title III of the Municipal Code relating to fire districts.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted. 52-71

(Clerk to handle)
3/4/82

HEARINGS

4. Hearing to consider annexing Haddon-El Vista Annexation to the Modesto Municipal Sewer District No. 1.

ACTION: Res. 82-213 adopted (Bright/Muratore, unan., Lang and Patterson absent) annexing to Sewer District No. 1. (Clerk to handle)

BIDS

CONSENT

5. Consider approving specifications and authorize call for bids to be opened March 23, 1982, at 2:00 p.m. for furnishing one garden refuse packer body. (Requested by the Public Works Garden Refuse Division, the packer body will be mounted on a City owned cab-and-chassis which will be used in conjunction with the claw loaders to gather garden refuse. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$26,000; funds are budgeted.)

Dropped from agenda

CONSENT

6. Consider approval of plans and specifications and call for bids for residential alley paving program - Project No. 9. (Suggested bid opening: March 16, 1982, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$40,606.50 (Construction \$36,915; Engineering \$3,691.50); funds are budgeted.)

ACTION: Res. 82-214 adopted calling for bids. (P.W. to handle)

CONSENT

7. 1) Consider declaring Nunes Manufacturing low bidder on Item I and authorize the purchase of twenty trash bins for \$6,190.40.
2) Consider declaring R. L. Enterprises low bidder on Item II and authorize the purchase of nine trailers for \$20,472.84. (Memorandum with agenda. Resolution authorizing purchase of trash bins from Nunes Manufacturing needed, and resolution authorizing purchase of trailers from R. L. Enterprises needed. Funds are budgeted.)

ACTION: Res. 82-215 adopted authorizing purchase of trash bins from Nunes Manufacturing.
Res. 82-216 adopted authorizing purchase of trailers from R.L. Enterprises. (Finance to handle)

CONSENT

8. Consider award of contract for the waterline strengthening project - Lone Palm and Woodland Avenue across Freeway 99 to Emerald Avenue. (Bids were opened on February 23, 1982. The low bid of \$37,703, submitted by Clyde Wheeler Pipelines, is 17% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Clyde Wheeler Pipelines, Inc. needed. Funds are budgeted.)

ACTION: Res. 82-217 adopted awarding contract.

(P.W. to handle)

CONSENT

9. Consider acceptance of Acme Construction's contract for construction of McHenry Museum elevator as complete. (Original contract: \$109,800) (All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$112,158; funds are budgeted.)

ACTION: Res. 82-218 adopted accepting work as complete.

(Clerk to handle)

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

None

NEW BUSINESS

11. Consider acceptance of Energy Conservation Assistance Loan from the State Energy Commission in the amount of \$996,000. (Staff has been trying to find funding sources for our methane project. We have been successful in our contact with the State Energy Commission and have received an offer for a \$996,000 loan at 7.75% interest to be repaid over a 6½ year period at \$222,000 per year. Memo with agenda. Resolution approving loan agreement needed.)

ACTION: Res. 82-219 adopted (Muratore/Siefkin, unan., Lang and Patterson absent) approving agreement. (P.W. to handle)

CONSENT

12. Consider request for water service to property outside City limits at 1224 Reno Avenue located on the east side of Reno Avenue between Woodland Avenue and Kansas Avenue. Owners: E. K. Associates
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-220 adopted approving agreement. (P.W. to handle)

CONSENT

13. Consider request for sewer service to property outside City limits at 616 Amador Avenue, located on the southeast corner of Amador Avenue and alley of Block 9019. Owner: Paul Contreras
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-221 adopted approving agreement. (P.W. to handle)

CONSENT

14. Consider approving ground lease agreement with James C. Sorensen, Inc., for property at the Modesto City-County Airport on which Mr. Sorensen wishes to construct a private aircraft hangar (Hangar #7).
(The ground lease agreement provides an area on the general aviation side of the Airport on which Mr. Sorensen can construct a 40' x 90' private aircraft hangar. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-222 adopted approving agreement. (P.W. to handle)

CONSENT

15. Consider authorizing City Manager to sign Consent to Common Use Agreement for a road crossing of Modesto Irrigation District Lateral No. 3 at Roselle Avenue.
(This agreement will provide for the road crossing of Roselle Avenue at M.I.D. Lateral No. 3. Resolution approving agreement needed.)

ACTION: Res. 82-223 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider excusing Mayor Mensinger for her absence of February 23 due to her representing the City of Modesto at the Civil Aeronautics Board hearing in Washington, D.C.
(Motion excusing the absence needed.)

ACTION: By motion, Mayor Mensinger excused. (Clerk to handle)

CONSENT

17. Consider request by Grand Auto, Inc., for refund of overpayment of mill tax - \$1,139.38.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 82-224 adopted approving refund. (Finance to handle)

CONSENT

18. Set hearing to consider walkway abandonment - Blocks 6712 and 6716 between College Avenue and Wildwood Drive.
(On February 16, 1982, the Planning Commission adopted Resolution 82-39 recommending to the City Council the denial of the vacation and abandonment of the walkway in Blocks 6712 and 6716 between College Avenue and Wildwood Drive. Resolution setting public hearing April 13, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-225 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider adopting the Revised City of Modesto Records Management Manual and Records Retention Schedule.
(The City's Records Management Manual and Retention Schedule has been reviewed and updated, with input from representatives of each department, and is now ready for Council adoption. Memo with agenda. Resolution adopting the Revised Records Manual needed.)

ACTION: Res. 82-226 adopted adopting the Revised Records Manual. (Mgmt. Services to handle)

CONSENT

20. Consider Resolution of Intention to amend the City of Modesto contract with the Public Employees Retirement System to provide for the 2% at age 50 full formula for local Fire members only. Memorandum with agenda. Resolution of Intention needed.)

ACTION: Res. 82-227 adopted amending contract with Public Employees Retirement System. (Mgmt. Services to handle)

CONSENT

21. Recommend to Council the vacation and abandonment of Groveland Avenue south of Grand Street - Gallo Glass Co.
(On February 16, 1982, the Planning Commission adopted Resolution 82-43 recommending to the City Council the vacation and abandonment of Groveland Avenue south of Grand Street. Resolution setting public hearing April 6, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-228 adopted setting hearing. (Clerk to handle)

CONSENT

22. Consider approval of the final map of Evergreen Park No. 2 subdivision of the City of Modesto. This subdivision is a conversion of apartment units to condominiums and no subdivision agreement is required. Subdividers: Rule Enterprises. (All fees have been paid for this condominium conversion. Evergreen Park No. 2 is located on the south side of Evergreen Avenue between Randazzo Avenue and Grape Avenue. It contains 4.979 acres. This conversion of 64 rental units to condominiums was approved on September 2, 1980, and prior to Council adoption of the tenant displacement policy on September 8, 1981. Therefore, only the tenant protections required by State law are applicable to this subdivision. Resolution approving final map needed.)

ACTION: Res. 82-229 adopted approving final map.

(Clerk to handle)

MISCELLANEOUS

CONSENT

23. Legislation: Staff recommends:

OPPOSING

- a) AB 2133 (Mountjoy) - Public Works Contracts
- b) AB 2321 (Duffy) - Cable Television
- c) SB 1335, as amended (Foran) - Transportation Funding
(The Council is asked to go on record not supporting SB 1335 unless the bill is amended to provide that the funding allocation method is based on population or gross sales tax receipts per county formula.)

SUPPORTING

- d) AB 495 (Bates) - Appointment of Sole Nominee to Office
- e) AB 2400 (Sher) - Election by Mail

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

ACTION: By motion, recommendations approved.

(Mgmt. Services to handle)

24. Appointments

ACTION: Res. 82-230 adopted (Bright/Siefkin, unan., Lang and Patterson absent) appointing Charles Harding to the Board of Zoning Adjustment, term to expire 1/1/84.

25.

MATTERS TOO LATE FOR THE AGENDA

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

None

26.

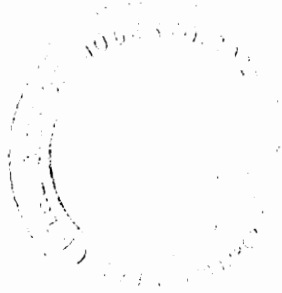
CLOSED SESSION

The meeting adjourned at 4:15 p.m. to closed session with the announcement that Council would not return to open session.

ATTEST:



NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 9, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 6, 7, 8, 9, 11, 12, 13, 15

Removed from Consent: 14

ACTION:(Bright/Siefkin, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

HEARINGS

2. Continued hearing to consider establishing a fee for maintaining utility cuts of \$1.14 per lineal foot.
(Continued from February 2, 1982, meeting.)

ACTION: By motion (Lang/Muratore, unan.) hearing continued to May 11, 1982, at 7:30 p.m. at the request of the Pacific Telephone Company representative.
(Clerk to handle)

- Hearing to consider amendment to Section 29-3-9 of the Zoning Map to rezone from C-2 to P-D(322), property located on the easterly corner of 11th and J Streets, to allow existing commercial building to be converted to retail and office condominiums. (Michael A. DeRuosi)

ACTION: By motion (Muratore/Bright, unan.) Ord. No. 2112-C.S. introduced.

Res. 82-231 adopted (Muratore/Bright, unan.) approving development plan.

(Clerk/Planning to handle)

- Hearing to consider amendment to Section 24-3-9 of the Zoning Map to repeal P-D(135) and rezone to R-1, property located at the southeast corner of Briggsmore Avenue and Lakewood Avenue. (Horn Construction)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2113-C.S. introduced.

Res. 82-232 adopted (Lang/Muratore, unan.) certifying review of Environmental Assessment. (Clerk to handle)

By motion (Bright/Elliott, unan.) staff directed to look at possibility of setting time limits on P-0 zoning. (Planning to handle)

- Hearing to consider the appeal of Bright Development to a Planning Commission decision denying an application to rezone from R-1 to P-D, property located west of Hahn Drive between Veneman Avenue and Standiford Avenue.

ACTION: By motion (Patterson/Lang, unan.) Council indicated its intention to approve the application and directed staff to prepare the necessary documents. (Planning to handle)

BIDS

CONSENT

- Consider approval of plans and specifications and call for bids for Riverside - El Vista - Scenic waterline strengthening. (Suggested bid opening: March 30, 1982, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$159,143 (Contract \$143,743; Engineering \$15,400); funds are budgeted.)

ACTION: Res. 82-233 adopted calling for bids.

(P.W. to handle)

CONSENT

- Consider reconstructing City Parking Lot #21, located at Eleventh and K Streets. (Memo with agenda. Portions of the lot will be closed from about May 10 to June 29, 1982. Resolution approving plans and specifications and calling for bids to be opened April 20, 1982, at 2:00 p.m. needed. Estimated cost: \$52,000. Funds are partially budgeted. When bids have been received, exact financial need will be known.)

ACTION: Res. 82-234 adopted calling for bids.

(P.T. to handle)

CONSENT

8. Consider acceptance of B & L Builders' contract for the construction of water automation control building as complete. (Original contract and final cost: \$58,500)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 82-235 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of California Sports Construction's contract for installation of play apparatus at Muncy Park as complete. (Original contract and final cost: \$22,840)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 82-236 adopted accepting work as complete. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

11. Consider approving a partial assignment of a lease agreement on the former Sommerfeld house.
(Presently the City is leasing the former Sommerfeld house in Dry Creek Park to Jacqueline Simms and Debbie A. Jones. Jacqueline Simms has requested that the City allow her to assign her interest to Joyce Dupree. Debbie A. Jones, the other lessee, is a long-time City tenant and concurs, so staff recommends the assignment. Resolution approving assignment of lease needed.)

ACTION: Res. 82-237 adopted approving assignment of lease. (P.W. to handle)

CONSENT

12. Consider approving a partial assignment of a lease on the former Doidge pasture.
(Presently the City is leasing the former Doidge pasture in Dry Creek Park to Sonja Penquite and Debbie A. Jones. Sonja Penquite has requested the City to allow her to assign her interest to Joyce Dupree. Debbie Jones, the other lessee, has been a long-time tenant and concurs, so staff recommends the assignment. Resolution approving assignment of lease needed.)

ACTION: Res. 82-238 adopted approving assignment of lease. (P.W. to handle)

CONSENT

13. Consider joining in an amicus curiae brief in the case of Rose, et al. v. City of Hayward, et al.
(Memorandum with agenda. Motion authorizing joining in an amicus curiae brief needed.)

ACTION: By motion, joining in amicus curiae brief approved. (Atty. to handle)

14. Consider declaring the property listed on Surplus Property Listing with agenda as surplus to the City's needs and authorizing the Purchasing Officer to advertise and sell the items to the highest bidder.
(Memorandum with agenda. Resolution declaring property surplus to City's needs and authorizing sale needed.)

ACTION: Res. 82-239 adopted (Patterson/Siefkin, unan.) declaring property surplus and authorizing sale. (Finance to handle)

CONSENT

15. Consider resolution restating fees charged for Planning Commission and Board of Zoning Adjustment agendas and minutes and Planning Department bound reports. (As part of the ongoing examination and review of the various fees which are charged by the City, it is necessary to adopt a resolution restating the fees charged for Planning Commission and Board of Zoning Adjustment agendas and minutes and Planning Department bound reports. No change in the fees is recommended. Memo with agenda. Resolution approving restating fees for agendas, minutes and reports needed.)

ACTION: Res. 82-240 adopted approving restating fees for agendas, minutes and reports. (Planning to handle)

MISCELLANEOUS

16. Appointments

None

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

None

ADJOURNMENT

Meeting adjourned at 9:20 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 16, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 8, 9, 11, 13, 14, 15,
Removed from Consent: 3 16, 17, 18, 19, 20, 21, 22, 23a

ACTION: (Siefkin/Patterson, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger announced she had just attended a ribbon-cutting ceremony at the Museum elevator and received two checks from the Museum Society and the Museum Guild, totaling over \$16,000, to be applied toward the cost of the elevator and the lighting.

MINUTES

CONSENT

2. Approval of the minutes of the March 4, 1982, adjourned regular City Council meeting and the March 9, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

3/16/82

UNFINISHED BUSINESS

3. Consider approval of application by Bright Development to rezone from R-1 to P-D property located west of Hahn Drive between Veneman Avenue and Standiford Avenue.
(At its meeting of March 9, 1982, Council indicated its intention to approve the application. Memo with agenda. Introduction of ordinance amending the Zoning Map and adoption of resolution approving development plan and certifying review of environmental assessment needed.)

ACTION: By motion (Patterson/Muratore, unan.) Ord. No. 2114-C.S. introduced.

Res. 82-241 adopted (same vote) granting appeal approving development plan, and certifying review of Environmental Assessment. (Clerk/Planning to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2112-C.S. rezoning from C-2 to P-D(322) property located on the easterly corner of 11th and J Sts. to allow existing commercial building to be converted to retail and office condominiums (De Ruosi - City Mall).
- b. Ord. No. 2113-C.S. repealing P-D(135) and rezoning to R-1 property at the southeast corner of Briggsmore and Lakewood (Horn Construction Co.).

(Motion adopting needed.)

ACTION: By motion, ordinances adopted,

(Clerk to handle)

HEARINGS

5. Hearing on the City of Modesto's portion of the Stanislaus Air Quality Plan.

ACTION: Res. 82-242 adopted (Lang/Muratore, unan.) approving Modesto's position of the plan. (P.W. to handle)

6. Hearing to consider proposed amendment to P-D(213) to provide two new single-family dwellings, property located at 125 Griswold Avenue (Robert Tallent).

ACTION: By motion (Muratore/Bright, unan.) Ord. No. 2115-C.S. introduced.

Res. 82-243 adopted (same vote) amending plan.

(Clerk to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the installation of Beyer Ballpark lighting.
(Suggested bid opening: April 6, 1982, at 11:00 a.m. Project will provide lighting for evening play, at Beyer Park ballfields. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$191,000 (Contract \$174,000; Engineering \$17,000); funds are budgeted.)

ACTION: Res. 82-244 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider award of contract for the East La Loma Park fence and control gate installation.
(Bids were opened on March 9, 1982. The low bid of \$5,510.22, submitted by Torres Fence Co. is 3% above the engineer's estimate and considered acceptable. It is, therefore, recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Torres Fence Co. needed. Funds are budgeted.)

ACTION: Res. 82-245 adopted awarding contract. (P.W. to handle)

CONSENT

9. Consider acceptance of California Sports Construction's contract for installation of play apparatus at Sonoma Park as complete. (Original contract and final cost: \$24,490)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 82-246 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

10. Request by William Torrens, Chairman of the Stanislaus County Mobile Home Mediation Board, to present a report of the findings of the Board.
Councilmember Lang was excused at 6:20 p.m.
By motion (Elliott/Siefkin, unan., Lang absent) receipt of report by the Mobile Home Mediation Board acknowledged.
By motion (Patterson/Siefkin, unan., Lang absent) staff directed to research and report on available alternatives. (Atty. to handle)

CONSENT

11. Request by Gilton Solid Waste Management, Inc. for an extension of its license to collect garbage from December 31, 1982, to December 31, 1990, and provision for automatic extensions in the future.
(Resolution setting hearing April 6, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-247 adopted setting hearing. (Clerk to handle)

12.

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

None

NEW BUSINESS

CONSENT

13. Consider new utility pay station agreements to revise wording from "water and sewer" to "water, sewer, and garbage" bills.
(Memo with agenda. Six resolutions approving new agreements needed.)

ACTION: Res. 82-248 adopted approving new agreement with Model Pharmacy on Coffee Road.
Res. 82-249 adopted approving new agreement with Paradise Drug on Paradise Rd.
Res. 82-250 adopted approving new agreement with Paul's Rexall Drug on Santa Cruz.
Res. 82-251 adopted approving new agreement with Paul's Rexall Drug on
W. Orangeburg.
Res. 82-252 adopted approving new agreement with Save Mart, Crowslanding Rd.
Res. 82-253 adopted approving new agreement with Scenic Drug on Oakdale Rd.

CONSENT

14. Consider approving one year extension of Lowry Accountancy Corporation's contract to perform the City's annual audit.
(Memo with agenda. Resolution approving contract extension needed. Estimated cost: General City Audit \$11,300; Revenue Sharing Audit \$950; funds are budgeted.)

ACTION: Res. 82-254 adopted approving contract extension. (Finance to handle)

CONSENT

15. Consider approving lease and concession agreement at the Airport with Hertz Corporation.
(The new lease is a one-year lease with Hertz paying the City 10% of its gross revenue instead of 7½%. The lease also calls for changes in parking and eliminates the separate payment for counter space. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-255 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider repealing ordinances establishing building line maps.
(There are nine uncodified ordinances which relate to building setback lines. These ordinances were adopted at various dates between 1945 and 1968. They are no longer necessary. They have been superseded by proper setback lines in the Zoning Ordinance. It is proposed that the ordinances be rescinded. Memo with agenda. Introduction of an ordinance rescinding nine ordinances needed.)

ACTION: By motion, Ord. No. 2116-C.S. introduced. (Clerk to handle)

CONSENT

17. Recommend to City Council amendments and additions to the Municipal Code relating to Zoning Regulations and to appeals
(On March 1, 1982, the Planning Commission adopted Resolution 82-55 recommending to the City Council amendments and additions to the Municipal Code relating to the Zoning Regulations and to appeals. Resolution setting public hearing April 6, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-256 adopted setting hearing.

(Clerk to handle)

CONSENT

18. Consider approval of the final map of Stoneybrook subdivision of the City of Modesto. This subdivision is a conversion of apartment units to condominiums and no agreement is required. Subdividers: Leafland Properties, Inc.
(All fees have been paid for this condominium conversion. Stoneybrook is located at the northeast corner of Sherwood Avenue and Rumble Road. It contains 8.108 acres. This conversion of 164 rental units to condominiums was approved on September 17, 1979, and prior to Council adoption of the tenant displacement policy on September 8, 1981. Therefore, only the tenant protections required by State law are applicable to this subdivision. Memo with agenda. Resolution approving final map needed.)

ACTION: Res. 82-257 adopted approving final map.

(Clerk to handle)

CONSENT

19. Presentation of monthly financial statement for February, 1982.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

20. Consideration of recommendations of the Classification Study and Job Audit.
(Memorandum with agenda. Resolution amending Position Classification Plan needed, and resolution amending the resolution which establishes salaries needed.)

ACTION: Res. 82-258 adopted amending Position Classification Plan.

Res. 82-259 adopted establishing Salary Plan, (Mgmt. Services to handle)

CONSENT

21. Consider support of the City of Anaheim's test SB-90 claim with the State Board of Control.
(The City of Anaheim has asked the Modesto City Council to pass a resolution in support of their test SB-90 claim with the State Board of Control for reimbursement costs resulting from the passage of AB 2674. Memo with agenda. Resolution supporting the claim of the City of Anaheim for state-mandated costs associated with Chapter 1244, Statutes of 1980 needed.)

ACTION: Res. 82-260 adopted supporting claim of City of Anaheim.

(Mgmt. Services to handle)

MISCELLANEOUS

CONSENT

22. Legislation: Staff recommends opposing AB 2344 (L. Stirling) PERS Cost-of-Living Adjustment.
(Memo and attachments with agenda. Motion approving recommendation needed.)

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

23. Appointments

CONSENT

- a. Designation of Councilmember Frank Muratore to serve as Vice Mayor for the ensuing year, pursuant to Section 603 of the Charter of the City of Modesto.
(Resolution designating Frank Muratore as Vice Mayor needed.)

ACTION: Res. 82-261 adopted designating Frank Muratore as Vice Mayor. (Clerk to handle)

b. Other

ACTION: Res. 82-262 adopted (Bright/Elliott, unan., Lang absent) appointing William Ulm to Seat 3 of the Housing and Community Development Committee, term to expire June 30, 1982.

24.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

The meeting adjourned at 6:35 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 23, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 12, 13, 14, 15, 16, 17, 18a, 18b, 19, 20, 21, 22, 23, 24

Dropped from agenda: 9

ACTION: (Lang/Muratore, unan.)

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

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the March 16, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2114-C.S. rezoning from R-1 to P-D(323), property located west of Hahn Drive between Veneman Avenue and Standiford Avenue. (Bright Devel.)
- b. Ord. No. 2115-C.S. amending P-D(213) to provide two new single-family dwellings, property located at 125 Griswold Avenue. (Tallent)
- c. Ord. No. 2116-C.S. repealing ordinances relating to building setback lines which have been superseded by Zoning Ordinance.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Informal hearing on revised plan for service and bus yards.

ACTION: Res. 82-263 adopted (Elliott/Patterson, unan.) approving revised plan.
(P.W. to handle)

5. Hearing regarding filing a federal transit capital grant application for a new bus maintenance facility and expanded bus storage yard.

ACTION: Res. 82-264 adopted (Lang/Bright, unan.) authorizing filing the grant application.
(P.T. to handle)

6. Hearing on requirement for construction of curbs and/or sidewalks at the following locations: (81/08/01 - 05)

- a. Sidewalk at 1710 Sunrise Avenue, a portion of Block 1286. (Virgil T. Dughi)
- b. Sidewalk along Sunrise Avenue at 1702 Sunrise Avenue, a portion of Block 1286. (Ann M. Genova)
- c. Sidewalk at 1706 Sunrise Avenue, a portion of Block 1286. (Hugh W. Long)
- d. Sidewalk along Sunrise Avenue at 1718 Sunrise Avenue, a portion of Block 1286. (Natalie A. Merck)

ACTION: Res. 82-265 adopted (Elliott/Siefkin, unan.) ordering work of construction.
(P.W. to handle)

7. Reconstruction of residential alleys - Project No. 9.

- a. Block 517 - Virginia-Hackberry/Alice-Wright

ACTION: By motion (Siefkin/Patterson, unan.) staff directed to determine number and percentage of property owners still in favor of the improvement.
(P.W. to handle)

- b. Block 6707 - College-Monte Carlo/Hawthorne-Monte Cristo (east-west leg)

- c. Block 6832 - Fleetwood-Northgate/Harcourt-Sherwood

- d. Block 6072 - Pearl-W. Orangeburg/Albany-Concord

- e. Block 563 - McHenry-Johnson/Modesto-Almond

ACTION: Res. 82-266 adopted (Siefkin/Bright, unan.) ordering work done in Blocks 6707, 6832, 6072, and 563.
(P.W. to handle)

BIDS

8. Consider award of contract for the residential alley paving program - Project No. 9. (Bids were opened on March 16, 1982. The low bid of \$26,488.75, submitted by Lee White Paving Co., is 28% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 82-267 adopted (Lang/Elliott, unan.) awarding contract. (P.W. to handle)

CONSENT

9. Consider acceptance of Bond Construction's contract for construction of waterline extension at Franklin and Beech as complete. (Original contract: \$18,996) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$19,864; funds are budgeted.)

Dropped from agenda.

WRITTEN COMMUNICATIONS

10. Letter from Laurence Martin concerning the School Site and Facilities Tax funds.

Dropped from agenda at Mr. Martin's request.

11.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

ACTION: By motion (Siefkin/Bright, unan.) Council directed the City Manager to alert the State Solid Waste Management Board that the City Council will consider a resolution concerning curbside recycling at its April 6, 1982 meeting; and requested the Council's "Solid Waste Committee" to study the proposed resolution and present a recommendation to the Council. (Mgr. to handle)

NEW BUSINESS

CONSENT

12. Consider termination of Airport lease agreement with Gem Investors, Inc., dba Golden Gate Airlines.
(As you are aware, Golden Gate Airlines has petitioned for bankruptcy and severed operations at the Modesto City-County Airport. It would be in order to adopt a resolution formally terminating their lease agreement with the City. Memo with agenda. Resolution formally terminating lease agreement needed.)

ACTION: Res. 82-268 adopted terminating lease agreement. (P.W. to handle)

CONSENT

13. Consider approving an extension amendment to a State Planning grant agreement. (Memo with agenda. The amendment extends the deadline for completing the Downtown Transportation Center planning work to December 30, 1982, thereby keeping the \$11,250 State grant valid. Resolution approving amendment to the grant agreement needed.)

ACTION: Res. 82-269 adopted approving amendment to grant agreement. (P.T. to handle)

CONSENT

14. Consider extension of provisional appointment of Data Processing Manager. (Because of the vacancy in the position of Director of Finance, the above position is not being permanently filled until the new Director of Finance can make the appointment. Motion extending provisional appointment needed.)

ACTION: By motion, provisional appointment extended. (Mgmt. Services to handle)

CONSENT

15. Consider approving an agreement with Head Rest, Inc., to provide job training for disadvantaged youth through the Employment Services Program. (Enrollees can work up to 40 hours per week and also participate in classroom training. Memorandum with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-270 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

16. Consider authorizing the City Manager to sign a contract with Utility Equipment Leasing Corporation containing hold harmless provision to rent one Hi-Ranger unit. (Hi-Ranger unit will be used by the Parks and Recreation Department, Tree Division for their mature tree trimming campaign for approximately one month while City's present unit is in the shop for repairs. Council approval for hold harmless provision is required. Resolution approving contract with Utility Leasing Equipment Corporation containing hold harmless provisions needed. Estimated cost: \$2,395; funds are budgeted.)

ACTION: Res. 82-271 adopted approving contract.

(P.R. to handle)

CONSENT

17. Consider approving agreement with Modesto City Schools for construction and operation of Roosevelt Multipurpose facility.
(Memo with agenda. Resolution approving agreement and authorizing payment of \$244,056.47 to school for City's one-half share of cost needed. Funds are budgeted.)

ACTION: Res. 82-272 adopted approving agreement.

(P.R. to handle)

CONSENT

18. Consider amendments to the Subdivision Regulations in the Municipal Code.
- a. On March 1, 1982, the Planning Commission adopted Resolution No. 82-54 recommending to the City Council amendments to the Municipal Code pertaining to Subdivision Regulations to maintain consistency with provisions of the Subdivision Map Act which became effective January 1, 1982.
 - b. This change would require subdividers to guaranty and warrant subdivision improvements against any defective work or materials for a period of one year following the acceptance of the improvements.

(Information with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2117-C.S. introduced.

Res. 82-273 adopted certifying review of environmental assessment in connection with item "a".
(Clerk to handle)

CONSENT

19. Set public hearing to consider request by Capital Cities Cable for increase in cable television rates.
(Memo with agenda. Resolution setting hearing on April 13, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-274 adopted setting hearing.

(Clerk to handle)

CONSENT

20. Distribution of property tax revenues between City of Modesto and Stanislaus County for Sherwood Forest No. 2 and Carpenter Road No. 3 Annexations. (Memorandum with agenda. Resolution approving the negotiated exchange of property taxes with Stanislaus County needed.)

ACTION: Res. 82-275 adopted approving negotiated exchange of property taxes.
(Finance to handle)

CONSENT

21. Consider approval of the final map of Coffee Road Professional Center subdivision of the City of Modesto. Subdividers: Levin MacDonald Investments (The subdivision is a conversion of an office complex to professional condominiums and no subdivision agreement is required. All fees have been paid for this condominium conversion. Coffee Road Professional Center is located between Coffee Road and Water Street, south of Briggsmore Avenue. It contains 0.779 acre. Resoution approving final map needed.)

ACTION: Res. 82-276 adopted approving final map. (Clerk to handle)

CONSENT

22. Consider acceptance of improvements in Vintage Grove Townhouse 1, 2, 3, and 4 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Oakhurst Development Co. (Vintage Grove Townhouses 1, 2, 3, and 4 subdivision is located at the northwest corner of Dale Road and Snyder Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 82-277 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

23. Consider authorizing the transfer of \$1,000,000 from the Local Transportation Fund (Streets and Roads) to the General Fund for 1981-82 street maintenance costs. (Memo with agenda. Resolution amending budget and approving transfer of funds needed.)

ACTION: Res. 82-278 adopted amending budget and approving transfer of funds.
(Finance to handle)

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends:

OPPOSING

- a. AB 2399 (Cortese) - Defense of Public Employees in Tort Litigation
- b. AB 2480 (Nolan) - Mandatory Issuance of Concealed Weapon Permits.

(Memos and attachments with agenda. Motion approving recommendations needed.)

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

25. Appointments

None

26.

MATTERS TOO LATE FOR THE AGENDA

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

Councilmember Patterson announced Stanislaus State College won 4th place in the N.C.A.A. Region 3 Basketball Championship.

Councilmember Lang mentioned Girl Scout cookies are now being delivered.

ADJOURNMENT

The meeting adjourned at 8:40 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 6, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Tom Deal, Church of the Brethren

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 12, 13, 14, 15, 16, 17, 21,

ACTION: (Bright/Muratore, unan.) 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the March 23, 1982, regular City Council meeting. (Motion approving needed.)

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

UNFINISHED BUSINESS

3. Further consideration of curbside recycling program grant application submitted to the State Solid Waste Management Board by Modesto Disposal Service.

ACTION: Res. 82-279 adopted (Muratore/Lang, unan.) supporting grant application of Modesto Disposal Service to the State Waste Management Board, and rescinding Res. No. 82-195. (P.W. to handle)

3A. Consider resolution of appreciation to Civil Aeronautics Board for its decision concerning air service in Modesto.

ACTION: Res. 82-280 adopted (Elliott/Lang, unan.) expressing appreciation to the C.A.B. for its favorable decision concerning air service in Modesto.

4. Consider the cost implications of the proposed amendment to the contract with the Public Employee Retirement System changing the retirement benefits for Firefighters by providing for the 2% at age 50 retirement formula. (Memo with agenda. Motion acknowledging receipt of cost implications of the proposed amendment.)

ACTION: By motion (Lang/Siefkin, unan.) receipt of cost implication information acknowledged. (Mgmt. Services to handle)

CONSENT

5. Final adoption of Ord. No. 2117-C.S. relating to subdivision regulations. (Motion adopting needed.)

ACTION: By motion, Ord. No. 2117-C.S. adopted. (Clerk to handle)

HEARINGS

6. Hearing to consider increase in Dial-A-Ride fares. (Continued from the December 22, 1981, meeting.)

ACTION: By motion (Elliott/Siefkin, unan.) it was determined that dial-a-ride fares would be maintained through June 30, 1982. (P.T. to handle)
By motion (Siefkin/Muratore, unan.) the Transportation Advisory Committee was discontinued with appreciation expressed to Committee members for their assistance.

7. Hearing to consider annexing the Byron-Emerald Annexation to the Modesto Municipal Sewer District No. 1.

ACTION: Res. 82-281 adopted (Bright/Siefkin, unan.) annexing to Sewer District. (Clerk to handle)

8. Hearing on request by Gilton Solid Waste Management, Inc. for an extension of its license to collect garbage from December 31, 1982, to December 31, 1990, and provision for automatic extensions in the future.

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2118-C.S. introduced.
Res. 82-282 adopted (same vote) assigning agreement with Airport Garbage Co. to Gilton Solid Waste. (P.W. to handle)

9. Hearing to consider amendments and additions to the Municipal Code relating to Zoning Regulations.

ACTION: By motion (Bright/Elliott, unan.) Ord. No. 2119-C.S. introduced, amending and adding sections to the Zoning Regulations.
By motion (same vote) Ord. No. 2120-C.S. introduced relating to appeals.
Res. 82-283 adopted (same vote) certifying review of Environmental Assessment. (Clerk to handle)

10. Hearing to consider the vacation and abandonment of Groveland Avenue south of Grand Street - Gallo Glass Co.

ACTION: By motion (Lang/Elliott, unan.) Council indicated its intent to abandon the street. (Planning to handle)

BIDS

11. Consider approval of plans and specifications and call for bids for street improvements in Chabot Avenue, Duncan Avenue and Muir Road.
(Suggested bid opening: April 27, 1982, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$52,500 (\$36,500 - 1" overlay; \$11,200 - storm drain repair; \$4,800 engineering); funds are budgeted.)

Councilmember Elliott excused due to a conflict of interest.

ACTION: Res. 82-284 adopted (Bright/Siefkin, unan., Elliott absent) calling for bids.
(P.W. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for Project No. 12 - replacement of curb, drive aprons and sidewalks at various locations.
(Suggested bid opening: April 20, 1982, at 11:00 a.m. This project is required to restore proper drainage to curb damaged by City street trees. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$28,860 (\$26,000 - construction; \$2,860 engineering); funds are budgeted.)

ACTION: Res. 82-285 adopted calling for bids. (P.W. to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for the slurry seal program 1981-82.
(Suggested bid opening: April 27, 1982, at 11:00 a.m. This project consists of placing one layer of slurry seal on various residential streets and one layer of slurry seal around T-Hangar "H" at the Modesto City-County Airport. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$234,231 (\$214,066 - contract; \$20,165 - engineering); funds are budgeted.)

ACTION: Res. 82-286 adopted calling for bids. (P.W. to handle)

CONSENT

14. Consider award of contract for the Riverside - El Vista - Scenic water line strengthening.
(Bids were opened on March 30, 1982, for the Riverside - El Vista - Scenic water line strengthening project. The low bid of \$124,653.68, submitted by Mac's Backhoe Service is 13% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract to Mac's Backhoe Service needed. Estimated cost: \$124,653.68; funds are budgeted.)

ACTION: Res. 82-287 adopted awarding contract. (P.W. to handle)

CONSENT

15. Consider acceptance of Clyde Wheeler Pipeline's contract for the construction of water main replacement at Teresa and Grape as complete. (Original contract: \$9,980)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$9,747.25; funds are budgeted.)

ACTION: Res. 82-288 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider authorizing the purchase of one rough terrain crane from the Milo Equipment Company for the total price of \$116,584.10.
(Memorandum with agenda. Resolution authorizing purchase of rough terrain crane from the Milo Equipment Company needed. Funds are budgeted.)

ACTION: Res. 82-289 adopted authorizing purchase. (Finance to handle)

CONSENT

17. Consider amending Resolution 82-170 recommending the purchase of one traffic signal controller from Econolite Control Products rather than Standun Controls for the total amount of \$9,452.02.
(Standun Controls originally low bid the controller to the City of Modesto on January 12, 1982. Standun has since sold its traffic products to Econolite who will honor the proposal. Resolution amending Resolution No. 82-170 to purchase traffic signal controller from Econolite Control Products needed. Funds are budgeted.)

ACTION: Res. 82-290 adopted amending Res. 82-170 and recommending purchase from Econolite Control Products. (Finance to handle)

WRITTEN COMMUNICATIONS

18. Letter from Downtown Improvement District concerning modification of traffic signals on Ninth Street.
(Memo with agenda.)

ACTION: A motion to follow the D.I.D. recommendation died for lack of a second.
By motion (Lang/Bright, majority, Muratore, Siefkin - no) it was determined that Caltrans would be notified that the City does not approve the sensors, but that the City will proceed with its part of the project if the State proceeds.
(P.T. to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Hazel Pederson, Central California Art League thanked the City Council for the help given the Art League during the last six months.

Dennis Wilson requested that the downtown merchants be notified concerning the route of the Cinco de Mayo parade. (P.R. to handle)

NEW BUSINESS

20. Presentation of the Downtown Transportation Center project master plan report. (Memo and report with agenda. The report's authors, Parsons Brinckerhoff, Inc., will present their work on both a one-block and a two-block master plan for the project. Motion referring report to the Planning Commission and interested organizations for comment needed.)

ACTION: By motion (Lang/Siefkin, unan.) report referred to Planning Commission and other groups. (P.T. to handle)

CONSENT

21. Consider street name west of Modesto City-County Airport and portion of South Conejo to be renamed Tioga Drive.
(On March 15, 1982, the Planning Commission adopted Resolution 82-59 recommending to the City Council that a new street west of the Modesto City-County Airport be named Tioga Drive and that the name of South Conejo, south of Monterey Avenue, be changed to Tioga Drive. Resolution adopting street name and changing portion of South Conejo, and authorizing Parking and Traffic Department to construct appropriate street name signs needed. Estimated cost for six signs: \$540; funds are budgeted.)

ACTION: Res. 82-291 adopted, adopting street name changes and authorizing street name sign construction. (P.T. to handle)

CONSENT

22. Consider amending Modesto Municipal Code Sections relating to the operation of Bingo games.
(The State law regulating Bingo has been changed. Our local ordinance must be amended to reflect the State changes. Memo with agenda. Ordinance amending Code sections needed.)

ACTION: By motion, Ord. No. 2121-C.S. introduced. (Clerk to handle)

CONSENT

23. Standiford Avenue No. 3 Governmental Reorganization to the City of Modesto.
(On March 17, 1982, LAFCO approved the Standiford Avenue No. 3 Governmental Reorganization to the City of Modesto. The governmental reorganization would include annexation to the City of Modesto, detachment from the Salida Fire District and annexation to the Modesto Municipal Sewer District No. 1. LAFCO has authorized the Council to proceed without Notice, hearing, or election. LAFCO resolution, environmental assessment findings, and map with agenda. Resolution ordering the Standiford Avenue No. 3 Governmental Reorganization to the City of Modesto and certifying review of environmental impact needed.)

ACTION: Res. 82-292 adopted ordering the Standiford Avenue No. 3 Governmental Reorganization to the City of Modesto. (Clerk to handle)

CONSENT

24. The Cinco de Mayo Committee, a local citizens committee, is seeking permission to hold a parade and a celebration in West Side Park for Cinco de Mayo on May 8, 1982.
(Memorandum with agenda. Resolution approving parade and park activities needed.)

ACTION: Res. 82-293 adopted approving parade and park activities. (P.R. to handle)

CONSENT

25. Amend City of Modesto fiscal year 1981-82 Final Budget to provide for a Community Crime Resistance Program.
(On February 16, 1982, Council authorized the City Manager to sign a grant agreement with the California State Office of Criminal Justice Planning for operation of a Community Crime Resistance Program. It is now necessary to amend the budget to estimate revenues and establish appropriations within the General Fund for this purpose. Resolution amending the Final Budget needed. Estimated cost for fiscal year 81-82 \$15,367; for fiscal year 82-83 \$38,196; total project \$53,563.)

ACTION: Res. 82-294 adopted amending Final Budget. (Finance to handle)

CONSENT

26. Consider acceptance of improvements in Longbridge Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Gregory L. and Karen D. Ellis
(Longbridge Estates subdivision is located east of Longbridge Drive and north of Hetch Hetchy right of way. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 82-295 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

27. Consider approval of the annual recreation agreement between the County of Stanislaus and the City of Modesto.
(This agreement is similar to agreements entered into between the County and the City in previous years. The agreement provides that the County will allocate and transfer to the City \$63,188.50 for expenditures by the City on community recreation for fiscal year 1981-82. This is an increase of \$7,550.18 from last year's allocations. Resolution approving agreement needed.)

ACTION: Res. 82-296 adopted approving agreement. (P.R. to handle)

CONSENT

28. Consider approving lease agreement with Federal Aviation Administration (FAA) to provide land for installation of a new medium intensity approach lighting and runway alignment indicator light system at the Modesto City-County Airport.
(The extended runway safety project at the approach end of Runway 28R is currently being completed. The FAA now wishes to proceed with the construction of a new approach lighting system. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-297 adopted approving agreement. (P.W. to handle)

CONSENT

29. Consider approving contract with Federal Aviation Administration (FAA) for approach lighting system electrical costs at Modesto City-County Airport. (The agreement provides for transferring energy costs for the approach lighting system to the FAA. Memo with agenda. Resolution approving contract needed.)

ACTION: Res. 82-298 adopted approving contract.

(P.W. to handle)

CONSENT

30. Consider approving amendment to agreement with HYE Investments for the lease of the Housing Program Office. (The amendment to agreement raises the City's rental payment on this property from \$900 per month to \$975 per month. This rental is for a one-year period. Resolution approving amendment to agreement needed.)

ACTION: Res. 82-299 adopted approving amendment to agreement.

(P.W. to handle)

CONSENT

31. Consider approving two airport concession agreements for taxicab service with B. Dennis McDonald as follows:

- a. dba Modesto Cab Company
- b. dba Red Top Taxi

(The new agreements are basically a renewal of the old agreements with two exceptions. The first is that the concession fees have been lowered from \$120/year to \$25/year each. The other is the elimination of the requirement that the cab companies be on the phone/advertising board. Both exceptions were made at the request of the operator who has indicated that because of the economy, he cannot operate at the Airport without these considerations. These agreements will expire September 30, 1982, and will be reviewed at that time. Two resolutions approving agreements needed.)

ACTION: Res. 82-300 adopted approving concession agreement for Modesto Cab Company.

Res. 82-301 adopted approving concession agreement for Red Top Taxi Company
(P.W. to handle)

CONSENT

32. Consider authorizing the City Manager to sign two contracts with Wang Laboratories for providing maintenance services on word processing equipment operated by the Police Department and Word Processing Center. (The word processing equipment was recently furnished and installed by Wang Laboratories, and the warranty on the equipment will expire in ninety days. Wang Laboratories is the only authorized agent that can perform the maintenance services. Resolutions approving two maintenance contracts needed. Estimated cost: \$24,408; funds are budgeted.)

ACTION: Res. 82-302 adopted approving maintenance contract for Police Department.

Res. 82-303 adopted approving maintenance contract for Word Processing Department.
(Police/Mgmt. Services to handle)

CONSENT

- 33. Recommend to Council an amendment to the Zoning Ordinance - Two Year Extension for Nonconforming Signs.
(On March 15, 1982, the Planning Commission adopted Resolution 82-51 recommending to the City Council an amendment to Section 10-2.3507 of the Zoning Ordinance pertaining to a two-year extension of the January 1, 1982, deadline for existing signs not conforming to the 1970-71 Sign Regulations. Resolution setting public hearing April 20, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-304 adopted setting hearing.

(Clerk to handle)

- 34. Consider approval of joint powers agreement to create the Central California Mortgage Authority.
(Memo with agenda. The joint powers agreement enables the cities of Modesto and Merced to continue with their single-family mortgage revenue bond issues. Resolution approving a joint powers agreement needed, and resolution appointing the Mayor and a Councilmember to serve on the joint powers agreement (JPA) board needed.)

ACTION: Res. 82-305 adopted (Bright/Siefkin, unan.) approving joint powers agreement.
Res. 82-306 adopted (same vote) appointing Mayor Mensinger and Vice Mayor Muratore to the JPA Board.

