

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 6, 1975 AT 4:00 P.M.

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

Absent: None
(Councilmember Newton arrived at 4:06 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend Donald G. Weston, St. John's Chapel of the Valley

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 11, 12, 13,
Dunlap/Elliott, unan, - Newton, absent 14, 15, 16, 18, 19, 20, 22, 23

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 Unless some council member or member of the audience has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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

APPROVAL OF MINUTES

CONSENT

1. Minutes of December 23, 1974.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from Chairman, Camellia Society, requesting contribution of sweepstake trophy for Annual Camellia Show to be held March 15 and 16, 1975.
(Resolution approving needed)

ACTION: Res. 75-1 adopted granting request. (Finance to handle)

3. Letter from The Modesto Bee submitting proposal for city participation in special Agriculture, Business and Industry Review Edition on Friday, January 31, 1975.

ACTION: By motion (Elliott/Kullijian, unan.) 1/2 page ad approved.
(C/Mgr to handle)

CONSENT

4. Letter from Roller King, Inc. requesting amendment of Municipal Code to change hours of operation for roller skating rinks.
(Motion referring to staff needed)

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

BIDS

CONSENT

5. Approve plans and specifications for waste water treatment works improvements - aerators and high pressurization unit.
(The City's project for the addition of mechanical aerators at the oxidation ponds and pressurization system for the vacuators have been approved by the state and federal agencies involved. Estimated cost of project is \$805,000. State and federal grant funds will pay 87½% of the construction cost. Resolution approving plans and specifications and call for bids on February 11, 1975 at 11:00 A.M. needed. Portion of funds are budgeted. Additional funding will be requested after bid opening)

ACTION: Res. 75-2 adopted approving plans and specifications and bid call on February 11, 1975 at 11:00 A.M. (Clerk to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of sanitary sewer to the Airport Utility area.
(Suggested bid opening date January 21, 1975 at 11:00 A.M. This sewer will eliminate existing septic tank service. Resolution approving needed. Estimated cost \$35,800 (\$33,500 Const.; \$2,300 Engr. & Insp.) Portion of funds budgeted. Additional funding will be requested after bid opening)

ACTION: Res. 75-3 adopted approving plans and specifications and bid call. (Clerk to handle)

HEARINGS

7. Hearing, request of Airport Garbage Company to transfer industrial waste portion of license to Gilton Industrial Waste Co., Inc. 4:00 P.M.

ACTION: Ord. No. 1416-C.S. introduced (Kullijian/Elliott, unan. - Newton, absent) amending present license.

Ord. No. 1417-C.S. introduced (Kullijian, Elliott, unan. - Newton, absent) granting license for the collection of industrial waste to Gilton Industrial Waste Co., Inc. (Clerk to handle)

8. Hearing, request of Dennis Leo Franklin for Certificate of Convenience and Necessity to operate a Dial-A-Ride taxi service, and for two cab stands. 4:00 P.M.

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

Res. 75-4 adopted (Elliott/Dunlap, unan. - Kullijian, absent) denying request. (Clerk to handle)

9. Hearing, appeal of Charles Fenley to conditions imposed by the Planning Commission and to fees required by administrative decision of staff in connection with parcel map of property located at the northwest corner of Wyle Drive and Oakdale Road. 4:05 P.M.

ACTION: By motion (Kullijian/Elliott, unan.) hearing continued to January 20, 1975 at 4:30 P.M. to permit staff to make further review. (P/W to handle)

10. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

11. Adoption of the following ordinances:
(Motions adopting needed)

- (a) Ord. No. 1412-C.S. amending Ord. 1205-C.S. which granted a license to Airport Garbage Service.

ACTION: By motion, Ord. No. 1412-C.S. adopted. (Clerk to handle)

- (b) Ord. No. 1413-C.S. amending Ord. 1206-C.S. which granted a license to Modesto Garbage Co.

ACTION: By motion, Ord. No. 1413-C.S. adopted. (Clerk to handle)

- (c) Ord. No. 1414-C.S. amending Ord. 1207-C.S. which granted a license to Orange Line Sanitation Company.