(Planning to handle)

MISCELLANEOUS

CONSENT

- 35. Legislation: Staff recommends:

OPPOSING

- a) SB 1440 (Dills) and AB 2638 (Papan) - Extension of Moritorium on Billboard Removal to January 1, 1984
- b) SB 1575 (Boatwright) - Permanent 10% Cost of Living Adjustment Proposal for PERS
- c) SB 1626 (Marks) - Committees Added to Brown Act

SUPPORTING

- d) AB 2422 (Thurman) - Public Transportation: Funding
- e) AB 2607 (Sebastiani) - Crimes: Fines and Forfeitures
- f) AB 2707 (Hallett) - California Aeronautics Board

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

ACTION: By motion, recommendations approved.

- 36. Appointments

None

- 37.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

The meeting adjourned at 6:15 p.m.

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 13, 1982, AT 7:30P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Marvel Dunbar, Chaplain, Memorial Hospital Association

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 10, 11, 12, 13, 14, 15, 16,
Removed from consent: 22 18, 19, 20, 21, 23, 24, 25

ACTION: (Lang/Bright, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by "The Classic Rendition" quartet observing the 25th anniversary of Modesto Melody Makers during Barbershop Harmony Month: Royal Lloyd, Tenor; Steve Leipelt, Lead; Gary Off, Bass; Pat Hensley; Baritone. Following a song by the quartet, Mayor Mensinger presented a proclamation designating April as Barbershop Quartet Month in Modesto.

MINUTES

CONSENT

2. Approval of the minutes of the April 6, 1982, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:
 - a. Ord. No. 2118-C.S. granting to Gilton Solid Waste Management, Inc. a license for garbage collection.
 - b. Ord. No. 2119-C.S. amending Zoning Regulations.
 - c. Ord. No. 2120-C.S. amending Municipal Code relating to appeals. (Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

4. Further consideration of alley reconstruction in Block 517, Virginia-Hackberry/Alice-Wright. (Continued from the March 23, 1982, City Council meeting.) (Memo with agenda.)

ACTION: Res. 82-307 adopted (Bright/Siefkin, unan.) canceling the ordered construction. (P.W. to handle)

5. Consideration of funding for bicycle parking. (Memo with agenda. Followup to City Council action of October, 1981. Resolution adopting bicycle parking program needed. Estimated cost: \$4,000 (50% non-motorized funds, 50% assessment.)

ACTION: Res. 82-308 adopted (Siefkin/Lang, majority, Elliott-no) adopting recommended bicycle parking program. (Planning to handle)

HEARINGS

6. Hearing to consider vacation of walkway in Blocks 6712 and 6716 between College Avenue and Wildwood Drive.

ACTION: By motion (Lang/Siefkin, majority, Elliott-no) Council indicated its intention to grant the appeal and close the walkway. (Planning to handle)

By motion (Lang/Siefkin, unan.) an evaluation of ways of improving drainage in the College/Phelps/Wildwood area was requested. (P.W. to handle)

By unanimous consent, Item 9 was considered at this point.

7. Hearing to consider request by Capital Cities for increase in cable television rates.

ACTION: Res. 82-309 adopted (Muratore/Lang, unan.) supporting staff recommendation and denying request for a rate increase. (Clerk to handle)

8. Hearing to consider proposed amendment to P-D(53) to allow a family amusement machine center, property located at the northeast corner of Sylvan Avenue and Coffee Road. (Rocky and Karlea Gould)

ACTION: Res. 82-310 adopted (Lang/Siefkin, majority, Elliott, Muratore, Patterson-no) overruling recommendation of Planning Commission and denying application. (Clerk to handle)

9. Hearing to consider appeal of Laverne Meyers and Suzanne R. Neptune to a Board of Zoning Adjustment decision regarding a conditional use permit for a family amusement machine center at 123 McHenry Avenue.

ACTION: Res. 82-311 adopted (Elliott/Patterson, majority, Muratore, Siefkin and Mayor Mensinger - no) denying appeal and upholding the Board of Zoning Adjustment decision. (Clerk to handle)

BIDS

CONSENT

10. Consider approval of plans and specifications and call for bids for downtown city streets - second layer slurry seal.
(Suggested bid opening: April 27, 1982, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$151,934.42 (\$138,122.20 Contract; \$13,812.22 Engineering); funds are budgeted.)

ACTION: Res. 82-312 adopted calling for bids. (P.W. to handle)

CONSENT

11. Consider approval of plans and specifications for the oiling of road at the remote ponds.
(Suggested bid opening: May 4, 1982, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$6,700 (\$6,100 Contract; \$600 Engineering); funds are budgeted.)

ACTION: Res. 82-313 adopted calling for bids. (P.W. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the waterline extension on Snyder from Dale to Veneman.
(Suggested bid opening: May 4, 1982, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$73,713 (\$64,213 Engineering; \$9,500 Contingencies); funds are budgeted.)

ACTION: Res. 82-314 adopted calling for bids. (P.W. to handle)

CONSENT

13. Consider approving specifications and authorize call for bids to be opened May 11, 1982, at 2:20 p.m. for furnishing street trees.
(Requested by the Parks and Recreation Tree Division, the trees will be nurtured at the Sutter Street Nursery and eventually planted as new or replacement trees on City streets. Resolution authorizing call for bids needed. Estimated cost: \$22,000; funds are budgeted.)

ACTION: Res. 82-315 adopted calling for bids. (Finance to handle)

CONSENT

14. Consider award of contract for the Beyer ballpark lighting installation.
(Bids were opened on April 6, 1982. The low bid of \$156,971, submitted by Bowden Electric, is 10% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works and Parks and Recreation Departments that the contract be awarded to them. Resolution awarding contract to Bowden Electric, Inc. needed. Funds are budgeted.)

ACTION: Res. 82-316 adopted awarding contract. (P.W. to handle)

CONSENT

15. Consider acceptance of Art Brown Construction's contract for Mancini Bowl restoration as complete. (Original contract and final cost: \$41,994) (All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 82-317 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of Clyde Wheeler Pipeline's contract for Norwegian, Gordon, Tokay Avenue water system strengthening as complete. (Original contract: \$21,248.30) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$21,020.30; funds are budgeted.)

ACTION: Res. 82-318 adopted accepting work as complete. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

18. Presentation of monthly financial statement for March, 1982. (Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of financial statement acknowledged.

CONSENT

19. Consider agreement renewing lease for Central California Art League, Inc. (This agreement would renew the lease with the Central California Art League to lease rooms AL1, AL2, AL3 and AL4 at the McHenry Museum, beginning April 14, 1982. The rent will be increased from \$157 per month to \$220 per month. All other conditions remain the same. Art League has signed lease. Resolution approving agreement needed.)

ACTION: Res. 82-319 adopted approving agreement. (P.R. to handle)

CONSENT

20. Consider pre-application requesting Federal assistance for City of Modesto to develop a command and control center (Emergency Operation Center). (This pre-application is the first step in obtaining Federal funds covering one-half the cost of converting the pistol range in the Police Department building to an emergency operation center and purchasing necessary furnishings and equipment. Memo with agenda. Resolution authorizing City Manager to sign and file pre-application needed. Estimated cost: \$12,745 (City matching funds to be requested in 1983-84 C.I.P.)

ACTION: Res. 82-320 adopted authorizing City Manager to sign and file pre-application.
(Fire to handle)

CONSENT

21. Consider authorizing the filing of a Federal grant application requesting financial assistance for a 2-block Downtown Transportation Center. (Memo with agenda. The grant application would cover \$466,000 of the estimated \$3,820,000 cost of the two-block plan for the Downtown Transportation Center. Resolution authorizing the filing of the grant application and authorizing the City Manager to execute the grant when approved needed.)

ACTION: Res. 82-321 adopted authorizing filing of grant application. (P.T. to handle)

22. Consider approving an agreement with Stanislaus County Court Referral Program to provide a Work Program designed to allow an offender the opportunity to perform community service in lieu of a fine and/or incarceration. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-322 adopted (Siefkin/Patterson, unan.) approving agreement with Stanislaus County Court Referral Program. (Mgmt. Services to handle)

CONSENT

23. Proposed vacation and abandonment of 18th Street and two alleys in Block 132 adjacent to former Lincoln School site. (The City has acquired all properties adjacent to these rights-of-way and it is desirable to abandon the street and alleys to consolidate the land as a single site for future development. It is recommended that the abandonment be referred to the Planning Commission for informal hearing and recommendation. Map with agenda. Motion referring to Planning Commission needed.)

ACTION: By motion, proposed vacation and abandonment referred to Planning Commission.
(Planning to handle)

CONSENT

24. Consider amendment to Modesto Municipal Code to require 10 days positive notice of cancellation of automobile liability insurance for airport users who drive private vehicles on airport property. (Memorandum with agenda. Introduction of ordinance amending Section 7-3.108.4 of the Modesto Municipal Code needed.)

ACTION: By motion, Ord. No. 2122-C.S. introduced. (Clerk to handle)

MISCELLANEOUS

CONSENT

25. Legislation: Staff recommends:

SUPPORT

- a) SB 1592 (Russell) - Reinstatement of Mandated Cost Reimbursements
- b) AB 2734 (Moore) - Unauthorized Cable T.V. Connections
- c) SB 1505 (Montoya) - Unauthorized Cable T.V. Connections
- d) AB 2796 (Moore) - Revenue Bonds to Finance Cable T.V. System

SUPPORT IN CONCEPT

- e) AB 2735 (Moore) - Cable T.V. Privacy
- f) AB 2897 (Roos) - Cable T.V. Privacy
- g) AB 2778 (Moore) - Changes to AB 699

NO POSITION

- h) AB 2725 (Ingalls) - Cable T.V. Pole Space
- i) SB 1446 (Montoya) - Cable T.V. Pole Attachments
- j) SB 1506 (Montoya) - PBC Study on Use of Cable for Security and Fire Alarms
- k) SB 1804 (Montoya) - CPBC Study of Local Government Refranchising
- l) SB 1700 (Russell) - Pornography on Cable
- m) AB 3130 (Moore) - Local Authority Under "Boulder"
- n) AB 2871 (Moore) - Exempts Monthly Cable Charges from State Sales and Use Tax

OPPOSE

- o) AB 2418 (Green & Brown) - Property Tax Revenue Shift
- p) SB 1425 (Ayala) - Urban Development Incentives Bill
- q) SB 1534 (Mello) - Second Family Units
- r) SB 1444 (Montoya) - Public and Municipal Ownership Ban
- s) SB 1386 (Montoya) - Canadian Ownership Ban
- t) AB 3685 (Young) - Changes to AB 699
- u) AB 2742 (Robinson) - Comprehensive PUC Jurisdiction

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

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

26. Appointments
None

27. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)
None

28. CLOSED SESSION
(Closed session to consider employee relations and property acquisition.)

Adjourned to closed session at 10:45 p.m. and did not return to open session.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 20, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 8, 9, 10, 11, 13, 16,
Removed from consent: 15 17, 18, 19, 20, 21, 22, 23, 24

ACTION: (Lang/Bright, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the April 13, 1982, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2122-C.S. relating to airport insurance requirements.
(Motion adopting needed.)

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

4. Market evaluation of the Lincoln School site.
(Ms. Kate Funk of Keyser Marston Associates, Inc., has directed a study of the Lincoln School site and preparation of a market evaluation. We are now prepared to begin Phase 2 of the contracted work. Memo and report with agenda. Motion acknowledging receipt of the report (Phase 1) and approving the expenditure of budgeted funds. Resolution approving Phase 2 of the contract on a time and materials basis, not to exceed \$2,000; Estimated cost: Phase 1 - \$6,500; Phase 2 - up to \$2,000; funds are budgeted.)

ACTION: By motion (Lang/Elliott, unan.) receipt of report acknowledged, payment authorized, and staff directed to distribute copies of the report to interested community groups.

Res. 82-323 adopted (Lang/Elliott, unan.) approving Phase 2. (Planning to handle)

HEARINGS

5. Hearing on appeal by Zagaris Management Services on behalf of Charles Bedoian to a Board of Zoning Adjustment decision concerning installation of a carport at 1333 Fordham Avenue.

ACTION: Res. 82-324 adopted (Bright/Siefkin, unan.) granting the appeal and granting the variance with the condition that the existing garage door be concealed with a wall. (P.W. to handle)

6. Hearing on proposed amendment to P-D(156), to allow a non-attendant parking and vehicle storage area, property located on the west side of Tully Road north of Standiford Avenue. (John Ward)

ACTION: By motion (Lang/Muratore, majority, Elliott-no) Ord. No. 2123-C.S. introduced.
Res. 82-325 adopted (same vote) amending P-D(156) (Clerk to handle)

7. Hearing to consider an amendment to the Zoning Ordinance - two-year extension for nonconforming signs.

ACTION: By motion (Siefkin/Elliott, unan.) Ord. No. 2124-C.S. introduced.
Res. 82-326 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

8. Consider approving specifications and authorizing the call for bids to be opened on May 11, 1982, at 2:00 p.m., for furnishing swimming pool chlorine and muratic acid.
(The swimming pool chlorine and muratic acid will be used throughout the year by the Parks and Recreation Department for swimming and training pool maintenance. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$7,400; funds are budgeted.)

ACTION: Res. 82-327 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and authorizing the call for bids to be opened on May 11, 1982, at 2:10 p.m., for furnishing the City's annual requirements for traffic line paint.
(The paint will be used by the Parking and Traffic Department for marking new and existing streets and parking lots. Estimated cost: \$41,000; funds are budgeted. Resolution approving specifications and authorizing call for bids needed.)

ACTION: Res. 82-328 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider acceptance of Wallace Electric's contract for renovation of interior lighting at the Modesto Police Department as complete. (Original contract: \$6,725)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$6,911.95; funds are budgeted.)

ACTION: Res. 82-329 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider acceptance of Hansen's, Inc.'s contract for installation of air ventilation system at downtown repair shop and heater relocation at service shop at Corporation Yard as complete. (Original contract: \$18,977)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting the work as complete needed. Final cost: \$19,298; funds are budgeted.)

ACTION: Res. 82-330 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

12. Request by Dave Kilby to discuss the Chamber of Commerce Tourism Committee's movie promotion effort.

ACTION: Mr. Kilby reported on efforts being made to attract the movie industry to Modesto.

CONSENT

13. Request by Downtown Improvement District for permission to hold sidewalk sales on the following dates: April 30th through May 2nd, May 12th through May 15th, July 14th through July 17th and September 15th through September 18th, 1982. (Motion approving needed.)

ACTION: By motion, request approved.

(Planning to handle)

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

None

NEW BUSINESS

15. Consider agreement with Gibbs & Hill, Inc. to perform feasibility studies on biomass power plant.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$68,573. Funds are budgeted as follows: \$20,000 in fiscal year 81-82; \$50,000 in 82-83 C.I.P. Agreement provides for termination of work on July 1, 1982, at not more than \$20,000 if fiscal year 82-83 funds not appropriated.)

ACTION: Res. 82-331 adopted (Lang/Elliott, unan.) approving agreement. (P.W. to handle)

CONSENT

16. Consider renewal of food concession at Beard Brook Park.
(Charles Wright has requested the renewal of his contract to operate a food concession at Beard Brook Park. The City's relationship with Mr. Wright regarding the concession has been most satisfactory, and it is recommended that the contract be renewed for one year, 5-1-82 to 4-30-83. All the terms and conditions which applied under the last agreement will remain substantially the same. Resolution approving agreement needed.)

ACTION: Res. 82-332 adopted approving agreement.

(P.R. to handle)

CONSENT

17. Consider amending Municipal Code, adding a "Certificate of Insurance" requirement for Workers Compensation for businesses at the Airport.
(This amendment is required to bring Airport insurance requirements with lessees in line with other City operations. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2125-C.S. introduced, (Clerk to handle)

CONSENT

18. Consider establishment of procedures for collecting construction water fee and the establishment of a fee for construction water.
(Memo with agenda. Resolution establishing fee needed.)

ACTION: Res. 82-333 adopted establishing fee. (P.W./Finance to handle)

CONSENT

19. Consider increasing the Parking Fund Petty Cash Account from \$20 to \$60.
(Because about ninety customers each day pay by cash at the 11th Street Garage and may pay with large bills, the current petty cash account is inadequate. Resolution authorizing the transfer of \$40 from the Parking Fund to the Petty Cash GL Account and rescinding Res. No. 73-368 needed.)

ACTION: Res. 82-334 adopted authorizing transfer and rescinding Res. 73-368.
(Finance/P.T. to handle)

CONSENT

20. Consider approving Youth-In-Government Day on May 18, 1982.
(Memo with agenda. Motion approving request needed. Estimated cost: \$250; funds are budgeted.)

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

CONSENT

21. Amendment to the Land Use and Circulation Element of the General Plan - Brighton Avenue major street designation between Yosemite Boulevard and Scenic Drive.
(On April 5, 1982, the Planning Commission adopted Resolution No. 82-64 recommending to the City Council the adoption of an amendment to the Land Use and Circulation Element of the Modesto Urban Area General Plan to delete the Brighton Avenue major street designation between Yosemite Boulevard and Scenic Drive. Resolution setting public hearing May 11, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-335 adopted setting hearing. (Clerk to handle)

CONSENT

- 22. Consider setting hearing in connection with the revision of the Conflict of Interest Code of the Finance Department, Planning & Community Development Department, Public Works Department, and the Rehabilitation Loan Pool Subcommittee.
(Resolution setting hearing Tuesday, May 4, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-336 adopted setting hearing. (Clerk to handle)

CONSENT

- 23. Consider the repeal of Modesto Municipal Code Section 5-3.02 which prohibits the sale of unpasteurized milk.
(The Health Department has determined that consumers are reasonably protected by the safeguards provided by existing State law. Memorandum with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2126-C.S. introduced. (Clerk to handle)

MISCELLANEOUS

CONSENT

- 24. Legislation: Staff recommends:

OPPOSING

- a) AB 3011 (Torres) - Workers' Compensation: Firefighters
- b) AB 3433 (Kapiloff) - Preemption of Local Government for Siting of Solid Waste Facilities

SUPPORTING

- c) SB 1477 (Marks) - Fiscal Affairs

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

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

- 25. Appointments
None

- 26. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)
None

ADJOURNMENT

at 6:10 p.m.
Adjourned/ to J. R. Maxwell's, 3105 McHenry Avenue, for meeting
with Human Relations Commission.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
April 20, 1982

The Council of the City of Modesto met pursuant to adjournment
at 6:30 p.m. at J.R. Maxwell's, 3105 McHenry Avenue, Modesto, California.

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

Absent: None

The City Council met with members of the Human Relations Commission
to discuss matters of mutual interest.

The meeting was adjourned at 8:15 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



4/20/82

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 27, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Vice Mayor Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 6, 7, 8, 9, 10, 12, 14, 15, 16, 17, 18

ACTION: (Muratore/Lang, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by John Marshall and Tom Moore on behalf of the California Relays. Tom Moore, John Marshall and Bill Moorad presented a plaque to the City of Modesto in appreciation of the financial support given to the Cal Relays. Mayor Mensinger gave the Relays representatives a letter of welcome to include in their program.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting and the adjourned regular City Council meeting of April 20, 1982.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2124-C.S. relating to a two-year extension for nonconforming signs.
- b. Ord. No. 2125-C.S. relating to Workers' Compensation Insurance Requirements at Modesto City-County Airport/Harry Sham Field.
- c. Ord. No. 2126-C.S. relating to food and dairy products.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

CONSENT

4. Further consideration of walkway abandonment - Blocks 6712 and 6716 between College Avenue and Wildwood Drive.
(This walkway abandonment was considered by the City Council at a public hearing held on April 13, 1982. The Council indicated their intention to abandon the walkway subject to an agreement pertaining to construction of fences across the walkway openings and incorporation of the abandoned area into adjacent yards. The agreement has now been executed by adjacent owners and final abandonment would be in order. Resolution vacating and abandoning walkway, certifying environmental review, and directing filing of Notice of Determination needed.)

ACTION: Res. 82-337 adopted abandoning walkway.

(Planning to handle)

HEARINGS

5. Hearing on amendment to Section 30-3-9 of the Zoning Map to rezone from C-1 to P-D(324), property located on the southeast corner of Kansas Avenue and Emerald Avenue to allow a restaurant serving hard liquor in addition to C-1 Zone uses. (Patrick M. Lyons)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2127-C.S. introduced.

Res. 82-338 adopted (same vote) approving development plan.

Res. 82-339 adopted (same vote) certifying review of environmental assessment.
(Clerk to handle)

BIDS

CONSENT

6. Consider approving specifications and authorizing the call for bids to be opened on May 18, 1982, at 2:00 p.m. for furnishing the City's annual requirements of ready-mixed concrete products.
(The ready-mixed concrete products will be used primarily by the Public Works and Parks and Recreation Departments for new construction and repair projects. Resolution approving specifications and authorizing the call for bids needed. Estimated cost: \$17,500; funds are budgeted.)

ACTION: Res. 82-340 adopted calling for bids. (Finance to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the Police Department computer facility.
(Suggested bid opening: May 18, 1982, at 11:00 a.m. The project consists of heating, ventilation and air conditioning and electrical system modifications to the existing Police Department facility to accomodate the recently acquired computer system for the Police Department. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$15,600 (Contract \$13,000; Engineering & Cont. \$2,600); funds are budgeted.)

ACTION: Res. 82-341 adopted calling for bids. (P.W. to handle)

CONSENT

8. Consider award of contract for Project No. 12 - replacement of curbs, drive aprons and sidewalks at various locations.
(Bids were opened April 20, 1982. The low bid of \$21,889, submitted by George Reed, Inc. is 15.8% below the engineer's estimate and considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Estimated cost: \$24,489 (Construction \$21,889; Engineering \$2,600); funds are budgeted.)

ACTION: Res. 82-342 adopted awarding contract. (P.W. to handle)

CONSENT

9. Consider acceptance of Bond Construction's contract for construction of waterline extension at Franklin and Beech as complete. (Original contract: \$18,996)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$19,864; funds are budgeted.)

ACTION: Res. 82-343 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened May 18, 1982, at 2:10 p.m. for furnishing fire fighting equipment. (Requested by the Fire Department, the equipment will be used to outfit a new 1500 gpm pumper truck now under construction. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$15,000; funds are budgeted.)

ACTION: Res. 82-344 adopted calling for bids.

(Finance/Fire to handle)

WRITTEN COMMUNICATIONS

11. Request of Marsha Waggoner, Chairman of the Renaissance Festival, to speak about the Festival.
Ms. Waggoner invited the Council to attend the 10th annual Renaissance Festival to be held on May 1 and 2, 1982, at the M.J.C. West Campus for the benefit of the Coffee Stockard School P.T.A. and Modesto Junior College.

CONSENT

12. Letter from the Downtown Improvement District requesting notification by parade applicants when there is going to be a parade in the downtown area. (Motion referring to staff needed.)

ACTION: By motion, request referred to staff.

(Police/ P.R. to handle)

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

None

NEW BUSINESS

CONSENT

14. Consider adoption of a filing fee for rehearing of applications to vacate and abandon.
(It is recommended that the filing fee for rehearing of an abandonment application be established at \$265. This fee would apply when a new public hearing is necessary but most staff work has been completed previously. Memo with agenda. Resolution adopting revised filing fees for vacation and abandonment applications and rescinding Res. No. 81-1001 needed.)

ACTION: Res. 82-345 adopted adopting revised filing fees.

(Planning to handle)

CONSENT

15. Consider request for sewer service to property outside City limits at 900 Panama Avenue, located on the southeast corner of Panama and Florence Avenue. Owners: Ralph E. and Millicent L. Rostad (The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Re. 82-348 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider approving acquisition and lease agreements with Don L. Thiel. (Mr. Thiel has agreed to sell the required property at 618 - 10th Street, known as Thiel's Suzuki, to the City of Modesto for the appraised value of \$135,000. He has also agreed to lease the property back for one year for \$550/month, taxes and maintenance. This is the first of three properties needed for the Police Facilities Expansion Project. Resolution approving acquisition agreement needed, and resolution approving lease agreement needed. Estimated cost: \$139,000 (\$135,000 purchase price; \$4,000 estimated escrow); funds are budgeted.)

ACTION: Res. 82-346 adopted approving acquisition agreement.
Res. 82-347 adopted approving lease agreement. (P.W. to handle)

CONSENT

17. Implementation of the 2% at age 50 retirement formula for Firefighters. (Memorandum with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2128-C,S, introduced. (Clerk to handle)

MISCELLANEOUS

CONSENT

18. Legislation: Staff recommends:

OPPOSING

- a. AB 2782 (Katz) Mandatory Attorney's Fees in Peace Officer Bill of Rights
- b. AB 3068 (Berman) Local Public Employer-Employee Relations - Retirees
- c. AB 3148 (Roos) Local Government Employer-Employee Relationships
- d) AB 3702 (Costa) Limitation on School Exactions
- e) Workers' Compensation Cost Reimbursements
- f) AB 3414 (Roos) Police Officer Licensing

NEUTRAL POSITION

- g) AB 253 (Alatorre) Police Officer Part-Time Employment as a Security Guard

CONSENT

18. Legislation (Continued): Staff recommends:

SUPPORTING

h) SB 1618 (Greene) Local Public Entity Employees Fund

i) SB 1752 (Russell) Unemployment Insurance

j) H.R. 5833 "The Synthetic Fuels Corporation of 1982"

k) Antitrust Legislation - The Boulder Decision (The Council is being asked to go on record supporting legislation to reverse the Boulder decision.)

(Motion accepting staff recommendations needed.)

ACTION: By motion, recommendations approved.

(Mgmt. Services to handle)

19. Appointments

None

20.

MATTERS TOO LATE FOR THE AGENDA

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

Mayor Mensinger extended the Council's best wishes to Mike Bush, Cablecom T.V. cameraman, on his new job in Visalia.

21.

CLOSED SESSION

(Closed session to consider pending litigation and employee relations.)

ADJOURNMENT

Council adjourned to closed session at 7:50 p.m. and did not return to open session.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 4, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 6, 7, 8, 11, 12, 15, 16,
17, 18, 22, 23, 24, 25, 26, 27, 28, 29, 31

Dropped from agenda: 14

Removed from consent: 30

ACTION: (Bright/Elliott, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the April 27, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes adopted.

(Clerk to handle)

3. Final adoption of Ord. No. 2123-C.S., amending P-D(156) to allow a non-attendant parking and vehicle storage area, property located on the west side of Tully Road north of Standiford Avenue. (John Ward)
(Motion adopting needed.)

ACTION: By motion (Muratore/Lang, majority; Elliott-no) ordinances adopted.
(Clerk to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2127-C.S., rezoning from C-1 to P-D(324) to allow a restaurant serving hard liquor in addition to C-1 Zone uses. (Patrick Lyons/Valley Plaza Shopping Center)
- b. Ord. No. 2128-C.S., authorizing an amendment to the contract with PERS to implement the 2% at age 50 retirement formula for Firefighters.

(Motion adopting needed.)

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

HEARINGS

5. Hearing to consider revisions to Conflict of Interest Codes of the Finance Department, Planning and Community Development Department, Public Works Department, and the Rehabilitation Loan Pool Subcommittee.

ACTION: Res. 82-349 adopted (Lang/Elliott, unan.) amending Conflict of Interest Code for Finance Department.

Res. 82-350 adopted (same vote) amending Conflict of Interest Code for Planning and Community Development Department.

Res. 82-351 adopted (same vote) amending Conflict of Interest Code for Public Works Department.

Res. 82-352 adopted (same vote) amending Conflict of Interest Code for Rehabilitation Loan Pool Subcommittee. (Clerk to handle)

BIDS

CONSENT

6. Consider approving specifications and authorizing the call for bids to be opened May 25, 1982, at 2:00 p.m. for furnishing the City's annual requirements of rock, sand and gravel products.
(The rock, sand and gravel products will be used throughout the City for expansion, repair and capital outlay projects. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$25,000; funds are budgeted.)

ACTION: Res. 82-353 adopted calling for bids. (Finance to handle)

CONSENT

7. Consider approving specifications and authorizing call for bids to be opened May 25, 1982, at 2:10 p.m. for furnishing annual compaction and aggregate testing services.
(The compaction and aggregate tests will be performed on various City street, water or construction projects and the services will be purchased intermittently throughout the 1982-83 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$9,500; funds are budgeted.)

ACTION: Res. 82-354 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approving plans and specifications and call for bids for the construction of East La Loma Park tennis courts.
(Suggested bid opening: May 25, 1982 at 11:00 a.m. Resolution approving plans and specifications needed. Estimated cost: \$116,812 (Contract \$110,812; Engineering \$6,000); funds are budgeted.)

ACTION: Res. 82-355 adopted calling for bids. (P.W. to handle)

9. Consider awarding contract for improvements to parking deck at 11th and K Streets. (Memo and letter from DID with agenda. Mr. John Ward opposes parts of the work. Bids were opened on April 20, 1982, and exceed budgeted funds. The low bidder is Rolfe Construction at \$34,891. A transfer of \$12,500 is needed to proceed with the work. Resolution transferring funds out of Contingency Reserves for Land Acquisition and Capital needed, and resolution awarding the contract needed. Estimated cost: \$38,500; funds are partially budgeted.)

ACTION: Res. 82-356 adopted (Siefkin/Bright, unan.) approving appropriation transfer.
Res. 82-357 adopted (same vote) awarding contract. (P.T. to handle)

10. Consider award of contract for the street improvements - Chabot Avenue, Duncan Avenue and Muir Road.
(Bids were opened on April 27, 1982. The low bid of \$35,280 is 21% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to The Flintkote Co. Resolution awarding contract needed. Funds are budgeted.)

Councilmember Elliott excused due to conflict of interest.

ACTION: Res. 82-358 adopted (Lang/Bright, unan., Elliott absent) awarding contract. (P.W. to handle)

CONSENT

11. Consider award of contract for the slurry seal program 1981-82.
(Bids were opened on April 27, 1982. The low bid of \$204,391.69, submitted by Ted R. Jenkins is 5% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Ted R. Jenkins needed. Funds are budgeted.)

ACTION: Res. 82-359 adopted awarding contract. (P.W. to handle)

CONSENT

12. Consider award of contract for the second layer of slurry seal on downtown streets. (Bids were opened on April 27, 1982. The low bid of \$81,703.92, submitted by Ted R. Jenkins, is 41% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to him. Resolution awarding contract to Ted R. Jenkins needed. Funds are budgeted.)

ACTION: Res. 82-360 adopted awarding contract. (P.W. to handle)

13. Consider waiving formal bid procedures and authorize the purchase of one garden refuse packer body from the Heil Equipment Company for the total price of \$28,088.94. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 82-361 adopted (Siefkin/Lang, unan.) waiving formal bid procedures. (Finance to handle)

14. Consider waiving formal bid procedures and authorize the purchase of well pump repair services from Howk Well and Equipment Company for the total price of \$5,349.62. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

15. Consider authorizing the City Manager to accept the written proposal of the Modesto Bee to print and publish the official legal advertising for one year beginning July 1, 1982, and ending June 30, 1983. (Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$15,000; funds are budgeted.)

ACTION: Res. 82-362 adopted approving agreement. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

16. Request by Mr. & Mrs. Stephen Parvis for a change in bus route #6 so that it does not include Spring Oak Drive. (Motion referring to City-County Transportation Committee for recommendation needed.)

ACTION: By motion, referred to City-County Transportation Committee. (P.T. to handle)

CONSENT

17. Letter from Cal Purviance resigning from the Planning Commission.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 82-363 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

18. Letter from Downtown Improvement District concerning an addition to the downtown parking structure.
(Motion referring request to proper budget session needed.)

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

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

Jeanetta Ayers spoke briefly.

NEW BUSINESS

20. Presentation of 1982-83 Preliminary Budget and Four-Year Capital Improvement Program 1982-83 through 1985-86.
(Copies of both documents will be presented at the meeting. Resolution setting public hearing June 8, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-364 adopted (Lang/Elliott, unan.) setting hearing. (Finance/Clerk to handle)

21. Consider preliminary report on results of ground water study conducted jointly by City of Modesto and U.S. Geological Survey.
(Staff has prepared a brief preliminary report evaluating data generated from a computer ground water model prepared by the U.S.G.S. Report suggests additional work to be done on review of ground water situation by staff and the inviting of the M.I.D. to participate with City in this effort. Report with agenda. Motion acknowledging receipt of report and directing staff needed.)

ACTION: By motion (Elliott/Siefkin/^{unan.} acknowledged receipt of report and directed staff. (P.W. to handle)

CONSENT

22. Consider approving agreement with George H. and Dora Ann Mendonca for the acquisition of their property at 608-10th Street.
(The Mendoncas have agreed to sell the required property for the appraised value of \$155,000, to be paid to the Mendoncas in four installments at their request. This is the second of three properties needed for the Police Facilities Expansion Project. Memo with agenda. Resolution approving agreement needed. Estimated total cost: \$162,500 (purchase price \$155,000; est. escrow \$7,500); funds are budgeted.)

ACTION: Res. 82-365 adopted approving agreement. (P.W. to handle)

CONSENT

23. Consider approving agreement with Valley Freight Express to lease part of the Terminal Building at the Modesto City-County Airport/Harry Sham Field and to operate an air freight concession.
(This is a renewal of an existing agreement. The only changes are an increase in rent from \$160/month to \$200/month and an increase in the apron charge from \$20 to \$25 per month. The agreement is for one year. Resolution approving agreement needed.)

ACTION: Res. 82-366 adopted approving agreement.

(P.W. to handle)

CONSENT

24. Consider consenting to assignment of lease from Hawke Flying Service, Inc. to Mercury Refueling, Inc., and approving Mercury Refueling as a fixed base operator. (Hawke Flying Service wishes to sell the business to Mercury Refueling and assign the present lease which expires July 31, 1982. Mercury Refueling wishes to operate at the Airport as a fixed base operator. Staff has reviewed their qualifications and recommends the transfer. Memo with agenda. Resolution consenting to assignment of lease needed, and resolution permitting Mercury Refueling, Inc. to operate as a fixed base operator needed.)

ACTION: Res. 82-367 adopted approving assignment of lease from Hawke Flying Service, Inc. to Mercury Refueling, Inc.

Res. 82-368 adopted approving agreement with Mercury Refueling, Inc.

(P.W. to handle)

CONSENT

25. Set date for public hearing for proposed Sherwood Forest No. 2 Annexation. (On April 21, 1982, LAFCO approved this inhabited annexation which was approved by a resolution of application by the City Council pursuant to petitions submitted by property owners. The proposed annexation of 40 acres includes the area bounded by Sylvan Avenue, Greenwich Lane, Mansfield Lane and Lancashire Lane. The land consists of 102 dwellings. Resolution initiating annexation proceedings and setting public hearing June 8, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-369 adopted initiating annexation proceedings and setting hearing.

(Clerk to handle)

CONSENT

26. Set date for public hearing for proposed Carpenter Road No. 3 Annexation. (On April 21, 1982, LAFCO approved this inhabited annexation which was approved by a resolution of application by the City Council pursuant to petitions submitted by property owners. The proposed annexation of 20.25 acres includes the area bounded by Carpenter Road, Watts Avenue and Woodland Avenue. The land consists of 38 dwellings on rural-residential parcels ranging from .25 acre to 1.66 acres. Resolution initiating annexation proceedings and setting public hearing June 8, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-370 adopted initiating annexation proceedings and setting hearing.

(Clerk to handle)

CONSENT

27. Recommend to Council an amendment to the Standard Specifications.
(On April 19, 1982, the Planning Commission adopted Resolution 82-77 recommending to the City Council an amendment to the City of Modesto Standard Specifications. Resolution amending Standard Specifications needed.)

ACTION: Res. 82-371 adopted amending Standard Specifications. (Planning/P.W. to handle)

CONSENT

28. Consider approval to transfer \$157 from the General Fund Reserve to purchase a steel book truck for the Museum.
(Revenue from the Centennial items sold at the Museum will be used to purchase this item. This year's current balance in the Centennial Revenue Account (\$190) will more than cover the cost of this purchase. Resolution approving appropriation transfer needed.)

ACTION: Res. 82-372 adopted approving appropriation transfer. (Finance to handle)

CONSENT

29. Consider approval of an amendment to the golf cart agreement between the City and Andrew Silva.
(Mr. Silva would like to place an additional five golf carts in service. These carts shall be subject to the same terms and conditions as those in the golf cart agreement dated January 26, 1982. Resolution approving amendment to agreement needed.)

ACTION: Res. 82-373 adopted approving amendment to agreement. (P.R. to handle)

30. Consider accepting a grant from Caltrans for five bus passenger shelters.
(Memo with agenda. The grant would cover 100% of the estimated \$50,000 cost to develop the plans for and the purchase and installation of five bus patron shelters. No City funds are required. Caltrans will do all required work. Resolution accepting grant and authorizing the City Manager to sign the grant agreement needed.)

ACTION: Res. 82-374 adopted (Patterson/Lang, unan.) accepting grant. (P.T. to handle)

MISCELLANEOUS

CONSENT

31. Legislation: Staff recommends supporting SB 1526 (Greene) Industrial Development Bonds.
(Memo and attachments with agenda. Motion accepting staff recommendations needed.)

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

32. Appointments

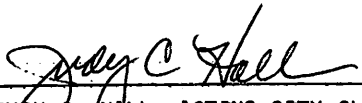
None

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

None

The meeting was adjourned at 5:45 p.m. to 3:00 p.m. Monday, May 10, 1982, for a budget session to be held in the Council Chambers, City Hall, 801 11th Street, Modesto.

ATTEST:



JUDY C. HALL, ACTING CITY CLERK



The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

Absent: Councilmember Siefkin

The following budgets were reviewed:

- City Council
- City Manager
- Management Services
 - Administration/Governmental Relations
 - Citizens Information Service
 - Personnel
 - Word Processing Center
 - Microfilm and Records
 - Office Services
 - Insurance
 - Risk Management
 - City Self-Insurance
- City Attorney
- City Clerk/Auditor
- Finance
 - Administration
 - Treasury
 - Accounting
 - Purchasing
 - Data Services
 - Employee Benefits
 - Miscellaneous Unclassified
 - Central Stores
 - Bond Redemption and Interest Requirements
- Parking & Traffic
 - Parking Fund
 - Bus Service
- Police
 - Administration
 - Administrative Services
 - Stanislaus County Drug Enforcement Unit
 - Investigation Services
 - Field Operations
 - Animal Control Operations

The meeting was adjourned at 5:25 p.m.

ATTEST:


NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 11, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, 12, 13, 14, 15

Removed from Consent: 16

ACTION: (Bright/Patterson, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the May 4, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Continued hearing to consider establishing a fee for maintaining utility cuts of \$1.14 per lineal foot. (Continued from March 9, 1982, Council meeting.) (The Council has considered a staff proposal to assess a charge for crack filling maintenance procedure on City streets. Utility company representatives requested this matter be continued until the Council meeting of May 11 so that there could be further discussions between the utility companies and staff on the matter. There have been two meetings on the subject and more time is requested before reporting back to the Council on this matter. It is recommended this subject be rescheduled for the meeting of June 1, 1982.)

ACTION: By motion (Elliott/Lang, unan.) this hearing was continued to June 1, 1982.
(Clerk to handle)

4. Hearing on Land Use and Circulation Element of the General Plan - Brighton Avenue major street designation between Yosemite Boulevard and Scenic Drive.

ACTION: By motion (Lang/Siefkin, unan.) this hearing was continued to June 22, 1982.
(Clerk to handle)

BIDS

CONSENT

5. Consider approving specifications and authorize call for bids to be opened June 1, 1982, at 2:00 p.m., for furnishing annual lamp requirements. (An annual event, the lamp bid is a cooperative purchasing venture with Stanislaus County, City of Oakdale, Yosemite Community College District, and Modesto City Schools. The lamps are purchased intermittently throughout the year by Central Stores and sold to using departments. Resolution approving specifications and authorizing call for bids needed. Estimated Cost; \$15,000. Funds are budgeted.)

ACTION: Res. 82-375 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider approving specifications and authorize call for bids to be opened June 1, 1982, at 2:10 p.m., to furnish annual requirements of street name signs. (Requested by the Parking and Traffic Department, the street name signs will be used both in new developments and as replacements for missing or damaged signs for the 1982-83 Fiscal Year. Resolution approving specifications and authorizing call for bids needed. Estimated Cost; \$12,800. Funds are budgeted.)

ACTION: Res. 82-376 adopted calling for bids. (Finance to handle)

CONSENT

7. Consider award of contract for the waterline extension on Snyder from Dale to Veneman.
(Bids were opened on May 4, 1982. The low bid of \$50,000 submitted by Joe Martin Pipeline, Inc. is 22% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 82-377 adopted awarding contract. (P.W. to handle)

CONSENT

8. Consider award of contract for the oiling of road at the remote ponds.
(Bids were opened on May 4, 1982. The low bid of \$8,362, submitted by Camanche Corporation is 37% above the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded. Resolution awarding contract to Camanche Corporation needed. Funds are budgeted.)

ACTION: Res. 82-378 adopted awarding contract. (P.W. to handle)

CONSENT

9. Consider accepting garage repairs as complete.
(Memo with agenda. The Council awarded the contract on January 26, 1982, to seal cracks in the Eleventh Street Parking Garage. All work has been satisfactorily completed. Resolution accepting work as complete and authorizing the filing of a Notice of Completion needed. Estimated Cost: \$7,488. Funds are budgeted.)

ACTION: Res. 82-379 adopted accepting work as complete. (Clerk to handle)

10.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

12. Set informal public hearing to consider revised sewer service charges.
(Staff has completed its annual review of the Sewer Revenue Program and will be recommending adjustments to various sewer service charges. It is recommended that an informal public hearing be set for Tuesday, May 25, 1982, at 7:30 p.m. to consider this matter. Resolution setting informal public hearing needed. Memo with agenda.)

ACTION: Res. 82-380 adopted setting informal public hearing. (Clerk to handle)

CONSENT

- 13. Consider Water Conservation Program for summer of 1982. (Staff recommends adoption of a Water Conservation Program again this summer, including a Council resolution prohibiting outside watering of landscaped areas from 4:00 p.m. until 8:00 p.m., June 1 through August 31, 1982, each day except Sunday. Memo with agenda. Resolution approving Water Conservation Program needed. Estimated cost: \$7,750; funds are budgeted.)

ACTION: Res. 82-381 adopted approving Water Conservation Program. (P.W. to handle)

CONSENT

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

ACTION: By motion, receipt of report acknowledged.

CONSENT

- 15. Consider approval of annual claim for Local Transportation Funds and State Transit Assistance Funds. (Each year the City of Modesto makes a claim to the Stanislaus Area Association of Governments (SAAG) for its apportionment of Local Transportation Funds. This year's claim is for \$2,099,398 plus \$121,000 in Non-Motorized Funds. Resolution authorizing submission of the annual transportation claim needed.)

ACTION: Res. 82-382 adopted authorizing submission of the annual transportation claim. (Finance to handle)

- 16. Consider request to hold June Teen Day Festival on Saturday, June 19, 1982, and annually thereafter in Mellis Park. (Memo with agenda. Resolution approving request needed.)

ACTION: Staff directed to provide information concerning the sale of alcoholic beverages. (P.R. to handle)

By motion (Siefkin/Patterson, unan.) Council indicated its intention to approve the request pending receipt of the requested information.

MISCELLANEOUS


- 17. Appointments
None

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

None

ADJOURNMENT

The meeting adjourned at 7:40 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 18, 1982, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Patterson,
Siefkin, Acting Mayor Muratore
Absent: Councilmember Patterson arrived at 4:05 p.m.
Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Ray Holton, Friendly Tabernacle Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 10, 11, 12, 13, 14, 17, 18,
19, 20, 21, 22, 23, 24, 25, 27

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Councilmember Lang acknowledged the presence of some of the Youth in Government Day participants.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of May 10, 1982, and the regular City Council meeting of May 11, 1982.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Further consideration of request to hold June Teen Day Festival on Saturday, June 19, 1982, and annually thereafter, in Mellis Park.
(This item was carried over from the May 11, 1982, Council meeting. Memo with agenda.)

ACTION: Res. 82-383 adopted (Elliott/Siefkin, unan., Patterson and Mayor Mensinger absent)
approving request. (P.R. to handle)

HEARINGS

4. Hearing to consider an amendment to P-D(256) and rezoning a portion of P-D(256) to R-1, property located on the east side of Claus Road opposite Cedar Creek Court. (Tierra Dry Creek Investments)

ACTION: By motion (Elliott/Lang, unan., Mayor Mensinger absent) Ord. No. 2129-C.S. introduced.

Res. 82-384 adopted (same vote) approving development plan.

Res. 82-385 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

5. Hearing on appeal by Michael Halley representing Mark Randy to a Board of Zoning Adjustment decision regarding a denial of an application for an H-1 Use Permit at the northeast corner of McHenry Avenue and Mark Randy Court.

ACTION: A motion to deny the appeal was withdrawn.

By motion (Siefkin/Elliott, unan., Mayor Mensinger absent) the hearing was continued to June 15, 1982, 4:00 p.m., at the request of the appellant.

(Clerk to handle)

6. Hearing on appeal by CASA to a Board of Zoning Adjustment decision sustaining the determination by the Director of Planning and Community Development finding that CASA does not qualify to apply for a Conditional Use Permit in the R-3 zone.

Councilmember Lang was excused due to a conflict of interest.

ACTION: By motion (Patterson/Siefkin, unan., Lang and Mayor Mensinger absent) the hearing was continued to June 1, 1982, 4:00 p.m., at the request of the appellant
(Clerk to handle)

7. Hearing on Unclassified Use Permit for Friendly Tabernacle for expansion of the church's facilities for a private school for grades K-6, including 2-story classroom, two relocatable classrooms, and a new parking area.

ACTION: Res. 82-386 adopted (Elliott/Bright, unan., Mayor Mensinger absent) approving Unclassified Use Permit.
(Clerk to handle)

BIDS

CONSENT

8. Consider approving specifications and authorizing the call for bids to be opened June 8, 1982, at 2:00 p.m. for furnishing the City's annual requirements of liquid anhydrous ammonia.
(This material will be used to treat industrial and residential sewage during the peak usage period of July, August, September and October. Resolution approving specifications and authorizing the call for bids needed. Estimated cost: \$12,500; funds to be budgeted.)

ACTION: Res. 82-387 adopted calling for bids.

(Finance to handle)

CONSENT

9. Consider approving specifications and authorizing the call for bids to be opened June 8, 1982, at 2:10 p.m. for furnishing annual requirements of liquid chlorine. (An annual requirement, the liquid chlorine is a cooperative venture with the Cities of Oakdale and Turlock. The chlorine is used in treating residential and industrial waste and is purchased intermittently throughout the year. Resolution approving specifications and authorizing the call for bids needed. Estimated cost: \$110,400; funds to be budgeted.)

ACTION: Res. 82-388 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider approval of specifications and authorize call for bids to be opened June 8, 1982, at 2:20 p.m. for furnishing annual dry cell battery requirements. (An annual requirement, the bid is a cooperative venture with Stanislaus County, City of Oakdale, Yosemite Community College District, and Modesto City Schools. The batteries are purchased intermittently throughout the fiscal year by Central Stores and distributed to using departments. Resolution approving specifications and authorizing call for bids needed. Estimated cost, City portion: \$3,700; funds to be budgeted.)

ACTION: Res. 82-389 adopted calling for bids.

(Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened June 8, 1982, at 2:30 p.m. for furnishing two computer key disketts. (Requested by the Data Processing Division, the key disketts will replace two keypunch machines which presently provides data entry into the computer by paper card. Key disketts utilize floppy disketts for data entry which simplifies the process. Items are provided in the approved 1981-82 C.I.P. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,000; funds are budgeted.)

ACTION: Res. 82-390 adopted calling for bids.

(Finance to handle)

CONSENT

12. Consider acceptance of Joe Martin Pipeline, Inc.'s contract for strengthening of water system at Sunrise and Edison as complete. (Original contract: \$16,328.50) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$16,079; funds are budgeted.)

ACTION: Res. 82-391 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of Gabe Mendez, Inc.'s contract for runway safety area - FAA-ADAP No. 6-06-0153-09 as complete. (Original contract: \$74,396.50) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$75,188.37; funds are budgeted.)

ACTION: Res. 82-392 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Request by Dana Troth, Chairman of the Annual Senior Awareness Day Committee, requesting bus service on May 29, 1982. (Motion approving request needed.)

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

15. Consider request from the Downtown Improvement District for assistance with a run on June 19, 1982.

ACTION: By motion (Lang/Bright, unan., Mayor Mensinger absent) run approved with D.I.D. to pay Police Department costs. (Police to handle)

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

None

NEW BUSINESS

CONSENT

17. Recommend to Council the vacation and abandonment of 18th Street and two alleys in Block 132 adjacent to former Lincoln School site.
(On May 3, 1982, the Planning Commission adopted Resolution 82-83 recommending to the City Council the vacation and abandonment of 18th Street and two alleys in Block 132 of the City of Modesto. Resolution setting public hearing June 15, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-393 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider establishing Fund No. 85, State Housing Rehabilitation Loan Fund, as an agency fund.
(The Council approved an agreement with the State of California whereby the State will provide housing loans at 3% interest (Res. No. 81-49 adopted January 20, 1981). This fund will account for loan proceeds. Introduction of an ordinance establishing fund needed.)

ACTION: By motion, Ord. No. 2130-C.S. introduced, (Finance to handle)

CONSENT

19. Consider approval of the preapplication for Federal funding to overlay utility runway (28L/10R) and slurry seal the instrument runway (28R/10L) at the Modesto City-County Airport/Harry Sham Field.
(The two projects are included in the 81-82 Airport Capital Improvement Program. The projects are eligible for Federal grants. The preapplication for Federal funding has been prepared and is in order to submit to the FAA. Memo with agenda. Resolution authorizing City Manager to sign preapplication for Federal grant needed. Estimated cost: \$272,000; funds are budgeted.)

ACTION: Res. 82-394 adopted approving preapplication. (P.W. to handle)

CONSENT

20. Consider hold harmless agreement with the County of Stanislaus.
(The Police Department wishes to use two prisoner transportation vans and one bus. The County will avail these vehicles to us upon execution of a hold harmless agreement. Resolution approving hold harmless agreement with Stanislaus County needed.)

ACTION: Res. 82-395 adopted approving agreement. (Police to handle)

CONSENT

21. Consider approving agreement with Randy Brothers Land and Cattle Company for the lease of 5 acres of land acquired for Orchard Neighborhood Park site. (When the City acquired this property, we inherited a tenant who has been using this property for cattle grazing. This agreement formalizes the arrangement. It is a month-to-month lease for \$41.50 per month with the lessee paying taxes and utilities. Resolution approving agreement needed.)

ACTION: Res. 82-396 adopted approving agreement.

(P.W. to handle)

CONSENT

22. Consider approval of the final map of West Campus Business Center Condominium No. 1 Subdivision of the City of Modesto. Subdividers: All Valley Financial. (The public improvements are completed and all fees paid. West Campus Business Center Condominium No. 1 is a business condominium and is located between Cummins Drive and Pritchard Avenue, south of Blue Gum Avenue. It contains 3.55 acres. Resolution approving final map needed.)

ACTION: Res. 82-397 adopted approving final map.

(Clerk to handle)

CONSENT

23. Consider acceptance of improvements in Gold Coast Estates Subdivision and authorize the City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: James Horn Construction Company) (Gold Coast Estates Subdivision is located east of Claus Road and north of East Orangeburg Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 82-398 adopted accepting improvements as complete.

(Clerk to handle)

CONSENT

24. Consider approving agreement with Stanislaus County to install traffic signals at the Sylvan Avenue-Boyce Lane intersection. (Memo with agenda. The agreement calls for the City to design and install the signal with the City and County each paying one half the cost. Resolution approving agreement needed. Estimated cost: \$60,000; funds are budgeted.)

ACTION: Res. 82-399 adopted approving agreement.

(P.T. to handle)

CONSENT

25. Consideration of Public Projects Committee recommendations on School Site and Facilities Tax and expenditures in fiscal year 1982-83.
(Resolution setting informal public hearing June 1, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-400 adopted setting informal public hearing. (Clerk to handle)

26. Consider rescinding outdated policies and receiving the City Council Policy Catalog.
(Memorandum with agenda. Motion acknowledging receipt of City Council Policy Catalog needed, and resolution rescinding outdated policies needed.)

ACTION: By motion (Elliott/Siefkin, unan., Mayor Mensinger absent) receipt of Catalog acknowledged and approving policy concerning use of Council Chambers.
Res. 82-401 adopted rescinding outdated Policies. (Clerk to handle)

MISCELLANEOUS

CONSENT

27. Legislation: Staff recommends supporting SB 2037 (Schmitz) Conditional Use Permits.
(Memo and attachments with agenda. Motion accepting staff recommendation needed.)

ACTION: By motion, staff recommendation approved.

28. Appointments

None

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

None

ADJOURNMENT

(The meeting will adjourn to Thursday, May 20, 1982, at 3:00 p.m. in the Council Chambers, to continue the review of the budget.)

The meeting adjourned at 5:50 p.m. to May 20, 1982, 3:00 p.m. in the Council Chambers.

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
May 20, 1982

The City Clerk adjourned the City Council meeting due
to lack of a quorum.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 25, 1982, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore, Patterson,
Siefkin, Mayor Mensinger
Councilmember Lang arrived at 8:30 p.m.
Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 10, 12, 13, 14,
15, 17, 18, 21

REMOVED FROM CONSENT: 16

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Citizenship class and instructor William Parks from Modesto Junior College were welcomed by Mayor Mensinger.

MINUTES

CONSENT

2. Approval of the minutes of the May 18, 1982, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2129-C.S. amending P-D(256) and rezoning a portion of P-D(256) to R-1, property located on the east side of Claus opposite Cedar Creek Ct. (Tierra Dry Creek Investments)
b. Ord. No. 2130-C.S. establishing a fund to account for loan proceeds, State Housing Rehabilitation loans.
(Motion adopting needed.)

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

HEARINGS

4. Appeal of 12 residents of the neighborhood to a Planning Commission decision regarding an existing sign at the Doctors Medical Center located at 1441 Florida Avenue on the west side of Florida between Granger and West Orangeburg. This matter taken out of sequence in order to give opportunity for Councilmember Lang to arrive.

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 82-402 adopted (Siefkin/Patterson, unan., Lang and Mayor Mensinger absent) denying appeal and upholding Planning Commission decision.

5. Informal hearing to consider revised sewer service charges.

ACTION: Res. 82-403 adopted (Bright/ Muratore, unan., Lang absent) approving revised sewer service charges.

Res. 82-404 adopted (Bright/Muratore, unan., Lang absent) waiving escalation of bond redemption charges

(P.W./Finance to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the reconstruction of Orangeburg Avenue from Martin to McHenry.
(Suggested bid opening: June 8, 1982, at 11:05 a.m. Resolution approving plans and call for bids needed. Estimated cost: \$206,635 (Contract \$187,850; Engineering \$18,785); funds are budgeted.)

ACTION: Res. 82-405 adopted calling for bids.

(P.W. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for HAC Curb Ramps - Project No. 4.
(The proposed ramps are primarily at intersections along McHenry Avenue north of Orangeburg Avenue, near Woodrow Park and at 12th and "M" Street. The Mayor's Handicapped Advisory Committee initiated the locations to be reconstructed to provide access for the handicapped. Suggested bid opening: June 8, 1982, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$42,540 (Contract \$38,675; Engineering \$3,865); funds are budgeted.)

ACTION: Res. 82-406 adopted calling for bids.

(P.W. to handle)

CONSENT

8. Consider award of contract for the Police Department computer facility.
(Bids were opened May 18, 1982. The low bid of \$15,530, submitted by Barham Enterprises, is 19% above the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works and Police Departments that the contract be awarded to them. Resolution awarding contract to Barham Enterprises needed. Funds are budgeted.)

ACTION: Res. 82-407 adopted awarding contract.

(P.W. to handle)

CONSENT

9. Consider declaring Genstar Cement and Lime Company low bidder and authorizing the purchase of ready-mixed concrete products at the prices bid. (Memorandum with agenda. Resolution declaring Genstar Cement and Lime Company low bidder needed. Estimated cost: \$14,500; funds to be budgeted.)

ACTION: Res. 82-408 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider declaring Crystal Pool Service low bidder on swimming pool chlorine and muratic acid. (Memorandum with agenda. Resolution declaring Crystal Pool Service low bidder for swimming pool chlorine and muratic acid needed. Estimated cost: \$6,700; funds to be budgeted.)

ACTION: Res. 82-409 adopted awarding bid. (Finance to handle)

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

None

NEW BUSINESS

CONSENT

12. Consider request by Farmers Market for a minor modification of conditions. (Memo with agenda. Resolution approving revised conditions needed.)

ACTION: Res. 82-410 adopted approving revised conditions. (Planning to handle)

CONSENT

13. Consider adoption of a resolution commending the Modesto Police Reserves for contributions to community welfare and safety. (This is a yearly action to commend the Reserve Officers who volunteer services without pay for the supplementary crime protection of the citizens of Modesto. Resolution of commendation needed.)

ACTION: Res. 82-411 adopted commending the Modesto Police Reserves. (Police to handle)

CONSENT

14. Consider agreement with State Water Resources Office, of Water Conservation to assist the City of Modesto in its Water Conservation Program by providing free water conservation kits to each resident and sponsoring a Water Awareness Program in the schools.
(The City must agree to distribute the kits, promote the kits through some form of advertising, and obtain the approval of the school districts to implement the program during the 1982-83 school year. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-412 adopted approving agreement.

(P.W. to handle)

CONSENT

15. Consider approving agreement with Robert M. and Patricia Broley for the acquisition of 580± square feet of their property on E. Fairmont.
(The Broleys have agreed to sell the required right of way for the appraised value of \$1,500. This is the third of 14 parcels being acquired in different areas of the City so sidewalks can be installed. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 82-413 adopted approving agreement.

(P.W. to handle)

16. Consider the extension of provisional appointment of Data Processing Manager.
(Because of the vacancy in the position of Director of Finance, the above position is not being permanently filled until the new Director of Finance can make the appointment. Motion extending provisional appointment needed.)

ACTION: By motion (Patterson/Siefkin, unan., Lang absent) provisional appointment extended.
(Mgmt. Services to handle)

CONSENT

17. Consider setting a public hearing on filing federal transit operating assistance grant application.
(Memo with agenda. The application requests \$1,024,702 in federal transit funds and would cover 41% of the estimated \$2,526,405 cost to operate Intracity Transit and Dial-A-Ride during the 1982-83 fiscal year. Resolution setting public hearing July 6, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-414 adopted setting hearing.

(Clerk to handle)

CONSENT

18. Consider consenting to amendment of the Declaration of Covenants, Conditions, and Restrictions for Vintage Grove Condominiums Subdivision.
(This is a recorded subdivision. The developer has requested that the City consent to a revision of the Declaration. The revision would make minor changes to the provisions regarding assessment rates, maintenance responsibility, foreclosure procedures, insurance and annexations. The revision is acceptable to staff. Resolution consenting to amendment of the Declaration of Covenants, Conditions and Restrictions and authorizing the City Manager to sign said Declaration of Amendment for Vintage Grove Condominium Subdivision needed.)

ACTION: Res. 82-415 adopted amending Declaration of Covenants, Conditions, and Restrictions for Vintage Grove Condominiums Subdivision. (Clerk to handle)

19. Consider staff recommendation to proceed with the methane project.
(The City has been developing a program to use processed digester gas as fuel for City vehicles. The project has now reached the point where staff is recommending that the City undertake a \$1,640,000 project to fuel 218 City vehicles with methane from the wastewater treatment plant. Memo with agenda. Motion directing staff to proceed as recommended. Resolution authorizing the purchase of equipment needed.)

ACTION: By motion (Bright/Patterson, unan., Lang absent) staff directed to proceed as recommended.
Res. 82-416 adopted (same vote) authorizing purchase of equipment. (P.W. to handle)

20. Consider an ordinance establishing Fund No. 74, Methane Gas Generation Fund, as an Intergovernmental Service Fund.
(The City has entered into a loan agreement with the California Energy Commission to fund the methane project (Res. No. 82-219, adopted March 23, 1982). This fund will account for the methane project. Introduction of an ordinance establishing Fund No. 74, Methane Gas Generation Fund, needed.)

ACTION: By motion (Siefkin/Muratore, unan., Lang absent) Ord. No. 2131-C.S. introduced establishing fund. (Finance to handle)

MISCELLANEOUS

CONSENT

21. Legislation: Staff recommends:

SUPPORTING

a) AB 3564 (Roos) Local Agency Improvement Act of 1982

OPPOSING

b) ACA 85 (Hanningan) Restricted Tax Zones

c) SB 1591 (Greene) Penalties: Workers Compensation/OSHA

d) SB 1533 (Greene) Unemployment Insurance: Benefit Increases

e) AB 2901 (Martinez) Unemployment Insurance: Benefit Increases

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

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

22. Appointments

None

23.

MATTERS TOO LATE FOR THE AGENDA

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

Councilmember Patterson spoke regarding Home Mortgage Revenue Bond Issue progress.

The meeting adjourned at 9:20 p.m. to closed session to consider employee relations, and then adjourned to Wednesday, May 27, 1982, at 3:00 p.m. to continue the review of the budget.

ATTEST:


JUDY C. HALL, Acting City Clerk

Adjourned Regular Meeting
Modesto City Council
May 26, 1982

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

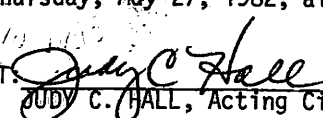
Absent: None

The following budgets were reviewed:

Planning & Community Development
Housing & Community Development
Downtown Improvement District
Fire
Administration
Disaster & Civil Defense
Training
Prevention
Suppression

Parks and Recreation
Administration
Parks Service and Repair
Parks Grounds Maintenance
Trees Planting and Maintenance
Trees Preservation
Golf Courses General
Golf Courses 9-Hole
Golf Courses Dryden
Cultural Program and Facilities General
Cultural Program and Facilities Museum
Cultural Program and Facilities Mansion
Recreation
Misc. Facilities General
Misc. Facilities King-Kennedy
Misc. Facilities Senior Citizens Center
Misc. Facilities Community Service Center
Tuolumne River Regional Park

The meeting was adjourned at 4:40 p.m. to Thursday, May 27, 1982, at 3:00 p.m. in the Council Chambers.

ATTEST: 
JUDY C. HALL, Acting City Clerk

Adjourned Regular Meeting
Modesto City Council
May 27, 1982

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

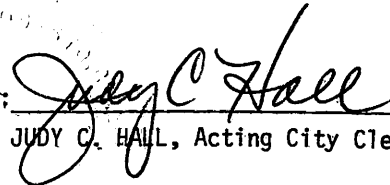
Absent: Councilmembers: Muratore, Patterson

The following budgets were reviewed:

- Public Works
 - Administration
 - Engineering
 - Construction Administration
 - Building Inspection
 - Electrical
 - Streets
 - Street Cleaning
 - City Hall
 - Water Production
 - Water Distribution
 - Water Service
 - Sewerage Wastewater Collection
 - Sewerage Wastewater Treatment Primary
 - Sewerage Wastewater Treatment Secondary
 - Sewerage Monitoring and Control
- Airport
- Bus Maintenance
- Service Division - Main Shop
- Service Division - Police Shop
- Capital Improvement Program
- Public Works

The meeting was adjourned at 4:15 p.m.

ATTEST:


JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 1, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 25

ACTION: (Bright/Lang, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. SUGGESTION AWARDS:

Marie Giddens - (\$50) Management Services employee, for implementing the provision that all applicants for positions with the City of Modesto be required to submit a self-addressed envelope with their applications. This proposal will save the City \$1,700 to \$2,000 per year.

Daniel Peck - (\$50) Management Services employee, for implementing a daily pickup service with United Parcel Service for all packages over 12 ounces. Based on a month survey, this would save the City approximately \$1,700 per year.

Thomas Kennedy - (\$50) Parks and Recreation employee, for designing a scoop to remove broken glass and other foreign objects from children's play areas and sand boxes. Also, the scoop can be used to pick up litter in park areas.

(Mayor to present awards. Funds are budgeted.)

Elwyn Johnson, City Attorney, introduced new Deputy City Attorney, Stan Yamamoto.

MINUTES

CONSENT

2. Approval of the minutes of the May 25, 1982, regular City Council meeting, and the minutes of the regular adjourned meetings of May 26, 1982, and May 27, 1982. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider staff report on mobile home parks.
(Council asked staff to study the laws, pending litigation and pending legislation regarding dealing with rent increase complaints in mobile home parks, and to report back with possible alternative courses of action. Motion acknowledging receipt of report and directing staff needed.)

ACTION: By motion (Siefkin/Patterson, unan.) acknowledged receipt of report and directed staff to develop criteria to establish revolving loan fund to assist with moving expenses.
(Mgmt. Services/Atty. to handle)

4. Consider final adoption of Ord. No. 2121-C.S. which amends sections of Article 10 of Chapter 1 of Title IV of the Modesto Municipal Code relating to Bingo games.
(Memorandum with agenda. Motion adopting needed.)
Councilmember Bright excused due to a conflict of interest.

ACTION: Motion adopted (Lang/Siefkin, unan., Bright absent) not approving final adoption.
Motion adopted (Lang/Muratore, unan., Bright absent) directing staff to study costs and return with fair formula.
(Police/Atty. to handle)

CONSENT

5. Consider final adoption of Ord. No. 2131-C.S. relating to the methane gas generation fund.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2131-C.S. adopted.

(Clerk to handle)

HEARINGS

6. Continued hearing to consider establishing a fee for maintaining utility cuts of \$1.14 per lineal foot. (Continued from March 9, and May 11, 1982, Council meetings.)

ACTION: Res. 82-417 adopted (Elliott/Muratore, unan.) establishing fee.
(P.W./Finance to handle)

7. Informal public hearing to consider Public Projects Committee recommendations on School Site and Facilities Tax, expenditures in fiscal year 1982-83, and appropriation transfer.

ACTION: Res. 82-418 adopted (Siefkin/Elliott, unan.) supporting purchase of portables with lot tax funds.
Res. 82-419 adopted (Siefkin/Elliott, unan.) approving appropriation transfer.
(Finance to handle)

8. Continued hearing on appeal by CASA to a Board of Zoning Adjustment decision sustaining the determination by the Director of Planning and Community Development finding that CASA does not qualify to apply for a Conditional Use Permit in the R-3 zone. (Continued from the May 18, 1982, Council meeting.)
Councilmember Lang excused due to a conflict of interest,

ACTION: Res. 82-420 adopted (Muratore/Patterson, majority, Elliott-no, Lang-absent) granting appeal to Board of Zoning Adjustment decision and maintaining that CASA does qualify to apply for a Conditional Use Permit.
(Planning to handle)

BIDS

CONSENT

9. Consider approval of specifications and call for bids for downtown curbs replacement - Project No. 1.
(Suggested bid opening: June 15, 1982 at 11:00 a.m. This project is required to replace deteriorated and broken curbs which do not accommodate the proper flow of storm water. This will be a continuing project with three phases and will be centered in the general commercial area as depicted in the General Plan. Resolution approving specifications and call for bids needed. Estimated cost: \$29,700 (Construction \$27,000; Engineering \$2,700); funds are budgeted.)

ACTION: Res. 82-421 adopted calling for bids. (P.W. to handle)

CONSENT

10. Consider approving plans and specifications and calling for bids to replace a guard rail on Neece Drive.
(Memo with agenda. The project will replace damaged and deteriorating guard rail separating Neece Drive from the Tuolumne River. The Federal Highway Administration will reimburse us for \$25,431 of the estimated \$31,500 cost. Resolution approving plans and specifications and calling for bids to be opened at 2:15 p.m. on June 29, 1982, needed. Funds are partially budgeted. Once bids are opened, we'll know if we need to transfer additional money into the account, which now has just over \$28,000.)

ACTION: Res. 82-422 adopted calling for bids. (P.T. to handle)

CONSENT

11. Consider award of contract for East La Loma Park tennis courts.
(Bids were opened on May 25, 1982. The low bid of \$99,800.90, submitted by George Reed, Inc. is 9% below the Engineer's Estimate and considered acceptable. It is therefore recommended by the Parks and Recreation Department and the Public Works Department that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 82-423 adopted awarding contract. (P.W. to handle)

CONSENT

12. Consider authorizing the purchase of street trees from the following vendors: Tree Land (\$981); Naka Nursery (\$195.50); Frantz Wholesale (\$205.38); Monrovia Nursery (\$492.17); and, Orange County Nursery (\$6,108.75).
(Memorandum with agenda. One resolution authorizing five purchase orders needed. Estimated Cost: \$7,982.80. Funds are budgeted.)

ACTION: Res. 82-424 adopted authorizing purchase orders. (Finance to handle)

CONSENT

13. Consider acceptance of Lee White Paving Company's contract for Residential Alley Paving Program - Project No. 9 as complete. (Original contract: \$26,488.75).
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$21,400.47. Funds are budgeted.)

ACTION: Res. 82-425 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

14. Request by Modesto Peace-Life Center for direct City assistance by Police for a peace march parade to be held June 3, 1982.

ACTION: By motion (Elliott/Lang, unan.) granted approval of peace march parade, subject to applicant being responsible for costs. (Police to handle)

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

None

NEW BUSINESS

CONSENT

16. Submission of revised Fiscal Year 82-83 Annual Transportation Claim to the Stanislaus Area Association of Governments.
(Resolution No. 82-382, adopted May 11, 1982, authorized submission of the Annual Transportation Claim in the amount of \$2,220,398. As explained in the memo with the agenda, this claim should be increased to \$2,745,981. Resolution authorizing submission of the revised Annual Transportation Claim, superseding Res. No. 82-382, needed.)

ACTION: Res. 82-426 adopted authorizing submission of the revised Annual Transportation Claim.
(Finance to handle)

CONSENT

17. Consider granting free rides on Intracity Transit and Dial-A-Ride to promote the 1982 Energy Faire.
(Memo with agenda. The free rides are recommended on Saturday, June 12, 1982 and Sunday, June 13, 1982. Motion authorizing the free rides needed. Estimated \$800 in fare revenues would be lost.)

ACTION: By motion, free rides to promote the 1982 Energy Faire adopted.
(P.T. to handle)

CONSENT

18. Consider authorizing the Risk Manager to sign Workers' Compensation checks.
(Memorandum with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2132-C.S. introduced.
(Clerk to handle)

CONSENT

19. Consider approving the sale of excess real property to Cleo B. and Wanda M. Wheeler.
(The Wheelers have offered to pay the City \$750 for an unbuildable half-lot on Glenn Avenue. They will also pay the recording fees. The lot cannot be practically sold to anyone else and is a maintenance problem for the City. Memo with agenda. Resolution approving sale of excess property needed.)

ACTION: Res. 82-427 adopted approving sale of excess property.
(P.W. to handle)

CONSENT

20. Consider setting hearing to consider the selection of a master plan for the proposed Downtown Transportation Center and authorizing the filing of a federal grant application to cover 80% of the cost of the selected plan.
(Memo with agenda. The Planning Commission, DMA and DID recommend that the City pursue Master Plan 2A, the two-block center plan if funding is available. Resolution setting hearing July 27, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-428 adopted setting hearing.
(Clerk to handle)

CONSENT

21. Consider amendment to agreement with Kennedy/Jenks Engineers for engineering services in conjunction with our Wastewater Treatment and Disposal Facilities Improvements Projects.
(It is desirable to proceed with two units of our Wastewater Treatment and Disposal Facilities Improvements Project this summer so that they can be on line for the summer of 1983. Also additional geotechnical engineering services in the form of soil tests are required for the irrigation outfall line of our project. Cost of additional engineering is \$88,300. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 82-429 adopted approving agreement.

(P.W. to handle)

CONSENT

22. Consider authorizing preparation of an amicus curiae brief in City and County of San Francisco v. San Francisco Municipal Court regarding administrative inspection warrants. Memorandum with agenda. Motion authorizing preparation of amicus curiae brief needed.)

ACTION: By motion, authorized preparation of amicus curiae brief. (Atty. to handle)

Councilmember Elliott left the meeting at 6:25 p.m.

23. Consider possible entry into industrial revenue bonds, Viking Freight Systems, Inc. (Memo with agenda. Questions posed include whether City should pursue municipal bonds for industrial purposes and whether this type of proposal appears supportable. Motion directing staff needed.)

ACTION: By motion (Muratore/Lang, unan., Elliott, absent) referred to Public Projects Committee. (Planning to handle)

24. Consider issuance of health facility revenue bonds.
(Memo with agenda. Memorial Hospital North and some convalescent homes are urging the City to issue these bonds to provide financing at more favorable interest rates. The City Council has several alternatives: decide on June 1, 1982, that we should proceed or not proceed or continue the matter to 4:00 p.m., June 15, 1982, for more information as a result of this initial review or for an informal public hearing to generate additional public input. Motion introducing an ordinance and a resolution establishing criteria for bonds needed if we are to proceed, or a motion determining that we not proceed needed, or a motion continuing the matter to June 15, 1982 needed.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Siefkin/Bright, unan., Elliott, Mayor Mensinger absent) continued to June 15, 1982, 4:00 p.m. Council meeting. (Clerk to handle)

MISCELLANEOUS

CONSENT

25. Legislation: Staff recommends:

Supporting

a) SB 2001 (Mello) Benefit Assessments for Police, Fire Facilities and Services

Remove Opposition

b) AB 3433 (Kapiloff) Solid Waste Preemption

Opposing

c) SB 53 (Montoya) Housing Bond Credit Committee: Municipal Reorganization

d) SB 1737 (Campbell) Expansion of Governmental Liability for Pipeline Accidents

3) S. 2172 (Goldwater) Cable T.V.

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

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

26. Appointments

ACTION: Res. 82-430 adopted (Lang/Siefkin, unan., Elliott absent) appointing Balvino Irizarry to Seat #4 of the Citizens Housing & Community Development Committee; Paul Nixon to Seat #4, and Arthur Martin to Seat #5 of the Housing Maintenance & Counseling Subcommittee; all terms to expire June 30, 1986.

27.

MATTERS TOO LATE FOR THE AGENDA

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

None

The meeting adjourned at 7:30 p.m. to closed session to consider employee relations and then to Wednesday, June 2, 1982, at 3:00 p.m. to continue the review of the budget.

ATTEST:


JUDY C. HALL, Acting City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

Absent: Councilmembers: Lang

The following budgets were reviewed:

Music and Promotion

Chamber of Commerce
Modesto Band
Modesto Performing Arts Association
Fourth of July Committee
California Relays
Coalition Center for the Disabled
Modesto Symphony Orchestra
Modesto Civic Theater
American Legion Baseball


Capital Improvement Program

Public Works
Airport Development and Expansion (Continued)
Downtown Area Improvements
Service Pool Equipment
D.I.D. - addition of 2 floors on 11th Street parking garage

Other Equipment Acquisitions and
Facility Improvements

Public Works
Construction Administration
Engineering
Inspection
City Hall & Annex
Other Service Facilities
Management Services
Finance
Police
New Police Building

The meeting adjourned at 5:00 p.m. to Thursday, June 3, 1982, at 3:00 p.m.

ATTEST: 
Judy C. Hall
JUDY C. HALL, Acting City Clerk

Adjourned Regular Meeting
Modesto City Council
June 3, 1982

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Elliott, Lang, Patterson, Siefkin,
Mayor Mensinger
(Councilmember Lang arrived at 4:20 p.m.)
Absent: Councilmembers Muratore

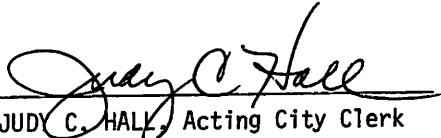
The following budgets were reviewed:

Capital Improvement Program
Police
 New Police Building (Continued)
 Canine Training Site

Community Housing Improvements
Fire Equipment & Facilities
Parks & Recreation
Parking & Traffic

The meeting adjourned at 4:45 p.m.

ATTEST:


JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 8, 1982, AT 7:30P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 13, 15
Removed from consent: 14

ACTION: (Siefkin/Patterson, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the June 1, 1982, regular City Council meeting, and the minutes of the regular adjourned meetings of June 2, 1982, and June 3, 1982. (Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Consider final adoption of Ord. No. 2132-C.S. relating to authorization to approve payment of claims. (Motion adopting needed.)

ACTION: By motion, Ord. No. 2132-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing on annexation of Sherwood Forest No. 2 Annexation to the City of Modesto.

ACTION: Res. 82-431 adopted (Bright/Lang, unan.) annexing Sherwood Forest No. 2.
(Clerk to handle)

5. Hearing on annexation of Carpenter Road No. 3 Annexation to the City of Modesto.

ACTION: By motion (Lang/Muratore, unan.) this item continued to June 22, 1982, for
a report on results of protests. (Clerk/Planning to handle)

6. Hearing to consider the 1982-83 Preliminary Budget and the Four Year Capital Improvement Program, 1982-83 through 1985-86.

No action taken.

Councilmember Lang excused at 8:20 p.m.

BIDS

CONSENT

7. Consider approving plans and specifications and calling for bids to install traffic signals at Sylvan Avenue and Boyce Lane.
(Memo with agenda. This is a cooperative City-County project with equal cost sharing. The intersection is located in front of Beyer High School. Resolution approving plans and specifications and calling for bids to be opened on July 12, 1982, at 2:00 p.m. needed. Estimated cost: \$60,000; funds are budgeted.)

ACTION: Res. 82-432 adopted calling for bids. (P.T. to handle)

CONSENT

8. Consider acceptance of Stanislaus Pump's contract for installation of a rockwell and the replacement of the desanding unit at Water Well No. 25 as complete.
(Original contract and final cost: \$24,940.)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 82-433 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider declaring Twining Laboratories, Inc. low bidder and authorize the purchase of annual compaction, aggregate, and concrete testing services from the firm for the total price of \$7,400.
(Memorandum with agenda. Resolution awarding bid to Twining Laboratories needed. Funds are budgeted.)

ACTION: Res. 82-434 adopted awarding bid. (Finance to handle)

CONSENT

10. Consider rejecting all bids for the City's annual requirements of traffic line paint.
(As authorized by Res. No. 82-328, bids for furnishing traffic line paint were opened on May 11, 1982. Due to changes in the State of California specifications, it has been determined by the Parking and Traffic Department that the paint to be supplied using the City's specifications will not do the intended job satisfactorily. It is the recommendation of staff that Council reject all bids for traffic line paint at this time. Staff will prepare and resubmit new specifications at a later date. Resolution rejecting all bids needed.)

ACTION: Res. 82-435 adopted rejecting bids. (Finance to handle)

WRITTEN COMMUNICATIONS

11. Letter from Fourth of July Committee requesting City assistance for the Fourth of July celebration on Sunday, July 4 and Monday, July 5, 1982.

ACTION: Res. 82-435-A adopted (Muratore/Siefkin, unan., Lang absent) approving request to include payment of \$5,500 plus \$500 for insurance.

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

None

NEW BUSINESS

CONSENT

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

ACTION: By motion, receipt of report acknowledged.

14. Assignment of City of Modesto Single Family Mortgage Revenue Bond Allocation to the Central California Mortgage Authority.
(Memo with agenda. Resolution making assignment needed.)

ACTION: Res. 82-436 adopted (Patterson/Siefkin, unan., Lang absent) making assignment.
(Planning to handle)

CONSENT

15. Consider acceptance of improvements for Tully Manor North Condominiums subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Stone Investment Co. (Tully Manor North Condominiums subdivision is located on the west side of Tully Road at Montclair Drive. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements as complete and authorizing City Clerk to file Notice of Completion and release bonds needed.)

ACTION: Res. 82-437 adopted accepting improvements as complete. (Clerk to handle)

16. Consider request from Gallo Winery for exception to aggregate sidewalks, "D" Street between 10th and 11th Streets. (The Public Works Department, Planning and Community Development, and DID have reviewed the request of Gallo Winery. The Planning Department opposed the request. The DID and Public Works Department recommend approval of the request. Memo with agenda. Resolution granting exception to Section 3.26 of the Modesto Standard Specifications to allow standard sidewalk substitution for exposed aggregate needed.)

ACTION: By motion (Siefkin/Muratore, majority, Bright and Elliott-no, Lang absent) the policy concerning aggregate sidewalks referred to D.I.D. for review and clarification. (Planning to handle)

MISCELLANEOUS

17. Appointments

ACTION: Res. 82-438 adopted (Bright/Patterson, unan., Lang absent) appointing John Fleming to fill the vacancy on the Housing Maintenance and Counseling Subcommittee, term to expire 6/30/83.

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

None

19. CLOSED SESSION
(Closed session to consider employee relations.)

ADJOURNMENT

The meeting adjourned at 9:45 p.m. to closed session and then to Wednesday, June 9, 1982, at 3:00 p.m. for further consideration of the budget.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
June 9, 1982

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California

Present: Councilmembers Bright, Elliott, Lang, Muratore, Patterson, Siegkin, Mayor Mensinger
Councilmember Bright arrived at 3:10 p.m.
Councilmember Patterson arrived at 3:25 p.m.
Councilmember Patterson left at 4:20 p.m.

Absent: None

The Chamber of Commerce presented their suggestions as a result of their study of the City budget.

After general discussion by the City Council, it was agreed that Councilmembers would bring to the next budget study session their lists of programs or items they feel could be cut from the budget.

The next budget session will be Wednesday, June 16, 1982, at 3:00 p.m.

The meeting adjourned at 4:25 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 15, 1982, AT 4:00 P.M.

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

Absent: Councilmembers Muratore

Pledge of allegiance to the Flag

Invocation: Dr. Merrill Alexander

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 10, 11, 12, 13, 14, 15, 16, 17,
19, 20, 21

ACTION: Lang/Patterson, unan., Muratore absent

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the June 8, 1982, regular City Council meeting, and the adjourned regular City Council meeting of June 9, 1982.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Issuance of Health Facility Revenue Bonds.

(Continued from meeting of June 1, 1982.)

ACTION: By motion (Siefkin/Patterson, unan., Muratore absent) Councilmember Elliott elected Mayor Pro Tem during consideration of item 3.

Mayor Mensinger excused due to a conflict of interest.

By motion (Siefkin/Bright, unan., Muratore and Mayor Mensinger absent) this matter was referred to the Public Projects Committee to study in conjunction with its study of industrial revenue bonds, with the Committee to develop criteria for qualifying for the bonds, and have a recommendation to the City Council in 30 days.
(Planning to handle)

4. Staff response to petition submitted by Raymond D. Brown concerning fire service in Whitmore No. 3 Annexation.
(Memo with agenda. Motion accepting staff recommendation needed.)

ACTION: By motion (Lang/Bright, unan., Muratore absent) staff recommendation approved.
(Fire to handle)

HEARINGS

5. Hearing on appeal by Michael Halley, representing Mark Randy, to a Board of Zoning Adjustment decision regarding denial of an application for an H-1 use permit at the northeast corner of McHenry Avenue and Mark Randy Court.
(Continued from the May 18, 1982, Council meeting.)

ACTION: Res. 82-439 adopted (Elliott/Lang, unan., Muratore absent) denying appeal. Staff requested to report to Council on the number of people per car patronizing fast food restaurants.
(Planning to handle)

6. Hearing on vacation and abandonment of 18th Street and two alleys in Block 132 adjacent to former Lincoln School site.

ACTION: Res. 82-440 adopted (Elliott/Patterson, unan., Muratore absent) vacating and abandoning 18th Street and alleys in Block 132.
(P.W. to handle)

7. Hearing on amendment to Planned Development Zone, P-D(81), presently allowing all C-1 uses plus limited C-2 and C-M Zone uses, which proposed amendment would allow all C-2 Zone uses, property located at the northwest corner of Tully Road and Coldwell Avenue. (Nino Masellis)

ACTION: By motion (Bright/Lang, unan., Muratore absent) Ord. No. 2133-C.S. introduced.
Res. 82-441 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

8. Hearing on amendment to Section 7-3-9 of the Zoning Map to rezone from P-D(249) to R-2, property located on the east side of Shawnee Drive north of Hetch Hetchy right of way. (Sutco Construction Co.)

ACTION: By motion (Lang/Elliott, unan., Muratore absent) Ord. No. 2134-C.S. introduced.
Res. 82-442 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

9. Hearing on amendment to Section 33-3-9 of the Zoning Map to rezone from M-1 to P-D(325), to allow a two-story building condominium to contain business offices and industrial warehouse, northeast corner of 12th & D Streets. (Downtown Plaza Group)

ACTION: By motion (Bright/Patterson, unan., Muratore absent) Ord. No. 2135-C.S. introduced.
Res. 82-443 adopted (same vote) approving development plan.
Res. 82-444 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

10. Consider award of contract for resurfacing Orangeburg Avenue from Martin Avenue to McHenry Avenue.
(Bids were opened on June 8, 1982. The low bid of \$146,124, submitted by Granite Construction Co., is 22% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to Granite Construction. Memo with agenda. Resolution awarding contract to Granite Construction needed. Funds are budgeted.)

ACTION: Res. 82-445 adopted awarding contract, (P.W. to handle)

CONSENT

11. Consider award of contract for H.A.C. Curb Ramps - Project No. 4.
(Bids were opened on June 8, 1982. The low bid of \$27,218, submitted by Chas. I. Cunningham Co., is 30% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract to Chas. I. Cunningham Co. needed. Estimated cost: \$31,083 (Contract \$27,218; Engineering \$3,865); funds are budgeted.)

ACTION: Res. 82-446 adopted awarding contract, (P.W. to handle)

CONSENT

12. a) Consider declaring Light Sales Inc. the bidder offering the greatest discount for large lamps and authorize the purchase of materials for 66% off the net price list.
b) Consider declaring Wille Electric Supply the bidder offering the greatest discount for audio-visual lamps and authorize the purchase of materials for 68% off the suggested retail price list.
(Memorandum with agenda. Resolution authorizing purchase of large lamps from Light Sales Inc. needed, and resolution authorizing purchase of audio-visual lamps from Wille Electric Supply needed. Estimated City portion of cost: \$15,000; funds to be budgeted.)

ACTION: Res. 82-447 adopted awarding bid for large lamps to Light Sales
Res. 82-448 adopted awarding bid for audio-visual lamps to Wille Electric Supply (Finance to handle)

CONSENT

13. Consider authorizing the purchase of fire fighting equipment from the following vendors: L.N. Curtis (\$10,539.21); Halprin Supply Co. (\$753.19); and, Western Fire Company (\$860.50).
(Memorandum with agenda. Resolution authorizing three purchase orders needed. Estimated cost: \$12,152.90; funds are budgeted.)

ACTION: Res. 82-449 adopted authorizing three purchase orders, (Finance to handle)

CONSENT

14. Consider declaring Safe-T-Lite low bidder and authorizing the purchase of the City's annual requirement of street name signs at the prices bid.
(Memorandum with agenda. Resolution declaring Safe-T-Lite low bidder needed. Estimated cost: \$12,800; funds to be budgeted.)

ACTION: Res. 82-450 adopted awarding bid. (Finance to handle)

CONSENT

15. Consider declaring Tab Products Company sole bidder and authorizing the purchase of two data processing key disketts for the total price of \$11,448.
(Memorandum with agenda. Resolution awarding bid to Tab Products Company needed. Funds are budgeted.)

ACTION: Res. 82-451 adopted awarding bid. (Finance to handle)

CONSENT

16. Consider acceptance of H. Max Lee, Inc.'s contract for the construction of Prescott and Snyder canal crossing as complete. (Original contract: \$138,975)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$139,585.54; funds are budgeted.)

ACTION: Res. 82-452 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of Eagan and Paradiso's contract for diesel fueling facility at Service Yard as complete. (Original contract: \$71,752.50)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$72,341.50; funds are budgeted.)

ACTION: Res. 82-453 adopted accepting work as complete. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

19. Consider amendment to agreement between the City of Modesto and County of Stanislaus regarding the Central Communications Advisory Committee approved on June 20, 1978.
(This amendment was requested by all parties to the original contract and speaks to the reorganization of the Advisory Committee, terms of office, and determines that the Chairman shall call meetings quarterly or as needed. Resolution approving amendment to agreement needed.)

ACTION: Res. 82-454 adopted approving amendment to agreement. (Fire to handle)

CONSENT

20. Consider approving agreement with Stanislaus County to install traffic signal at the Carpenter Road-Woodland Avenue intersection.
(Memo with agenda. The agreement calls for the City to design and install the signal with the County paying 25% and the City paying the remaining 75% of the cost. Resolution approving agreement needed. Estimated cost: \$80,000; funds are budgeted.)