ACTION: By motion, Ord. No. 1414-C.S. adopted. (Clerk to handle)

- (d) Ord. No. 1415-C.S. amending Ord. 1208-C.S. which granted a license to Sanders Brothers, Inc.

ACTION: By motion, Ord. No. 1415-C.S. adopted. (Clerk to handle)

OLD BUSINESS

CONSENT

12. Action on requirement for installation of curb at 215 La Loma, Richard W. Beall.
(Hearing was closed but action deferred at meeting of November 18, 1974 to allow time for solution to parking problems)

- (a) Letter from Carol Beall requesting that consideration of this item be continued to January 20, 1975.
(Motion approving continuance to January 20, 1975 needed)

ACTION: By motion, further consideration continued to January 20, 1975.

CONSENT

13. Report of Superintendent of Streets on cost of installation of curbs and gutters and/or sidewalks at the locations listed below:
(Resolution setting 4:20 P.M. on January 20, 1975 for public hearing needed, Funds are budgeted)

- (a) Curb at 206 Locust Street, Lots 17 and 18 of Block 425.
(Ralph O. Applegate - \$360.00)
- (b) Curb and sidewalk along La Loma at 1315 La Loma, a portion of Block 2086-A. (La Loma Grace Brethren Church - \$2,263.00)
- (c) Curb and sidewalk at 2301 Coffee Road, a portion of Block 12937. (Marion W. Clark - \$1,238.00)
- (d) Drive approach at 222 Maze Boulevard, Lots 23 and 24 of Block 422. (Don A. Davis - \$333.00)
- (e) Curb and sidewalk along Miller Ave. at 150 San Juan Drive, Lot 8 of Block 2196. (Roger E. Davis - \$960.00)

CONSENT

13. Report of Superintendent of Streets (continued)

- (f) Sidewalk along Maplewood Avenue at 1228 Del Vale Avenue, Lot 22 of Block 6024. (Wilfred C. Johnson - \$310.00)
- (g) Curb and sidewalk at 2305 Coffee Road, a portion of Block 12937. (P. J. Knutson - \$1,238.00)
- (h) Curb along Locust Street and along Jefferson Street at 202 Locust Street, Lots 15 and 16 of Block 425. (Peter Norrell - \$1,185.00)
- (i) Curb and sidewalk at 2317 Coffee Road, a portion of Block 12937. (Elsie May Peebler - \$610.00)
- (j) Curb and sidewalk along Madison Street at 302 Ash Street, Lots 27 and 28 of Block 344. (Orral F. Smith, \$1,410.00)
- (k) Curb and sidewalk at 1213 Melrose Ave., a portion of Block 1126. (Erma Tonge - \$510.00)
- (l) Curb along Haddon Avenue at 225 N. Conejo Avenue, Lot 1 of Block 2157. (Margaret G. Wong - \$735.00)

ACTION: Res. 75-5 adopted setting January 20, 1975 at 4:20 P.M. for hearings. (P/W to handle)

NEW BUSINESS

CONSENT

14. Consider acceptance of improvements in Eastridge No. 3 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located east of Sonoma Avenue north of Scenic Drive. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 75-6 adopted accepting improvements. (Clerk to handle)

CONSENT

15. Consider application for garbage license, Bertolotti Disposal Service, (Memo with agenda. Resolution setting public hearing January 20, 1975 at 4:25 P.M. needed)

ACTION: Res. 75-7 adopted setting hearing. (Clerk to handle)

CONSENT

16. Agreement with Head Rest, Inc. for rental of office space in the Modesto Community Service Center.
(Resolution approving agreement needed)

ACTION: Res. 75-8 adopted approving agreement. (Clerk to handle)

17. Preliminary Master Plan - Coleman F. Brown Park.
(Oral presentation at meeting of proposed Master Plan for Coleman F. Brown Neighborhood Park. Motion directing staff needed)

DROPPED FROM AGENDA

CONSENT

18. Notice of Pacific Telephone request for rate increase.
(Memo with agenda. This is a modification-consolidation of the rate increase reviewed by the City Council in October, 1974.
(No action required)