ACTION: Res. 82-455 adopted approving agreement. (P.T. to handle)

MISCELLANEOUS

CONSENT

21. Legislation: Staff recommends:

OPPOSING

- a) AB 3257 (Konnyu) Preemption of City Control of Hazardous Waste Treatment Facilities

SUPPORTING

- b) AB 3795, as amended, (Felando) Residential Care Homes
c) AB 2551 (Young) Renewal of State Transit Assistance Funds (STAF)

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

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

22. Appointments

None

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

None

24. CLOSED SESSION
(Closed session to consider employee relations matter.)

ADJOURNMENT
(The meeting is to adjourn to Wednesday, June 16, 1982,
at 3:00 p.m. to continue the review of the budget.)

The meeting adjourned at 6:15 p.m. to closed session and then to June 16, 1982,
at 3:00 p.m.

ATTEST: 

NORRINE COYLE City Clerk

Adjourned Regular Meeting
Modesto City Council
June 16, 1982

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

Councilmember Patterson arrived at 3:35 p.m.

Absent: None

There was general discussion by the Council and representatives of the Chamber of Commerce.

ACTION: By motion (Muratore/Siefkin, majority; Patterson-no) the Council declared their intention to adopt the operating budget and Capital Improvement Program on June 22, 1982, with the changes made during the budget review, with a 90% ceiling on the Preliminary Budget General Fund appropriations until acceptance of a Final Budget following State budget action.

The meeting was adjourned at 4:30 p.m.

ATTEST:



NORRINE COYLE City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 22, 1982, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Councilmember Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 7, 8, 9, 10, 11, 15, 16, 17,
18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
28, 29, 30, 32, 33

ACTION: Lang/Elliott, unan., Mayor
Mensingher absent

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the June 15, 1982, regular City Council meeting and the adjourned regular meeting of June 16, 1982.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Further consideration of the Carpenter Road No. 3 Annexation to the City of Modesto.
(Continued from the June 8, 1982, City Council meeting.)

ACTION: Res. 82-456 adopted (Lang/Elliott, unan., Mayor Mensinger absent) terminating annexation proceedings. (Clerk to handle)

4. Consider staff report on Special Assessment District Bond financing. (Staff has developed a policy and procedural statement concerning Special Assessment District Bond financing. This has been discussed in detail with representatives of the Chamber of Commerce. Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Bright/Elliott, unan., Mayor Mensinger absent) receipt of report acknowledged and item continued to July 6, 1982, at 4:00 p.m.
(Clerk to handle)

CONSENT

5. Final adoption of the following:

- a. Ord. No. 2133-C.S. amending P-D(81) to allow all C-2 Zone uses, property located at the northwest corner of Tully Road and Coldwell Avenue. (Nino Masellis)
- b. Ord. No. 2134-C.S. rezoning from P-D(249) to R-2, property located on the east side of Shawnee Drive north of Hetch Hetchy right of way. (Sutco Construction Co.)
- c. Ord. No. 2135-C.S. rezoning from M-1 to P-D(325) to allow a two-story building condominium to contain business offices and industrial warehouse at the north-east corner of 12th & D Streets. (Downtown Plaza Group)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

6. Continued hearing on Land Use and Circulation Element of the General Plan - Brighton Avenue major street designation between Yosemite Boulevard and Scenic Drive. (Continued from the May 11, 1982, City Council meeting.)

ACTION: Res. 82-457 adopted (Lang/Siefkin, unan., Mayor Mensinger absent) eliminating the Brighton Avenue major street designation from Scenic to Yosemite.
(Planning to handle)

BIDS

CONSENT

7. Consider award of contract for the replacement of downtown curbs - Project No. 1. (Bids were opened on June 15, 1982. The low bid of \$26,800, submitted by Gib Goodrum is 1% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to him. Resolution awarding contract to Gib Goodrum needed. Estimated cost: \$29,500 (Contract \$26,800; Engineering \$2,700); funds are budgeted.)

ACTION: Res. 82-458 adopted awarding contract. (P.W. to handle)

CONSENT

8. Consider authorizing the purchase of liquid chlorine from the All Pure Chemical Company for the price of \$173.90 per ton for a period of one year. (Memorandum with agenda. Resolution authorizing the purchase of liquid chlorine from the All Pure Chemical Company needed. Estimated cost: \$83,600; funds are budgeted.)

ACTION: Res. 82-459 adopted authorizing purchase. (Finance to handle)

CONSENT

9. Consider declaring Glen Wilson Trucking, Genstar Cement and Lime Co., and M. J. Ruddy and Son low bidders on various rock, sand and gravel items. (Memorandum with agenda. Resolution declaring Glen Wilson Trucking low bidder on Items 1, 2, 4, 5 & 6 needed; resolution declaring Genstar Cement and Lime Co. low bidder on Item 3 needed; and resolution declaring M. J. Ruddy and Son low bidder on Items 7 and 8, and authorizing the purchase of these products at the respective bid prices. Estimated cost: \$16,500; funds are budgeted.)

ACTION: Res. 82-460 adopted awarding bid to Glen Wilson Trucking for items 1,2,4,5 and 6.
Res. 82-461 adopted awarding bid to Genstar Cement & Lime Co. for item 3.
Res. 82-462 adopted awarding bid to M.J. Ruddy & Son for items 7 and 8.

(Finance to handle)

CONSENT

10. Consider declaring PureGro Company low bidder and authorizing the purchase of liquid anhydrous ammonia for a price of \$275.51 per ton plus tax. (Memorandum with agenda. Resolution declaring PureGro Company low bidder needed. Estimated cost: \$14,800; funds are budgeted.)

ACTION: Res. 82-463 adopted awarding contract. (Finance to handle)

CONSENT

11. Consider acceptance of work on East La Loma Park landscaping and irrigation project, and authorization for recording Notice of Completion and for final payment. (Memorandum with agenda. Resolution authorizing City Clerk to Record Notice of Completion and authorizing payment of all amounts now due on East La Loma Park project needed. Estimated cost: \$85,900; funds are budgeted.)

ACTION: Res. 82-464 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

12. Request of Michael A. deRuosi, City Mall Partnership, for an exception to parking requirements for the development of the City Mall (Penney's building), and designation of six off-street parking spaces for the I.R.S.

ACTION: By motion (Bright/Lang, unan., Mayor Mensinger absent) six spaces are to be designated for the I.R.S. for application purposes with the allocation contingent upon a contract between I.R.S. and Mr. duRuosi and/or others who may be making an application. (P.T. to handle)

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

None

NEW BUSINESS

14. Consider City-County Transportation Committee recommendations on Intracity Transit (IT) and Dial-A-Ride (DAR).
(Memo with agenda. The Committee recommendations include: not expanding the DAR service area at the present time; closing IT and opening the DAR to the general public on July 4 and 5, 1982; authorizing IT to provide shuttle bus service to the Tuolumne Regional Park on July 5, 1982; approving the free bus ride merchant validation promotion for IT; and not realigning Bus Route 6 from Spring Oak Drive. Motion concurring in the City-County Transportation Committee's recommendations needed.)

ACTION: By motion (Lang/Bright, unan., Mayor Mensinger absent) recommendation approved. (P.T. to handle)

CONSENT

15. It is proposed to increase the interest rate on time payment of sewer bond redemption charges and subtrunk extension charges. The current interest rate is 7%. It is proposed to increase the rate to 12%.
(Resolution setting public hearing on July 6, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-465 adopted setting hearing. (Clerk to handle)

CONSENT

16. It is proposed to revise fees charged by Building Inspection for premove inspections, house moving permits and compliance inspections. The proposed fees would reflect the increased cost of doing the work.
(Resolution setting public hearing on July 6, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-466 adopted setting hearing. (Clerk to handle)

CONSENT

17. It is proposed that the Municipal Code be amended to allow the Council to set the fee for sewer lateral connections from time to time by resolution, and concurrently adopt a resolution revising the fee from \$0.05 to \$0.086 per square foot.
(Resolution setting public hearing on July 6, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-467 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider setting public hearing for a proposed fare increase and service reduction on Intracity Transit.
(Memo with agenda. The purpose of the hearing is to consider increases in the monthly bus pass prices, reimplementing a student cash fare and monthly bus pass, and the elimination of Sunday bus service on Intracity Transit. Resolution setting public hearing on August 3, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-468 adopted setting hearing. (Clerk to handle)

CONSENT

19. Establish budget reserves to comply with the provisions of Proposition 4, Sections 2 and 5.
(Memo with agenda. Resolution establishing reserves needed.)

ACTION: Res. 82-469 adopted establishing reserves. (Finance to handle)

CONSENT

20. Consider authorizing application for second year funding for Organized Juvenile Offenders' Diversion Program.
(Memo with agenda. Resolution authorizing application needed. Estimated cost: approximately \$9,000.)

ACTION: Res. 82-470 adopted authorizing application. (Police to handle)

CONSENT

21. Consider amendment to Position Classification Plan for the classification of Fire Battalion Chief. No change in salary.
(Memorandum with agenda. Resolution amending Position Classification Plan needed.)

ACTION: Res. 82-471 adopted amending Position Classification Plan. (Mngt. Services to handle)

CONSENT

22. Consider approving the quitclaiming of McHenry Avenue to the State of California from Briggsmore Avenue north to the northerly City limits. (The purpose of this conveyance is to make sure all of McHenry Avenue (State Highway 108) is in State hands pursuant to earlier agreements. This conveyance does not affect existing maintenance agreements. Resolution authorizing City Manager and City Clerk to execute quitclaim needed.)

ACTION: Res. 82-472 adopted authorizing City Manager and City Clerk to execute quitclaim. (P.W. to handle)

CONSENT

23. Consider approving lease agreement with James N. Allen dba: A & D Yamaha for the lease of 1,250± square feet of the old Sears building to be used as storage. (This is a formalization of a verbal agreement that existed when the City acquired the old Sears building. The terms of this month-to-month agreement are \$125/month rental payment with the lessee paying taxes and utilities. The subject area is located on the street floor off the alley between the old Sears building and the A & D Yamaha building. The storage use which predates the City's acquisition of the building fits into the interim management of the property. Resolution approving agreement needed.)

ACTION: Res. 82-473 adopted approving agreement. (P.W. to handle)

CONSENT

24. Consider approving lease agreement with Don L. Theil for the lease of the former Mendonca property at 608-10th Street. (This is a formalization of a verbal agreement that the City inherited when it acquired this property. The terms of the lease call for a \$515/month rental, with the lessee maintaining the property and paying taxes and utilities. The lease will run from May 17, 1982, to January 16, 1983. Resolution approving agreement needed.)

ACTION: Res. 82-474 adopted approving agreement. (P.W. to handle)

CONSENT

25. Consider approving lease agreement with Petru Daraban, Pernes Joan and Nicolae Antone for the lease of the old sewer pond site and the old Bonzi dump site which are part of proposed Tuolumne River Regional Park. (The City, under the terms of the T.R.R.P. agreement, can lease future park property for periods of one year. This is a one year lease of property that can only be dry farmed at great risk to the farmer. Because of this and the fact the property could not be leased in the past and is expensive for the City to maintain, the proposed terms do not include a rental payment but rather have the lessee maintaining the property and paying the taxes. Resolution approving agreement needed.)

ACTION: Res. 82-475 adopted approving agreement. (P.W. to handle)

CONSENT

26. Consider approving lease agreement with Larry Smith, dba: Larry Smith Auto Sales, for the lease of the City-owned used car lot at 1130-10th Street (Sears Block). (Mr. Smith was a lessee at this location when the City acquired this block. This lease is a one-year lease at the same monthly rental of \$350, Mr. Smith will also maintain the property and pay the taxes and utilities. Resolution approving agreement needed.)

ACTION: Res. 82-476 adopted approving agreement.

(P.W. to handle)

CONSENT

27. Consider approving month-to-month lease agreement with Robert L. and Peggy K. Hoover for the lease of a house purchased for Tuolumne River Regional Park at 1813 W. Hatch Road.

(The City of Modesto, under the terms of the T.R.R.P. agreement, has the authority to lease T.R.R.P. property for periods of one year. This house has been leased to the Hoovers since January, 1981. This new agreement is for the purpose of raising their rent from \$295 to \$325 per month. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 82-477 adopted approving agreement.

(P.W. to handle)

CONSENT

28. Consider approving lease agreement with Nathan J. and Eunice M. Province, dba: Pacific Aircraft Service, for the lease of Hangar No. 3 and one tie-down space. (Mr. and Mrs. Province own and operate Pacific Aircraft Service at the Airport. The new lease agreement is a one year lease encompassing all previous requirements/terms. Resolution approving agreement needed.)

ACTION: Res. 82-478 adopted approving agreement.

(P.W. to handle)

CONSENT

29. Consider approving agreement with Workers Compensation Services, Inc. for workers compensation benefits administration. (Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$24,000; funds are budgeted.)

ACTION: Res. 82-479 adopted approving agreement.

(Mgmt. Services to handle)

CONSENT

30. Consider renewing excess workers compensation insurance with Giddings, Corby & Hynes, Inc. through General Accident (Potomac Insurance Co.). (Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$14,586; funds are budgeted.)

ACTION: Res. 82-480 adopted approving agreement.

(Mgmt. Services to handle)

- 30A. Consider application for Community Development Block Grant for fiscal year 1982-83. (Proposed application has been reviewed by the Housing Maintenance and Counseling Subcommittee and the Citizens Housing & Community Development Committee. Both committees recommend approval. Two public hearings were held by the Citizens Housing & Community Development Committee. Resolution approving filing application needed.)

ACTION: Res. 82-481 adopted (Lang/Elliott, unan., Mayor Mensinger absent) approving filing application.

(Planning to handle)

31. Consider adoption of interim 1982-83 fiscal year operating budget (including the first year of the Four-Year Capital Improvement Program) and changing the distribution of sales tax revenue.
(Adoption of an ordinance and one resolution needed.)

ACTION: By motion (Bright/Lang, majority, Patterson-no, Mayor Mensinger absent)
Ord. No. 2136-C.S. introduced approving budget with expenditures from appropriations in the General Fund to be limited to the line item totals appearing under Column B in the June 18, 1982 report from the Acting Director of Finance.

Res. 82-482 adopted (same vote) directing the disposition of sales and use tax funds received by the City of Modesto.
(Finance to handle)

CONSENT

32. Consider approving two Memoranda of Understanding and making adjustments to implement two new and one existing Memoranda of Understanding.
(Seven resolutions required.)

ACTION: Res. 82-483 adopted approving Memoranda of Understanding between City and Modesto City Employees Association for fiscal year 1982-83.

Res. 82-484 adopted approving Memoranda of Understanding between the City of Modesto and Modesto City Fire Fighters Association for fiscal year 1982-83.

Res. 82-485 adopted establishing procedure for payment of uniform allowance for Police Department personnel.

Res. 82-486 adopted establishing procedure for payment of uniform maintenance allowance for Fire Department personnel.

Res. 82-487 adopted authorizing the payment of certain group health and dental insurance premium rates.

Res. 82-488 adopted establishing salary schedules and fixing compensation for positions in City service.

Res. 82-489 adopted authorizing payment of portions of some employees contributions to PERS.
(Mgmt. Services to handle)

CONSENT

33. Legislation; Staff recommends;

OPPOSING

a. SB 46 (Russell), as amended, PERS Retirees Cost of Living Adjustment

SUPPORTING

b. AB 2579 (Konnyu) City Control of Cruising
(Mrmos and attachments with agenda. Motion accepting staff recommendations needed.)

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

34. Appointments

ACTION: Res. 82-490 adopted (Elliott/Bright, majority, Patterson-no, Mayor Mensinger absent) appointing Gordon Hart to the Planning Commission, term to expire 12/31/85.

(Clerk to handle)

35.

MATTERS TOO LATE FOR THE AGENDA

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

- A. Appropriation transfer from Downtown Improvement District Reserve in the amount of \$5,000 for Professional services.

ACTION: Res. 82-491 adopted (Lang/Elliott, unan., Mayor Mensinger absent) approving appropriation transfer. (Finance to handle)

The meeting adjourned at 9:50 p.m. to 3:00 p.m., July 6, 1982, City Hall lobby, for a field trip to observe location of proposed Burger King sign.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk



Adjourned Regular Meeting
Modesto City Council
July 6, 1982

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the City Hall lobby, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Lang, Muratore, Siefkin, Mayor Mensinger

Absent: Councilmembers Bright, Elliott, Patterson

The Councilmembers met pursuant to adjournment to take a field trip to view a site of a proposed Burger King Sign on W. Orangeburg near Carpenter-Briggsmore, which would be discussed at their meeting of July 6, 1982.

The meeting was adjourned at 3:50 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 6, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 16, 17, 18, 19, 20,
21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34
Dropped from agenda: 14, 15

ACTION: (Lang/Elliott, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the June 22, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Further consideration of Great Valley Bank's request to vacate and abandon a portion of the 20-foot alley in Block 2196 located north of Yosemite Boulevard between San Juan Drive and Phoenix Avenue.
(On October 6, 1981, the City Council held a public hearing and indicated their intention of vacating and abandoning the alley after the bank had met certain conditions. The bank has now complied with all conditions and final abandonment action would be in order. Memo with agenda. Resolution vacating and abandoning alley, certifying environmental review, and directing filing of Notice of Determination needed.)

ACTION: Res. 82-492 adopted abandoning alley. (Clerk/P.W. to handle)

4. Consider staff report on special assessment district bond financing.
(Staff has developed a policy and procedural statement concerning special assessment district financing. This has been discussed in detail with representatives of the Chamber of Commerce. Continued from June 22, 1982 Council meeting.)

ACTION: Res. 82-493 adopted (Elliott/Bright, unan.) approving Special Assessment District Bond Financing as recommended. (P.W. to handle)

5. Reconsideration of request from Gallo Winery for exception to aggregate sidewalks, "D" Street between 10th and 11th Streets.
(Memo with agenda. DID recommends granting the exception and amending the standard specifications to remove the aggregate sidewalk standard on the boundary streets. Resolution granting exception needed, and motion directing staff to prepare amendment to the standard specifications needed.)

ACTION: Res. 82-494 adopted (Muratore/Elliott, unan.) granting exception.
By motion (Muratore/Elliott, unan.) staff directed to prepare amendment to standard specifications. (P.W. to handle)

6. Public Projects Committee - Industrial Policy Study Report and Recommendations.
(Memo with agenda. Resolution adopting recommendations needed, resolutions establishing criteria for Industrial Health Care Facility Revenue Bonds needed, and motions introducing Industrial Revenue Bond ordinance and Health Care Facility Bond ordinance needed.)

ACTION: Res. 82-495 adopted (Elliott/Siefkin, unan.) adopting recommendations for Industrial Policy.
Res. 82-496 adopted (Elliott/Siefkin, unan.) establishing criteria for issuance of Industrial Revenue Bonds.
Res. 82-497 adopted (Elliott/Siefkin, unan.) establishing criteria for issuance of Health Care Facility Bonds.
By motion (Elliott/Siefkin, unan.) Ord. No. 2137-C.S. introduced adding Ch. 5, "Economic Development Revenue Bond Law" to Title VIII of the Municipal Code.
By motion (Elliott/Siefkin, unan.) Ord. No. 2138-C.S. introduced adding Ch. 4, "Health Facilities Financing Law" to Title VIII of the Municipal Code.

HEARINGS

7. Hearing to consider filing federal transit operating assistance grant application.

ACTION: Res. 82-498 adopted (Elliott/Bright, unan.) approving filing of grant application.
(P.T. to handle)

8. Hearing to consider appeal of Lloyd D. Seagraves to a Board of Zoning Adjustment decision regarding the application of State Savings and Loan Association for an H-1 use permit for a branch facility at the northwest corner of McHenry and Woodrow.

ACTION: By motion (Lang/Elliott, unan.) hearing continued to July 20, 1982, 4:00 p.m.
(Clerk to handle)

9. Hearing to consider appeal of Gil Wymond to a Board of Zoning Adjustment decision regarding a freestanding sign proposed for a Burger King Restaurant at 2056 West Orangeburg.

ACTION: Res. 82-499 adopted (Lang/Muratore, unan.) granting the appeal and overruling the Board of Zoning Adjustment's decision. (Clerk to handle)

10. Hearing to consider appeal by Grant Construction Company to a Planning Commission denial of an application for rezoning from R-1 to P-D, property on the north side of Merle Avenue, east of Old Oakdale Road.
(Allen Grant has requested that this hearing be continued to July 13, 1982, 7:30 p.m.)

ACTION: By motion (Elliott/Bright, unan.) hearing continued to July 13, 1982, 7:30 p.m.
(Clerk to handle)

11. Hearing to consider increase in interest rate on time payment of sewer bond redemption charges and subtrunk extension charges. The current interest rate is 7%. It is proposed to increase the rate to 12%
(Bright/Siefkin, unan.)

ACTION: Res. 82-500 adopted/increasing interest rate on time payment of sewer bond redemption charges and subtrunk extension charges to 12%. (P.W./Finance to handle)

12. Hearing to consider revision of fees charged by Building Inspection for premove inspections, house moving permits, and compliance inspections. The proposed fees would reflect the increased cost of doing the work.

ACTION: Res. 82-501 adopted (Siefkin/Patterson, unan.) revising fees charged for premove and house moving permits.
Res. 82-502 adopted (Siefkin/Patterson, unan.) revising fees charged for compliance inspections. (P.W. to handle)

13. Hearing to consider that the Municipal Code be amended to allow the Council to set the fee for sewer lateral connections from time to time by resolution, and concurrently adopt a resolution revising the fee from \$0.05 to \$0.086 per square foot.

ACTION: By motion (Muratore/Bright, unan.) action delayed until staff has met with construction industry representatives to work out problems concerning the reimbursement agreements.

BIDS

CONSENT

at 2:00 p.m.

14. Consider approving specifications and authorize call for bids to be opened/July 27, 1982, for furnishing three remote computer printers.
(Requested by the Data Processing Division, the equipment will provide selected departments with remote data printing capabilities such as purchase orders and building permits. Approved by the Data Steering Committee, funds for this project have been carried over from the 1981-82 Capital Improvement Project Fund. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,000; funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

15. Consider approving specifications and authorize call for bids to be opened July 27, 1982, at 2:10 p.m. for furnishing landscape maintenance services for the 1982-83 fiscal year.
(Current contracts for landscape maintenance services on Public Works pump stations and City traffic islands expired June 30, 1982. This is the second year landscape maintenance services have been successfully contracted out. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$74,000; funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

16. Consider authorizing the purchase of annual dry-cell batteries from Central Valley Safety at the prices listed for Bright Star batteries.
(Memorandum with agenda. Resolution authorizing purchase needed. Estimated cost: \$3,700 City portion; funds are budgeted.)

ACTION: Res. 82-503 adopted authorizing purchase.

(Finance to handle)

CONSENT

17. Consider acceptance of Clyde Wheeler Pipeline, Inc.'s contract for waterline strengthening project: Lone Palm and Woodland Avenue across Freeway 99 to Emerald Avenue as complete. (Original contract: \$37,703)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$41,376.05; funds are budgeted.)

ACTION: Res. 82-504 adopted accepting work as complete. (Clerk to handle)

CONSENT

18. Consider acceptance of Biben's Nursery's contract for landscaping and irrigation of various pump stations and one lift station as complete. (Original contract: \$31,215)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$31,725; funds are budgeted.)

ACTION: Res. 82-505 adopted accepting work as complete. (Clerk to handle)

CONSENT

19. Consider acceptance of George Reed, Inc.'s contract for housing improvement area No. III - Phase I. (Original contract: \$332,891.75)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$347,224.75; funds are budgeted.)

ACTION: Res. 82-506 adopted accepting work as complete. (Clerk to handle)

CONSENT

20. Consider acceptance of Wilco Construction's contract for the McHenry Mansion restoration as complete. (Original contract: \$395,600)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$408,126.76; funds are budgeted.)

ACTION: Res. 82-507 adopted accepting work as complete. (Clerk to handle)

CONSENT

21. Consider acceptance of Comanche Corporation's contract for oiling of road at remote ponds as complete. (Original cost: \$8,362)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$8,393.50; funds are budgeted.)

ACTION: Res. 82-508 adopted accepting work as complete. (Clerk to handle)

CONSENT

22. Consider waiving formal bid procedures for the 1982-83 fiscal year and authorize the purchase of gas and diesel from the source with the best available price or from any other source available in the event of restricted supplies.
(Memorandum with agenda. Estimated cost: \$760,000; funds are budgeted.)

ACTION: Res. 82-509 adopted waiving formal bid. (Finance to handle)

WRITTEN COMMUNICATIONS

23. Letter from Collins & Ryder, on behalf of Intermountain Resources, Inc. concerning a proposed garden refuse energy program.

ACTION: Res. 82-510 adopted (Elliott/Patterson, unan.) stating that (a) the proposal by Intermountain Resources is in line with concepts considered to be favorable by the City of Modesto; (b) that the City of Modesto encourages this type of project; (c) that the City of Modesto at the proper time would be receptive to detailed proposals from Intermountain Resources and other firms to assure equal opportunity for all potential investors; and (d) that the City is committed to turning its bio-mass into useful energy.
(P.W. to handle)

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

None

NEW BUSINESS

25. Establishment of a redevelopment agency for downtown revitalization.
(Memo with agenda. The DID and the Planning Commission urge establishment of a redevelopment agency for downtown revitalization and that the City Council serve as the Board of Directors. Additional steps noted. Motion expressing intent to form a redevelopment agency; motion expressing intent to establish a redevelopment project area to include the AgriTrade Center-Community Center; and motion directing staff to prepare proposals for legal/financial consultant services needed.)

ACTION: By motion (Lang/Siefkin, majority, Muratore-no) Council expressed its intention to form a redevelopment agency with the powers given under the California law, the City Council to act as the Board of Directors, and the decision concerning condemnation to be made on a project by project basis.

By motion (Lang/Bright, majority, Muratore-no) staff directed to prepare proposals for legal/financial consultant services.

Mayor Mensinger and Councilmember Siefkin were excused from further consideration of this item due to conflicts of interest.

By motion (Lang/Bright, unan., Siefkin and Mayor Mensinger absent) Council expressed its intent to establish a redevelopment project area to include the Agri-Trade Center-Community Center.
(Planning to handle)

CONSENT

26. Consider delaying hearing on Transportation Center Master Plan and consequent federal grant application.
(This hearing is presently set for the July 27, 1982, Council meeting. There will be several Councilmembers absent. It is recommended that the hearing be continued to August 17, 1982, the next meeting when attendance will be high. Motion indicating an intention to continue the hearing from July 27, 1982, to August 17, 1982 at 4:00 p.m. needed.)

ACTION: By motion, Council indicated its intention to continue the hearing to August 17, 1982, at 4:00 p.m. (Clerk to handle)

CONSENT

27. Consider excusing Councilmember Frank Muratore for being absent from the City Council meeting of June 15 due to his attendance at the League of California Cities' Legislative Conference, and Mayor Peggy Mensinger for being absent on June 22, due to attending the U. S. Conference of Mayors annual conference.
(Motion excusing absences needed.)

ACTION: By motion, absences excused. (Clerk to handle)

CONSENT

28. Consider abandonment of a portion of the 10-foot public utility easement in Lot 4, Block 12568, Coffee Villa subdivision, City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a portion of the public utility easement needed.)

ACTION: Res. 82-511 adopted abandoning a portion of public utility easement. (P.W. to handle)

CONSENT

29. Consider cooperative agreement No. 10-714 between the City of Modesto and the State of California for curb ramp project along Route 108 (McHenry Avenue) in the City of Modesto.
(The State will pay 50% of the cost of 31 curb ramps needed to cross the State highway where crosswalks exist. The City will pay 100% of the cost of an additional 17 curb ramps which will complete ramping on McHenry Avenue from Orangeburg Avenue to Meily Way. This will be done as a part of H.A.C. curb ramps - Project No. 4. Resolution approving cooperative agreement No. 10-714 needed. Estimated cost to City: \$8,000; funds are budgeted.)

ACTION: Res. 82-512 adopted approving agreement with State of California. (P.W. to handle)

CONSENT

30. Resolution amending City of Modesto Personnel Rules on residence requirement, layoff, hours of work, vacation leave, and sick leave.
(This implements provisions of two M.O.U.'s already approved for fire (MCFFA) and miscellaneous employees (MCEA). Memorandum with agenda. Resolution amending City of Modesto Personnel Rules needed.)

ACTION: Res. 82-513 adopted amending City of Modesto Personnel Rules. (Mgmt. Services to handle)

CONSENT

31. Consider authorizing the sale of surplus, stolen, and lost articles by public auction on August 21, 1982, and consider closing the 200 block of Chestnut Street on August 20 and 21.
(Memorandum with agenda. Resolution authorizing public auction on August 21, 1982, and resolution authorizing the closing of the 200 block of Chestnut Street needed.)

ACTION: Res. 82-514 adopted authorizing auction.

Res. 82-515 adopted authorizing closing of street. (Finance/P.W. to handle)

CONSENT

32. Consider approval of the final map of John Kristian Johansen Estates subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Housing Authority of Stanislaus County.
(The subdivision agreement has been signed and all fees paid. John Kristian Johansen Estates is located between Haddon Avenue and Roble Avenue, on both sides of Phoenix Avenue. It contains 5.142 acres. Resolution approving final map needed.)

ACTION: Res. 82-516 adopted approving final map.

(Clerk to handle)

CONSENT

33. Consider acceptance of improvements for Mount Vernon Plaza Units 2, 3, 4, 5, 6, 7, and 8 and authorize the City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Mount Vernon Investment Group. (Mount Vernon Plaza Units 2, 3, 4, 5, 6, 7, and 8 subdivision is located on the south side of Budd Street west of Prescott Road. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements as complete and authorizing the City Clerk to file Notice of Completion and proceed with release of bonds needed.)

ACTION: Res. 82-517 adopted accepting improvements in Mount Vernon Plaza Unit No. 2.
Res. 82-518 adopted accepting improvements in Mount Vernon Plaza Unit No. 3.
Res. 82-519 adopted accepting improvements in Mount Vernon Plaza Unit No. 4.
Res. 82-520 adopted accepting improvements in Mount Vernon Plaza Unit No. 5.
Res. 82-521 adopted accepting improvements in Mount Vernon Plaza Unit No. 6.
Res. 82-522 adopted accepting improvements in Mount Vernon Plaza Unit No. 7.
Res. 82-523 adopted accepting improvements in Mount Vernon Plaza Unit No. 8.
(Clerk to handle)

CONSENT

34. Legislation: Staff recommends:
Opposing

a) Federal Preemption of Local Rent Control Authority

Supporting

b) AB 3436 (McAlister) Licensed Contractors

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

ACTION: By motion, recommendations approved.

(Mgmt. Services to handle)

35. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 8:20 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 13, 1982, AT 7:30 P.M.

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

Absent: Councilmember Lang

Pledge of allegiance to the Flag

Invocation: Councilmember Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 12, 13, 14,
15, 16, 17

Dropped from agenda: 18

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

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

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting and the regular City Council meeting of July 6, 1982.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2137-C.S. relating to powers and procedures to issue revenue bonds for the purpose of providing financing to participating parties for economic purposes.
- b. Ord. No. 2138-C.S. relating to powers and procedures to issue revenue bonds for the purpose of providing financing to participating health institutions for specified purposes.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider appeal by Grant Construction Company to a Planning Commission denial of an application for rezoning from R-1 to P-D, property located on the north side of Merle Avenue, east of Old Oakdale Road.
(Hearing continued from July 6, 1982, Council meeting.)

ACTION: By motion (Muratore/Bright, unan., Lang absent) Council indicated its intention to grant the appeal with conditions discussed. (Planning to handle)

BIDS

CONSENT

5. Consider acceptance of Diablo Controls Company's contract for installation of water automation instrumentation and controls as complete. (Original contract: \$77,900)
(All work on this project has been completed to the satisfaction of the Public Works Department. It would therefore be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$82,072.60; funds are budgeted.)

ACTION: Res. 82-524 adopted accepting work as complete.

(Clerk to handle)

CONSENT

6. Consider acceptance of George Reed, Inc.'s contract for the construction of Beyer Park - Phase I (LWCF 06-00842) as complete. (Original contract: \$509,030)
(All work on this project has been completed to the satisfaction of the Parks and Recreation and Public Works Departments. It would therefore be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$531,335.74; funds are budgeted.)

ACTION: Res. 82-525 adopted accepting work as complete. (Clerk to handle)

CONSENT

7. Consider accepting the 11th & K parking deck repairs and improvements as complete. (Memo with agenda. Improvements consisted of new planters, irrigation, landscaping, curbs, gutters, sidewalk, wheelchair ramp, seal coating the pavement, and driveway arches. Resolution accepting contract as complete and authorizing the filing of a Notice of Completion needed. Estimated cost: \$36,969; funds are budgeted.)

ACTION: Res. 82-526 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

8. Letter from Barbara Mudrinich concerning the Housing Rehabilitation Program.

ACTION: By motion (Elliott/Siefkin, unan., Lang absent) it was determined that no changes would be made to the Housing Rehabilitation Program at this time.

Staff requested to report on the contacts and communications to people in target areas and problems with termite inspections. (Planning to handle)

The Council took a 10 minute recess.

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

John Ward requested the Council to place a measure on the ballot concerning establishing a redevelopment agency. No action taken.

NEW BUSINESS

10. Consider request from the Downtown Improvement District that the Parade Ordinance be amended to require applicants for parades in the downtown area to notify downtown merchants by a flyer or notice in the Modesto Bee. (Memoranda with agenda. Motion accepting or rejecting a staff report and recommendation needed.)

Request withdrawn by Downtown Improvement District.

11. Approval of a letter agreement with Rod Gunn and Associates to prepare a UDAG application for the AgriTrade Center/Community Center Codevelopment project. (Memo with agenda. The fixed cost for application preparation is \$5,000 and includes meetings as needed with the City Council and the City staff. There will also be additional costs on a fee basis to attend possible HUD UDAG reviews. Resolution approving letter agreement needed, and resolution appropriating funds needed. Estimated maximum cost: \$10,000.)

Mayor Mensinger and Councilmember Siefkin excused due to conflicts of interest.

ACTION: Res. 82-527 adopted (Patterson/Bright, unan., Lang, Siefkin, and Mayor Mensinger absent) approving letter agreement.

Res. 82-528 adopted (same vote) approving appropriation transfer. (Planning/
Finance to handle)

CONSENT

12. Approval of extension of term of existing contract with the State Department of Rehabilitation for Reimbursement for City staff services, housing needs assessment for the disabled. (Amends agreement dated October 2, 1981, to extend term to September 30, 1982.)
(Pursuant to an existing contract with the City of Modesto, the State Department of Rehabilitation has agreed to develop a housing needs assessment for the disabled, using Modesto as a model. The State has agreed to reimburse the City of Modesto up to \$6,000 for staff time committed to the study--approximately four to eight hours per week average. It is necessary to amend the contract to extend its term to September 30, 1982. Resolution authorizing amendment needed.)

ACTION: Res. 82-529 adopted authorizing amendment (Planning to handle)

CONSENT

13. Consider the following:

- a. Withdrawing Sherwood Forest No. 2 Annexation from the McHenry-Dry Creek Fire Protection District.
- b. Setting a hearing to consider determining that the public interest and convenience require that Sherwood Forest No. 2 Annexation be annexed to the Modesto Municipal Sewer District No. 1.

(The effective date of the Sherwood Forest No. 2 Annexation to the City of Modesto was July 8, 1982. Resolution withdrawing annexation from fire district needed, and resolution setting hearing August 24, 1982, at 7:30 p.m. to consider annexation to Modesto Municipal Sewer District No. 1 needed.)

ACTION: Res. 82-530 adopted withdrawing from McHenry-Dry Creek Fire Protection District.
Res. 82-531 adopted setting hearing to determine if Sherwood Forest No. 2 Annexation should be annexed to the Modesto Municipal Sewer District No. 1.
(Clerk to handle)

CONSENT

14. Consider lease agreement with United Way for rental of Rooms 101, 103 and 105 at the Modesto Community Service Center for \$280 per month. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-532 adopted approving agreement. (P.R. to handle)

CONSENT

15. Consider renewal of annual property and equipment insurance. (Memo with agenda. Resolution authorizing the purchase of real and personal property insurance, including special coverage for Tuolumne River Regional Park, through Hamilton/Meridian Insurance Associates needed. Estimated cost: \$14,012; funds are budgeted.)

ACTION: Res. 82-533 adopted authorizing purchase of insurance. (Mgmt. Services to handle)

CONSENT

16. Set hearing to consider approval of report by Superintendent of Streets on the cost of residential alley resurfacing. (The following information shows the project locations listed by lot and block number. The dollar amounts listed reflect the contract cost for the placement of the asphalt and raising the covers of manholes or lampholes (which allow access for inspection purposes). The grading of the alleys was paid for by the City. Resolution setting hearing August 10, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-534 adopted setting hearing. (Clerk to handle)

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Elmer A. Kirkle	29 and 30	\$ 41.43
Elmer A. Kirkle	31 and 32	196.77
Judith M. Bush	33 and 34	196.77
Elaine Kline	35 and 36	196.77
Anna M. Orr	37 and 38	196.77
Benjamin A. Phillips	39 and 40	196.77
Calvin R. Cox	41 and 42	196.77
Norman S. Miranda	Por.	295.14
Keith E. Bye	46 and 47	196.77
Agnes M. McCabe	Por.	161.34
John A. Lee	Por.	194.92
Anthony R. Powell	Por.	157.41
Cora Marie Murray	Por.	651.29
James D. Haub	Por.	550.94
Howard Smith	56	41.32

BLOCK 6072

PEARL-ORANGEBURG/ALBANY-CONCORD

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
E. G. Kruger	20	\$239.12
Edwin M. Coolahan	19	243.20
Robert E. Fish	18	243.20
Gertrude W. Hardwick	17	243.20
O. H. Blankenship	16	243.20
Ottis C. Stacy	15	243.20
W. A. Wilson	14	243.20
Sally M. Irwin	13	243.20
Eugene H. Lawrence	12	243.20
Richard Schmidt	11	243.20
Jessie C. Walker	10	243.20
Stanley F. Ross Jr.	9	243.20
John G. Williams	8	243.20
Keith A. Brown	7	243.20
Ghulam Kahn	6	243.20
Icy M. Virgin	5	243.20
Robert K. Reeves	4	243.20
Howard D. Allison	3	243.20
Marion L. Rhyno	2	243.20
Dolores B. Pfeifer	1	239.16

BLOCK 6707

COLLEGE-MONTE CARLO/HAWTHORNE-MONTE CRISTO

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Arthur Brohm	22	\$402.52
Klaas Ooms	1	294.87
Allan D. Gilmore	2	275.44
Lucene Wilkinson	3	300.83
Amos Flowers	4	339.43

BLOCK 6832

FLEETWOOD-NORTHGATE/SHERWOOD-HARCOURT

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Lilian W. Lau	1	\$536.16
Esgar F. Carmichael	Por.	488.10
Douglas C. Vient	Por.	485.14
Richard M. Beal	Por.	430.41
Collene Husted	Por.	42 .71
O. Lloyd Joiner	7	422.23
Charles M. Boucher	8	391.81
John M. Jennings (Estate of)	9	329.77
Ernst L. Schuster	10	435.14
Arthur V. D'Accardo	11	450.02
Lorin K. Maddux	12	374.91
John Totoyan Jr.	13	309.87
Jimmie L. Delhart	14	55.30

BLOCK 843

TULLY-NOTRE DAME/CECIL-ROSEBURG

<u>Property Owner</u>	<u>Lot.</u>	<u>Contract Cost</u>
John Quaresma	1	\$193.97
Erwin L. Jackson	2	193.97
Henry Kamps Jr.	3	193.97
Eugene F. Berry	4	193.97
Harris Schroeder	5	193.97
Clarence H. Skiles	6	193.97
Randolph P. High	7	193.97
James Costa	8	193.97
Henry Wagner	9	193.97
Virginia Laudenslayer	10	193.97
Donald J. Wimberly	11	193.97
John Quaresma	13	506.26

CONSENT

17. Consider certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the 1982-83 payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1. (Memo with agenda. Resolution certifying needed.)

ACTION: Res. 82-535 adopted certifying amount needed for payment of principal and interest on bonds of the Sewer District No. 1 . (Finance to handle)

CONSENT

18. Consider authorizing the City Manager to sign a contract with Burroughs Corporation for providing maintenance service on the data processing system located in the Finance Department. (Memorandum with agenda. Resolution approving maintenance contract needed. Estimated cost: \$39,392.40; funds are budgeted.)

Dropped from agenda.

MISCELLANEOUS

19. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 11:00 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 20, 1982, AT 4:00 P.M.

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

Absent: Councilmember Lang

Pledge of allegiance to the Flag

Invocation: Vice Mayor Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 8, 14, 15, 16

Removed from Consent: 3

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Dr. Sam Oppenheim expressed his appreciation to the Police Department for its efficiency in rescuing his daughter who had been kidnapped.

MINUTES

CONSENT

2. Approval of the minutes of the July 13, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Conditions for Allen Grant rezoning from R-1 to P-D(329), property located on the north side of Merle Avenue, east of Old Oakdale Road.
(On July 13, 1982, Council indicated its intention to grant the appeal with conditions as discussed. Memo with agenda.)

ACTION: By motion (Bright/Elliott, Unan., Lang absent) Ord. No. 2139-C.S. introduced.
Res. 82-536 adopted (same vote) granting appeal and approving plan. (Clerk to handle)

CONSENT

4. Consider approval of application form for Health Care Facility Revenue Bonds and Industrial Revenue Bonds.
(On July 6, 1982, the City Council introduced the two ordinances regarding these bonds and adopted them on July 13, 1982. Memo regarding recommended application form with agenda. Resolution approving application form needed. Direct and indirect costs to be borne by the applicants.)

ACTION: Res. 82-537 adopted approving application form. (Planning to handle)

HEARINGS

5. Hearing to consider amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D(326), property located on the northeast corner of Kingswood and Buttonwillow to allow a 22-unit, one-story airspace condominium project. (A.E. Carrade)

ACTION: By motion (Elliott/Bright, unan., Lang absent) Ord. No. 2140-C.S. introduced.

Res. 82-538 adopted (same vote) approving plan.

Res. 82-539 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

6. Hearing to consider appeal of Lloyd D. Seagraves to a Board of Zoning Adjustment decision regarding the application of State Savings and Loan Association for an H-1 use permit for a branch facility at the northwest corner of McHenry and Woodrow. (Continued from the July 6, 1982, Council meeting.)

ACTION: By motion (Muratore/Siefkin, unan., Lang absent) this hearing continued to July 27, 1982, 7:30 p.m. with the understanding that if the necessary arrangements can be made with the property owner for an extension of the lease, the hearing will be continued to August 3, 1982, 4:00 p.m.
(Clerk to handle)

BIDS

CONSENT

7. Consider approving specifications and authorize call for bids to be opened August 17, 1982, at 2:00 p.m. for furnishing three industrial loaders. (Requested by the Service Division, the loaders will be permanently assigned to the Public Works Garden Refuse Division. The loaders will be outfitted with a "claw" which will enable them to pick up grass, leaves, and yard trimmings. The loaders will replace similar equipment presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$134,175; funds are budgeted.)

ACTION: Res. 82-540 adopted calling for bids.

(Finance to handle)

CONSENT

8. Consider awarding contract to install traffic signals on Sylvan Avenue at Boyce Lane (Beyer High School). (Memo with agenda. Bids were opened on July 12, 1982, and Bowden Electric was the low bidder at \$26,675. Bowden was also low bidder on a separate item for the installation of wheelchair ramps, and it is recommended that the \$1,320 job be included in this contract. Resolution awarding the contract to Bowden Electric needed. Funds are budgeted.)

ACTION: Res. 82-541 adopted awarding contract.

(P.T. to handle)

9. Consider acceptance of The Flintkote Company's contract for street improvements - Chabot Avenue, Duncan Avenue, and Muir Road as complete. (Original contract: \$35,280) (All work on this project has been completed to the satisfaction of the Public Works Department. It would therefore be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Final cost: \$36,915.90; funds are budgeted.)

Councilmember Elliott excused due to a conflict of interest.

ACTION: Res. 82-542 adopted (Bright/Muratore, unan., Elliott and Lang absent)

(Clerk to handle)

WRITTEN COMMUNICATIONS

10. Letter from Mr. John C. Hughes concerning the removal of a tree.

ACTION: By motion (Elliott/Muratore, unan., Lang absent) this item continued two weeks and staff requested to provide information concerning accidents in Mr. Hughes' vicinity. (P.R. to handle)

11. Letter from Modesto Disposal Employees, Modesto Lodge #1528, concerning wage negotiations with Modesto Disposal Company. Presentation made by Eric Hoffman.

11.A

MATTERS FOR THE GOOD OF THE COMMUNITY

Mayor Mensinger read her letter to Mr. Pullen refuting his statements concerning her voting on housing program matters.

NEW BUSINESS

13. Consider authorizing City Manager to sign Urban Development Action Grant application.

(Memo with agenda. Resolution authorizing signature needed.)

Mayor Mensinger and Councilmember Siefkin excused due to conflicts of interest.

ACTION: Res. 82-543 adopted (Elliott/Patterson, unan., Lang, Siefkin, and Mayor Mensinger absent) authorizing signature. (Planning to handle)

CONSENT

14. Consider request for sewer service to property outside City limits at 702 Laurel Avenue, located on the north side of Laurel between Emerald Avenue and Bennett Avenue. Owners: Melvin Leslie and Wilhemina G. Olsen

(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-544 adopted approving agreement. (P.W. to handle)

CONSENT

15. Consider permitting the property owners at 960 Lone Palm to construct cooling water supply and return wells, and requiring the owners to agree to connect to City services when those services become available.
(Property owners Ronald and Maureen Venturini and John and Marilyn Alcamo wish to install a cooling supply well and return well at 960 Lone Palm. The return well is conditionally approved by the Health Officer. An existing well provides drinking water and a leach field is proposed for waste disposal. When City services are available, the drinking water well and the leach field will be abandoned. Resolution approving the installation of the cooling water supply and return wells and approving an agreement regarding connection to City services needed.)

ACTION: Res. 82-545 adopted approving agreement. (P.W. to handle)

MISCELLANEOUS

CONSENT

16. Legislation: Staff recommends supporting Senator Long's amendment to delete State and local bonds from the minimum tax proposed in H.R. 4961.
(Memo and attachment with agenda. Motion accepting staff recommendations needed.)

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

17. Appointments

None

- 18.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)
Ross Campbell reported that the President had signed the 2.4 billion dollar Clean Water Grant.

ADJOURNMENT

The meeting adjourned at 6:05 p.m.

ATTEST: *Maurine Coyle*
NORRINE COYLE, City Clerk 7/20/82

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 27, 1982, AT 7:30 P.M.

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

Absent: Councilmembers Bright, Lang, Patterson

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 8, 9, 10, 11, 12, 13,
Removed from consent: 17 14, 15, 16, 18

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the July 20, 1982, regular City Council meeting.
(motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2139-C.S. rezoning from R-1 to P-D(329), property located on the north side of Merle Avenue east of Old Oakdale Road. (Grant Const.)
- b. Ord. No. 2140-C.S. rezoning from R-2 to P-D(326), property located on the northeast corner of Kingswood and Buttonwillow. (A. E. Carrade)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider the selection of a master plan for the proposed Downtown Transportation Center and authorizing the filing of a federal grant application to cover 80% of the cost of the selected plan.

ACTION: By motion (Elliott/Siefkin, unan., Bright, Lang, Patterson absent) hearing continued to August 17, 1982, 4:00 p.m. (Clerk to handle)

5. Hearing to consider appeal of LLOYD D. Seagraves to a Board of Zoning Adjustment decision regarding the application of State Savings and Loan Association for an H-1 use permit for a branch facility at the northwest corner of McHnery and Woodrow. (Continued from the July 6, 1982, Council meeting, and from the July 20, 1982, Council meeting with the understanding that if the necessary arrangements can be made with the property owner for an extension of the lease, the hearing will be continued to August 3, 1982, at 4:00 p.m.)

ACTION: Res. 82-546 (Siefkin/Elliott, unan., Bright, Lang, Patterson absent) adopted granting the appeal and denying use permit.

BIDS

CONSENT

6. Consider awarding contract for Neece Drive guard rail replacement. (Memo with agenda. Bids were opened on June 29, 1982, and Flintkote Co. was the low bidder at \$17,401. It is recommended that Flintkote be awarded the contract. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 82-547 adopted awarding contract.

(P.T. to handle)

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

None

NEW BUSINESS

CONSENT

8. Extension of provisional appointment of Data Processing Manager.
(Because of the recent appointment of the Director of Finance, the above position is not being permanently filled until the new Director of Finance and City Manager complete their evaluation of City-wide data processing services. Motion approving extension needed.)

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

CONSENT

9. Consider recommendation that the resolution which establishes policies for time payment of the cost of installing sidewalks and curbs be amended to make the time payment plan available only to owner occupants of single family dwellings. (Memo with agenda. Resolution amending time payment policy needed.)

ACTION: Res. 82-548 adopted amending time payment policy. (P.W./Finance to handle)

CONSENT

10. Consider authorizing the filing of a grant application with Caltrans for the Downtown Transportation Center.
(Memo with agenda. The grant application would request \$500,000 in State funds to cover part of the estimated cost of the Downtown Transportation Center. Resolution authorizing the filing of the grant application with Caltrans needed.)

ACTION: Res. 82-549 adopted authorizing filing of grant application. (P.T. to handle)

CONSENT

11. Consider approving lease agreement with Robert Neugebauer for the lease of 5± acres of future Orchard Neighborhood Park site.
(This is a renewal of an existing lease for a six-month period. Mr. Neugebauer will pay \$150 for the lease and will pay any taxes. This property cannot be leased to anyone else because of its location. Resolution approving lease agreement needed.)

ACTION: Res. 82-550 adopted approving lease agreement. (P.W. to handle)

CONSENT

12. Consider approving a lease agreement with Richard D. and Joanne Hyman for the lease of a lot which will eventually be part of the Tuolumne River Regional Park, located on West Hatch Road.
(Under the authority of the TRRP agreement, the City of Modesto can lease property for periods of less than one year. This is a renewal of an existing lease for one year for \$1.00, maintenance of the lot and payment of taxes. The lot cannot be leased to anyone else because of its location/configuration. Resolution approving agreement needed.)

ACTION: Res. 82-551 adopted approving agreement.

(P.W. to handle)

CONSENT

13. Consider approving lease agreement with Gomes Bros. for the lease of approximately 124± acres of land acquired for the remote water quality control ponds. This land is outside the area which would be used for any pond expansion.
(Gomes Bros. has been leasing this area for the last five years. This is a one-year renewal of the same lease raising the rent from \$870 per year to \$1,000 per year. Resolution approving agreement needed.)

ACTION: Res. 82-552 adopted approving agreement.

(P.W. to handle)

CONSENT

14. Consider request for sewer service to property outside City limits at 824 California Avenue, located on the south side of California Avenue between Seybold Avenue and Wheatley Avenue. Owners: Dennis and Edith Wyckoff
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-553 adopted approving agreement.

(P.W. to handle)

CONSENT

15. Consider approving agreement with Caltrans to install traffic improvements on Briggsmore Avenue at Prescott Avenue, Orangeburg/Sisk Road, and the Freeway 99 overpass.
(Memo with agenda. The agreement calls for a maximum project cost of \$209,805, with the State paying 65% and the City 35%. The project would modify the traffic signals and change some lane lines, and widen a portion of Orangeburg Avenue. Resolution approving agreement needed. Estimated cost: \$74,025; funds are budgeted.)

ACTION: Res. 82-554 adopted approving agreement.

(P.T. to handle)

CONSENT

16. Consider authorizing the City Manager to sign a contract with Burroughs Corporation for providing maintenance service on the data processing system located in the Finance Department.
(Memorandum with agenda. Resolution approving maintenance contract needed. Estimated cost: \$39,221.20; funds are budgeted.)

ACTION: Res. 82-555 adopted approving maintenance contract. (Finance to handle)

17. Consider the following pertaining to the proposed Spencer Avenue No. 2 Annexation:

- a. Approval of LAFCO Questionnaire indicating no opposition to annex.
b. Declaration of extenuating circumstances to allow independent negotiation of property tax allocation under provisions of City-County agreement.

(Memo with agenda. Resolution responding favorably to proposed annexation and resolution declaring existence of extenuating circumstances pertaining to property tax negotiation needed.)

ACTION: Res. 82-556 adopted (Elliott/Siefkin, unan., Bright, Lang, Patterson absent) approving questionnaire.

Res. 82-557 adopted (same vote) declaring extenuating circumstances.
By motion (same vote) receipt of letter from Modesto City Schools District
(Planning to handle)

CONSENT acknowledged.

18. Consider the following pertaining to the proposed Robin Hood Estates Annexation:

- a. Approval of LAFCO Questionnaire indicating no opposition to annex.
b. Declaration of extenuating circumstances to allow independent negotiation of property tax allocation under provisions of City-County agreement.

(Memo with agenda. Resolution responding favorably to proposed annexation and resolution declaring existence of extenuating circumstances pertaining to property tax negotiation needed.)

ACTION: Res. 82-558 adopted approving LAFCO Questionnaire.

Res. 82-559 adopted declaring extenuating circumstances.
(Planning to handle)

MISCELLANEOUS

19. Appointments

None

- 20.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)
In answer to a question from Vice Mayor Muratore, Mr. Herrero said the whole Zoning text is being revised and would probably go to the Planning Commission in November.

ADJOURNMENT

The meeting adjourned at 9:20 p.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 3, 1982, AT 4:00 P.M.

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

Absent: Councilmembers Bright, Patterson, Siefkin

Pledge of allegiance to the Flag

Invocation: Vice Mayor Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 9, 10, 11, 12, 13, 14

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Presentation by Modesto Banking Company of \$300 to co-sponsor the 23rd annual Al Schoenfeld Memorial Junior Tennis Tournament.

ACTION: Bette Belle Smith, representing Modesto Banking Company, presented a check for \$300 to Mayor Mensinger.

MINUTES

CONSENT

2. Approval of the minutes of the July 27, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of the request by John Hughes to remove a street tree.

ACTION: By motion (Muratore/Lang, unan., Bright, Patterson and Siefkin absent) it was agreed that the City would remove the tree at Mr. Hughes' expense, with Mr. Hughes to replace the tree if he sells his property without having constructed the third garage. (P.R. to handle)

HEARINGS

4. Hearing to consider bus fare increase and service reduction.

ACTION: Res. 82-560 adopted (Muratore/Lang, unan., Bright, Patterson and Siefkin absent) increasing bus fares.

By motion (same vote) Sunday bus service is eliminated and Dial-a-Ride service is opened up to the public on an experimental basis. (P.T. to handle)

BIDS

CONSENT

5. Consider approving specifications and authorize call for bids to be opened August 24, 1982, at 2:00 p.m., for furnishing landscape maintenance services at the lift stations, traffic islands, Police Building and City Hall grounds for the remainder of the 1982-83 fiscal year, (Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$74,000. Funds are budgeted.)

ACTION: Res. 82-561 adopted calling for bids. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

6. Consider request from the Downtown Improvement District to hold a sidewalk sale from August 7, through 16, 1982. (Motion approving request needed.)

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

MATTERS FOR THE GOOD OF THE COMMUNITY

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

ACTION: Dr. Merrill Alexander requested the Council to rescind the ordinance concerning Health Facility Revenue Bonds. No action taken.

NEW BUSINESS

8. Consider City-County Joint Transportation Committee transit recommendations. (Memo with agenda. The recommendations include renewing the \$30,000 transit advertising contract with Boyle/Kilpatrick & Associates for the 1982-83 fiscal year; deferring consideration of a proposal from The Transaditise Company (bus bench franchisee) to do a 90-day demonstration of advertising on two City bus patron shelters; and approving the development of bidding, specification and contract documents for a bid call on 9 conventional-type transit buses. Resolution approving the renewal of the advertising contract and authorizing its execution needed, and a motion directing staff to prepare the documents for a bid call on 9 conventional-type transit buses needed. Estimated Cost: \$30,000 advertising contract. Funds are budgeted.)

ACTION: Res. 82-562 adopted (Muratore/Elliott, unan., Bright, Patterson and Siefkin absent) approving renewal of the advertising contract.
By motion (same vote) staff directed to prepare documents for bid call.
(P.T. to handle)

CONSENT

9. Consider SOS request to locate directional signs on Neece and on Tuolumne. (Memo with agenda. SOS would like to install signs at Tuolumne and Neece and at Neece and Rouse to direct traffic to their club. Resolution approving the installations subject to the listed conditions needed. No cost.)

ACTION: Res. 82-563 adopted approving installation of signs. (P.T. to handle)

CONSENT

10. Renewal of Museum property floater insurance policy (includes McHenry Museum, McHenry Mansion, and McClure Mansion items owned, loaned, and in transit). (Memo with agenda. Resolution approving agreement to renew policy with Fireman's Fund Insurance Company through Giddings, Corby & Hynes Insurance Agency needed. Estimated Cost: \$1,690. Funds are budgeted.)

ACTION: Res. 82-564 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

11. Consider approval of agreement with Lila Huff to operate the food concession at Dryden Golf Course Clubhouse.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-565 adopted approving agreement. (P.T. to handle)

CONSENT

12. Consider the following actions with respect to Improvement District No. 24 (Sanitary Sewer to 19 separate areas). (a) Resolution Determining to Undertake Proceedings - M24-1, (b) Resolution Appointing Engineer - M24-2, (c) Resolution Approving Map of Proposed Boundaries - M24-3, (d) Resolution of Intention - M24-4. (On August 26, 1981, the City Council directed staff to commence the process of forming an Improvement District. The four resolutions for consideration will initiate the proceedings. Four resolutions needed. Estimated Cost: \$55,039. Funds are budgeted. Memo with agenda.)

ACTION: Res. 82-566 adopted determining to undertake proceedings.
Res. 82-567 adopted appointing engineer.
Res. 82-568 adopted approving map of proposed boundaries.
Res. 82-569 adopted showing intention. (P.W./Clerk to handle)

CONSENT

13. Consider approval of submission of application for Federal grant for two projects at the Modesto City-County Airport/Harry Sham Field. (The two projects at the Airport are the asphalt overlay of the Utility Runway and slurry seal of the Instrument Runway with markings and striping. Memo with agenda. Resolution approving submission of Federal grant application needed.)

ACTION: Res. 82-570 adopted approving submission of Federal grant application. (P.W. to handle)

MISCELLANEOUS

CONSENT

14. Legislation: Staff recommends opposing Senate Subcommittee on Communications version of S. 2172 (Goldwater), Cable Telecommunications Act of 1982. (Memo and attachments with agenda. A motion accepting staff recommendations needed.)

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

15. Appointments

ACTION: Res. 82-571 adopted (Lang/Elliott, unan., Bright, Patterson and Siefkin absent) reappointing Elwood Wallstrom to the Rehabilitation Loan Pool Subcommittee, term to expire 6/30/86. (Clerk to handle)

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

None

ADJOURNMENT

The meeting adjourned at 5:20 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 10, 1982, AT 7:30 P.M.

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

Absent: Councilmembers Bright, Patterson

Pledge of allegiance to the Flag

Invocation: Councilmember Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 10, 14, 16, 17,
18, 19, 20, 21, 22, 23, 24

Dropped from agenda: 15

ACTION: (Elliott/Muratore, unan., Bright, Patterson, absent)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the August 3, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

3. Hearing regarding costs of residential alley resurfacing at the following locations:

Block 563 - Modesto-Almond/Johnson-McHenry

(1) Elmer A. Kinkle, Lot 29 and 30, \$41.43

ACTION: Res. 82-572 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Elmer A. Kinkle, Lot 31 and 32, \$196.77

ACTION: Res. 82-573 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Judith M. Bush, Lot 33 and 34, \$196.77

ACTION: Res. 82-574 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Elaine Kline, Lot 35 and 36, \$196.77

ACTION: Res. 82-575 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Anna M. Orr, Lot 37 and 38, \$196.77

ACTION: Res. 82-576 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Benjamin A. Phillips, Lot 39 and 40, \$196.77

ACTION: Res. 82-577 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Calvin R. Cox, Lot 41 and 42, \$196.77

ACTION: Res. 82-578 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) Norman S. Miranda, Portion, \$295.14

ACTION: Res. 82-579 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(9) Keith E. Bye, Lot 46 and 47, \$196.77

ACTION: Res. 82-580 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(10) Agnes M. McCabe, Portion, \$161.34

ACTION: Res. 82-581 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(11) John A. Lee, Portion, \$194.92

ACTION: Res. 82-582 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(12) Anthony R. Powell, Portion, \$157.41

ACTION: Res. 82-583 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(13) Cora Marie Murray, Portion, \$651.29

ACTION: Res. 82-584 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(14) James D. Haub, Portion, \$550.94

ACTION: Res. 82-585 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(15) Howard Smith, Lot 56, \$41.32

ACTION: Res. 82-586 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

Block 6072 - Pearl-Orangeburg/Albany-Concord

(1) E. G. Kruger, Lot 20, \$239.12

ACTION: Res. 82-587 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Edwin M. Coolahan, Lot 19, \$243.20

ACTION: Res. 82-588 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Robert E. Fish, Lot 18, \$243.20

ACTION: Res. 82-589 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Gertrude W. Hardwick, Lot 17, \$243.20

ACTION: Res. 82-590 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) O. H. Blankenship, Lot 16, \$243.20

ACTION: Res. 82-591 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Ottis C. Stacy, Lot 15, \$243.20

ACTION: Res. 82-592 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) W. A. Wilson, Lot 14, \$243.20

ACTION: Res. 82-593 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) Sally M. Irwin, Lot 13, \$243.20

ACTION: Res. 82-594 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(9) Eugene H. Lawrence, Lot 12, \$243.20

ACTION: Res. 82-595 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(10) Richard Schmidt, Lot 11, \$243.20

ACTION: Res. 82-596 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(11) Jessie C. Walker, Lot 10, \$243.20

ACTION: Res. 82-597 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(12) Stanley F. Ross Jr., Lot 9, \$243.20

ACTION: Res. 82-598 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(13) John G. Williams, Lot 8, \$243.20

ACTION: Res. 82-599 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(14) Keith A. Brown, Lot 7, \$243.20

ACTION: Res. 82-600 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(15) Ghulam Kahn, Lot 6, \$243.20

ACTION: Res. 82-601 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(16) Icy M. Virgin, Lot 5, \$243.20

ACTION: Res. 82-602 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(17) Robert K. Reeves, Lot 4, \$243.20

ACTION: Res. 82-603 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(18) Howard D. Allison, Lot 3, \$243.20

ACTION: Res. 82-604 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(19) Marion L. Rhyno, Lot 2, \$243.20

ACTION: Res. 82-605 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(20) Dolores, B. Pfeifer, Lot 1, \$239.16

ACTION: Res. 82-606 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

Block 6707 - College-Monte Carlo/Hawthorne-Monte Cristo

(1) Arthur Brohm, Lot 22, \$402.52

ACTION: Res. 82-607 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Klaas Ooms, Lot 1, \$294.87

ACTION: Res. 82-608 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Allan D. Gilmore, Lot 2, \$275.44

ACTION: Res. 82-609 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Lucene Wilkinson, Lot 3, \$300.83

ACTION: Res. 82-610 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Amos Flowers, Lot 4, \$339.43

ACTION: Res. 82-611 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

Block 6832 - Fleetwood-Northgate/Sherwood-Harcourt

(1) Lilian W. Lau, Lot 1, \$536.16

ACTION: Res. 82-612 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Edgar F. Carmichael, Portion, \$488.10

ACTION: Res. 82-613 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Douglas C. Vient, Portion, \$485.14

ACTION: Res. 82-614 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Richard M. Beal, Portion, \$430.41

ACTION: Res. 82-615 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Collene Husted, Portion, \$429.71

ACTION: Res. 82-616 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) O. Lloyd Joiner, Lot 7, \$422.23

ACTION: Res. 82-617 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Charles M. Boucher, Lot 8, \$391.81

ACTION: Res. 82-618 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) John M. Jennings (Estate of), Lot 9, \$329.77

ACTION: Res. 82-619 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(9) Ernst L. Schuster, Lot 10, \$435.14

ACTION: Res. 82-620 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(10) Arthur V. D'Accardo, Lot 11, \$450.02

ACTION: Res. 82-621 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(11) Lorin K. Maddux, Lot 12, \$374.91

ACTION: Res. 82-622 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(12) John Totoyan Jr., Lot 13, \$309.87

ACTION: Res. 82-623 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(13) Jimmie L. Delhart, Lot 14, \$55.30

ACTION: Res. 82-624 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

Block 843 - Tully-Notre Dame/Cecil-Roseburg

(1) John Quaresma, Lot, 1, \$193.97

ACTION: Res. 82-625 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(2) Erwin L. Jackson, Lot 2, \$193.97

ACTION: Res. 82-626 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(3) Henry Kamps Jr., Lot 3, \$193.97

ACTION: Res. 82-627 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(4) Eugene F. Berry, Lot 4, \$193.97

ACTION: Res. 82-628 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(5) Harris Schroeder, Lot 5, \$193.97

ACTION: Res. 82-629 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(6) Clarence H. Skiles, Lot 6, \$193.97

ACTION: Res. 82-630 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(7) Randolph P. High, Lot 7, \$193.97

ACTION: Res. 82-631 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(8) James Costa, Lot 8, \$193.97

ACTION: Res. 82-632 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(9) Henry Wagner, Lot 9, \$193.97

ACTION: Res. 82-633 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(10) Virginia Laudenslayer, Lot 10, \$193.97

ACTION: Res. 82-634 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(11) Donald J. Wimberly, Lot 11, \$193.97

ACTION: Res. 82-635 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(12) John Quaresma, Lot 13, \$193.97

ACTION: Res. 82-636 adopted (Lang/Elliott, unan., Bright and Patterson absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- Hearing to consider amendment to Sec. 8-4-9 of the Zoning Map to rezone from R-2 to P-D(327) to allow a 31-unit one and two-story apartment development, property located on the south side of Hatch Road about 1,800 feet west of Dallas. (Stanislaus County Housing Authority)

ACTION: By motion (Lang/Elliott, unan., Bright, Patterson absent) Ord. No. 2140 A-C.S. introduced,
Res. 82-637 adopted (same vote) approving development plan.
Res. 82-638 adopted (same vote) certifying review of Environmental Assessment.
(Planning to handle)

- Hearing to consider amendment to to Sec. 7-4-9 of the Zoning Map to rezone from R-2 to P-D(328), to allow a 34-unit one and two-story apartment development, property located on the southside of Hatch Road about 4,000 feet west of Dallas. (Stanislaus County Housing Authority)

ACTION: By motion (Lang/Elliott, unan., Bright, Patterson absent) Ord. No. 2141-C.S. introduced.
Res. 82-639 adopted (same vote) approving development plan.
Res. 82-640 adopted (same vote) certifying review of Environmental Assessment.
(Planning to handle)

BIDS

- Consider approval of plans and specifications and call for bids for the construction of wastewater treatment and disposal facilities, Unit No. 4.
(Suggested bid opening: September 15, 1982, at 2:00 p.m. This project will provide for construction of digester No. 2 at the water quality control plant and improvements to the chlorination facilities at the remote pond site. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$1,882,000 (Construction \$1,740,000; Engineering \$142,000); funds are budgeted.)

ACTION: Res. 82-641 adopted (Muratore/Elliott, unan., Bright, Patterson absent) approving call for bids.
(P.W. to handle)

CONSENT

8. Consider approval of plans and specifications for slurry seal on various residential streets - 1982-83.
(Suggested bid opening: August 24, 1982, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$69,540 (Contract \$64,687.50; Engineering \$4,852.50); funds are budgeted.)

ACTION: Res. 82-642 adopted calling for bids.

(P.W. to handle)

CONSENT

9. Consider acceptance of George Reed, Inc.'s contract for Project No. 12 - replacement of curbs, drive aprons and sidewalks at various locations as complete. (Original contract: \$21,889)
(All work on this project has been completed to the satisfaction of the Public Works Department. It would, therefore, be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$22,384; funds are budgeted.)

ACTION: Res. 82-643 adopted accepting work as complete.

(P.W. to handle)

CONSENT

10. Consider an amendment to City's contract with Stanislaus Pump on the construction of T-hangar "J" to permit acceptance of the final payment without waiver of a claim arising out of work performed on the project.
(The project is complete and is ready for City Council acceptance. Stanislaus Pump has requested the amendment to the agreement to allow acceptance without forfeiting their right to pursue a \$3,751.63 claim. Resolution approving amendment to agreement (Specification Section 9.5) needed.)

ACTION: Res. 82-644 adopted approving amendment to agreement.

(P.W. to handle)

WRITTEN COMMUNICATIONS

11. Letter from the Chamber of Commerce regarding garden refuse survey results.

ACTION: By motion (Siefkin/Muratore, unan., Bright, Patterson absent) referred to Solid Waste Committee for study.

12.

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

None

13. Consider acceptance of Rates and Charges Schedule for the Modesto City-County Airport/Harry Sham Field.
(The Airport Advisory Committee has, upon advise of the City staff, agreed to recommend implementation of the revised rates and charges effective January 1, 1983, except that the fixed base operator fees would be effective July 1, 1982. Memo with agenda. Resolution approving revised rates and charges needed.)

ACTION: Res. 82-645 adopted (Elliott/Siefkin, unan., Bright, Patterson absent) establishing rates and charges.

By motion (same vote) referred fuel flowage fees for fixed base operators to
CONSENT Airport Advisory Committee, (P.W. to handle)

14. Authorize City Manager to sign hold harmless agreement with Stanislaus County for liability during performance of chip sealing of a portion of the access road to the water quality control plant remote ponds.
(A purchase order has been issued to Stanislaus County Public Works Department to chip seal the access road to the City of Modesto remote pond site. The hold harmless agreement is required prior to their starting work. Resolution approving hold harmless agreement needed.)

ACTION: Res. 82-646 adopted approving hold harmless agreement. (P.W. to handle)

CONSENT

15. Consider approving sublease of the King's Bench Restaurant to Frank and Toni Belcher.
(Ben C. and Joyce Turner, the City's lessees in the King's Bench, would like to sublease the restaurant portion of their business. They would retain the lounge area and will continue to guarantee the rent. All other terms remain the same. Resolution approving sublease needed.)

Dropped from agenda.

CONSENT

16. Consider approving agreement with Brian F. Lomax for the acquisition of 1,552± square feet of his property needed to install sidewalks on E. Fairmont.
(Mr. Lomax has agreed to sell the required right of way for the appraised value of \$4,000. This is the fourth parcel of 14 being acquired in different areas of the City for the installation of sidewalks. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 82-647 adopted approving agreement. (P.W. to handle)

CONSENT

17. Consider an agreement with Central Plants, Inc. to provide engineering services for the preparation of plans and specifications for site work and installation details of the methane gas processing system.
(On May 25, 1982, City Council authorized staff to proceed with the methane recovery project. An engineering agreement is needed to provide for detailed design of site preparation, foundations, interconnecting piping, etc. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$16,000; funds are budgeted.)

ACTION: Res. 82-648 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider request for water service to property outside City limits at 2408 Scenic Drive, located on the south side of Scenic Drive between Oakdale Road and Sonoma Avenue. (Owners: Francis and Wanda Clemens)
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-649 adopted approving agreement. (P.W. to handle)

CONSENT

19. Consider request for sewer service to property outside City limits at 802 Chicago Avenue, located on the south side of Chicago Avenue between Frankette Avenue and Florette Avenue. (Owners: Jack A. and Adelyne C. Lee)
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-650 adopted approving agreement. (P.W. to handle)

CONSENT

20. Consider request for sewer service to property outside City limits at 816 Chicago Avenue, located on the south side of Chicago Avenue between Frankette Avenue and Florette Avenue. (Owners: Jack and Adelyne Lee)
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-651 adopted approving agreement. (P.W. to handle)

CONSENT

21. Consider acceptance of improvements in Hartford Place subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Romo Properties)
(Hartford Place subdivision is located between Leveland Lane and Rumble Road east of Sherwood Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 82-652 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

22. Consider approval of application for funds under the Roberti-Z'berg Urban Open Space and Recreation Grant Program for Sylvan Park development.
(Block grants to local governmental agencies are available under this program. The City of Modesto is eligible for \$12,799 under this block grant program for 1982-83 fiscal year. Staff recommends that Council authorize this application for funds. These funds will be used to install lights, picnic and barbeque units at Sylvan Park. Resolution authorizing grant application needed.)

ACTION: Res. 82-653 adopted authorizing grant application. (P.R. to handle)

CONSENT

23. City Manager's annual report of activities of all City departments for fiscal year 1981-82.
(Report with agenda. It is recommended by the City Manager that these reports be accepted as the City Manager's annual report on administrative activities of the City as required by the City Charter. Motion accepting report needed.)

ACTION: By motion, report accepted.

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends:

Supporting

AB 2872 (Moore) Open Container
AB 2873 (Bates) Legislation to Overturn Supreme Court Traffic Diverter Case
AB 3745 (Costa) Uninhabited Annexation
SB 341 (Russell) Drug Paraphernalia Sales
AB 2501 (Floyd) Drug Paraphernalia
SB 1941 (Ayala) State Facilities Within Cities
H.R. 6100 - EDA Reauthorization

CONSENT

24. Legislation: (Continued) Staff recommends:

Support in Concept

AB 3019 (Elder) Underground Pipelines

Withdraw Opposition and Support

AB 3257 (Konnyu), as amended, Hazardous Waste Bill

Opposing

AB 571 (Naylor) Inverse Condemnation

AB 2748 (Wray) Mobilehome Park Conversions to Other Uses

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

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

25. Appointments

None

26.

MATTERS TOO LATE FOR THE AGENDA

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

- a. Consider approval of plans and specifications and call for bids for asphalt concrete overlay - various residential streets 1982-83.
(Suggested bid opening: Aug. 24, 1982 at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$213,495; Contr. \$198,600, Eng. \$14,895. Funds are budgeted.)

ACTION: Res. 82-654 adopted (Siefkin/Elliott, unan., Bright, Patterson absent) calling for bids. (P.W. to handle)

ADJOURNMENT

The meeting adjourned at 8:48 p.m.

ATTEST:


JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 17, 1982, AT 4:00 P.M.

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

Absent: Councilmember Bright

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 13, 14,
15, 16, 17, 18

ACTION: (Lang/Elliott, unan., Bright absent)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the August 10, 1982, regular City Council meeting.
(motion approving needed.)

ACTION: By motion, minutes approved.

UNFINISHED BUSINESS

CONSENT

3. Consider using Community Development Block Grant funds allocated to the Senior Citizens Emergency Home Assistance Program for a Mobile Home Relocation Loan Program.

(The Modesto City Council has directed staff to develop criteria to establish a revolving loan fund to assist mobile home tenants with moving expenses. Staff has developed tentative criteria and recommends Community Development Block Grant funds be used for the Mobile Home Relocation Loan Program. Memo with agenda. Resolution setting public hearing on September 7, 1982, at 4:00 p.m. to consider amendment to the Community Development Block Grant Statement of Objectives and Projected Use of Funds to allow CDBG funds to be used for the Mobile Home Relocation Loan Program needed.)

ACTION: Res. 82-655 adopted setting hearing.

(Clerk to handle)

HEARINGS

4. Hearing on appeal by Anthony Forakis to a Board of Zoning Adjustment decision regarding a variance for joint use parking for a Function Center at 144 Woodrow Avenue.
Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 82-656 adopted (Siefkin/Lang, unan., Bright, Muratore absent) denying the appeal and upholding the decision of the Board of Zoning Adjustment.
(Planning to handle)

5. Hearing on amendment to portion of P-D(166), property located at the easterly corner of Sisk Road and Sullivan Court, to allow a new commercial building and parking layout (Gemtel Partnership).

ACTION: Res. 82-657 adopted (Elliott/Muratore, unan., Bright absent) amending commercial zone P-D(166) and certifying review of Environmental Assessment.
(Planning to handle)

6. Hearing to consider the selection of a master plan for the proposed Downtown Transportation Center and authorizing the filing of a federal grant application to cover 80% of the cost of the selected plan. (This hearing was continued from the July 27, 1982, Council meeting.)

ACTION: By motion (Siefkin/Elliott, unan., Bright absent) selected Master Plan 2A with phasing option to be considered.

Res. 82-658 adopted (same vote) authorizing filing of grant application.

(P.T. to handle)

BIDS

CONSENT

7. Consider approving specifications and authorizing call for bids to be opened September 7, 1982, at 2:00 p.m. for furnishing one parking lot sweeper. (Requested by the Public Works Service Division, the sweeper will be permanently assigned to the Parking and Traffic Department whose crews will use it to clean City-owned parking lots. The sweeper will replace a similar unit presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$22,000; funds are budgeted.)

ACTION: Res. 82-659 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider acceptance of Stanislaus Pump's contract for the construction of T-hangar "J" at the Modesto City-County Airport/Harry Sham Field as complete. (Original contract: \$153,057.74)
(All work on this project has been completed to the satisfaction of the Public Works Department. It would, therefore, be in order to accept the project as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$159,420.63; funds are budgeted.)

ACTION: Res. 82-660 adopted accepting work as complete. (P.W./Clerk to handle)

CONSENT

9. Consider acceptance of Torres Fence Co., Inc.'s contract for East La Loma Park chain fence and gate control installation as complete. (Original contract and final cost: \$5,510.22)
(All work on this project has been completed to the satisfaction of the Public Works and Parks and Recreation Departments. It is, therefore, in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Memo with agenda. Funds are budgeted.)

ACTION: Res. 82-661 adopted accepting work as complete. (P.W./Clerk to handle)

CONSENT

10. Consider waiving formal bid procedures and authorize the City Manager to sign a purchase agreement with the Burroughs Corporation for the purpose of purchasing a diskette reader and related equipment.
(Memorandum with agenda. Resolution waiving formal bid procedures and approving a purchase agreement needed. (Five affirmative votes needed.) Estimated cost: \$9,440; funds are budgeted.)

ACTION: Res. 82-662 adopted waiving formal bid procedures and approving purchase agreement, (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

11. Request by Downtown Improvement District to block off parking spaces on I Street from 11th to 12th and on 11th and 12th Streets from crosswalks to I Street on the Courthouse side of the streets, and that there be no time limit for on-street parking on Friday, August 20, when Modesto's 112th birthday will be celebrated.
(Motion approving request needed.)

ACTION: By motion, request approved. (P.T./Police to handle)

12.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

ACTION: By motion (Muratore/Elliott) approved request of C.A.S.A. for use of West Side Park and Maddux Youth Center for a Community Awareness Day. (P.R./Police to handle)
Laurie Carhart requested approval to set up booth at Farmers' Market to sell hot chocolate, coffee and soft drinks. By order of the Chair, staff to prepare report.
(Planning to handle)

NEW BUSINESS

CONSENT

13. Consider declaring items as surplus to the City's needs and authorize the sale of these items at the public auction schedule on August 21, 1982.
(Memorandum with agenda. Resolution declaring items as surplus to the City's needs and authorizing the sale at the public auction needed.)

ACTION: Res. 82-663 adopted authorizing sale at public auction of surplus items.
(Finance to handle)

CONSENT

14. Consider an ordinance amending Section 4-7.201 of the Modesto Municipal Code relating to the curfew law and repealing Sections 4-7.202 and 4-7.203.
(Memorandum with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2142-C.S. introduced. (Clerk to handle)

CONSENT

15. Consider approving amendment to agreement with Mercury Refueling, Inc.
(This amendment extends the expiration date of the Hawke Flying Service's lease to December 31, 1982, and adds Office Building #2, Suite A to their facilities. The time extension will allow Mercury Refueling time to assess their plans so a permanent lease can be negotiated. Resolution approving amendment to agreement needed.)

ACTION: Res. 82-664 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

16. Consider request for refund of overpayment of business improvement area taxes - Frontier Dodge. (\$904.72)
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 82-665 adopted approving refund. (Finance to handle)

CONSENT

17. Assurance of Compliance - Title VI of the Civil Rights Act of 1964.
(Because Modesto is a signatory to a joint agreement with Stanislaus County through which they perform specific emergency preparedness functions for the City, the Office of Emergency Services requires the City Manager to sign this routine document. Resolution authorizing City Manager to sign assurance needed.)

ACTION: Res. 82-666 adopted authorizing City Manager to sign Assurance of Compliance.
(Fire to handle)

CONSENT

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

Shelter Creek Development Corp. v. City of Oxnard - Issue: Conversion of apartments to Stock Cooperatives.

Powers v. City of San Rafael - Issue: Immunity from liability from spread of fire from open space lands.

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

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


MISCELLANEOUS

19. Appointments
None

20. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)
Councilmember Muratore mentioned communication from County Board of Supervisors regarding "California Resources Conservation and Efficiency Act" to be on next agenda, and also county parcel maps in the "Urban Transition" area.

ADJOURNMENT

The meeting adjourned at 6:24 p.m.

ATTEST: 
JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 24 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 25

ACTION: (Patterson/Siefkin, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the August 17, 1982, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

8/24/82

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2140A-C.S. rezoning from R-2 to P-D(327) to allow a 31-unit one and two-story apartment development on the south side of Hatch Road about 1,800 feet west of Dallas (Stanislaus County Housing Authority).
- b. Ord. No. 2141-C.S. rezoning from R-2 to P-D(328) to allow a 34-unit one and two story apartment development on the south side of Hatch Road about 4,000 feet west of Dallas (Stanislaus County Housing Authority).
- c. Ord. No. 2142-C.S. amending Section 4-7.201 of Article 2 of Chapter 7 of Title IV of the Municipal Code and repealing Sections 4-7.202 and 4-7.203 relating to curfew.

(Motion adopting needed.)

ACTION: By motion, Ordinances adopted.

(Clerk to handle)

HEARINGS

4. Consider determining that public interest and convenience require that Sherwood Forest No. 2 Annexation be annexed to Modesto Municipal Sewer District No. 1.

ACTION: Res. No. 82-667 adopted (Bright/Lang/ unan.) adopted annexing Sherwood Forest No. 2 Annexation to the Modesto Municipal Sewer District.

(Clerk to handle)

5. Informal hearing to consider amendments to the Modesto Municipal Code pertaining to mail delivery facilities in new subdivisions.

ACTION: A motion introducing an ordinance to provide 3-foot wide non-exclusive easement failed to carry.

By motion (Lang/Bright, majority; Patterson, Mayor Mensinger no) supported Planning Commission recommendations.

Res. No. 82-668 adopted (Lang/Bright, unan.) certifying review of Environmental Assessment. (Planning to handle)

BIDS

CONSENT

6. Consider approving specifications and authorizing call for bids to be opened September 14, 1982, at 2:00 p.m. for furnishing two compound water meters. (Requested by the Public Works Water Division, the meters will be placed into service at the Oakwood Office Park under development on Oakdale Road. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. No. 82-669 adopted calling for bids.

(Finance to handle)

CONSENT

7. Accept modifications to the traffic signals on Briggsmore Avenue at Tully Road and at College Avenue.
(Memo with agenda. All work to modify the traffic signals on Briggsmore Avenue at Tully Road and at College Avenue has been completed. Resolution accepting the project, authorizing the City Clerk to file Notice of Completion and authorizing the Finance Department to make final payment needed. Estimated Cost: \$112,317.36; Funds are budgeted.)

ACTION: Res. 82-670 adopted accepting work as complete. (P.T./Clerk to handle)

CONSENT

8. Consider acceptance of Joe Martin Pipeline Inc.'s contract for waterline extension on Snyder Avenue from Dale to Veneman as complete. (Original contract: \$50,000) (All work on this project has been completed to the satisfaction of the Public Works Department. It would, therefore, be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed, Final cost: \$49,632.91. Funds are budgeted.)

ACTION: Res. 82-671 adopted accepting work as complete. (P.W./Clerk to handle)

CONSENT

9. Consider waiving formal bid procedures and authorizing the purchase of twelve Police patrol cars through the State of California Department of General Services for the total price of \$107,408.16.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase of Police patrol cars needed, Estimated Cost: \$107,408.16. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 82-672 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

10. Letter from International Association of Machinists regarding Modesto Disposal Service work stoppage.

Eric Hoffman, Union Organizer for Modesto Disposal Employees, Modesto Lodge #1528 spoke about labor relations problems with Modesto Disposal.

11. MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)
Bill Vlach and C.B. Sheldon requested Council to look at appointment process for Environmental Assessment Committee. (Planning & CD to handle)

Terry Lewis lodged a complaint about the Police Department as a result of a citation.
NEW BUSINESS (Mgr./Police to handle)

CONSENT

12. Consider approving agreement with McDonough, Holland and Allen for legal services as Special Counsel for Redevelopment.
(Memo with agenda explaining legal services and other consultant services necessary for redevelopment. Resolution approving agreement needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. 82-673 adopted approving agreement. (Planning to handle)

CONSENT

13. Consider authorizing City Manager to sign grant agreement with HUD for \$1,031,000 Community Development Block Grant Funds for fiscal year 1982-83. (Annually the City contracts with HUD for these funds. The agreement includes standard assurances as required in previous years. Resolution authorizing City Manager to sign grant agreement needed.)

ACTION: Res. 82-674 adopted authorizing City Manager to sign agreement.
(Planning to handle)

CONSENT

14. Consider request for sewer service to property outside City limits at 2324 Ada Street, located on the south side of Ada Street between Meta Court and Trask Lane. Owners: Donald W. and Gayle M. Mitchell. (The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-675 adopted approving agreement. (P.W. to handle)

CONSENT

15. Consider authorizing Neighborhood Watch Signs. (Memo with agenda. Resolution authorizing Neighborhood Watch Signs needed and motion approving staff installation recommendations needed.)

ACTION: By motion, staff installation recommendations approved.
Res. 82-676 adopted authorizing Neighborhood Watch Signs. (Police to handle)

CONSENT

16. Consider approving free trial sixty-day service agreement for Local Government Information Network service with Control Data Corporation. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-677 adopted approving agreement. (Finance to handle)

17. Designation of Voting Delegate for League Annual Conference to be held in San Diego, California, October 17 - 21, 1982.

ACTION: By motion (Elliott/Siefkin, unan.) appointed Mayor Mensinger as voting delegate and Vice Mayor Muratore as alternate. (Clerk to handle)

CONSENT

18. Consider the following regarding the proposed Scenic-Oakdale No. 3 Annexation:
a. Approval of LAFCO Questionnaire indicating no opposition to annexation.
b. Declaration of extenuating circumstances to allow independent negotiations of property tax allocation under provisions of City-County agreement.
(The proposed uninhabited annexation consists of eight single-family dwellings and a vacant parcel, approximately 5.4 acres located on the south side of Scenic Drive, east of Oakdale Road. Resolution responding favorably to proposed annexation needed, and resolution declaring existence of extenuating circumstances pertaining to tax negotiation needed.)

ACTION: Res. 82-678 adopted responding favorably to proposed annexation.
Res. 82-679 adopted declaring existence of extenuating circumstances pertaining to tax negotiation. (Planning to handle)

CONSENT

19. Consider setting public hearing to consider revised schedule of fees for encroachment permits.
(Resolution setting public hearing September 7, 1982 at 4:00 p.m. needed.)

ACTION: Res. 82-680 adopted setting hearing. (Clerk to handle)

CONSENT

20. Consider setting public hearing to consider revised schedule of fees and charges for water service.
(Resolution setting public hearing September 7, 1982 at 4:00 p.m. needed.)

ACTION: Res. 82-681 adopted setting hearing. (Clerk to handle)

CONSENT

21. Consider setting public hearing to consider revised filing fees for subdivision and parcel maps.
(Resolution setting public hearing September 7, 1982 at 4:00 p.m. needed.)

ACTION: Res. 82-682 adopted setting hearing. (Clerk to handle)

CONSENT

22. Consider approving amendments to Position Classification Plan and the resolution establishing salary schedules and fixing compensation (for Assistant Director of Finance, Data Processing Manager, Fire Fighter Trainee, Maintenance Mechanic, Maintenance Worker Trainee, Maintenance Worker I and II, Parking & Traffic Crew Leader) and consider amending Personnel Rules for Fire Fighter probationary period.
(Memorandum with agenda. Resolution amending Position Classification Plan needed, resolution amending the resolution establishing salary schedules needed, and resolution amending Personnel Rules needed.)

ACTION: Res. 82-683 adopted amending Position Classification Plan.

Res. 82-684 adopted establishing salary schedules.