NO ACTION

REPORTS FROM THE PLANNING COMMISSION

CONSENT

19. Recommend repeal of Ordinance 907-C.S. and Section 5 of Ordinance 352-C.S.
(On December 17, 1974, the Planning Commission adopted Resolution No. 74-219 recommending the repeal of Section 5 of Ordinance 352-C.S. and Ordinance 907-C.S. which created special building setback lines along Needham Street. Resolution setting January 27, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. 75-9 adopted setting hearing. (Clerk to handle)

CONSENT

20. Recommend amendment to Section 31-3-9 of the zoning map (northeast corner of Chicago & Paradise)
(On December 17, 1974, the Planning Commission adopted Resolution No. 74-215 recommending an amendment to Section 31-3-9 of the zoning map to rezone to C-1 property located on the northeast corner of Chicago Avenue and Paradise Road. Resolution setting February 3, 1975 at 4:05 P.M. for public hearing needed)

ACTION: Res, 75-10 adopted setting hearing. (Clerk to handle)

21. City initiation of closure of streets intersecting Briggsmore Ave.
(Memo with agenda. Two motions: Staff to proceed with closures; agreement as to possible types of closure design and extent of City cost participation)

ACTION: By motion (Dunlap/Newton, unan.) staff directed to meet with residents of affected areas and to present individual street closures to Planning Commission for recommendations to Council.

By motion (Dunlap/Newton, unan.) staff directed to proceed on the basis of using alternate 3-2 for closures. (Planning to handle)

CONSENT

22. Recommend amendment to Section 13-3-8 of the zoning map, portion of northwest corner of Earl and Strivens to R-3.
(On December 17, 1974, the Planning Commission adopted Resolution No. 74-217 recommending an amendment to Section 13-3-8 of the zoning map to rezone certain property in order to make the zoning on said property consistent with the Modesto Urban Area General Plan. Resolution setting public hearing needed. Suggested date: February 3, 1975 at 4:10 P.M.)

ACTION: Res. 75-11 adopted setting hearing. (Clerk to handle)

CONSENT

23. Recommend amendment to Section 9-3-9 of zoning map. (Salter)
(On December 17, 1974, the Planning Commission adopted Resolution No. 74-218 recommending an amendment to Section 9-3-9 of the zoning map (Salter - east side of McHenry Avenue north of Union Avenue) Resolution setting February 3, 1975 at 4:15 P.M. needed)

ACTION: Res. 75-12 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

24. Appointments.

See below.

25. Matters too late for the agenda.

NONE

26. The Council retired to executive session at 5:35 P.M. to consider election of Vice Mayor and other appointments and returned to open meeting at 5:40 P.M.

Res. 75-13 adopted (Kullijian/Elliott, unan.) reappointing Blaine Pack and Fleeta Raines as members of the Board of Zoning Adjustment for terms ending January 1, 1979 and January 1, 1976 respectively.

Res. 75-14 adopted (Elliott/Mensing, unan.) reappointing Jean Dunlap and Salvadore Morales as members of the Culture Commission for terms ending January 1, 1979.

Res. 75-15 adopted (Mensing/Kullijian, unan.) reappointing Frank Russo and James Morgensen as members of the Personnel Commission for terms ending January 1, 1979.

Res. 75-16 adopted (Dunlap/Elliott, unan.) electing Councilmember Newton as Vice Mayor. (Clerk to handle)

Adjournment at 5:45 P.M.