Res. 82-684A adopted amending Personnel Rules. (Personnel to handle)

23. Sales by Lori Carhart at the Farmers Market.
(Memo with agenda. Motion directing staff to proceed as outlined needed.)

ACTION: After staff report, Council indicated it would not be possible for Mrs. Carhart to continue with sales under present restrictions of Farmers' Market.

MISCELLANEOUS

24. Consider opposing Proposition 13, "Water Resources Conservation and Efficiency Act."
(The Stanislaus County Board of Supervisors has asked the Modesto City Council to join them in opposing Proposition 13, "Water Resources Conservation and Efficiency Act." Memo with agenda. Resolution opposing Proposition 13 needed.)

ACTION: Res. 82-685 adopted (Muratore/Patterson, unan.) opposing Proposition 13.
(Mgmt. Services to handle)

CONSENT

25. Legislation: Staff recommends opposing AB 684 (Young) - Workers' Compensation Package.
(Memo and attachment with agenda. Motion accepting staff recommendations needed.)

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

26. Appointments

None

- 27.

MATTERS TOO LATE FOR THE AGENDA

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

Councilmember Lang announced Valley Fever Drum and Bugle Corps had placed 18th in international competition in Montreal.

ADJOURNMENT

The meeting adjourned at 9:55 p.m.

ATTEST:


JUDY C. HALL, Acting City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 7, 1982, AT 4:00 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Councilmember Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 13, 14, 15, 16,
Removed from consent: 26, 27 17, 18, 19, 20, 22, 23, 23A, 25, 28,
31, 32, 33, 34, 36

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

none

MINUTES

CONSENT

2. Approval of the minutes of the August 24, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved

(Clerk to handle)

HEARINGS

3. Hearing to consider amendment to the Community Development Block Grant Statement of Objectives and projected use of funds to allow CDBG funds to be used for the Mobile Home Relocation Loan Program.

ACTION: Res. No. 82-686 adopted (Patterson/Siefkin, majority, Elliott and Muratore - no, Mayor Mensinger absent) establishing a mobile home relocation loan program. (Planning & Com. Dev. to handle)

4. Appeal of Mid-Valley Engineering, on behalf of James Lamatis, to a Planning Commission decision regarding the extension of the time schedule for the P-D(226) neighborhood shopping center at the northwest corner of Scenic Drive and Claus Road. (Modesto Development)

ACTION: By motion (Siefkin/Patterson, majority, Lang - no, Mayor Mensinger absent) hearing continued to September 14, 1982, 7:30 p.m. (Clerk to handle)

5. Hearing to consider proposed amendment to P-D(321) to delete a 5-foot strip of land from the proposed condominium development on property located on the north side of Elm Avenue and on the west side of Emerald Avenue. (Lyons Bros.)

ACTION: By motion (Elliott/Bright, unan., Mayor Mensinger absent) this matter was returned to the Planning Commission. (Planning & Com. Dev. to handle)

6. Hearing to consider revised schedule of fees for encroachment permits.

ACTION: Res. 82-687 adopted (Lang/Elliott, unan., Mayor Mensinger absent) adopting fees in connection with encroachment permits and inspections. (P.W. to handle)

7. Hearing to consider revised schedule of fees and charges for water service.

ACTION: Res. 82-688 adopted (Lang/Elliott, unan., Mayor Mensinger absent) adopting fees and charges for water service. (P.W. to handle)

8. Hearing to consider revised filing fees for subdivision and parcel maps.

ACTION: Res. 82-689 adopted (Lang/Elliott, unan., Mayor Mensinger absent) adopting filing fees for subdivision and parcel maps. (P.W. to handle)

BIDS

CONSENT

9. Consider approval of plans and specifications and call for bids for Muncy Neighborhood Park utility building construction - Land and Water Conservation Fund No. 06-00735.
(Suggested bid opening: September 28, 1982, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$51,838.24 (construction \$49,369,75; engineering \$2,468.49); funds are budgeted.)

ACTION: Res. 82-690 adopted calling for bids. (P.W. to handle)
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CONSENT

10. Consider approving the bidding, specification and contract documents and authorizing a call for bids for nine mobile two-way radio units for Intracity Transit.
(Memo with agenda. The nine radio units would be used on the nine new buses the City will soon receive. An approved federal grant will cover 80% of the cost of the nine radios. Resolution approving the bidding, specification and contract documents and authorizing bids to be opened at 2:10 p.m. on November 9, 1982 needed. Estimated cost: \$27,000; funds are budgeted.)

ACTION: Res. 82-691 adopted calling for bids. (P. & T. to handle)

CONSENT

11. Consider approving bidding, specification and contract documents and authorizing a call for bids for eight fareboxes.
(Memo with agenda. The fareboxes would be used on eight new Intracity Transit buses. Eighty percent of the fareboxes' cost will be covered by an approved federal grant. Resolution approving the bidding, specification and contract documents and authorizing bids to be opened at 2:05 p.m. on November 9, 1982 needed. Estimated cost: \$25,000; funds are budgeted.)

ACTION: Res. 82-692 adopted calling for bids. (P. & T. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids to repair and refurbish existing roof at King-Kennedy Community Service Center.
(Suggested bid opening: September 21, 1982, at 11:00 a.m. needed. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$22,000 (\$20,000 contract; \$2,000 Engineering & Cont.); funds are budgeted.)

ACTION: Res. 82-693 adopted calling for bids. (P. W. to handle)

CONSENT

13. Consider approving plans and specifications and calling for bids to install a traffic signal at Dale Road and Veneman Avenue.
(As a condition of the zoning change which allowed Macy's to locate at Vintage Faire, Vintage Faire Associates was required to pay for the design and installation of this signal. The project has been delayed by the lack of a necessary easement. We will be presenting that easement to the Council in a few weeks and feel that approval of plans and specifications and a call for bids is now appropriate. Resolution approving plans and specifications and calling for bids to be opened at 2:00 p.m. on Tuesday, October 12, 1982 needed. Estimated cost: \$90,000; funds are budgeted.)

ACTION: Res. 82-694 adopted calling for bids (P. & T. to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for reroofing Corporation Yard buildings.
(Suggested bid opening: September 21, 1982, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$39,684.92 (contract \$39,292; engineering \$392.92); funds are budgeted.)

ACTION: Res. 82-695 adopted calling for bids. (P.W. to handle)

CONSENT

15. Consider award of contract for asphalt concrete overlay - various residential streets - 1982-83.
(Bids were opened on August 24, 1982. The low bid of \$151,890, submitted by The Flintkote Co., is 24% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Public Works Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract to The Flintkote Co. needed. Funds are budgeted.)

ACTION: Res. 82-696 adopted awarding contract (P.W. to handle)

CONSENT

16. Consider award of contract for slurry seal of various residential streets - 1982-83.
(Bids were opened on August 24, 1982. The low bid of \$65,177, submitted by Graham Contractors, Inc., is 1% above the engineer's estimate and considered acceptable. It is, therefore recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Graham Contractors, Inc. Funds are budgeted.)

ACTION: Res. 82-697 adopted awarding contract. (P.W. to handle)

CONSENT

17. Consider declaring Case Power and Equipment Company low bidder meeting City specifications and authorize the purchase of three industrial loaders for the total price of \$108,438.
(Memorandum with agenda. Resolution awarding contract to Case Power and Equipment needed. Funds are budgeted.)

ACTION: Res. 82-698 adopted awarding contract. (Finance to handle)

CONSENT

18. Consider acceptance of Mac's Backhoe Service's contract for Riverside - El Vista to Scenic waterline strengthening as complete. (Original contract: \$124,653.68)
(All work on this project has been completed to the satisfaction of the Public Works Department. It would, therefore, be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$123,863.46; funds are budgeted.)

ACTION: Res. 82-699 adopted accepting work as complete. (Clerk to handle)

CONSENT

19. Consider acceptance of Western Pipeline, Inc.'s contract for construction of the Orchard Area drainage facility as complete. (Original contract: \$1,031,362.92) (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$1,020,091.67; funds are budgeted.)

ACTION: Res. 82-700 accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

20. Consider request by P & W Development, Inc. to continue the hearing set on September 14, to September 28, 1982. (The hearing is to consider an appeal to a Planning Commission decision concerning an amendment to P-D(214) to allow one-story modular homes. One of the modular homes will be constructed on an R-1 lot and will be available for viewing starting September 22, and the company wishes to allow time for Councilmembers to see it, if they wish, prior to the hearing. Motion indicating intention to continue hearing to September 28, 1982, at 7:30 p.m. needed.)

ACTION: By motion, intention indicated to continue the hearing to September 28, 1982, 7:30 p.m. (Clerk to handle)

21. Letter from the Sutter Glenn Tenant Association concerning problems with the apartment buildings on Sutter and Clementa.

ACTION: By order of the Chair, Building Inspection is to give the Council periodic reports of progress on repairs to the building. (P.W. to handle)

CONSENT

22. Letters from James Brashear and Louis Rolle resigning from the Airport Advisory Committee. (Two resolutions accepting resignations with regret needed.)

ACTION: Res. 82-701 adopted accepting James Brashear's resignation with regret.
Res. 82-702 adopted accepting Louis Rolle's resignation with regret. (Clerk to handle)

CONSENT

23. Request by the North Modesto Kiwanis Club for permission to block off the parking spaces on I Street between 11th and 12th and from mid-block on 11th and 12th to I Street for a display of antique cars to promote the Concours d'Elegance.

(The Parking & Traffic Director and the Downtown Improvement District have no objections to the request. Letter from D.I.D. with the agenda. Motion approving request needed.)

ACTION: By motion, request approved.

(P. & T. to handle)

CONSENT

- 23A. Request by Cliff Miller, Chairman for the Bingo Committee at Modesto Elks Lodge 1282, for an amendment to the Bingo regulations to allow the use of "pull tabs."
(Motion referring to staff needed.)

ACTION: By motion, request referred to staff for recommendation.

(Police to handle)

24.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Joe Byrne invited the Council to the V. F. W. sponsored candidates' night on September 24, 1982, at 7:00 p.m. He also commended the Housing Program Office staff, and mentioned his concern about the need for water in the future.

NEW BUSINESS

CONSENT

25. Consider amendment to agreement with Kennedy/Jenks Engineers for engineering services in conjunction with our Wastewater Treatment and Disposal Facilities Improvements Project.
(Further design effort beyond that which was originally estimated is needed to complete plans and specifications on this project. Also, additional engineering is needed to provide plans for a septage receiving station at the treatment plant. Total cost is \$98,700. Memo with agenda. Resolution approving amendment to agreement needed. Funds are budgeted.)

ACTION: Res. 82-703 adopted approving amended agreement.

(P.W. to handle)

26. Consider approval of two agreements with Rod Gunn and Associates for planning services - UDAG application and redevelopment.
(Memo with agenda. The first agreement extends the deadline for filing a UDAG application on the AgriTrade and Community Center from July 31, 1982 to January 31, 1983. The second provides over-the-shoulder planning assistance to staff on redevelopment. Two resolutions approving the two agreements needed.)

ACTION: Res. 82-704 adopted (Lang/Siefkin, unan., Mayor Mensinger absent) extending the deadline for filing a UDAG application.
Res. 82-705 adopted (Lang/Siefkin, unan., Mayor Mensinger absent) approving agreement to provide planning assistance.

(Planning to handle)

27. Consider approving lease agreement with Jerry Benjamin Hensley for the lease of the former Forcade property, the undeveloped area of Bellenita Park, Robertson Park site, and Mark Twain Park site.
(This is a one-year lease with Mr. Hensley taking care of these properties and paying taxes, thereby relieving the City of the cost of maintaining them. The first two properties are for Tuolumne River Regional Park, and the others are proposed City parks. Resolution approving agreement needed.)

ACTION: Res. 82-706 adopted (Patterson/Bright, unan., Mayor Mensinger absent) approving agreement. (P.W. to handle)

CONSENT

28. Consider granting a waterline easement to Del Este Water Company over a 13' x 130' piece of land acquired for the future extension of Nelson Avenue.
(Years ago the City acquired the subject property by tax deed since it was in the area where Nelson would be extended. The acquisition did not create a public utilities easement however, so any easements must be granted separately. Resolution authorizing City Manager and City Clerk to execute easement deed needed.)

ACTION: Res. 82-707 adopted granting easement. (P.W. to handle)

CONSENT

31. Consider authorizing the City Manager to sign an agreement between Take Care Corporation and the City of Modesto for health maintenance services.
(Memorandum with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-708 adopted approving agreement. (Management Services to handle)

32. Consider the following actions with respect to Improvement District No. 24:

- a. Resolution approving Engineer's Report on proposed improvements and appointing time and place for hearing protests to said improvements on October 26, 1982, at 7:30 p.m., and calling for bids on said improvements on October 19, 1982, at 11:00 a.m. (M24-5).
- b. Resolution of preliminary determination that the public convenience and necessity require the construction of the public improvements to be paid for by special assessment, describing the proposed improvements and setting a time and place for hearing on October 26, 1982, at 7:30 p.m. (M24-6).

(On August 3, 1982, the City Council adopted the first four resolutions initiating the proceedings for Improvement District No. 24. It is now in order for the Council to take action on the next two resolutions. Memo with agenda. Two resolutions needed. Estimated cost: \$55,039; funds are budgeted.)

(continued on page 8)

ACTION: Res. 82-709 adopted approving Engineer's Report, setting hearing on October 26, 1982, at 7:30 p.m., and calling for bids on October 19, 1982, at 11:00 a.m.

Res. 82-710 adopted determining that public convenience and necessity require the construction of public improvements and setting hearing on October 26, 1982, at 7:30 p.m.
(Clerk/P.W. to handle)

CONSENT

33. Fixed assets and revolving fund annual inventory report.
(The City Charter requires that an annual physical inventory of all City property be taken. The inventory has been completed, and a report is included with the agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

34. Consider renewal of Employee Faithful Performance Blanket Position and Individual Bonds with Ohio Casualty through Giddings, Corby & Hynes Agency.
(Memo with agenda. Resolution authorizing renewal needed. Estimated cost for three years: \$5,695; funds are budgeted.)

ACTION: Res. 82-711 adopted renewing bonds. (Management Services to handle)

35. Consider request of Modesto City Schools for vacation and abandonment of California Avenue between Jefferson and "H" Streets and the 20-foot alley in Block 400 and one-way traffic pattern on Washington Street.
(Modesto City Schools has requested vacation and abandonment of the street and alley right of way and a change to one-way traffic on Washington Street between First and "H" Streets to facilitate the proposed expansion of Modesto High School. It is recommended that the request be referred to the Planning Commission for report and recommendation. Memo with agenda. Motion referring request to the Planning Commission needed.)

Councilmember Lang excused due to a conflict of interest.

ACTION: By motion, (Elliott/Patterson, unan., Lang and Mayor Mensinger absent) request referred to the Planning Commission. (Planning & C. D. to handle)

CONSENT

36. Consider approval of appropriation transfer to create a planning and development project account in the Tuolumne River Regional Park Fund.
(These funds are needed to continue the studies for planning Phase II Development (Stage II) in the Tuolumne River Regional Park. Formerly, these funds were carried in the operating budget (fiscal year 1981-82), and this will place it in the Capital Improvement Cost Center of this fund. Resolution approving appropriation transfer needed.)

ACTION: Res. 82-712 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

37. Appointments

ACTION: Res. 82-713 adopted (Elliott/Patterson, unan., Mayor Mensinger) appointing Joyce Carrillo to the Board of Zoning Adjustment, replacing Gordon Hart, term expiring December 31, 1985. (Clerk to handle)

38.

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

none

ADJOURNMENT

Meeting adjourned at 5:15 p.m.

ATTEST:



Norrine Coyle, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 14, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Vice Mayor Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 9, 10, 14, 15, 16, 17

ACTION: (Muratore/Elliott, unan.)

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

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced Scoutmaster Sam Logan and members of Boy Scout Troup #143.

MINUTES

CONSENT

2. Approval of the minutes of the September 7, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Policy for naming City Parks.
(Council asked staff to review current policy and recommend changes if necessary. Memo with agenda. Resolution approving policy needed, and motion asking Culture Commission to develop a procedure for recommending names for parks not adjacent to schools needed.)

ACTION: Res. No. 82-714 adopted (Elliott/Bright, unan.) approving policy for naming City parks.

By motion (Elliott/Bright, unan.) Culture Commission requested to develop a procedure for recommending names for parks not adjacent to schools.
(P.R. to handle)

HEARINGS

4. Appeal of P & W Development to a Planning Commission decision denying an application for an amendment to P-D(214) to allow one-story modular homes, property located on the west side of Panama Drive, south of California Avenue. (At its meeting on September 7, 1982, the City Council indicated its intention to continue this hearing to September 28, 1982, at 7:30 p.m.)

ACTION: By motion (Lang/Elliott, unan.) hearing continued to September 21, 1982, at 7:30 p.m. (Clerk to handle)

5. Appeal of Mid-Valley Engineering, on behalf of James Lamatis, to a Planning Commission decision regarding the extension of the time schedule for the P-D(226) neighborhood shopping center at the northwest corner of Scenic Drive and Claus Road (Modesto Development) (This hearing was continued from the September 7, 1982, City Council meeting.)

ACTION: Res. 82-715 adopted (Muratore/Siefkin, unan.) denying appeal and granting one-year extension. (Planning to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids to strengthen water system on "L" Street between 99 Freeway and Block 40.
(Suggested bid opening: October 5, 1982, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,235.20 (contract \$22,032; engineering \$2,203.20); funds are budgeted.)

ACTION: Res. 82-716 adopted calling for bids. (P.W. to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened on October 5, 1982, at 2:00 p.m. for furnishing replacement fire hose.
(Requested by the Fire Department, the fire hose will replace damaged, worn, or obsolete fire hose presently on hand. Resolution authorizing call for bids needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 82-717 adopted authorizing call for bids. (Finance to handle)

WRITTEN COMMUNICATIONS

8. Letter from Darlene Reineking regarding yield sign on Neece at Rouse.
(Memo with agenda.)

ACTION: By motion (Elliott/Patterson, unan.) staff directed to contact the National Guard concerning moving their sign to provide better vision, place buttons on Neece as a warning of the intersection, and increase Police patrol to enforce the yield sign. (P.T./Police to handle)

9. Request on behalf of Modesto Garbage Co. concerning extension of the existing license for the collection of garbage and transfer of stock in the company.
(Resolution setting hearing October 12, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-718 adopted setting hearing. (Clerk to handle)

CONSENT

10. Consider request by the United Nations Association for City assistance.
(Memorandum with agenda. Motion approving request needed.)

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

11. Designation of voting delegate and two alternate voting delegates for the annual Congress of Cities, November 27-December 1, 1982, in Los Angeles. (Motion designating delegates needed.)

ACTION: By motion (Elliott/Bright, unan.) Mayor Mensinger appointed voting delegate and Vice Mayor Muratore and Councilmember Bright appointed alternate voting delegates. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

14. Consider granting a encroachment permit for the City Limits Restaurant to operate a sidewalk cafe at the corner of 11th & I Streets. (Memo with agenda. Resolution approving encroachment permit needed.)

ACTION: Res. 82-719 adopted approving encroachment permit. (P.W. to handle)

CONSENT

15. Consider waiving fees for condo conversion amendments. (Recommendation that filing fee be waived for amending a P-D to add the City's Tenant Displacement Policy as a condition of approval. Memo with agenda. Motion authorizing Department of Planning and Community Development to waive fees needed.)

ACTION: By motion, Department of Planning and Community Development to waive fees. (Planning to handle)

CONSENT

16. Consider implementing State Government Code Section 65913.3. (Memo with agenda. By January 1, 1983, the State requires a single administrative agency be responsible for the coordinated review of and response to status of residential development. The Department of Planning and Community Development is recommended to fulfill that role. Resolution designating Planning and Community Development as the department to implement Government Code Section 65913.3 needed.)

ACTION: Res. 82-720 adopted designating Planning and Community Development as the department to implement Government Code Section 65913.3. (Planning to handle)

CONSENT

17. Consider acceptance of improvements in Normandy Park subdivision as complete and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdividers: Land Resource Development Corp.) (Normandy Park subdivision is located south of West Roseburg Avenue, east of Tully Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 82-721 adopted accepting improvements as complete in Normandy Park Subdivision. (Clerk to handle)

18. Introduction of an ordinance declaring the need for a Redevelopment Agency in the City of Modesto and declaring that the City Council will act as the Agency. (Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion (Lang/Elliott, majority, Muratore-no) Ord. No. 2143-C.S. introduced. (Clerk to handle)

MISCELLANEOUS

19. Appointments

None

20. MATTERS TOO LATE FOR THE AGENDA

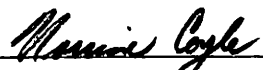
(These may be presented by members of the City Council and staff.)

ACTION: Res. 82-722 adopted (Siefkin/Muratore, unan.) declaring a state of emergency and authorizing the City Manager to enter into a contract to repair the damaged sewer outfall line. (P.W. to handle)

ADJOURNMENT

The meeting adjourned at 9:10 p.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 21, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Thomas Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 7, 8, 9, 10, 11, 12, 14, 15,
Removed from consent: 26 18, 19, 20, 21, 22, 23, 24, 25,
Dropped from agenda: 17 27, 28

ACTION: (Lang/Siefkin, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Special Citation for Outstanding Pedestrian Program Improvement Award, presented by the California State Automobile Association.

Frank Bemis presented a plaque to Mayor Mensinger and Police Chief McKinsey.

MINUTES

CONSENT

2. Approval of the minutes of the September 14, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

CONSENT

- 3. Report from staff on discussions held with Construction Industry Liaison Committee regarding the adjustment in the sewer lateral fee.
(This subject was originally introduced at the July 6, 1982 meeting.
Resolution setting public hearing on October 5, 1982, at 4:00 p.m. needed.)
ACTION: Res. 82-723 adopted setting hearing. (Clerk to handle)

- 4. Consider train sensors on 9th Street tracks at B and P Streets.
(Memo with agenda. Agreements covering sensors at both B and P Streets are ready for approval. Seeking another delay in making the installation or approving the agreements are the alternatives. Motion directing staff, or two resolutions approving agreements covering sensors at B and P Streets needed. Estimated cost: \$11,750; funds are budgeted.)

ACTION: Res. 82-724 adopted (Bright/Elliott, majority, Lang, Muratore, Siefkin-no) approving agreement covering sensors at 9th Street tracks and B Street.
Res. 82-725 adopted (same vote) approving agreement covering sensors at 9th Street tracks and P Street.
By motion (same vote) Council directed that a letter be sent telling the State that the City of Modesto would prefer to delay installation of the sensors.
(P.T. to handle)

CONSENT

- 5. A citizen suggested that the City of Modesto apply to the Department of Interior for Stanislaus River water. Consider the staff report on its investigation on the availability of Stanislaus River water for the City of Modesto.
(Memo with agenda. Motion acknowledging receipt of report needed.)
ACTION: By motion, receipt of report acknowledged.

- 6. Final adoption of Ord. No. 2143-C.S. declaring the need for a redevelopment agency to function in the City of Modesto and declaring the City Council to be the redevelopment agency.
(Motion adopting needed.)

ACTION: By motion (Lang/Elliott, majority, Muratore-no) Ord. No. 2143-C.S. adopted.
(Clerk to handle)

BIDS

CONSENT

- 7. Consider approving the bidding, specification and contract documents and authorizing a call for bids for nine new transit buses.
(Memo with agenda. The nine new buses will provide seven buses for new service and replace 2 older buses in the Intracity Transit fleet. Three different types of buses are specified for comparison. Resolution approving the bidding, specification and contract documents and authorizing bids on the new buses to be opened on November 22, 1982, at 2:00 p.m. needed. Estimated cost: \$1,235,000; funds are budgeted.)

ACTION: Res. 82-726 adopted calling for bids. (P.T. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the strengthening of water system west on Gloria Way and in alley, Block 1115 between Coffee Road and El Vecino Avenue.
(Suggested bid opening: October 12, 1982 at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$32,690.70 (\$31,134.00 contract; \$1,556.70 engineering); funds are budgeted.)

ACTION: Res. 82-727 adopted calling for bids.

(P.W. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for the strengthening of water system on Sierra Drive, Rosedale Avenue and Western Way from Roselawn Avenue to Sutter Avenue.
(Suggested bid opening: October 12, 1982 at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$106,804.48 (\$99,353 contract; \$7,451.48 engineering); funds are budgeted.)

ACTION: Res. 82-728 adopted calling for bids.

(P.W. to handle)

CONSENT

10. Consider accepting the Neece Drive guardrail project as complete.
(Memo with agenda. This project is 86.21% federally funded. As soon as the project is accepted, we can seek reimbursement. The project replaced existing, deteriorated guardrail. There was a \$231.36 cost overrun due to salvaging the old guardrail. Resolution accepting project and directing the City Clerk to file the Notice of Completion needed. Estimated cost: \$17,632.36; funds are budgeted.)

ACTION: Res. 82-729 adopted accepting project as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

11. Request by William King, Modesto Detachment, Marine Corps League, for assistance with their Veterans' Day parade.
(Motion approving needed. Estimated cost: \$375.)

ACTION: Res. 82-729A adopted approving request.

(P.R./Police to handle)

CONSENT

12. Request by property owners in the southern portion of Highway Village to be designated as a target area in the City's Housing and Community Development Program.
(Motion referring the request to the Citizens Housing and Community Development Committee needed.)

ACTION: By motion, request referred to Citizens Housing and Community Development Committee.
(Planning to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Barbara Mudrinich asked for information concerning the mandatory participation requirement of the housing program.
(Atty. to handle)

NEW BUSINESS

CONSENT

14. Distribution of property tax revenue between City of Modesto and Stanislaus County for Robin Hood Estates, Spencer Avenue No. 2, and Scenic Oakdale No. 3 annexations.
(Memo with agenda. Resolution approving the negotiated exchange of property taxes with Stanislaus County for the three annexations needed.)

ACTION: Res. 82-730 adopted approving the negotiated exchange of property taxes.
(Finance to handle)

CONSENT

15. Consider the corrected Report by Superintendent of Streets on the cost of alley resurfacing at Lot 13 of Block 843 (John and Bernice Quaresma - \$506.26), and rescind Res. No. 82-636 (John and Bernice Quaresma - \$193.97).
(The report to the City Council dated July 8, 1982, submitted August 10, 1982, contained an error in the footage and amount to be collected. The cost for John and Bernice Quaresma was incorrectly listed as \$193.97 and should have been stated as \$506.26. Resolution setting hearing October 12, 1982, at 7:30 p.m. and rescinding Res. 82-636 needed.)

ACTION: Res. 82-731 adopted setting hearing.
(Clerk to handle)

16. Consider application submitted by Mr. James High for reimbursement for installation of sewer lateral on Queens Avenue.
(Memo with agenda. Motion denying requested reimbursement needed. Potential claim is \$1,230.75; funds not budgeted.)

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

CONSENT

17. Consider modification of conditions of approval for Farmers' Market.
(Memo with agenda. The Farmers' Market management would like to include as a vendor a fisherman who would sell fresh ocean fish which he catches. Staff supports the request. Resolution permitting and establishing conditions for operation of the Farmers' Market and rescinding Res. 82-410 needed.)

DROPPED FROM AGENDA

CONSENT

18. Consider declaring the property on "Surplus Property Listing Sheet" surplus to City needs and authorize the Purchasing Officer to sell the property by sealed bid. Memorandum and list with agenda. Resolution declaring property surplus and authorizing sale needed.)

ACTION: Res. 82-732 adopted declaring property surplus and authorizing sale.
(Finance to handle)

CONSENT

19. Consider approving the quitclaiming of a 0.126± acre parcel of right of way, located on State Highway 132 (Yosemite Boulevard) and Riverside Drive to Caltrans.
(This parcel of right of way was acquired by the City for the State/City/County cooperative project to widen and place signals at this intersection. The approved cooperative agreement requires the City to convey the right of way within the State Highway to Caltrans. This conveyance fulfills that requirement. Resolution authorizing the City Manager and City Clerk to execute quitclaim deed needed.)

ACTION: Res. 82-733 adopted authorizing execution of quitclaim deed. (P.W. to handle)

CONSENT

20. Authorization of City Manager to execute an indemnity and hold harmless agreement and release with the City of San Mateo.
(Two Modesto Police Officers have been enrolled in the City of San Mateo's motorcycle training course. The City of San Mateo requires the City of Modesto to hold it harmless for the training by execution of a hold harmless agreement. Resolution approving agreement needed.)

ACTION: Res. 82-734 adopted approving agreement. (Police to handle)

CONSENT

21. Consider request for sewer service to property outside City limits at 924 Panama Drive, located on the east side of Panama Drive between Florence Avenue and Houser Lane. (James S. and Abbie Brown)
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-735 adopted approving agreement. (P.W. to handle)

CONSENT

22. Consider amendment to agreement with Kennedy/Jenks Engineers for construction engineering services on our Wastewater Treatment and Disposal Facilities Improvement Project - Unit 4.
(It will be necessary during construction for the Consulting Engineer to provide support services in terms of submittal reviews, preparation of change orders, speciality inspections, materials testing, as-built drawings and final equipment testing on the Unit 4 project. Total cost is \$89,700. Memo with agenda. Resolution approving amendment to agreement needed. Funds are budgeted.)

ACTION: Res. 82-736 adopted approving amendment to agreement. (P.W. to handle)

CONSENT

23. Consider approval of the final map of Oakwood Residential Park subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Guarantee Savings and Loan Association, Inc.
(The subdivision agreement has been signed and all fees paid. Oakwood Residential Park is located south of East Orangeburg Avenue, west of Oakdale Road. It contains 1.741 acres. Resolution approving final map needed.)

ACTION: Res. 82-737 adopted approving final map. (Clerk to handle)

CONSENT

24. Consider approval of the final map of Oakwood Estates No. 1 subdivision of the City of Modesto, and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Guarantee Savings and Loan.
(The subdivision agreement has been signed and all fees paid. Oakwood Estates No. 1 subdivision is located on the north side of Merle Avenue in the Orchard Neighborhood. It contains 18.426 acres. Resolution approving final map needed.)

ACTION: Res. 82-738 adopted approving final map. (Clerk to handle)

CONSENT

25. Authorization of an interfund loan of \$250,000 from the Service Division Fund (Fund 72) to the Methane Gas Generation Fund (Fund 74).
(Memo with agenda. Resolution approving interfund loan.)

ACTION: Res. 82-739 adopted approving interfund loan. (Finance to handle)

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

ACTION: By motion (Patterson/Elliott, unan.) the present arrangement with Newman and Associates continued for four months. (Planning to handle)

CONSENT

27. Consider adoption of a resolution authorizing the filing of a Notice of Determination for Improvement District No. 24.
(The Environmental Assessment Committee has determined that Improvement District No. 24 will not have a significant effect on the environment, and a Negative Declaration is appropriate for the project. It is, therefore, requested that the City Council certify the Committee's recommendation and authorize the filing of a Notice of Determination. Resolution needed.)

ACTION: Res. 82-740 adopted authorizing the filing of a Notice of Determination. (P.W. to handle)

MISCELLANEOUS

CONSENT

28. Legislation: Staff recommends supporting H.R. 6296 and S. 2607, Housing and Community Development Authorization.
(Memo and attachments with agenda. Motion accepting staff recommendations needed.)

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

29. Appointments

None

- 30.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 82-741 adopted (Elliott/Bright, unan.) directing the Mayor to issue a proclamation commending San Jose State for their 1981 and 1982 football victories over Stanford University. (Mayor Mensinger to handle)

CLOSED SESSION

31. Closed session to consider litigation.

ADJOURNMENT

Adjourned to closed session at 5:15 p.m. and then to September 28, 1982, at 3:00 p.m. in the City Hall lobby for a field trip in connection with two hearings.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
September 28, 1982

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the City Hall Lobby, 801 11th Street, Modesto, California.

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

Absent: Councilmember Patterson

The purpose of this meeting was to take a field trip to look at two areas for which hearings were to be held at the 7:30 p.m. City Council meeting.

The field trip adjourned at 4:50 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 28, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Vice Mayor Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items/²6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20,

ACTION: (Patterson/Siefkin, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the September 21, 1982, regular City Council meeting. (motion approving needed.)

ACTION: By motion, minutes approved,

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider proposal for Environmental Assessment Committee from Bill Vlach and C. B. Sheldon.
(Staff has reviewed several alternatives for the composition of the Environmental Assessment Committee, with the conclusion that the existing committee composition seems to be working and does not recommend a change. Memo with agenda. Motion directing staff to revise Environmental Assessment Guidelines or drop matter needed.)

ACTION: By motion (Lang/Siefkin, unan.) it was decided that the present system will be retained.

HEARINGS

4. Hearing to consider appeal of P & W Development to a Planning Commission decision denying an application for an amendment to P-D(214) to allow one-story modular homes, property located on the west side of Panama Drive, south of California Avenue. (Continued from the September 14, 1982 meeting.) A motion to deny the appeal failed to carry, and a motion to amend the P-D to allow development on 12 lots was withdrawn.

ACTION: Res. 82-742 adopted (Siefkin/Elliott, unan.) denying the appeal, sustaining the Planning Commission decision, waiving the one-year waiting period.

A 10 minute recess was taken at 9:45 p.m. Items 12 and 13 were taken up before Item 5.

5. Hearing to consider an amendment to Sections 2-3-8, 3-3-8 and 11-3-8 of the Zoning Map to rezone from R-1 and R-2 to P-D for professional offices, commercial development, and a mixture of housing types including single family ouses, garden townhouses, patio houses, garden apartments, and duplexes, property located west of Dale Road, east of Sisk Road, and south of Pelandale Avenue - Village of Westwood. (Martin, et al)

ACTION: By motion (Elliott/Lang, majority, Muratore, Siefkin-no) Ord. No. 2144-C.S. introduced amending P-D(330).

Res. 82-743 adopted (same vote) approving development plan for P-D(330).

By motion (Elliott/Bright, unan.) Ord. No. 2145 C.S. introduced amending P-D(331).

Res. 82-744 adopted (same vote) approving development plan for P-D(331).

By motion (same vote) Ord. No. 2146-C.S. introduced amending P-D(332).

Res. 82-745 adopted (same vote) approving development plan for P-D(332).

By motion (Lang/Bright, majority, Muratore, Siefkin, Mayor Mensinger - no) Ord. No. 2147-C.S. introduced amending P-D(333).

Res. 82-746 adopted (same vote) approving development plan for P-D (333).

By motion (Lang/Muratore, unan.) Ord. No. 2148-C.S. introduced amending

Sections 2-3-8 and 11-3-8 of the Zoning Map.

Res. 82-747 adopted (Muratore/Bright, unan.) certifying review of Environmental Impact Report on amendments to Sections 2-3-8, 3-3-8 and 11-3-8 of the Zoning Map.
(Clerk/Planning to handle)

BIDS

CONSENT

6. Consider award of contract for repairing and refurbishing existing roof at King Kennedy Community Service Center.
(Bids were opened on September 21, 1982. The low bid of \$9,990, submitted by Central Valley Roofing Co., is 50% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Public Works Department and the Parks Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract to Central Valley Roofing Co. needed. Funds are budgeted.)

ACTION: Res. 82-748 adopted awarding contract, (P.W. to handle)

CONSENT

7. Consider award of contract for the reroofing of the Corporation Yard buildings.
(Bids were opened on September 21, 1982. The low bid of \$44,129, submitted by Central Valley Roofing Co., is 11.2% above the engineer's estimate and considered acceptable. It is, therefore, recommended by the Public Works Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract to Central Valley Roofing Co. needed. Funds are budgeted.)

ACTION: Res, 82-749 adopted awarding contract. (P,W. to handle)

CONSENT

8. Consider acceptance of Gib Goodrum's contract for replacement of downtown curbs - Project No. 1 as complete. (Original contract and final cost: \$26,800)
(All work on this project has been completed to the satisfaction of the Public Works Department. It would, therefore, be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 82-750 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider declaring Water Metrics Company low bidder meeting City specifications and authorize the purchase of two rebuilt compound water meters for the total price of \$8,109.
(Memorandum with agenda. Resolution awarding bid to Water Metrics Company needed. Funds are budgeted.)

ACTION: Res. 82-751 adopted awarding bid. (Finance to handle)

CONSENT

10. Consider rejecting bids on Items II and IV on landscape maintenance bid proposals and provide for City forces to perform services in these areas, and consider awarding contracts for landscape maintenance for Items I and III to Bibens Nursery and DeVengenzo Landscaping.
(Memorandum with agenda. Estimated cost: \$17,775; funds are budgeted. Resolution rejecting bids on Items II and IV and providing for City forces to perform services; and resolution awarding contracts to Bibens Nursery and DeVengenzo Landscaping needed.)

ACTION: Res. 82-752 adopted rejecting bids on Items II and IV and providing for City forces to perform services.

Res. 82-753 adopted awarding contracts to Bibens Nursery and DeVengenzo Landscaping. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the purchase of five traffic signal controllers from BBUDDCO for the total amount of \$12,637.85. (Requested by the Electrical Division, the controllers will be used to replace worn out Eagle Signal equipment presently in service. Each traffic signal controller must be replaced with an identically manufactured unit because of design characteristics. BBUDDCO is the exclusive Northern California distributor for Eagle Signal controllers. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 82-754 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

12. Letter from Mack Wilson concerning the west side of Modesto.

No action taken.

12A.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

13. Consider modification of conditions of approval for Farmers' Market. (The Farmers' Market management would like to include as a vendor a fisherman who would sell fresh ocean fish which he catches. Staff supports the request. Resolution permitting and establishing conditions for operation of the Farmers' Market and rescinding Resolution No. 82-410 needed.)

ACTION: Res. 82-755 adopted (Lang/Siefkin, majority, Elliott-no) permitting a fisherman as a vendor in Farmers' Market. (Planning to handle)

CONSENT

14. Consider approving Airport lease agreement with Air Chaparral, Inc., dba: Inland Empire Airlines to operate at the Modesto City/County Airport - Harry Sham Field.
(This is a one-year agreement giving Inland Empire the right to use the Airport and terminal for their operations. They will pay us terminal fees and landing fees in return. Resolution approving agreement needed.)

ACTION: Res. 82-756 adopted approving agreement. (P.W. to handle)

CONSENT

15. Consider request for sewer service to property outside City limits at 520 Meta Court, located on the east side of Meta Court between Ada Street and Encina Avenue. Owners: Donald G. and Regina E. Emfinger
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-757 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider approving radar-enforceable speed limit on Rouse Avenue.
(Memo with agenda. A radar-enforceable 35 mph speed limit is proposed on Rouse between Neece and Colorado. Introduction of ordinance amending Municipal Code Section 3-2.1401.1 needed. Estimated cost: \$60; funds are budgeted.)

ACTION: By motion, Ord. No. 2149-C,S, introduced, (Clerk to handle)

CONSENT

17. Consider an amendment to the City of Modesto Standard Specifications to delete the requirement for exposed aggregate sidewalks on the boundary streets as shown on Figure 1 in Section 3.26 of the Standard Specifications.
(On September 7, 1982, the Planning Commission adopted Res. 82-141 recommending to the City Council an amendment to the Standard Specifications of the City of Modesto to delete the requirement for exposed aggregate sidewalks on the boundary streets of downtown. Resolution amending the Standard Specifications needed.)

ACTION: Res. 82-758 adopted amending the Standard Specifications. (P.W. to handle)

CONSENT

18. City-County agreement on the allocation of property tax from annexed areas.
(Memo with agenda. Motion authorizing the City Manager to notify the County of the City's intention to terminate the current property tax allocation agreement for annexed areas needed.)

ACTION: By motion, City Manager authorized to notify the County of City's intention to terminate the current property tax allocation agreement for annexed areas.
(Mgr. to handle)

CONSENT

19. Consider approval of application for a California Energy Commission loan to convert certain mercury vapor and incandescent street lights to high pressure sodium vapor.
(The California Energy Commission has been authorized to loan \$1,885,000 in State funds to local governments for energy efficient street light conversion. The City street light conversion program is budgeted at \$35,000 per year. This loan of \$184,478 will allow the City to accelerate the completion of this proposed portion from 5.3 years to 1.5 years. The savings in energy will be almost 5 million kilowatt hours in a 3.8 year period. Memo with agenda. Resolution authorizing loan application needed.)

ACTION: Res. 82-759 adopted authorizing loan application. (P.W. to handle)

CONSENT

20. Consider approval of the final map of McHenry Vista West subdivision of the City of Modesto. This subdivision is a conversion of an apartment complex to condominiums and no subdivision agreement is required. Subdividers: Clair and Alice Swanson, and Marshall and Louise Perry.
(All fees have been paid for this condominium conversion. McHenry Vista West is located at the southwest corner of Kavanagh Avenue and MacDougal Street. It contains 2.979 acres. Resolution approving final map needed.)

ACTION: Res. 82-760 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

21. Appointments

None

22.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 82-761 adopted (Elliott/Patterson, unan.) accepting grant offer for projects at City-County Airport. (P.W. to handle)

Mayor Mensinger presented a proclamation to Councilmember Elliott as requested by him at the September 21st Council meeting.

ADJOURNMENT

The meeting adjourned at 12:45 a.m.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 5, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Dale Iverson, Neighborhood Church

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

ACTION: (Lang/Bright, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the September 28, 1982, adjourned and regular City Council meetings.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of the following:

- a. Ord. No. 2145-C.S., amending Sec. Maps 2-3-8, 3-3-8 and 11-3-8 of the Zoning Map to rezone from R-1 to P-D(331). (Village of Westwood.- Martin, Gagos)
- b. Ord. No. 2146-C.S., amending Section Map 11-3-8 of the Zoning Map to rezone from R-1 to P-D(332). (Village of Westwood - Gagos)
- c. Ord. No. 2148-C.S., amending Section Maps 2-3-8 and 11-3-8 of the Zoning Map to rezone from R-1 to R-2 and R-3. (Village of Westwood - Martin)
- d. Ord. No. 2149-C.S., amending Section 3-2.1401.1 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code relating to speed limits. (Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

4. Final adoption of Ord. No. 2144-C.S. amending Section Maps 2-3-8 and 3-3-8 of the Zoning Map to rezone from R-1 to P-D(330). (Village of Westwood - Martin) (Motion adopting needed.)

ACTION: By motion (Elliott/Lang, majority, Muratore and Siefkin-no) Ord. No. 2144-C.S. adopted. (Clerk to handle)

5. Final adoption of Ord. No. 2147-C.S. amending Section Map 11-3-8 of the Zoning Map to rezone from R-1 to P-D(333). (Village of Westwood - Martin, Martin, Gagos, Steenwyk, Hennings & Mandelkow) (Motion adopting needed.)

ACTION: By motion (Elliott/Bright, majority, Muratore, Siefkin and Mayor Mensinger - no) Ord. No. 2147-C.S. adopted.

HEARINGS

6. Consider amending the Municipal Code to set the fee for sewer lateral connections from time to time by resolution, and revising the fee from \$0.05 to \$0.086 per square foot.

ACTION: By motion (Lang/Patterson, unan.) Hearing continued to October 26, 1982, at 7:30 p.m. (Clerk to handle)

7. Consider amendment to Sec. 2-3-8 of the Zoning Map to repeal P-D(245) and rezone to R-1, property located on the southeast corner of Pelandale and Honeycreek (Planning Commission initiated).

ACTION: Res. 82-762 adopted (Muratore/Patterson, unan.) denying recommendation and granting a one-year extension on P-D(245) (Planning to handle)

8. Consider amendment to Sec. 19-3-9 of the Zoning Map to rezone from P-0 to P-D(334) to allow mini-warehouses, property located on the west side of Martin south of Orangeburg (Resource Development). Councilmember Muratore excused due to a conflict of interest.

ACTION: By motion (Elliott/Bright, unan., Muratore absent) Ord. No. 2150-C.S. introduced.

Res. 82-763 adopted (same vote) approving development plan.

Res. 82-764 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

9. Consider a bid protest by C. W. Roen Construction Company on the Wastewater Treatment Improvement Project - Unit 4. (C. W. Roen Construction Company is one of the bidders on the Wastewater Treatment Project - Unit 4, and contends that the project should be awarded to them. Memo with agenda. Resolution either granting or denying the protest needed.)

ACTION: Res. 82-765 adopted (Muratore/Siefkin, unan.) denying the protest by C.W. Roen Construction Company. (P.W. to handle)

WRITTEN COMMUNICATIONS

10. Request by Sally Magnani, Executive Director of Ecology Action and Co-ordinator of Stanislaus Yes on 11," for Council support of the proposition.

ACTION: By motion (Siefkin/Patterson, majority, Bright, Elliott, Lang-no) Proposition 11 supported.

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

None

NEW BUSINESS

CONSENT

12. Consider directing staff to develop a project to purchase the Ramont property with State Transit Assistance Funds (STAF).
(Memo with agenda. The property would be converted for interim storage of the nine new buses the City will soon be receiving plus other bus yard needs. The property would ultimately be used for employee parking as part of the future Corporation Yard expansion. Motion directing staff to develop a project as recommended needed. Estimated cost: \$325,000. Appropriation transfer to be requested later. An amendment to the Transportation Development Act claim will be prepared for Council consideration this month.)

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

CONSENT

13. Consider approving lease agreement with Leavitt-Weaver, Inc. for the lease of the City-owned property at 1125 11th Street.
(This is the interior decorating business located on the Sears block. It is a one-year lease with the tenants paying \$300 per month, maintaining the property and paying the taxes. These tenants were in the building, on a month-to-month tenancy, when we acquired the property. Resolution approving agreement needed.)

ACTION: Res. 82-766 adopted approving agreement. (P.W. to handle)

CONSENT

14. Consider approving agreement with Arthur and Doris Klein for the acquisition of 1,503± square feet of their property needed to install sidewalks on East Orangeburg adjacent to Christine Sipherd School.
(The Kleins have agreed to sell the required right of way for the appraised value of \$4,000. This is the fifth parcel of 14 being acquired in different areas of the City for the installation of sidewalks. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 82-767 adopted approving agreement. (P.W. to handle)

CONSENT

15. Consider approving cooperative agreement with Stanislaus County regarding the Crows Landing Road drainage basin and authorizing the acceptance of the real property and access easements.
(Approval of this agreement by the City and County will allow this County-owned drainage basin to be conveyed to the City of Modesto. The City will then be responsible for its maintenance; also, the County will retain the right to drain into the basin from County-owned areas. Resolution approving agreement needed, and resolution accepting real property and access easements needed.)

ACTION: Res. 82-768 adopted approving agreement.

Res. 82-769 adopted accepting real property and access easements.

(P.W. to handle)

CONSENT

16. Consider proposed amendment to grant agreement - Modesto City-County Airport/ Harry Sham Field.
(There is an excess of FAA grant money which the City could use for an additional project by amending an existing grant agreement. The Airport Advisory Committee has reviewed the CIP and recommends the Airport service road Project No. 6476 be advanced in the CIP. Memo with agenda. Resolution approving amendment to grant agreement needed, and resolution amending the 82-83 City of Modesto budget needed. Estimated cost: \$69,000; funds are budgeted.)

ACTION: Res. 82-770 adopted approving amendment to grant agreement.

Res. 82-771 adopted amending the 82-83 City of Modesto budget.

(P.W. to handle)

17. Consider adoption of 1982-83 Final Budget.
(Memo with agenda. Ordinance adopting budget needed.)

ACTION: By motion (Lang/Siefkin, unan.) Ord. No. 2151-C.S. introduced,
(Clerk/Finance to handle)

CONSENT

18. Consider proposal from George Brown to harvest English walnuts from City-owned trees located at northeast corner of Legion Park Drive and South Santa Cruz Avenue.
(George Brown will pay to the City 30% of the sales proceeds no later than December 24, 1982. Staff recommends approval. Resolution approving agreement needed.)

ACTION: Res. 82-772 adopted approving agreement.

(P.R. to handle)

CONSENT

19. Consider authorizing the purchase of postage from the U. S. Post Office to refill the postage meter located in the Office Services Division of Management Services.
(Memorandum with agenda. Resolution authorizing the purchase of postage needed. Estimated cost - October '82 to July '83: \$36,000; funds are budgeted.)

ACTION: Res. 82-773 adopted authorizing the purchase of postage. (Finance to handle)

MISCELLANEOUS

20. Appointments

ACTION: Res. 82-774 adopted (Siefkin/Elliott, unan.) appointing Gwen Abernathy to the Downtown Improvement District Advisory Board replacing Stan Cushway, term expiring 3-28-86.
(Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: By motion (Siefkin/Lang, unan.) staff was directed to prepare the necessary documents to regulate placement of political signs. (Atty. to handle)

ADJOURNMENT

The meeting adjourned at 6:35 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 12, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Ross Briles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 15, 16,
Removed from consent: 3 17, 18, 19, 20

ACTION: (Elliott/Muratore, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced Boy Scout Daren Weiss.

MINUTES

CONSENT

2. Approval of the minutes of the October 5, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2150-C.S. rezoning from P-0 to P-D(334) property located on the west side of Martin, south of Orangeburg (Resource Development). (Motion adopting needed.)

Vice Mayor Muratore excused due to a conflict of interest.

ACTION: By motion (Lang/Bright, unan., Muratore absent) adopting Ord. 2150-C.S.

4. Consider adoption of resolution authorizing encroachment permits for political signs. (Clerk to handle)

(Memorandum with agenda. Resolution needed.)

ACTION: Res. 82-775 adopted (Elliott/Bright, unan.) providing for issuance of encroachment permits for political signs in public right-of-way.

(Planning to handle)

5. Report on reuse of Lincoln School site.
(Memos with agenda reporting on input from the Planning Commission, DID and DMA. Motion directing staff on next steps to be taken needed.)

This item held over to November 2, 1982.

(Planning to handle)

HEARINGS

6. Hearing on cost of alley resurfacing, Lot 13 of Block 843, for John and Bernice Quaresma.

ACTION: Res. 82-776 adopted (Muratore/Lang, unan.) confirming report and assessing cost of resurfacing. (P.W. to handle)

7. Hearing to consider request by Modesto Garbage Company for an extension of its franchise and for approval of a transfer of common stock.

ACTION: Res. 82-777 adopted (Lang/Elliott, unan.) approving the transfer of common stock.

8. Appeal of Mid-Valley Engineering, on behalf of Bruce T. Martin, to a Board of Zoning Adjustment decision denying a variance to allow expansion of an existing garage structure located closer than 5 feet to the side property line and separated from the main dwelling by less than 10 feet, property located at 225 Oakshire Avenue.

ACTION: Res. 82-778 adopted (Muratore/Bright, unan.) granting the appeal and approving the variance. (Planning to handle)

BIDS

CONSENT

9. Consider approval of plans and specifications and call for bids for fire engine pumper test pit and road construction, northeast corner of Carpenter and Bluegum. (This project will provide a much needed pumper test and training facility. Suggested bid opening: November 2, 1982, at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$41,060.70 (Contract \$37,337; Eng. \$3,723.70); funds are budgeted.)

ACTION: Res. 82-779 adopted calling for bids.

(P.W. to handle)

CONSENT

10. Consider award of contract for strengthening water system on "L" Street between 99 Freeway and Block 40. (Bids were opened on October 5, 1982, and the low bid of \$18,511.15, submitted by Joe Martin Pipeline, Inc., was 16% below the engineer's estimate and considered acceptable. Memo with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 82-780 adopted awarding contract.

(P.W. to handle)

CONSENT

11. Consider award of contract for Muncy Neighborhood Park utility building construction. (Bids were opened September 28, 1982, and the low bid of \$57,104, submitted by B & L Builders, Inc. was 15.7% above the engineer's estimate and considered acceptable. Memo with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 82-781 adopted awarding contract.

(P.W. to handle)

CONSENT

12. Consider approving specifications and authorizing the call for bids for furnishing traffic line paint to be opened on October 26, 1982, at 2:05 p.m. (This material will be used by the Parking and Traffic Department to paint City streets and parking lots with traffic control markings. Resolution approving specifications and authorizing the call for bids needed. Estimated cost: \$11,660; funds are budgeted.)

ACTION: Res. 82-782 adopted calling for bids.

(Finance to handle)

13.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Jeanetta Ayres spoke about some problems.

NEW BUSINESS

14. Urban Growth Policy recommendations from the Public Projects Committee.
(Memo with agenda. Resolution adopting recommendations of the Public Projects Committee needed.)

ACTION: By motion (Lang/Bright, majority, Siefkin and Mayor Mensinger-no) item 2 of Public Projects Committee's recommendation approved.

By motion (Bright/Elliott, unan.) items 3,4, and 5 approved.
(Planning to handle)

CONSENT

15. Consider adopting a resolution authorizing the City Manager to sign an agreement with H. Wendell Mounce, A.I.A., and Associates to complete a needs assessment study for the new police facility.

(Memorandum and agreement with agenda. Resolution approving agreement needed. Estimated cost: \$37,500; funds are budgeted.)

ACTION: Res. 82-783 adopted approving agreement. (Police to handle)

CONSENT

16. Consider joining in an amicus curiae brief in the case of Milligan v. City of Laguna Beach (regarding tort liability immunities).

(Memorandum with agenda. Motion authorizing joining in an amicus curiae brief needed.)

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

CONSENT

17. Consider approving amendment to the existing Memorandums of Understanding with the Police and Fire Associations regarding retirement age.

(Memorandum with agenda. Two resolutions approving amendments needed.)

ACTION: Res. 82-784 adopted approving amendments to Police Association Memorandum of Understanding.

Res. 82-785 adopted approving amendments to Fire Association Memorandum of Understanding.
(Mgmt. Services to handle)

CONSENT

18. Appropriation transfer for \$650 to cover book and periodical costs of administering CATV franchise, and funds for attendance at League CATV seminar.

(Resolution approving appropriation transfer needed.)

ACTION: Res. 82-786 adopted approving appropriation transfer. (Finance to handle)

CONSENT

19. Consider approval of agreement with Frank C. Damrell, Jr. to enter portion of Dry Creek Park to excavate a sand bar.

(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-787 adopted approving agreement. (P.W. to handle)

CONSENT

20. Consider application by Yosemite Community College District for an encroachment permit to install coaxial cable between the east and west campus.
(Memo with agenda. Resolution approving encroachment permit needed.)

ACTION: Res. 82-788 adopted approving encroachment permit. (P.W. to handle)

MISCELLANEOUS

21. Appointments

ACTION: Res. 82-789 adopted (Lang/Muratore, unan.) appointing William Bradford and W.A. Woodruff to the Airport Advisory Committee replacing Louis Rolle and Jim Breshear, terms to expire 1/1/83 and 1/1/85 respectively.
(P.W. to handle)

22.

MATTERS TOO LATE FOR THE AGENDA

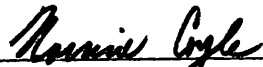
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

Meeting adjourned at 10:00 p.m. to 7:00 a.m., October 13, 1982, at Monty's Upper Crust, 2057 Tully Road, for a meeting with Senator O'Keefe, and then to 7:30 a.m., October 15, 1982, at the Sundial, 806 McHenry Avenue for a meeting with Senator-Candidate McCorquodale.

ATTEST:



NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
October 13, 1982

The Council of the City of Modesto met pursuant to adjournment at 7:00 a.m., at Monty's Restaurant, 2400 Coffee Road, Modesto, California.

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

Absent: Councilmember Lang, Siefkin

The Councilmembers met with Senator Dan O'Keefe. Various topics were discussed including local government control and financing, employee relations, risk management, and public safety.

The meeting adjourned at 8:30 a.m.

ATTEST:



NORRINE COYLE, City Clerk

10/13/82

Adjourned Regular Meeting
Modesto City Council
October 15, 1982

The Council of the City of Modesto met pursuant to adjournment at 7:30 a.m., at the Sundial, 806 McHenry Avenue, Modesto, California.

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

Absent: Councilmember Siefkin

The Councilmembers met with Senator Candidate Dan McCorquodale. Various topics were discussed including local government control and financing, employee relations, risk management, and public safety.

The meeting adjourned at 8:50 a.m.

ATTEST: 
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 19, 1982, AT 4:00 P.M.
TO BE ADJOURNED TO THURSDAY, OCTOBER 21, 1982, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Patterson,
Siefkin, Mayor Mensinger
(Councilmember Elliott arrived at 4:05 p.m.)
Absent: Councilmember Muratore

Pledge of allegiance to the Flag

Invocation: Rev. Robert Ihler, Maze Boulevard Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 8, 9, 10
Removed from consent: 7

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the October 12, 1982, regular City Council meeting and the October 13, 1982, adjourned regular meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

10/21/82

UNFINISHED BUSINESS

3. Consider amending the Bingo Ordinance to allow for a larger percentage of proceeds to be used for specified expenses, and consider recommendation to not allow use of "Pull Tabs."
(Introduction of ordinance needed.)

Councilmember Siefkin left meeting at 5:00 p.m.

ACTION: Ord. No. 2152-C.S. introduced (Lang/Bright, unan., Muratore, Siefkin absent) allowing proceeds to be used for expenses.
By motion (Lang/Bright, unan., Muratore, Siefkin absent) staff to study City levying fee not to exceed 1% of gross receipts for year. (Police/Finance to handle)
Motion to amend Code to allow "pull tabs" failed to carry.
By motion (same vote) "pull tab" proposed amendment continued to November 2, 1982 meeting. (Clerk to handle)

BIDS

CONSENT

4. Consider award of contract for strengthening of water system west on Gloria Way and in alley, Block 1115 between Coffee Road and El Vecino Avenue.
(Bids were opened on October 12, 1982, and the low bid of \$23,324, submitted by Boulder Construction Company, is 25% below the engineer's estimate and is considered acceptable. It is, therefore, recommended to accept their bid and award the contract to Boulder Construction Company. Memo with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 82-790 adopted awarding contract. (P.W. to handle)

CONSENT

5. Consider award of contract for strengthening of water system on Sierra Drive, Rosedale Avenue and Western Way from Roselawn Avenue to Sutter Avenue.
(Bids were opened on October 12, 1982, and the low bid of \$85,102.90, submitted by Boulder Construction Company, is 14% below the engineer's estimate and is considered acceptable. It is, therefore, recommended to accept their bid and award the contract to Boulder Construction Company. Memo with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 82-791 adopted awarding contract. (P.W. to handle)

6.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

7. Presentation of the City of Modesto Annual Financial Report for the year ended June 30, 1982; and presentation of the Annual Audit Report of the City's financial records for the year ended June 30, 1982, prepared by Fox and Co., C.P.A.'s.
(Copies of the reports will be presented at the meeting. Motion acknowledging receipt of the reports needed.)

ACTION: By motion (Bright/Lang, unan., Muratore, Siefkin absent) receipt of Annual Financial Report acknowledged.
Councilmember Bright requested staff to report on annual audit report selection process, scope, who determines scope, cost, etc. (Finance to handle)

CONSENT

8. Consider authorizing Manager to sign agreement with Rauscher Pierce and Refsnes, Inc. to serve as financial advisor to the City for review of Industrial Revenue Bond applications.
(All costs of such reviews to be borne by the bond applicant. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-792 adopted approving agreement. (Finance to handle)

CONSENT

9. Consider Citizens Housing and Community Development Committee recommendation of September 23, 1982, to approve agreement with Stanislaus County Housing Authority for provision of counseling services pursuant to our Community Development Block Grant Program.
(Renewal of existing contract in which participants in the Housing Maintenance Program receive counseling in various subjects to sustain the efforts of the program. This would be a follow-up to their participation in the program. Resolution approving agreement needed. Estimated cost: \$52,785; funds are budgeted.)

ACTION: Res. 82-793 adopted approving agreement. (Planning to handle)

CONSENT

10. Consider request by Orange Line Sanitation Co., Inc., to extend their license. (Orange Line Sanitation Co., Inc. has requested that the Council consider their request to extend their garbage license for a term of eight years commencing January 1, 1983. Their existing license ends December 31, 1982. They have made application in accordance with Code requirements. It would be appropriate for the Council to set a public hearing to consider this request. Memo with agenda. Resolution setting public hearing on Tuesday, November 9, 1982, at 7:30 p.m. needed.)

ACTION; Res. 82-794 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

11. Appointments

None

- 12.

MATTERS TOO LATE FOR THE AGENDA

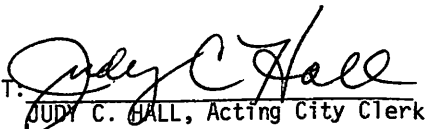
(These may be presented by members of the City Council and staff.)

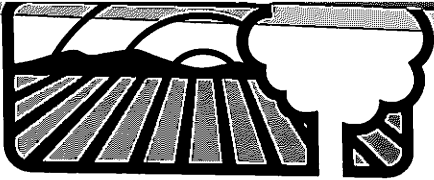
None

ADJOURNMENT

The meeting adjourned at 5:25 p.m.

ATTEST:


JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 26, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Bud La Core

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 9, 10, 11, 12, 13A, 14, 15, 16, 18, 19, 20, 21, 22

ACTION: (Bright/Siefkin, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular City Council meeting of October 15, 1982.
(Motion approving needed.)

ACTION: By motion, minutes approved.

10/26/82

UNFINISHED BUSINESS

CONSENT

3. Fuel flowage fees at the Modesto City-County Airport/Harry Sham Field.
(Council directed this matter be taken back to the Airport Advisory Committee for clarification regarding how mill tax would be applied to each fixed base operator. Memo with agenda. Motion accepting report needed.)

ACTION: By motion, report accepted.

HEARINGS

4. Hearing regarding Improvement District No. 24, the construction of sanitary sewer mains, laterals, wyes and manholes and the reconstruction of pavement disturbed by the construction in public streets and rights of way located in various areas annexed to the City.

ACTION: By motion (Lang/Siefkin, unan.) modified Engineer's report received and accepted and continued to November 9, 1982, for further consideration after staff reports on questions raised.
(P.W./Clerk to handle)

5. Hearing to consider amendment to Municipal Code to set the fee for sewer lateral connections from time to time by resolution, and revising the fee from \$0.05 to \$0.086 per square foot. (Continued from October 5, 1982, City Council meeting)

ACTION: By motion (Elliott/Muratore, unan.) Ord. No. 2153-C.S. introduced.

Res. 82-796 adopted (same vote) establishing fees. (P.W./Finance to handle)

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

ACTION: By motion (Siefkin/Patterson, unan.) hearing continued to December 28, 1982, at 7:30 p.m.

(Planning/Clerk to handle)

7. Hearing to consider amendment to Sec. 24-3-8 of the Zoning Map to rezone from P-D(263) to R-1, property located at the southeast corner of Blue Gum Avenue and Morse Road (P. C. initiated).

ACTION: By motion (Lang/Elliott, unan.) Ord. No. 2154-C.S. introduced, repealing P-D(263)

Res. 82-797 adopted (same vote) certifying review of Environmental Assessment.
(Planning to handle)

8. Hearing to consider amendment to Sec. 24-3-9 of the Zoning Map to rezone a portion of P-D(274) to R-2, property located at the southeast corner of East Orangeburg Avenue and Lakewood Avenue (Horn Construction).

ACTION: By motion (Elliott/Muratore, unan.) Ord. No. 2155-C.S. introduced repealing P-D(274).

Res. 82-798 adopted (same vote) certifying review of Environmental Assessment.
(Planning to handle)

BIDS

CONSENT

9. Consider approving specifications and authorize call for bids to be opened November 23, 1982, at 2:00 p.m. for furnishing pump control cabinets and pressure transmitter.
(Requested by the Public Works Department Water Division, the pump control cabinets and pressure transmitter will be used to upgrade the automatic pumping control stations located throughout the City and controlled by the central water automation computer. Resolution authorizing call for bids needed. Estimated cost: \$10,800; appropriation transfer to be requested after exact cost of material is determined by bid.)

ACTION: Res. 82-799 adopted authorizing call for bids. (P.W. to handle)

CONSENT

10. Consider approving specifications and authorizing the call for bids for furnishing collector rings to be opened on November 16, 1982, at 2:00 p.m.
(Due to the long delivery time (12-16 weeks) spare parts are kept on hand at the water treatment plant in case one of the main pumps malfunctions. Our reserve parts were recently installed and this material is required to replenish our emergency parts supply. Resolution approving specifications and authorizing bid call needed. Estimated cost: \$10,000; appropriation transfer to be requested after exact cost of material is determined.)

ACTION: Res. 82-800 adopted calling for bids. (P.W. to handle)

\$146,124)
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$141,855.75; funds are budgeted.)

ACTION: Res. 82-801 adopted accepting work as complete.

(Clerk to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for potable water and sanitary sewer services in Dryden Municipal Golf Course.
(This project will provide a separate potable water system to the golf course area and connection of the golf course restroom to the sewer system. Suggested bid opening: November 16, 1982, at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$39,839.80 (Contract \$36,218; Engrg. \$3,621.80); funds are budgeted.)

ACTION: Res. 82-802 adopted calling for bids.

(P.W. to handle)

WRITTEN COMMUNICATIONS

13. Request of Dr. Robert C. Otto, Modesto City Schools Superintendent, for the postponement of a water and sewer rate increase.

Councilmember Lang excused due to a conflict of interest.

ACTION: Res. 82-803 adopted (Siefkin/Bright, unan., Lang absent) delaying water increase for schools to July 1, 1983.

Res. 82-804 adopted (same vote) delaying sewer increase for schools to July 1, 1983.

CONSENT

(P.W. to handle)

- 13A. Request of Mel Williams, Chairman of the Sickle Cell Anemia Foundation of Stanislaus County, that Saturday, October 30, 1982, be declared Sickle Cell Anemia Consciousness Day, and that free bus rides and dial-a-ride service be provided to King-Kennedy Center for free testing.
(Memorandum with agenda. Motion approving needed.)

ACTION: By motion, request approved.

(P.W. to handle)

13B.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

14. Resolution authorizing cooperation agreement with the Redevelopment Agency.
(The cooperation agreement establishes the basis for City assistance to the Redevelopment Agency and the Agency's reimbursement to the City for the City's cost. Memorandum with agenda. Adoption of resolution needed.)

ACTION: Res. 82-805 adopted authorizing cooperation.

CONSENT

15. Consider approving an amendment to lease agreement with Donald P. LaTourette on Hangar No. 4 at the Modesto City County Airport/Harry Sham Field.
(This amendment allows Dr. LaTourette to sublease portions of Hangar No. 4 to others with the City's permission. Resolution approving amendment to agreement needed.)

ACTION: Res. 82-806 adopted approving amendment to agreement.

10/26/82

CONSENT

16. Consider approving agreement with Patrick L. and Beatrice D. Horn for the acquisition of 640± square feet of their property on Sunrise Avenue.
(When right of way was acquired for the Sunrise sidewalk project, we did not acquire the Horn property since they already had sidewalk, even though not up to present standards. The Horns have offered to dedicate this right of way if the City will maintain their trees and pay them \$220 so they can install a fillet around a telephone pole bringing the sidewalk closer to present standards. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 82-807 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider amendment to the property tax exchange agreement with Stanislaus County to clarify how tax increment will be allocated for annexations.
(Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 82-808 adopted approving amendment to agreement, (Finance to handle)

CONSENT

19. Consider payment to Stanislaus County for City's share of cost of overlaying a portion of Carpenter Road.
(The contract with the construction company was handled by Stanislaus County. The City's share of the work was \$8,830.55. Memo with agenda. Resolution authorizing payment of City's share needed. Funds are budgeted.)

ACTION: Res. 82-809 adopted authorizing payment of City's share. (P.W./Finance to handle)

CONSENT

20. Recommend to Council amendments to the Municipal Code pertaining to subdivision regulations.
(On October 4, 1982, the Planning Commission adopted Resolution 82-153 recommending to the Council amendments to the Municipal Code pertaining to subdivision regulations regarding extension of time for filing final subdivision maps and parcel maps. Introduction of an ordinance and adoption of resolution certifying review of environmental assessment needed.)

ACTION: By motion, Ord. No. 2156-C.S. adopted
Res. 82-810 adopted certifying review of Environmental Assessment.
(Planning to handle)

CONSENT

21. Consider approval of the final map of Oakridge No. 3 subdivision of the City of Modesto. (Subdivider: Bank of America)
(All improvements are existing and a subdivision agreement is not needed. All fees have been paid. Oakridge No. 3 is located on the north side of Edgebrook Drive, east of Oakbrook Drive. It contains 5.496 acres. Resolution approving final map and resolution approving amendment to Declaration of Covenants, Conditions and Restrictions needed.)

ACTION: Res. 82-811 adopted approving final map.
Res. 82-812 adopted approving amendments.

CONSENT

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

ACTION: By motion, receipt of report acknowledged.

MISCELLAENOUS

23. Appointments

None

- 24.

MATTERS TOO LATE FOR THE AGENDA

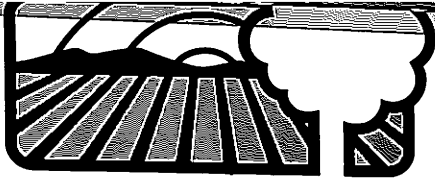
(These may be presented by members of the City Council and staff.)

None

The meeting adjourned at 9:45 p.m.

ATTEST:


JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 2, 1982, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Elliott, Lang, Muratore, Patterson,
Siefkin, Mayor Mensinger
Councilmember Patterson arrived at 4:45 p.m.
Absent: None

Pledge of allegiance to the Flag

Invocation: Vice Mayor Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 7, 8, 9, 10, 14, 16, 17, 18, 19,
20, 21, 22, 23, 24, 25, 26, 27, 28, 29

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

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

1. Approval of the minutes of the adjourned regular meeting of October 21, 1982, and the regular City Council meeting of October 26, 1982.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

2. Final adoption of:

- a. Ord. No. 2152 amending Sections 4-1.1004, 4-1.1005, 4-1.1008, 4-1.1013, and 4-1.1019 of Article 10 of Chapter 1 of Title IV of the Municipal Code relating to bingo to allow a larger percentage of proceeds to be used for specified expenses.
- b. Ord. No. 2153-C.S. amending Section 5-6.10 of Chapter 6 of Title V of the Municipal Code pertaining to participation in cost of existing sewers.
- c. Ord. No. 2154-C.S. repealing P-D(263) and rezoning to R-1, property located at the southeast corner of Blue Gum and Morse Avenues (Rule Enterprises).
- d. Ord. No. 2155-C.S. rezoning a portion of P-D(274) to R-2, property located at the southeast corner of East Orangeburg Avenue and Lakewood Avenue (Horn).
- e. Ord. No. 2156-C.S. amending Sections 4-4.503 and 4-4.601 of Chapter 4 of Title IV of the Municipal Code pertaining to subdivision regulations regarding extension of time for filing final subdivision maps and parcel maps.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

3. Further consideration of request to allow "Pull Tab Bingo" to be conducted at licensed Bingo operations.
(Continued from October 21, 1982, City Council meeting.)

This item taken up after item 11.

ACTION: By motion (Lang/Bright, majority, Elliott, Siefkin and Mayor Mensinger - no) Ord. No. 2157-C.S. introduced approving the use of "Pull Tab Bingo".

4. Report on reuse of Lincoln School site reuse.
(Memos with agenda reporting on input from the Planning Commission, DID and DMA.
Motion directing staff on next steps to be taken needed.)

ACTION: By motion (Elliott/Lang, unan., Patterson absent) this item continued to November 16, 1982, at 4:00 p.m.

(Clerk to handle)

5. Presentation of the independent auditor's annual audit report for the 1981-82 fiscal year.
(Memorandum with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Bright/Lang, unan., Patterson absent) receipt of the annual audit report acknowledged.

By motion (Bright/Lang, unan., Patterson absent) staff directed to develop a procedure for Council consideration, for having a committee of two Councilmembers and the City Auditor to make the recommendation concerning the hiring of the City's independent auditor.
(Mgr. to handle)

HEARINGS

6. Hearing to consider the proposed Unclassified Use Permit for a parochial school for grades kindergarten through 12th at the Sierra Christian Church property located on the east side of Oakdale Road opposite Wylie Drive, at 1052 Oakdale Rd.

ACTION: Res. 82-813 adopted (Lang/Bright, unan., Patterson absent) approving permit.
(Planning to handle)

BIDS

CONSENT

7. Consider declaring L. N. Curtis and Sons low bidder meeting City specifications on items I and II for the purchase of replacement fire hose and authorize purchase for \$4,907.80. Also, consider declaring The American Rubber Manufacturing Company low bidder meeting City specifications on Item III and authorize the purchase of replacement fire hose for \$13,737.60.
(Memorandum with agenda. Two resolutions authorizing purchase needed. Estimated total cost: \$18,645.40; funds are budgeted.)

ACTION: Res. 82-814 adopted accepting bid of L.N. Curtis and Sons for Items I and II on purchase of fire hose replacement.

Res. 82-815 adopted accepting bid of The American Rubber Manufacturing Company for item III on purchase of fire hose replacement. (Finance to handle)

CONSENT

8. Consider declaring the Tennant Company low bidder meeting specifications and authorize the purchase of one parking lot sweeper for \$21,565.70.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 82-816 adopted authorizing purchase. (Finance to handle)

CONSENT

9. Consider declaring Pervo Paint Company low bidder and authorizing the purchase of traffic line paint.
(Memorandum with agenda. Resolution declaring Pervo Paint Company low bidder and authorizing purchase of paint needed. Estimated cost: \$11,151.20; funds are budgeted.)

ACTION: Res. 82-817 adopted authorizing purchase of paint. (Finance to handle)

CONSENT

10. Consider acceptance of the construction of Police building wheelchair access ramp as complete. (Original contract and final cost: \$6,543)
(The original contract with SPM Development Company was suspended. The bonding company took over performance and released \$2,500 to the City for completion. The City issued a purchase order in the amount of \$2,500 to Bettencourt and Poulsen Welding, and all work has been completed on this project to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 82-818 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

11. Letter from Eugene A. Cox, owner of The Modesto Bowl, regarding his position on a misdemeanor violation of the Municipal Code relating to excessive number of amusement machines.

No action taken.

12. Letter from Mr. Lucien Secreto, operator of the Yellow Cab Company, regarding the penalty for late filing of Annual Operating Statements.
(Report from staff with agenda.)

ACTION: By motion (Lang/Elliott, unan., Siefkin absent) the \$350 penalty was assessed with payment deferred until July 31, 1983. (P.T. to handle)

Councilmember Siefkin left the meeting at 5:40 p.m.

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

None

NEW BUSINESS

CONSENT

14. Proposed Code text amendment relating to the cleanup of hazardous materials.
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2158-C.S. introduced,

(Clerk to handle)

15. Approval of submission of an allocation request for \$16 Million for a 1983 single family mortgage revenue bond issue.
(Memo with agenda. This action keeps the City's options open for a 1983 issue. Prior to committing to the issue, staff will have better data on the mechanics of a second joint powers agreement that will be necessary and impacts a 1983 issue may have on developers participating in the 1982 issue. Motion authorizing staff to submit a request for \$16 million to the State Mortgage Bond Allocation Committee needed.)

ACTION: By motion (Muratore/Bright, unan., Siefkin absent) staff authorized to submit request. (Planning to handle)

CONSENT

16. Review and approval of Conflict of Interest Code for Redevelopment Agency Members. (The Code refers to the disclosure the Agency Members are required to make as Councilmembers and no additional report requirements are imposed. Copy of the Code with agenda. Motion approving the Conflict of Interest Code needed.)

ACTION: By motion, Conflict of Interest Code approved, (Clerk to handle)

CONSENT

17. Consider approving lease agreement with Reed Leasing and Rental, Inc. dba: Avis Rent-A-Car System Licensee.
(This is a one-year renewal of an existing lease for Avis' rent-a-car operation at the Airport. Resolution approving agreement needed.)

ACTION: Res. 82-819 adopted approving agreement. (P.W. to handle)

CONSENT

18. Consider approving lease agreement with George Frederickson and Phillip Bravard for the lease of a portion of Fire Station No. 5 for a garden site.
(This is a one-year renewal of an existing lease. All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 82-820 adopted approving agreement. (P.W. to handle)

CONSENT

19. Consider approving lease agreement with Francis A. Dias for the lease of the City-owned house at 660 El Vista.
(Mr. Rias has agreed to rent the former Crismon house purchased for Dry Creek Park on a month-to-month basis for \$475 per month. He will pay taxes and do minor maintenance. Also, he will paint the interior, clean the interior and do some other repairs in exchange for three months free rent. Resolution approving agreement needed.)

ACTION: Res. 82-821 adopted approving agreement. (P.W. to handle)

CONSENT

20. Approval of payment of \$100,000 to the Greater Modesto Relocatable Administration Agency for purchase of portable classrooms and to provide initial financing of their portable classroom leasing program.
(Memo with agenda. Resolution approving payment needed. Funds are budgeted.)

ACTION: Res. 82-822 adopted approving payment. (Finance to handle)

CONSENT

21. Consider approving lease agreement with the Regents of the University of California (Cooperative Extension) for the lease of a portion of the Lincoln School site.
(This is a one-year renewal of the Community Garden lease. All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 82-823 adopted approving agreement. (P.W. to handle)

CONSENT

22. Consider proposal from Margie Wheeler to harvest pecans from City-owned trees located at the corner of Legion Park Drive and Tioga Drive.
(Margie Wheeler will pay to the City 30% of the sales proceeds no later than March 30, 1983. Staff recommends approval. Resolution approving agreement needed.)

ACTION: Res. 82-824 adopted approving agreement. (P.R. to handle)

CONSENT

23. Consider authorizing the Purchasing Officer to dispose of street tree leaves for the remainder of the 1982-83 Fiscal Year.
(Surplus leaves shall be disposed of by informal bid at the best available market price. Memorandum with agenda. Resolution authorizing the disposal of surplus tree leaves needed.)

ACTION: Res. 82-825 adopted authorizing the disposal of surplus tree leaves.
(Finance to handle)

CONSENT

24. Requirement for construction of curbs and/or sidewalk at the following locations:
(Project No. 81/01/05 - 82/01/11)
(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting hearing November 23, 1982 at 7:30 p.m. needed.) (Locations listed on next page.)

ACTION: Res. 82-826 adopted setting hearing. (Clerk to handle)

- A. Sidewalk along Allen Drive at 1100 Allen Drive, Lot 1 of Block 1115.
(Harlan L. Pettinger)
- B. Sidewalk along Allen Drive at 1124 Allen Drive, Lot 7 of Block 1115.
(Robert Salinas)
- C. Sidewalk along Granite Lane at 1442 Carpenter Road, a portion of Block 6203. (Raymond N. Lowell)
- D. Curb and Sidewalk at 222 South Emerald Avenue, a portion of Block 4118.
(Ruben Esparza)
- E. Curb and Sidewalk along Emerald Avenue, at 312 S. Emerald Avenue, a portion of Block 4118 (Fitzhugh C. Sheppard)
- F. Curb and Sidewalk at 134 Floyd Avenue, a portion of Block 6943. (Johnson & Calhoun)
- G. Curb and Sidewalk at 144 Floyd Avenue, a portion of Block 6943. (William R. Mills)
- H. Curb along Alice Street at 133 College Avenue, a portion of Block 506.
(Arturo O. Flores)
- I. Sidewalk along McHenry Avenue and Woodrow Avenue at 3225 McHenry Avenue, a portion of Block 13005. (Stafac Inc.)
- J. Curb and Sidewalk at 122 Nellie Avenue, a portion of Block 506.
(Juan A. Tovar)
- K. Curb and Sidewalk at 126 Nellie Avenue, Lots 6 and 7 of Block 506
(Wendell L. Young)
- L. Curb and Sidewalk along Rose Avenue, and curb along Briggsmore Avenue at 1535 Rose avenue, a portion of Block 1204. (Tierra Development Co., Inc.)
- M. Sidewalk along Sherwood Avenue at 1802 Sherwood Avenue, a portion of Block 6808 (Frances Pansini)
- N. Curb along 12th Street at 431 12th Street, Lots 1 and 2 of Block 79,
(Gorman, Pittman, and Sturtz)
- O. Curb at 421 12th Street, Lots 3 through 7 of Block 79. (Stanislaus Implement Hardward Co., LTD.)
- P. Curb along Village Road at 152 Village Road, Lot 9 of Block 260.
(Esther Wands)
- Q. Curb along Village Road at 217 Las Palmas Avenue, Lot 10 of Block 260.
(Mable I. Thompson)

CONSENT

25. Consider approving lease agreement with Mark Richards, Jerry Rule, Jim Van Heukelem and Loet Van Der Linden and Associates for the lease of Hangar No. 5, Office Building No. 1, and 30 tie-downs and consider approving them as a fixed base operation. (The general partnership consists of the above individuals, and they would like to acquire Gottschalk Flight Center. The memo and letter with agenda outline the specifics. The lease would be for one year under the same terms as the prior lease. Resolution approving agreement needed, and resolution permitting Mark Richards, Jerry Rule, Jim Van Heukelem and Loet Van Der Linden and Associates to operate as a fixed base operator needed.)

ACTION: Res. 82-827 adopted approving lease agreement.

Res. 82-828 adopted permitting operation as a fixed base operator. (P.W. to handle)

CONSENT

26. Consider approving lease agreement with W. P. Wesson, Jr. for the lease of 2.66± acres of proposed Wesson Ranch Park. (This is a one-year renewal of an existing lease. All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 82-829 adopted approving agreement.

(P.W. to handle)

CONSENT

27. Set date for public hearing for proposed Robin Hood Estates Annexation. (On October 20, 1982, LAFCO approved this inhabited annexation which was requested by petitions submitted by property owners. The proposed annexation of 19.85 acres includes the area bounded by Sylvan Avenue, Robin Hood Drive, Mansfield Lane and Northumberland Drive. The land use consists of 52 single family dwellings. Resolution initiating annexation proceedings and setting public hearing December 14, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-830 adopted setting hearing.

(Clerk to handle)

CONSENT

28. Set date for public hearing for proposed Spencer Avenue No. 2 Annexation. (On October 20, 1982, LAFCO approved this inhabited annexation which was requested by petitions submitted by property owners. The proposed annexation of 22 acres includes portions of the east and west sides of Spencer Avenue north of California Avenue. The land use consists of 30 dwellings. Resolution initiating annexation proceedings and setting public hearing December 14, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-831 adopted setting hearing.

(Clerk to handle)

CONSENT

29. Set date for public hearing for proposed Scenic-Oakdale No. 3 Annexation. (On October 20, 1982, LAFCO approved this uninhabited annexation which was requested by petitions submitted by property owners. The proposed annexation of 5.4 acres includes the area along the south side of Scenic Drive east of Oakdale Road. The land use consists of 8 dwellings. Resolution initiating annexation proceedings and setting public hearing December 14, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-832 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

30. Appointments

None

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

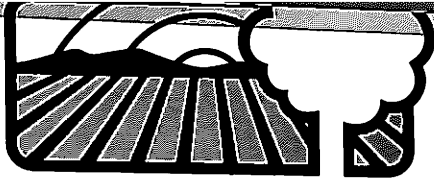
None

ADJOURNMENT

The meeting adjourned at 5:50 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for Tuesday, November 2, 1982, will not be held because there is no business to transact.



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 9, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Phil Zimmerman, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 8, 10, 11, 12, 13

ACTION: (Patterson/Lang, unan.)

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

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced Susan Montgomery, member of the Farm-City Advisory Committee.

MINUTES

CONSENT

2. Approval of the minutes of the November 2, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2157-C.S. amending Sec. 4-1.1001 of Article 10 of Chapter IV of the Municipal Code relating to Bingo games to allow the use of "pull tab" cards.
(Motion adopting needed.)

ACTION: By motion (Lang/Bright, majority, Elliott, Siefkin, Mayor Mensinger - no) Ordinance No. 2157-C.S. adopted.

CONSENT

4. Final adoption of Ord. No. 2158-C.S. adding Article 2 to Chapter 1 of Title III of the Municipal Code relating to the cleanup of hazardous materials.
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2158-C.S. adopted.

5. Further consideration of Improvement District No. 24, the construction of sanitary sewer mains, laterals, wyes and manholes and the reconstruction of pavement disturbed by the construction in public streets and rights of way located in various areas annexed to the City. (Continued from October 26, 1982 Council meeting.)

ACTION: Res. 82-833 adopted (Lang/Muratore, unan.) finding and determining that the public convenience and necessity require the construction of public improvements to be paid for by special assessments without compliance with the provisions of the special assessment investigation, Limitation and Majority Protest Act of 1931.
Res. 82-834 adopted (same vote) confirming assessment and ordering proposed improvements to be made. (Finance to handle)

HEARINGS

6. Hearing to consider request by Orange Line Sanitation Co., Inc. to extend their garbage license for a term of eight years commencing January 1, 1983.

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2159-C.S. introduced approving extension.

BIDS

CONSENT

- 7: Consider award of contract for the construction of Wastewater Treatment and Disposal Facilities, Unit 4. (Project No. C-06-1063-210)
(The low bid of \$1,659,658 was submitted by Kaweah Construction Company, Inc. The staff has reviewed the low bid and has requested and received approval from the State Water Resources Control Board to award the contract. It is recommended by the Public Works Department that the project be awarded to Kaweah Construction Co. Resolution awarding contract needed. Estimated cost: \$1,829,510 (\$1,659,658 contract; \$169,852 eng. & cont.; funds are budgeted.)

ACTION: Res. 82-835 adopted awarding contract. (P.W. to handle)

CONSENT

8. Consider approving easement agreement to allow installation and maintenance of traffic signals at Dale Road and Veneman Avenue; and consider awarding contract to construct traffic signals at Dale Road and Veneman Avenue.
(Memo with agenda. Sears, Roebuck and Co. has provided the easement we needed for access onto Vintage Faire property. Construction bids were opened on October 12, 1982, and Walther Electric Co., Inc. was the low bidder at \$71,900. It is recommended that Walther be awarded the contract. Resolution approving easement agreement needed; and resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 82-836 adopted approving agreement with Sears, Roebuck and Company.

Res. 82-837 adopted awarding contract to Walther Electric Co., Inc.
(Clerk/P.T. to handle)

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

Jim Crawford asked a question regarding Improvement District 24 assessments which was answered by the Public Works Director.

NEW BUSINESS

CONSENT

10. Consider approving lease agreement with Kias A. and Gwendolee Williams for the lease of five lots located on the south bank of the Tuolumne River for use as a private garden.
(This is a one-year renewal of an existing lease. All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 82-838 adopted approving agreement. (P.W. to handle)

CONSENT

11. Consider approving lease agreement with Salida Union School District for the lease of 6.1± acres of land purchased for Pelandale Neighborhood Park site.
(This is a one-year renewal of an existing lease. All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 82-839 adopted approving agreement. (P.W. to handle)

CONSENT

- 12. Consider approving painted crosswalk across 9th Street between B and D Streets. (Memo with agenda. There is a painted crosswalk across 9th Street at the former intersection of 9th and C Streets. Crosswalks not at intersections must be authorized by the Council. Resolution authorizing the establishment of a mid-block crosswalk across 9th Street between B and D Streets needed. Estimated cost: \$30 annually for repainting; funds are budgeted.)

ACTION: Res. 82-840 adopted approving crosswalk. (P.T. to handle)

CONSENT

- 13. Consider requesting Stanislaus Area Association of Governments to adjust the State Transit Assistance Fund Reserve for Transportation Center to provide temporary financing for the Ramont property purchase, and consider amending the City of Modesto's Annual Budget to provide financing for the property purchase. (Memo with agenda. Resolution requesting SAAG to amend the STAF reserve needed, and resolution amending the Fiscal Year 1982-83 Annual Budget needed. Estimated cost: \$325,000.)

ACTION: Res. 82-841 adopted requesting S.A.A.G. to adjust the State Transit Assistance Fund Reserve.

Res. 82-842 adopted amending the City of Modesto's Annual Budget. (Finance to handle)

MISCELLANEOUS

- 14. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 8:10 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for Tuesday, November 9, 1982, will not be held because there is no business to transact.



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 16, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Joe Wright, Calvary Temple Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 5A, 5B, 10, 11

ACTION: Muratore/Lang, unan.

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the November 9, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2159-C.S. extending Orange Line Sanitation Company's license and clarifying how rates and charges are established.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2159-C.S. was adopted. (Clerk to handle)

4. Report on reuse of Lincoln School site.
(Memos with agenda reporting on input from the Planning Commission, DID and DMA.
Motion directing staff on next steps to be taken needed.)