ATTEST:

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 13, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation by Father Edward Wicher, St. Dunstan's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 15,
Dunlap/Kullijian, unan. 16, 17, 18, 19, 20, 21, 22, 23

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 6, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Senior Opportunity Service Program for Council support of application for transportation funds.
(Motion approving application subject to approval by S.A.A.G. needed)

ACTION: By motion, application approved subject to S.A.A.G. approval.
(Clerk to handle)

BIDS

CONSENT

3. Consider approval of specifications and authorize call for bids to be opened January 28, 1975 at 2:00 P.M. for furnishing automotive equipment.
(Nine 4-door sedans, five two-door sedans, seven pickups, three cab and chassis and five dump trucks. Resolution needed. Estimated cost \$153,950. Funds are budgeted)

ACTION: Res. 75-17 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for construction of waterlines in Carver Glen Subdivision.
(Suggested bid opening January 28, 1975 at 11:00 A.M. Resolution approving needed. Estimated cost \$49,121 (\$35,245, Const.; \$13,876 Matl. & Engr.) Funds are budgeted)

ACTION: Res. 75-18 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

5. Consider award of contract for construction of subtrunk sewer in Carver Road, Cheyenne Way to Brixton Lane, and approval of appropriation transfer.
(Bids were opened January 7, 1975. The low bid of \$15,609 submitted by Western Pipeline Co., Inc., which is 122% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract and resolution approving appropriation transfer of \$19,000 needed. Estimated cost \$19,000 (\$15,609, const; \$1,391, Engr. & Inspection; \$2,000 Contingency)

ACTION: Res. 75-19 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

Res. 75-20 adopted approving appropriation transfer of \$19,000 from Account 60-212 to Account 6561-212. (Finance to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of T Hangar G at the Modesto City-County Airport. (Suggested bid opening January 28, 1975 at 11:10 A.M. Funds were budgeted under the Capital Improvement Program to provide added aircraft storage facilities. Resolution approving plans, specifications and bid call needed. Estimated cost \$74,500 (\$71,500 Const; \$3,000 Engr. & Insp.) Funds are budgeted)

ACTION: Res. 75-21 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened January 29, 1975 at 2:00 P.M. for furnishing a traffic sign truck body. Resolution needed. Estimated cost \$3,600. Funds are partially budgeted. The staff believes that bids will be higher and if this proves to be correct, an appropriation transfer will be requested when award is made)

ACTION: Res. 75-22 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

8. Consider waiver of formal bid procedure, acceptance of negotiated offer from George's Contractors' Supply, Inc. and authorize purchase of a new Ecolotec Vacuum Street Sweeper. (Memo with agenda. Resolution waiving formal bid procedure, accepting negotiated offer and authorizing purchase needed. Resolution approving appropriation transfer of \$3,045 needed. Portion of funds budgeted)

ACTION: Res. 75-23 adopted waiving formal bid procedure, accepting offer and authorizing purchase.

Res. 75-24 adopted approving appropriation transfer of \$3,045 from Account 60-512 to Account 5415-48-512. (Finance to handle)

HEARINGS

9. Hearing on abandonment of 40 foot unimproved road right of way extending east from Carpenter Road south of Blue Gum. (Smoot) 7:30 P.M.

ACTION: Res. 1296-S.P. adopted (Elliott/Mensing, unan.) vacating and abandoning right of way. (Clerk to handle)

10. Hearing, annexation of North Tully No. 1 Addition to City of Modesto Municipal Sewer District No. 1, 7:35 P.M.

ACTION: Res. 75-25 adopted (Kullijian/Dunlap, unan.) annexing North Tully No. 1 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

11. Continued hearing on amendments to Section 31-3-9 and 6-4-9 of zoning map to prezone to R-3, properties on both sides of Paradise Road between Ellen Avenue and Vernon Avenue. 7:40 P.M.
(Continued from December 23, 1974 meeting)

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

A resolution (Newton/Dunlap, unan. - Kullijian, absent) was introduced denying the rezoning to R-3 and referring back to the Planning Commission for study of rezoning entire area to R-2. By motion (Elliott/Dunlap, unan.) the resolution was amended to provide that the two small triangular parcels in the south west corner be zoned to R-1.

Res. 75-26, as amended, was then adopted by unanimous vote (Newton/Dunlap, unan. - Kullijian, absent). (Planning to handle)

12. Hearing, amendment to Section 24-3-9 of zoning map to prezone to medium density residential zone, R-2, property located on the east side of Lakewood Avenue between Orangeburg & Parkview Drive. 7:45 P.M.

ACTION: Ord. No. 1418-C.S. adopted (Dunlap/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 75-27 adopted (Dunlap/Kullijian, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

13. Continued hearing on request for increase in garbage rates. 7:50 P.M.

ACTION: By motion (Newton/Kullijian, unan.) staff directed to prepare documents to grant a 14.28% increase effective March 1, 1975. (C/Atty to handle)

Mayor Davies directed that the two letters from Attorney Ruggieri acting on behalf of Rudy Bonzi Enterprises be answered by the City Manager.

14. Matters for the good of the community. 7:55 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

15. Final adoption of the following ordinances:
(Motions adopting needed)

(a) Ord. No. 1416-C.S. amending Airport Garbage Service License.

ACTION: By motion, Ord. No. 1416-C.S. adopted.

(b) Ord. No. 1417-C.S., Gilton Industrial Waste Co. Industrial Garbage License.

ACTION: By motion, Ord. No. 1417-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

16. Consider declaring a used Asplundh brush chipper surplus to the needs of the City and authorizing sale to the Modesto City Schools for \$1,000.
(Memo with agenda. Resolution needed)

ACTION: Res. 75-28 adopted declaring brush chipper as surplus and authorizing sale to Modesto City Schools. (Finance to handle)

CONSENT

17. Consider temporary closure of College Ave. at Briggsmore Ave.
(Memo with agenda. Resolution approving needed)

ACTION: Res. 75-29 adopted authorizing temporary closure subject to conditions. (P/W to handle)

CONSENT

18. Request authorization to see used furnishings and equipment acquired with the property for the city hall parking annex.
(Memo with agenda. Resolution authorizing sale of furniture and equipment needed)

ACTION: Res. 75-30 adopted authorizing sale. (Finance to handle)

REPORTS

CONSENT

19. Report of Greater Modesto Chamber of Commerce on convention fund.
(Motion accepting needed)

ACTION: By motion, report accepted.

CONSENT

20. Financial statement for December, 1974.
(Motion accepting needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. Code text amendment - new definition for street line.
(Memo with agenda. Motion referring to Planning Commission for public hearing and recommendation needed)

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

CONSENT

22. County referral of open space contracts: Application #75-1909, Alvin and Ruth Ohlson, south side of Sylvan, 1/4 mile east of Oakdale Road, 2404 Sylvan Ave.; #75-1900, Richard D. Ernst, North side of North Ave., 1/2 mile east of Dakota Ave., 3431 North Ave.; #75-1920, Leonard Jackson, 2937 Merle Ave., north side of Merle, 1 mile east of Oakdale Road; #75-1925, Lena Iverson, south-west corner of Claratina Ave. and Coffee Road, 1112 Claratina Ave.; #75-1904, Frank and Ica Wheeler, south side of Snyder Road, 1/2 mile west of Carver Road.
(Memos with agenda. Four resolutions expressing recommendation of opposition (Wheeler, Iverson, Jackson and Ohlson); one resolution expressing recommendation of no opposition (Ernst) to the County Board of Supervisors needed).

ACTION: Continued on next page.

Page 4

1/13/75

CONSENT

22. County referral of open space contracts, (continued)

- ACTION: Res. 75-31 adopted expressing recommendation of opposition.
(Wheeler)
- Res. 75-32 adopted expressing recommendation of opposition.
(Iverson)
- Res. 75-33 adopted expressing recommendation of opposition.
(Jackson)
- Res. 75-34 adopted expressing recommendation of opposition.
(Ohlson)
- Res. 75-35 adopted expressing recommendation of no opposition.
(Ernst) (Clerk to handle)

CONSENT

23. Resolution authorizing an application for a grant from the U. S. Department of Housing and Urban Development for Comprehensive Planning Assistance (701) Funds and seeking clarification of deadlines. (Memo with agenda, Resolution needed. Estimated cost \$33,335; \$25,000 HUD 701 Grant, \$8,335 Local (Modesto) match. Funds are budgeted)

ACTION: Res. 75-36 adopted authorizing application. (Planning to handle)

MISCELLANEOUS

24. Appointments.

ACTION: Res. 75-37 adopted (Dunlap/Kullijian, unan.) appointing Councilmember Elliott as Council liaison with Greater Modesto Chamber of Commerce to succeed Ray Simon. (Clerk to handle)

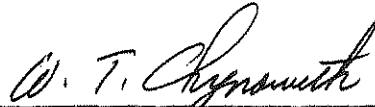
25. Matters too late for the agenda.

ACTION: Res. 75-38 adopted (Elliott/Dunlap, unan.) granting Alvie Stephens extension of time for harvesting pecans in Tuolumne River Regional Park to March 1, 1975. (P & R to handle)

Following a discussion of the S.A.A.G. Transportation Plan, it was agreed that the Council representatives on S.A.A.G. would keep the Council informed of developments so that the City Council can have input into the plan. (C/Mgr to handle)

Adjournment at 10:45 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 20, 1975 AT 4:00 P.M.

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

Absent: None
(Councilmember Newton arrived at 4:05 P.M.)

Pledge of allegiance to the Flag

Invocation by Reverend Donald Weston, St. John's Chapel of the Valley

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 12, 12a, 14, 15,
Dunlap/Elliott, unan. - Newton, absent 17, 18, 19

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 13, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Patterson City Council for resolution supporting continuation of Revenue Sharing.

ACTION: Res. 75-39 adopted supporting continuation of Revenue Sharing.
(Clerk to handle)

BIDS

CONSENT

3. Acceptance of traffic signals at Coffee Road and Lucerne Avenue.
(All work is completed and acceptable. Resolution accepting work needed. Funds are budgeted)

ACTION: Res. 75-40 adopted accepting contract. (Clerk to handle)

HEARINGS

4. Hearing, annexation of Lincoln No. 2 Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 75-41 adopted (Dunlap/Kullijian, unan. - Newton, absent) annexing Lincoln No. 2 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

5. Hearing, annexation of Tuolumne Regional Park No. 1 to City of Modesto Municipal Sewer District No. 1. 4:05 P.M.

ACTION: Res. 75-42 adopted (Mensing/Dunlap, unan.) annexing Tuolumne Regional Park No. 1 to Modesto Municipal Sewer District No. 1. (Clerk to handle)

6. Hearing, amendment to Section 28-3-9 of zoning map to rezone property located north of Yosemite west of Las Flores to conform to General Plan. 4:10 P.M.
(NOTE: This hearing will be continued to February 3, 1975 at 4:00 P.M.)

ACTION: By motion (Dunlap/Elliott, unan.) hearing continued to February 3 at 4:00 P.M. (Clerk to handle)

7. Hearing on amendment to Section 24-3-8 and 19-3-9 of zoning map to rezone property in MJC West area to conform to General Plan. 4:15 P.M.

(Dunlap/Kullijian, unan.)
ACTION: Ord. No. 1419-C.S. introduced/rezoning area. (Clerk to handle)
Res. 75-43 adopted (Dunlap/Kullijian, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

8. Twelve hearings on cost of construction of sidewalk and/or curb and gutter at the following locations: 4:20 P.M.

- (a) Curb at 206 Locust Street, Lots 17 and 18 of Block 425. (Ralph O. Applegate - \$360.00)
(Recommend payment over a period of seven years)

ACTION: Res. 75-44 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 7-year period). (Finance to handle)

- (b) Curb and sidewalk along La Loma at 1315 La Loma, a portion of Block 2086-A. (La Loma Grace Brethren Church - \$2,263.00)
(Recommend payment over a period of ten years)

ACTION: Res. 75-45 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period). (Finance to handle)

- (c) Curb and sidewalk at 2301 Coffee Road, a portion of Block 12937. (Marion W. Clark, \$1,238.00)
(Recommend payment over a period of ten years)

ACTION: Res. 75-46 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period.) (Finance to handle)

- (d) Drive approach at 222 Maze Boulevard, Lots 23 and 24 of Block 422. (Don A. Davis - \$333.00)
(Recommend payment over a period of seven years)

ACTION: Res. 75-47 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 7-year period) (Finance to handle)

8. Hearings on cost of construction, (continued)

4:20 P.M.

- (e) Curb and sidewalk along Miller Ave. at 150 San Juan Drive, Lot 8 of Block 2196. (Roger E. Davis - \$960.00)
(Recommend payment over a period of ten years)

ACTION: Res. 75-48 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period) (Finance to handle)

- (f) Sidewalk along Maplewood Ave. at 1228 Del Vale Ave., Lot 22 of Block 6024. (Wilfred C. Johnson - \$310.00)
(Drop from agenda - paid in full)

DROPPED

- (g) Curb and sidewalk at 2305 Coffee Road, a portion of Block 12937. (P. J. Knutson - \$1,238.00)
(Recommend payment over a period of ten years)

ACTION: Res. 75-49 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period) (Finance to handle)

- (h) Curb along Locust Street and along Jefferson St. at 202 Locust Street, Lots 15 and 16 of Block 425. (Peter Norrell - \$1,185.00)
(Recommend payment over a period of ten years)

ACTION: Res. 75-50 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period) (Finance to handle)

- (i) Curb and sidewalk at 2317 Coffee Road, a portion of Block 12937. (Elsie May Peebler - \$610.00)
(Recommend payment over a period of ten years)

ACTION: Res. 75-51 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period) (Finance to handle)

- (j) Curb and sidewalk along Madison St. at 302 Ash St., Lots 27 and 28 of Block 344. (Orral F. Smith - \$1,410.00)
(Recommend payment over a period of ten years)

ACTION: Res. 75-52 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period) (Finance to handle)

- (k) Curb and sidewalk at 1213 Melrose Ave., a portion of Block 1126. (Erma Tonge - \$510.00)
(Recommend payment over a period of ten years)

ACTION: Res. 75-53 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period.) (Finance to handle)

- (l) Curb along Haddon Ave. at 225 No. Conejo Ave., Lot 1 of Block 2157. (Margaret G. Wong - \$735.00)
(Recommend payment over a period of ten years)

ACTION: Res. 75-54 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection (over a 10-year period.) (Finance to handle)

9. Hearing, application of Bertolotti Disposal Service for garbage license. 4:25 P.M.

ACTION: By motion (Kullijian/Dunlap, unan.) hearing continued to March 3, 1975 at 4:00 P.M. to allow time for Attorney General's opinion on point of difference.

10. Continued hearing on appeal of Charles Fenley to conditions imposed by Planning Commission and to fees required by administrative decision of staff in connection with parcel map of property located at the northwest corner of Wylie Drive and Oakdale Road. (Applicant and staff wish a continuance to January 27, 1975 at 7:40 P.M. Motion needed) 4:30 P.M.

ACTION: By motion (Dunlap/Newton, unan.) hearing continued to January 27, 1975 at 7:40 P.M. (Clerk to handle)

11. Matters for the good of the community. 4:35 P.M.
(These may be presented by interested persons in the audience)

ACTION: By motion (Dunlap/Kullijian, unan.) request of Charles Dannelley that refund of Utility User's Tax be raised from \$5.00 to \$10.00 and that maximum income to be eligible for refund be raised to \$4,500 referred to staff for report. (Finance to handle)

ORDINANCES

CONSENT

12. Introduction of four ordinances amending garbage rates. (Motions introducing needed)

ACTION: By motion, Ord. No. 1420-C.S. introduced (Airport Garbage).

By motion, Ord. No. 1421-C.S. introduced (Modesto Garbage).

By motion, Ord. No. 1422-C.S. introduced (Orange Line).

By motion, Ord. No. 1423-C.S. introduced (Sanders). (Clerk to handle)

CONSENT

12A. Final adoption of Ordinance No. 1418-C.S. amending Section map 24-3-9 rezoning property to R-2. (Horn Construction Co.) (Motion adopting needed)

ACTION: By motion, Ord. No. 1418-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

13. Action on requirement for installation of curb at 215 La Loma, Richard W. Beall. (Carried over from January 6, 1975 at request of Mrs. Beall)

ACTION: A resolution (Elliott/Dunlap) ordering the installation was withdrawn. By motion (Elliott/Kullijian, unan.) further consideration continued to January 27 to enable staff to prepare detailed report on curb, gutter, sidewalk and parking on La Loma side of property. (P/W to handle)

NEW BUSINESS

CONSENT

14. Resolution and order of the Council of the City of Modesto providing for a general municipal election to be held on Tuesday, March 4, 1975 and designating precincts and polling places and appointing election officers for said general municipal election.
(This is an election to elect a Mayor, 3 councilmen and 3 members to the Board of Education. Resolution adopting needed)

ACTION: Res. 75-55 adopted designating precincts and polling places, appointing election officers and directing City Clerk to canvass votes. (Clerk to handle)

CONSENT

15. Set public hearing on application for federal funds to pay 80% of the cost of three new buses.
(The application is completed and it is recommended that the hearing be set for 7:30 P.M. February 24, 1975. Resolution setting public hearing needed)

ACTION: Res. 75-56 adopted setting hearing. (Clerk to handle)

16. Preliminary master plan, Coleman F. Brown Park.
(Oral presentation at meeting. Motion directing staff needed)

ACTION: By motion (Dunlap/Mensingler, unan.) staff authorized to proceed with plan as presented. (P & R to handle)

CONSENT

17. Resolution amending the 1974-75 final budget for the City of Modesto.
(It is necessary to amend the 1974-75 final budget to establish an account in the General Fund to estimate revenues received through a grant from the Office of Criminal Justice Planning in the amount of \$3,544.00 for the purchase of a Psychological Stress Evaluator. Resolution needed. The City share of this grant in the amount of \$624.00 has already been transferred from within the police budget.)

ACTION: Res. 75-57 adopted amending budget. (Finance to handle)

CONSENT

18. Establish accounts in CETA Fund (#219) for Title VI funds.
(Memo with agenda. Resolution amending current budget to establish above accounts needed. Estimated cost \$101,400)

ACTION: Res. 75-58 adopted amending budget. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

19. Tentative subdivision map of Wyldewood Meadow No. 1 and 2.
(On January 7, 1975 the Planning Commission approved this tentative map and found that the subdivision, together with its design and improvements, is consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. An environmental assessment of the subdivision has been made and negative declaration has been filed. Resolution making findings needed)

ACTION: Res. 75-59 adopted making necessary findings. (Clerk to handle)

MISCELLANEOUS

20. Appointments.

ACTION: Res. 75-60 adopted (Elliott/Mensing, unan.) appointing Councilmember Kullijian as representative of City of Modesto on Stanislaus Area Association of Governments (S.A.A.G.); appointing Councilmember Elliott as alternate; and appointing Councilmember Mensinger as City of Modesto representative on S.A.A.G. executive committee. (Clerk to handle)

21. Matters too late for the agenda.

ACTION: Councilmember Dunlap announced that the Stanislaus County Agricultural Use Committee would hold a meeting concerning possible revisions to County A-1 zoning uses at a public meeting to be held January 22 at County Center No. 3.

The Director of Public Works introduced Francis M. Stagliano, the new Chief Building Official for Modesto.

Adjournment at 5:50 P.M.

ATTEST:

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 27, 1975 AT 7:30 P.M.

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

Absent: None
(Mayor Davies was excused at 8:35 P.M. and Vice Mayor
Newton presided)

Pledge of allegiance to the Flag.

Invocation by Captain Marilyn Bawden, Salvation Army

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 10, 12, 13,
Mensinger/Dunlap, unan. 14, 15, 16, 17, 18, 19

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 20, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal by Tanner and Peterson to Planning Commission denial of application to rezone property at the northeast corner of Old Oakdale Road and East Orangeburg Ave.
(Resolution setting February 24, 1975 at 7:35 P.M. for hearing needed)

ACTION: Res. 75-61 adopted setting hearing. (Clerk to handle)

CONSENT

3. Request of Rule