No action taken

BIDS

CONSENT

5. Consider approving specifications and authorizing the call for bids for furnishing athletic and recreational equipment to be opened on December 7, 1982, at 2:00 p.m. (This equipment is used throughout the City for adult leagues, youth leagues, and after school programs. Resolution approving specifications and authorizing bid call needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. 82-843 adopted calling for bids. (Finance to handle)

CONSENT

- 5A. Consider acceptance of Stanislaus Pump and Machinery Company's contract for the repiping of Rose-Celeste Lift Station as complete, and waiver of 35-day retention period.
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it would be in order to accept the work as complete, and authorizing the filing of a Notice of Completion, with a waiver of the 35-day retention period. Memo with agenda. Resolution accepting work as complete and waiving 35-day retention period needed. Final cost: \$166,496.12; funds are budgeted.)

ACTION: Res. 82-844 adopted accepting work as complete. (Clerk to handle)

5B. Consider acceptance of Chas. I. Cunningham's contract for HAC curb ramps - Project No. 4 as complete. (Original contract and final cost: \$27,218) (All work on this project has been completed to the satisfaction of the Public Works Department. It would, therefore, be in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 82-845 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

6. Letter from Maree Hawkins, Public Information Officer of the Modesto Irrigation District concerning the STEP (Shave The Energy Peak) program.

No action taken.

7. Letter from Merle Mensinger, Downtown Improvement District, suggesting raising Southern Pacific speed limit through the City. (Memo with agenda. The delay at street crossings would be reduced by 25 seconds for a mile-long train travelling at 65 mph instead of the present 45 mph. Increasing the speed limit is not recommended. Motion directing staff needed.)

ACTION: By motion (Lang/Muratore, unan.) the present speed limit will be retained.

(P.T. to handle)

8. MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

9. Modesto City Schools has requested street and alley abandonments on California Avenue between Jefferson and H Streets and the 20-foot alley in Block 400; and Washington Street be made one-way in connection with the expansion of Modesto High School. (On November 1, 1982, the Planning Commission adopted Res. No. 82-172 recommending to the City Council the vacation and abandonment of California Avenue between Jefferson Street and H Street and the 20-foot public alley in Block 400; and retention of the existing two-way traffic arrangement on Washington Street between H Street and 1st Street. Resolution setting public hearing December 7, 1982, at 4:00 p.m. needed.) Councilmember Lang excused due to a conflict of interest.

ACTION: Res. 82-846 adopted (Siefkin/Elliott, unan., Lang absent) setting hearing.

(Clerk to handle)

By motion (Siefkin/Elliott, unan., Lang absent) receipt of letter withdrawing request for one-way traffic on Washington Street acknowledged.

CONSENT

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

ACTION: By motion, receipt of report acknowledged.

CONSENT

- 11. Consider approving an agreement with the Wyatt Company for actuarial and consulting services relative to the reserves in the Self-Insurance Fund for workers compensation and liability insurance.
(Memo with agenda. Estimated cost: \$5,000; funds are budgeted.)

ACTION: Res. 82-847 adopted approving agreement. (Mgmt. Services to handle)

MISCELLANEOUS

- 12. Appointments

None

- 13.

MATTERS TOO LATE FOR THE AGENDA

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

- A. Res. 82-848 adopted (Elliott/Muratore, unan.) allowing J.N. Sciabica to harvest olives at Mellis Park. (P.R. to handle)
- B. Res. ⁸²⁻849 adopted (Muratore/Elliott, unan.) approving lease agreement with Jerry Powell for the Mancini house in Mancini Park. (P.W. to handle)

ADJOURNMENT

The meeting adjourned at 4:55 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for Tuesday, November 16, 1982, will not be held because there is no business to transact.



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 23, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Dick Shrader, First Nazarene Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19

ACTION: (Lang/Muratore, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the November 16, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Report from Culture Commission regarding procedure for proposing names for parks.
(Memo with agenda. Motion approving procedure needed.)

ACTION: Res. 82-850 adopted amending paragraph 2 of Resolution No. 82-714 entitled, "A Resolution Adopting a Policy for the Naming of City Parks." (Elliott/Muratore, unan.)
(P.R. to handle)

4. Notice to construct curb and/or sidewalk (17 in various locations)

- A. Sidewalk along Allen Drive at 1100 Allen Drive, Lot 1 of Block 1115. (Harlan L. Pettinger)
- B. Sidewalk along Allen Drive at 1124 Allen Drive, Lot 7 of Block 1115. (Robert Salinas)
- C. Sidewalk along Granite Lane at 1442 Carpenter Road, a portion of Block 6203. (Raymond N. Lowell)
- D. Curb and Sidewalk at 222 South Emerald Avenue, a portion of Block 4118. (Ruben Esparza)
- E. Curb and Sidewalk along Emerald Avenue, at 312 S. Emerald Avenue, a portion of Block 4118 (Fitzhugh C. Sheppard)
- F. Curb and Sidewalk at 134 Floyd Avenue, a portion of Block 6943. (Johnson & Calhoun)
- G. Curb and Sidewalk at 144 Floyd Avenue, a portion of Block 6943. (William R. Mills)
- H. Curb along Alice Street at 133 College Avenue, a portion of Block 506. (Arturo O. Flores)
- I. Sidewalk along McHenry Avenue and Woodrow Avenue at 3225 McHenry Avenue, a portion of Block 13005. (Stafac Inc.)
- J. Curb and Sidewalk at 122 Nellie Avenue, a portion of Block 506. (Juan A. Tovar)
- K. Curb and Sidewalk at 126 Nellie Avenue, Lots 6 and 7 of Block 506 (Wendell L. Young)
- L. Curb and Sidewalk along Rose Avenue, and curb along Briggsmore Avenue at 1535 Rose avenue, a portion of Block 1204. (Tierra Development Co., Inc.)
- M. Sidewalk along Sherwood Avenue at 1802 Sherwood Avenue, a portion of Block 6808 (Frances Pansini)
- N. Curb along 12th Street at 431 12th Street, Lots 1 and 2 of Block 79, (Gorman, Pittman, and Sturtz)
- O. Curb at 421 12th Street, Lots 3 through 7 of Block 79. (Stanislaus Implement Hardward Co., LTD.) DROP FROM AGENDA
- P. Curb along Village Road at 152 Village Road, Lot 9 of Block 260. (Esther Wands)
- Q. Curb along Village Road at 217 Las Palmas Avenue, Lot 10 of Block 260. (Mable I. Thompson)

ACTION: Res. 82-851 adopted (Siefkin/Elliott, unan.) ordering the construction. (P.W. to handle)

BIDS

CONSENT

5. Consider award of contract for potable water and sanitary sewer services in Dryden Municipal Golf Course.
(Bids were opened on November 16, 1982. The low bid of \$29,822.50, submitted by Joe Martin Pipeline Co., Inc., is 18% below the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department that the contract be awarded to him. Resolution awarding contract to Joe Martin Pipeline Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 82-852 adopted awarding contract. (P.W. to handle)

CONSENT

6. Consider accepting the sole bid of Industrial Electrical Company and authorizing the purchase of one set of collector rings.
(Memorandum with agenda. Resolution accepting the bid of Industrial Electrical Company needed. Estimated cost: \$9,017.90; funds are budgeted.)

ACTION: Res. 82-853 adopted awarding contract. (Finance to handle)

CONSENT

7. Consider waiving formal bid procedures and authorize the purchase of Barminutor parts from Sharp, Inc. for \$5,693.89.
(Requested by the Public Works Sewerage Division, the parts will be used to rebuild the Barminutor machine which is a pre-treatment grinding device used in the domestic sewage flow. Sharp, Inc. is the Northern California distributor for Barminutor. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 82-854 adopted waiving formal bid procedures. (Finance to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

9. Consider designation of redevelopment survey area.
(The first step in the redevelopment process is designation of a survey area for study purposes. See memo with agenda for additional detail and recommendation. Resolution designating a survey area needed.)
Mayor Mensinger and Councilmember Siefkin excused due to a conflict of interest.

ACTION: Res. 82-855 adopted (Lang/Bright, unan., Siefkin, Mayor Mensinger absent) designating recommended survey area. (Planning to handle)

CONSENT

10. Consider renewal of agreement with Nancy M. Young, Executive Director of the Downtown Improvement District.
(Letter with agenda. Resolution approving agreement needed. Funds are budgeted. Estimated cost: \$2,082.60 per month)

ACTION: Res. 82-856 adopted approving agreement. (Planning/Finance to handle)

CONSENT

11. Consider approving agreement with Berberian Trust Properties for the lease of proposed Yosemite Neighborhood School/Park site, to be farmed in conjunction with their property.
(This is a one-year renewal of an existing lease agreement. All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 82-857 adopted approving agreement. (P.W. to handle)

CONSENT

12. Consider approving two concession agreements with B. Dennis McDonald for the operation of Red Top Taxi and Modesto Cab Company at the Airport.
(These are renewals of existing agreements at the Airport. All terms remain the same. Two resolutions approving agreements needed.)

ACTION: Res. 82-858 adopted approving agreement with B. Dennis McDonald for operation of Red Top Taxi at the Airport.

Res. 82-859 adopted approving agreement with B. Dennis McDonald for operation of Modesto Cab Company at the Airport. (P.W. to handle)

CONSENT

13. Consider abandonment of the 15-foot public utility easement in Lot 23 of Block 6438 of Park Place No. 3 subdivision, City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a 15-foot public utility easement in Lot 23 of Block 6438, Park Place No. 3 needed.)

ACTION: Res. 82-860 adopted abandoning public utility easement. (P.W. to handle)

CONSENT

14. Consider Caltrans bike lane account grant application for bike parking facilities at downtown locations.
(This application to the State, if approved, would finance the purchase and installation of 10 bike racks for 20 bicycles and 12 bike lockers for 24 bicycles in the downtown area on City facilities. (\$5,940 State cost, 90%; \$660 City costs, 10%.) Memo with agenda. Resolution approving grant application needed. There is a possibility of City's cost of \$660 being paid by SAAG's 2% nonmotorized fund.)

ACTION: Res. 82-861 adopted approving grant application. (Planning to handle)

CONSENT

15. Consider approving lease agreement with Clinton and Maxine Ray for the lease of a portion of Well Site No. 2 for a garden lease.
(This is a one-year renewal of an existing lease. Under the terms of the lease, the Rays pay a nominal charge of \$5.00 and any taxes. This eliminates the need for the City to maintain the area, saving manpower. Resolution approving agreement needed.)

ACTION: Res. 82-862 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider approving agreement with California Air Charter, Inc. for their operation at the Airport as an air taxi.
(This is a new agreement with California Air Charter superseding the old agreement. The purpose of the new agreement is to raise the landing fees for air taxis and to update language of our agreements to conform to FAA requirements. This is a month-to-month agreement. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-863 adopted approving agreement. (P.W. to handle)

CONSENT

17. Consider approving acquisition of .84± acre of land from Southern Pacific Transportation Company needed for the Kansas-Needham Connection Phase I project.
(Southern Pacific has agreed to sell the required right of way for \$169,400. Resolution authorizing the acquisition of real property and authorizing the City Attorney to open an escrow needed. Estimated cost: \$173,000 (\$169,400 cost; \$3,600 estimated escrow); funds are budgeted.)

ACTION: Res. 82-864 adopted approving acquisition of land. (P.W./Atty to handle)

CONSENT

18. Consider resolution voicing protest over the State's action to withhold the allocation of Motor Vehicle License Fees - In Lieu Taxes to cities and counties until the State's portion is fully collected.
(Copy of proposed resolution with agenda. Resolution voicing protest needed.)

ACTION: Res. 82-865 adopted voicing protest. (Finance to handle)

CONSENT

19. Consider authorizing the City of Modesto to submit a request for Recertification of Eligibility for Urban Development Action Grant - Pocket of Poverty to the Department of Housing and Urban Development.
(The San Francisco area Housing and Urban Development Office has notified the City of Modesto that our UDAG eligibility will expire on November 30, 1982, and recertification is necessary. Memo with agenda. Resolution authorizing submission of request for Recertification of Eligibility for Urban Development Action Grant needed.)

ACTION: Res. 82-866 adopted authorizing submission of request. (Mgmt. Services to handle)

20. Oral report on status of airline passenger service at Modesto City-County Airport. (The Civil Aeronautics Board at its Thursday, November 18, meeting chose Air Chaparral as the air carrier to provide subsidized air passenger service between Modesto and Los Angeles. There is a need to determine whether the City feels this CAB decision should be appealed on the basis that continued service by Aspen Airways in the Modesto-Los Angeles market is more appropriate.)

ACTION: By motion (Lang/Muratore, unan.) appeal of Civil Aeronautics Board decision concerning air passenger service approved.

MISCELLANEOUS

21. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 9:26 p.m.

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for Tuesday, November 23, 1982, will not be held because there is no business to transact.



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 7, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Rollin Keller, Grace Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29,

ACTION: (Siefkin/Muratore, unan.) 30, 31, 32, 33, 34

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Suggestion Awards

Robert Evers: (\$100) Fire Department employee, for a cost saving idea for purchasing "Aqueous Film Forming Foam" that is required by the Fire Department.

Mel Williams: (\$50) Management Services employee, for suggesting a sign be placed on counters informing the public not to place children on the counter for safety reasons.

Mayor Mensinger presented the award to Mel Williams. Robert Evers' check will be mailed to him since was unable to be present.

MINUTES

CONSENT

2. Approval of the minutes of the November 23, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Staff report on air service "Petition for Reconsideration."
(As a result of the Civil Aeronautics Board's selection of Air Chaparral over Aspen Airways as the City's essential air service carrier in the Modesto-Los Angeles Market, the City Council by motion opposed the decision and directed staff to prepare the necessary "Petition for Reconsideration." Resolution approving "Petition for Reconsideration" needed. Memo with agenda.)

ACTION: Res. 82-867 adopted (Patterson/Muratore, unan.) approving "Petition for Reconsideration".

By motion (Patterson/Muratore, unan.) staff directed to send copies of the resolution to other communities in this area and request their support. (P.W. to handle)

4. Consider new procedures for selecting the independent auditor.
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Bright/Elliott, unan.) procedure approved as recommended.

(Finance to handle)

HEARINGS

5. Appeal of Ray Renfro to Board of Zoning Adjustment decision denying application for variance for a reduced side yard at 3808 Gil Court.

ACTION: By motion (Lang/Elliott, unan.) hearing continued to December 21, 1982, 4:00 p.m.
(Clerk to handle)

6. Consider vacation and abandonment of California Avenue between Jefferson and H Streets and the 20-foot alley in Block 400. Modesto City Schools has requested these street and alley abandonments in connection with the expansion of Modesto High School. Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Elliott/Muratore, unan., Lang absent) Council declared its intention to abandon the portions of California Avenue and alley being requested with conditions recommended by the Planning Commission and requested staff to communicate to the Board of Zoning Adjustment Council's desire that there be as much parking in the plan as is reasonably possible, including the two areas now specified by Modesto City Schools.
(Planning to handle)

7. Hearing on application of Lyons Brothers to amend P-D(321) and rezone a portion of P-D(321) to R-1, Emerald and Elm Avenues.

ACTION: By motion (Lang/Elliott, unan.) Ord. No. 2160-C.S. introduced rezoning portion of P-D(321) to R-1.
Res. 82-869 adopted (Lang/Elliott, unan.) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Hearing on Planning Commission initiated proposal to repeal P-D(144) and P-0 and rezone to R-1, the northeast corner of Yosemite Boulevard and Lincoln Avenue. (Kounias)

ACTION: Res. 82-870 adopted (Elliott/Patterson, majority, Siefkin and Mayor Mensinger-no) denying recommended rezoning, granting a 6-months time extension on P-D(144), and certifying review of environmental assessment. (Planning to handle)

BIDS

CONSENT

9. Consider approval of plans and specifications and call for bids for modifications to Modesto Police Department communication center.
(Suggested bid opening: December 28, 1982, at 11:00 a.m. This project will convert the old communication room area into much needed clerical office space. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$5,494.69 (Contract \$4,395.75; Engrg. & Cont. \$1,098.94); funds are budgeted.)

ACTION: Res. 82-871 adopted calling for bids. (P.W. to handle)

CONSENT

10. Consider award of contract for fire engine pumper test pit and road construction, Block 6240.
(Bids were opened on November 2, 1982. The low bid of \$48,462.50, submitted by Chas. I. Cunningham Co., is 30% above the engineer's estimate and considered acceptable. It is therefore recommended by the Public Works Department and Fire Department that the contract be awarded to them. Resolution accepting bid and awarding contract needed. Funds are budgeted.)

ACTION: Res. 82-872 adopted accepting bid and awarding contract. (P.W./Fire to handle)

CONSENT

11. Consider award of contract for eight fareboxes to General Farebox, Inc. (Memo with agenda. The eight fareboxes will be installed in the new Intracity buses that are expected to arrive in 1983. The bid is only 1.2% above the estimate. Resolution accepting bid and awarding contract needed. Estimated cost: \$25,296; funds are budgeted.)

ACTION: Res. 82-873 adopted awarding contract. (P.T. to handle)

CONSENT

12. Consider award of contract to General Electric for nine mobile two-way radios for Intracity Transit (IT).
(Memo with agenda. The radios will be installed on the nine new IT buses we expect to receive in 1983. Resolution accepting bid and awarding contract needed. Estimated cost: \$14,600.88; funds are budgeted.)

ACTION: Res. 82-874 adopted awarding contract.

(P.T. to handle)

CONSENT

13. Consider award of contract for furnishing nine new transit buses to Gillig Corporation. (Memo with agenda. Seven of the new buses will be used to provide new or improved service on Intracity Transit and two of the new buses will be used to replace two older buses. Resolution accepting bid and awarding contract needed. Estimated cost: \$1,234,350; funds are budgeted.)

ACTION: Res. 82-875 adopted awarding contract.

(P.T. to handle)

CONSENT

14. Consider approving subcontracting the earthwork and paving involved in the Water Quality Control Plant expansion project - Unit 4 as requested by the prime contractor, Kaweah Construction Company.
(The prime contractor inadvertently excluded listing a subcontractor for this portion of work. Kaweah Construction does not routinely perform earthwork or paving. Memo with agenda. Resolution declaring a public necessity and authorizing George Reed, Inc. as a subcontractor on the project needed.)

ACTION: Res. 82-876 adopted authorizing George Reed, Inc. as a subcontractor on the project.
(P.W. to handle)

CONSENT

15. Consider approving specifications and authorize call for bids to be opened December 28, 1982, at 2:00 p.m. to furnish annual requirement of maintenance paint.
(Maintenance paint will be used in 1983 on various equipment and facilities maintained primarily by the Fire, Parks and Recreation, and Public Works Departments. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,600; funds are budgeted.)

ACTION: Res. 82-877 adopted calling for bids.

(Finance to handle)

WRITTEN COMMUNICATIONS

16. Letter from Richard A. Lynd concerning the sign ordinance as it pertains to election signs.

No action taken

Councilmember Siefkin left the meeting at 5:45 p.m.

17.

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

Mayor Mensinger mentioned the presence of a visiting Boy Scout Troop No. 47.

NEW BUSINESS

18. Consider water service for L.D.S. Church on Dale Road.
(The staff has been asked to consider extending water service to a new L.D.S. Church to be located on Dale Road just south of M.I.D. Lateral #6. The property is outside the existing sewer service area but located within the Urban Reserve. Staff needs direction on how to proceed with this request. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Elliott, unan., Siefkin absent) water service to the church approved with annexation to the City required when requested by the City. (P.W. to handle)
By motion (Lang/Bright, unan., Siefkin absent) Mayor directed to write a letter to the County relating the City's concerns about urban development in rural areas.
(Manager to handle)

CONSENT

19. Consider application to State Water Resources Control Board for a grant to partially fund a water management study in the Modesto area.
(This study would be jointly administered by the City and the Modesto Irrigation District. The purpose of the study would be to develop a scheme to mitigate the falling ground water table in the Modesto area. Memo with agenda. Resolution authorizing the City Manager to file the application on behalf of the City and accept the grant if offered needed. Estimated cost: \$200,000; funds are partially budgeted.)

ACTION: Res. 82-878 adopted authorizing the City Manager to file the application and accept the grant if offered. (P.W. to handle)

CONSENT

20. Consider authorizing the City Manager to file an application with the State Water Resources Control Board for Federal and State grants.
(The application will provide for a Step 3 grant for construction of the Water Quality Control Plant expansion project. Memo with agenda. Resolution authorizing the City Manager to file the application on behalf of the City and accept the grant if offered needed. Estimated Federal and State cost: \$23,992,000; estimated local cost: \$3,628,000; funds are budgeted.)

ACTION: Res. 82-879 adopted authorizing the City Manager to file the application and accept the grant if offered. (P.W. to handle)

CONSENT

21. Set date for public hearing to consider industrial revenue bonds application by Viking Freight System.
(Viking Freight System proposes an industrial revenue bond issue of \$2,000,000. Staff recommends that the proposal be considered favorably. Resolution setting public hearing December 28, 1982, at 7:30 p.m. needed.)

ACTION: Res. 82-880 adopted setting hearing. (Clerk to handle)

CONSENT

22. Consider setting public hearing on proposed increase in sewer reconnection charge.
(Resolution setting public hearing December 21, 1982, at 4:00 p.m. needed.)

ACTION: Res. 82-881 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider minor amendments to various sections of the Modesto Municipal Code relating to towing services.
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2161-C.S. introduced. (Clerk to handle)

CONSENT

24. Consider proposed cooperative agreement with Stanislaus County to install traffic signals at the Oakdale Road-Sylvan Avenue intersection.
(City is lead agency. Total cost estimate is \$154,480, with City and County shares \$70,150 and \$84,330, respectively. Resolution approving agreement needed. Funds are available in Local Transportation and Gas Tax Funds.)

ACTION: Res. 82-882 adopted approving agreement. (P.W. to handle)

CONSENT

25. Consider recommendation that the City of Modesto and Modesto City Schools District again carry the cost of candidates statements printed in the Voters' Information Pamphlet.
(Memo with agenda. Motion approving recommendation needed.)

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

CONSENT

26. Consider declaring December 24th and December 31st a holiday for City of Modesto employees.
(Memorandum with agenda. Resolution declaring December 24 and 31, 1982, a holiday for City of Modesto employees needed.)

ACTION: Res. 82-883 adopted declaring December 24 and 31, 1982, a holiday for City of Modesto employees. (Mgmt. Services to handle)

CONSENT

27. Consider approving submission of an amended allocation request for \$22 million for a 1983 single-family mortgage revenue bond issue.
(Memo with agenda. On November 2, 1982, the City Council authorized submission of a request for \$16 million. Because of increased developer interest, \$22 million now appears more appropriate. Motion authorizing staff to increase request from \$16 to \$22 million needed.)

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

CONSENT

28. Consider joining in amicus curiae briefs in the following cases:

City of San Jose v. South;
Taxpayers for Vincent v. City of Los Angeles; and
City of Sacramento v. State of California, et al.

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

ACTION: By motion, authorization given.

CONSENT

29. Consider approving agreement with Robert D. and Catherine L. Banghart, dba: Kay's Collectibles, for the lease of 1904 H Street.
(The Bangharts have agreed to lease the former Crosby Paint Store for two years for \$350 per month, taxes, and maintenance. They also will fix the building up. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-884 adopted approving agreement. (P.W. to handle)

CONSENT

30. Consider acceptance of improvements in Standiford Plaza subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (R. T. Hughes Co., Inc. - Subdivider)
(Standiford Plaza subdivision is located at the northwest corner of Standiford Avenue and Colonial Drive. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Memo with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 82-885 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

31. Consider acceptance of improvements in Oakwood Estates No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Guarantee Savings and Loan Association, Inc. - Subdivider)
(Oakwood Estates No. 1 subdivision is located on the north side of Merle Avenue in the Orchard Neighborhood. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Memo with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 82-886 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

32. Consider amending Sec. 5-6.13.1, "Compliance by Industrial Users with Federal and State Standards," of the Modesto Municipal Code.
(The State Regional Water Quality Control Board has requested that we strengthen our existing sewer ordinance to include a commitment by the City to regulate industrial users. Memo with agenda. Motion introducing an ordinance needed.)

ACTION: By motion, Ord. No. 2162-C.S. introduced. (Clerk to handle)

CONSENT

- 33. Consider approval of appropriation transfer in the amount of \$5,852.29 and payment of relocation costs.
 (In an audit by the Federal Aviation Administration of the Clear Zone project on Runway 28R, it was determined an additional payment was necessary. The FAA will reimburse the City \$4,716.36 upon evidence of payment. Memo with agenda. Resolution approving transfer of funds and payment of relocation costs needed.)

ACTION: Res. 82-887 adopted approving transfer. (P.W./Finance to handle)

CONSENT

- 34. Consider radar speed limits.
 (Memo with agenda. Twenty radar-enforceable limits are expiring. Fourteen will remain the same, six will be revised, and one will be added. Introduction of an ordinance amending Municipal Code Section 3-2.1401.1 needed. Estimated cost: \$500; funds are budgeted.) (Reference to LaLoma was deleted)

ACTION: By motion, Ord. No. 2163-C.S. was introduced. (Clerk to handle)
 Councilmember Lang left the meeting at 6:15 p.m.

- 35. Report on declining Elm and Hackberry street trees.
 (Many street trees on Fresno and Roselawn Avenues and in the Graceada Park area are in a declining state of health and need to be replaced. Memo with agenda. Motion directing staff needed.)
 By order of the chair, this item was continued to the next Council meeting.
 (Clerk to handle)

MISCELLANEOUS

- 36. Appointments
 None

- 37. MATTERS TOO LATE FOR THE AGENDA
 (These may be presented by members of the City Council and staff.)
 None

ADJOURNMENT

The meeting adjourned at 6:15 p.m.

ATTEST: *Norrine Coyle*
 NORRINE COYLE, City Clerk

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for Tuesday, December 7, 1982, will not be held because there is no business to transact.



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 14, 1982, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: ^{Member,} William Payton, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 9, 10, 11, 12, 14, 15, 16, 18

Removed from Consent: 17

ACTION: (Lang/Muratore, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the December 7, 1982, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of speed limit on La Loma between Buena Vista and Yosemite. (This speed limit was withdrawn from 12-7-82 Council agenda as the La Loma spokes-person could not attend. It's proposed to raise the speed limit from 30 to 35 mph so that radar can still be used after 3-23-83. Memo with agenda. Introduction of ordinance amending Municipal Code Section 3-2.1401.1 needed. Estimated cost: \$100; funds are budgeted.)

ACTION: By motion (Patterson/Lang, unan.) Ord. No. 2164-C.S. introduced. (Clerk to handle)

4. Report on declining Elm and Hackberry street trees. (Many street trees on Fresno and Roselawn Avenues and in the Graceada Park area are in a declining state of health and need to be replaced. Memo with agenda. (Held over from 12-7-82 meeting.) Motion directing staff needed.)

ACTION: By motion (Lang/Elliott, unan.) staff recommendation supported.

By motion (Siefkin/Elliott, unan.) staff directed to try to devise a plan for allowing residents to keep the wood from trees being cut.

(P.R. to handle)

CONSENT

5. Final adoption of the following:

- a. Ord. No. 2160-C.S. amending Section Map 30-3-9 of the Zoning Map to rezone from P-D(321) to R-1 property located at Emerald and Elm Avenues. (Lyons Bros.)
- b. Ord. No. 2161-C.S. amending the Code relating to towing services.
- c. Ord. No. 2162-C.S. amending the Code relating to sewage collection and disposal to regulate industrial users.
- d. Ord. No. 2163-C.S. amending the Code relating to speed limits in the City.

(Motion adopting needed.)

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

HEARINGS

6. Hearing to consider the proposed Scenic-Oakdale No. 3 Annexation to the City of Modesto.

ACTION: Res. 82-888 adopted (Muratore/Siefkin, unan.) annexing. (Clerk to handle)

7. Hearing to consider the proposed Robin Hood Estates Annexation to the City of Modesto.

ACTION: Res. 82-889 adopted (Muratore/Siefkin, unan.) annexing. (Clerk to handle)

8. Hearing to consider proposed Spencer Avenue No. 2 Annexation to the City of Modesto.

ACTION: By motion (Lang/Bright, unan.) this item carried over to December 28, 1982, to allow further checking of registered voters. (Planning to handle)

BIDS

CONSENT

9. Consider approval of plans and specifications and call for bids for the installation of automatic sliding doors at entrance to City Hall.
(Suggested bid opening: January 4, 1983, at 11:05 a.m. The installation of these sliding doors will provide easy access for handicapped persons visiting City Hall. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$22,500 (contract \$21,500; engineering \$1,000); funds are budgeted.)

ACTION: Res. 82-890 adopted calling for bids. (P.W. to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for Project No. 13 - replacement of curb, drive aprons and sidewalks at various locations.
(Suggested bid opening: January 4, 1983, at 11:00 a.m. This project is required to restore proper drainage to curb damaged by street trees. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$45,000 (Construction \$40,500; Engineering \$4,500); funds are budgeted.)

ACTION: Res. 82-891 adopted calling for bids. (P.W. to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened January 4, 1983, at 2:00 p.m. for furnishing six used detective sedans.
(Requested by the Public Works Service Division, the vehicles will be permanently dispatched to the Police Department Detective Division. Five of the sedans will eliminate the need to continue leasing cars for undercover use; one sedan will replace a recently damaged unit. Specifications are designed to allow rent-a-car agencies to bid low mileage vehicles; the City has purchased nine such cars in the past. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$38,000; funds are budgeted.)

ACTION: Res. 82-892 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider waiving formal bid procedures and authorize the purchase of one street sweeper from Western Traction Company for the total price of \$83,210.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Estimated cost: \$83,210; funds are budgeted.)

ACTION: Res. 82-893 adopted waiving formal bid procedures. (Finance to handle)

13.

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

None

NEW BUSINESS

CONSENT

14. Consider withdrawing four annexations from Airport Neighborhood Lighting District.
(Memo with agenda. Four resolutions withdrawing four annexations from district needed.)

ACTION: Res. 82-894 adopted withdrawing South Airport Annexation from Lighting District.
Res. 82-895 adopted withdrawing North Airport Annexation from Lighting District.
Res. 82-896 adopted withdrawing Santa Ana Addition from Lighting District.
Res. 82-897 adopted withdrawing Tuolumne Regional Park No. 1 Addition from
Lighting District. (Clerk to handle)

CONSENT

15. Consider requesting dissolution of the Sherwood Forest No. 2 Street Lighting Maintenance District and transfer of funds of the district to the City.
(Memos with agenda. Resolution requesting dissolution and the transfer of funds of the district to the City needed.)

ACTION: Res. 82-898 adopted requesting dissolution and transfer of funds to City.
(Clerk/Finance to handle)

CONSENT

16. Consider authorizing an extension of an agreement governing an \$11,250 State planning grant on the Downtown Transportation Center.
(Memo with agenda. The State grant covers 22.5% of the estimated \$50,000 to develop the master plan and conceptual design for the Center. The amendment would extend the completion one year to 12-30-83. Resolution authorizing extension needed.)

ACTION: Res. 82-899 adopted authorizing extension. (P.T. to handle)

17. Consider authorizing a loan of \$49,050 to the Redevelopment Agency of the City of Modesto from the Housing & Community Development Act Fund, Fund No. 11, and an amendment to the Annual Budget of the City of Modesto for FY 1982-83 to cancel appropriations within the Housing & Community Development Act Fund that provide for Redevelopment Agency expenses.
(Memo with agenda. Resolutions authorizing loan and resolution amending the Annual Budget needed.)

ACTION: Res. 82-900 adopted (Patterson/Siefkin, unan.) authorizing loan.
Res. 82-901 adopted (same vote) amending the Annual Budget. (Finance to handle)

CONSENT

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

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

19. Appointments

None

- 20.

MATTERS TOO LATE FOR THE AGENDA

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

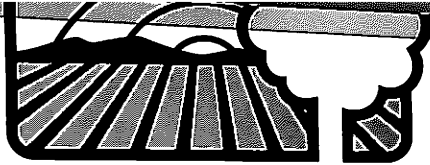
None

ADJOURNMENT

The meeting adjourned at 9:10 p.m.

ATTEST: *Norrine Coyle*

NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 21, 1982, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 10, 11, 12, 13, 14, 15, 16, 17

ACTION: Lang/Elliott, unan.

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger expressed appreciation to Vice Mayor and Mrs. Muratore for the corsages and boutonnieres.

MINUTES

CONSENT

2. Approval of the minutes of the December 14, 1982, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2164-C.S. amending Municipal Code Section 3-2.1401.1 relating to speed limit on La Loma between Buena Vista and Yosemite.
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2164-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing on proposed sewer reconnection charge.

ACTION: Res. 82-902 adopted (Muratore/Elliott, unan.) setting fee. (P.W. to handle)

5. Hearing to consider appeal of Ray Renfro to a Board of Zoning Adjustment decision denying an application for a variance to allow retention of a spa and solar system located within the minimum 5-foot sideyard setback area, property located at 3808 Gil Court on the east side of Gil Court, south of Nightingale Drive, west of Dale Road. (Continued from the December 7, 1982, Council meeting.)

ACTION: Res. 82-903 adopted (Muratore/Siefkin, majority, Lang-no) granting the appeal in part and denying in part, allowing retention of the spa and requiring removal of the superstructures. (Planning to handle)

WRITTEN COMMUNICATIONS

CONSENT

6. Request by Modesto Car Dealers Association for permission to close 11th Street between I and J Streets and for use of the first floor of the parking garage for a two day Car Show/Sale on January 15 and 16, 1983.

ACTION: Res. 82-904 adopted approving request. (P.T. to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

7. (These may be presented by interested persons in the audience.)
Jeanetta Ayres spoke about her problems.

NEW BUSINESS

8. The Affirmative Action Committee has prepared a revised Affirmative Action Plan. The City Manager has issued a Policy Statement on Affirmative Action for City employment. The annual report for 1982 is included for Council review. (Memo with agenda. Resolution approving revised Affirmative Action Plan for the City of Modesto needed, and motion acknowledging receipt of annual report needed.)

By order of the Chair, action delayed as recommended by the City Manager.

9. Consider request for preferential on-street parking on First Street. (Memo with agenda. Residents of First Street between H and Washington want parking on their side of the street restricted to their guests and themselves. A new State law authorizes a permit system for such an arrangement. Motion directing staff needed. Estimated cost: \$150; funds are budgeted.)
Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Muratore/Elliott, unan., Lang absent) no action was taken at this time, but Council expressed its willingness to reassess the situation after the high school parking has been expanded. (P.T. to handle)

CONSENT

10. Consider renewal of liability insurance for one year. (Memorandum with agenda. Resolution authorizing renewal needed.)

ACTION: Res. 82-905 adopted authorizing renewal. (Mgmt. Services to handle)

CONSENT

11. Consider approving automobile rental and concession lease agreement with Hertz Corporation for their automobile rental operations at the Modesto City-County Airport/Harry Sham Field. (This is a one-year renewal on an existing lease. Under the agreement Hertz pays the City 10% of its gross rental with a \$300/month minimum for cars rented at the Airport. Resolution approving agreement needed.)

ACTION: Res. 82-906 adopted approving agreement. (P.W. to handle)

CONSENT

12. Consider approval of credit agreement with Crocker National Bank to service loans processed by the Housing Maintenance Program. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-907 adopted approving agreement. (Planning to handle)

CONSENT

13. Consider approval of an agreement with Conrad Associates for architectural services to repair the City Hall parking deck.
(Memo with agenda. Repairs to this parking deck's surface are needed. Architectural services are needed to investigate what method should be used and to prepare plans and specifications for the work. Resolution approving agreement needed. Estimated cost: \$8,800. Funds are budgeted.)

ACTION: Res. 82-908 adopted approving agreement.

(P.T. to handle)

CONSENT

14. Consider proposal by Smurfit Diamond Packaging Corporation to provide the voting system and supplies for the March 8, 1983, election.
(The County Clerk's office has asked that the City pay the supplier direct instead of paying the County as we have in past years. Memo with agenda. Resolution accepting proposal needed. Estimated cost: \$31,201.30; funds are budgeted.)

ACTION: Res. 82-909 adopted accepting proposal.

(Clerk to handle)

CONSENT

15. Request of George Gagos to change the name of Ekins Drive to Setrok Drive.
(This short stub street is located west of Blue Bird Drive south of Snyder Avenue. It is to be extended westerly through the portion of the Village of Westwood project owned by Mr. Gagos. The owner of the adjacent undeveloped lots has agreed to the name change. Approval of the name change is recommended subject to Mr. Gagos paying for the new street name sign. Memo with agenda. Resolution changing street name from Ekins Drive to Setrok Drive needed. Estimated cost: \$74; funds are budgeted.)

ACTION: Res. 82-910 adopted changing street name.

(Planning to handle)

CONSENT

16. Consider proposal to increase sign permit fees.
(Memo with agenda. Resolution setting hearing January 11, 1983, at 7:30 p.m. needed.)

ACTION: Res. 82-911 adopted setting hearing.

(Clerk to handle)

CONSENT

17. Recommend to Council an amendment to the Zoning Regulations to allow sales of second-hand merchandise in the C-1 zone.
(On December 6, 1982, the Planning Commission adopted Res. No. 82-188 recommending to the Council an amendment to the Zoning Regulations to allow sales of secondhand merchandise in the C-1 zone. Resolution setting hearing January 11, 1983, at 7:30 p.m. needed.)

ACTION: Res. 82-912 adopted setting hearing.

(Clerk to handle)

MISCELLANEOUS

18. Appointments

None

19.

MATTERS TOO LATE FOR THE AGENDA

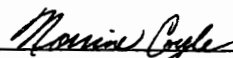
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 5:20 p.m.

ATTEST:



NORRINE COYLE, City Clerk

The regular meeting of the Redevelopment Agency of the City of Modesto scheduled for Tuesday, December 21, 1982, will not be held because there is no business to transact.



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 28, 1982, AT 7:30 P.M.

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

Absent: Councilmember Patterson

Pledge of allegiance to the Flag

Invocation: Rev. Lonnie Skiles, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 9, 10, 11, 12, 13, 15,
16, 17, 18

Removed from Consent: 14

ACTION: Siefkin/Bright, unan., Patterson absent

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

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the December 21, 1982 regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider Spencer Avenue No. 2 Annexation to the City of Modesto.
(Continued from December 14, 1982, City Council meeting.)

ACTION: Res. 82-913 adopted (Elliott/Lang, unan., Patterson, absent) terminating proceedings.

(Clerk to handle)

HEARINGS

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

ACTION: By motion (Lang/Elliott, unan., Patterson, absent) hearing continued to January 25, 1983, at 7:30 p.m.

(Clerk to handle)

5. Hearing to consider industrial revenue bonds application by Viking Freight System.

ACTION: Res. 82-914 adopted (Siefkin/Muratore, unan., Patterson, absent) authorizing issuance of revenue bonds.

By motion (same vote) a fee of $\frac{1}{4}$ of 1% was imposed to cover the City's costs.
(Plan. & C. D. to handle)

BIDS

CONSENT

6. Consider declaring seven companies low responsible bidders meeting specifications and authorizing the issuance of purchase orders for atheletic and recreational equipment.
(Memorandum with agenda. Resolution declaring seven companies low bidders and authorizing the issuance of purchases orders needed. Estimated cost: \$8,715.50; funds are budgeted.)

ACTION: Res. 82-915 adopted accepting the bids and authorizing purchase.

(Finance to handle)

CONSENT

7. Consider waiving formal bid procedures for furnishing elevator maintenance and authorizing City Manager to sign a contract with U. S. Elevator for elevator maintenance at various City facilities.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the City Manager to sign contract needed. Estimated cost: \$6,612; funds are budgeted.)

ACTION: Res. 82-916 adopted waiving formal bid procedures.

(Finance to handle)

8.

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

None

NEW BUSINESS

CONSENT

9. Consider amendments to Position Classification Plan and amendment to resolution establishing salary schedules. These amendments implement the 1982-83 job audit. (Memo with agenda. Resolution amending position classification plan and resolution amending resolution which establishes salaries needed.)

ACTION: Res. 82-917 adopted amending position classification plan.
Res. 82-918 adopted amending resolution which establishes salaries.
(Mgmt. Svcs. to handle)

CONSENT

10. Consider amendment of Municipal Code relating to Municipal Golf Courses. (Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2165-C.S. introduced. (Clerk to handle)

CONSENT

11. Set hearing to consider amendment to Open Space and Recreation Element of the Modesto Urban Area General Plan. (The Planning Commission adopted Resolution 82-192 on December 22, 1982, recommending to the City Council the adoption of a General Plan amendment updating the 1973 Open Space and Recreation Element to the Modesto Urban Area General Plan. Resolution setting public hearing January 18, 1983, at 4:00 p.m. needed.)

ACTION: Res. 82-919 adopted setting public hearing. (Clerk to handle)

CONSENT

12. Consider authorizing City Manager to execute a hold harmless agreement with Stanislaus County to use a County facility. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 82-920 adopted approving agreement. (Police to handle)

CONSENT

13. Consider approving two lease agreements with Mercury Refueling, Inc., dba: Hawke Flying Service, Inc., a Mercury Air Center for their fixed base operations at the Modesto City-County Airport/Harry Sham Field. (There are two lease agreements with Hawke this year. One is a one-year renewal of their maintenance/flying school operation. The other is a 10-year lease for their refueling operations. Memo with agenda. Two resolutions approving lease agreements needed.)

ACTION: Res. 82-921 adopted approving renewal of lease agreement.
Res. 82-922 adopted approving lease for refueling operations. (P.W. to handle)

14. Consider amendment to agreement with Kennedy/Jenks Engineers for additional engineering services on our Water Quality Control Plant expansion project.
(The State has given approval to include an additional 5,200 feet of 60-inch outfall line from the treatment plant to the remote ponds as part of the grant eligible project. Design engineering is needed. Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$22,900; funds are budgeted.)

ACTION: Res. 82-923 adopted (Lang/Elliott, unan., Patterson, absent) approving amendment to agreement. (P.W. to handle)

CONSENT

15. Consider approving agreement with Kenneth H. and Marjorie J. Overbey for the acquisition of 0.04± acre of their property needed for the Scenic/County Hospital to Sunnyside project.
(The Overbeys have agreed to sell the required right of way for the appraised value of \$6,900. This is the first of six parcels needed for this project. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 82-924 adopted approving agreement. (P.W. to handle)

CONSENT

16. Consider request for sewer service to property outside City limits at 518 Laurel, located on the northeast corner of Laurel Avenue and Bennett Avenue. Owner: Ruth E. Werthmann.
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 82-925 adopted approving agreement. (P.W. to handle)

CONSENT

17. County Referral of Open Space Contracts:

No. 83-3838 (2 parcels) - Albert Berchtol, 1612 Dakota - no opposition

No. 83-3835 (2 parcels) - J.R.A. Morris, 2331 Elm Avenue - oppose

No. 83-3839 (3 parcels) - Robert E. Hart, 2625 Maze Boulevard - oppose

No. 83-3841 - A. B. Polakis, 2421 Mable - oppose

No. 83-3846 - Reza Vossoughi et al - oppose
(Memo and map with agenda. Five resolutions needed.)

ACTION: Res. 82-926 adopted offering no objection - Berchtol.
Res. 82-927 adopted protesting application - Morris.
Res. 82-928 adopted protesting application - Hart.
Res. 82-929 adopted protesting application - Polakis.
Res. 82-930 adopted protesting application - Vossoughi. (Plan. & C.D. to handle)

CONSENT

18. Consider authorizing City Manager to approve the rate increase for maintenance of the high speed line printer by Technic Computer Service Corporation, located in the Finance Department, Data Processing Division, for \$5,100 per year. (Memorandum with agenda. Resolution authorizing City Manager to approve rate increase needed. Funds are budgeted.)

ACTION: Res. 82-931 adopted authorizing City Manager to approve rate increase.

(Finance to handle)

MISCELLANEOUS

19. Appointments

ACTION: Res. 82-932 adopted (Elliott/Bright, unan., Patterson, absent) reappointing Ron Simi to the Planning Commission.
Res. 82-933 adopted (same vote) reappointing Levio Ghilotti to the Board of Personnel Appeals.
Res. 82-934 adopted (same vote) reappointing Ruth Smith and John Sutton to the Culture Commission.
Res. 82-935 adopted (same vote) reappointing David Dill and Ernest Garcia to Human Relations Commission
Res. 82-936 adopted (same vote) reappointing Larry Carter and John Funnel and appointing Bill Lyons, Jr. and Eugene Guzman to the Farm/City Committee.

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

None

ADJOURNMENT

The meeting adjourned at 8:35 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk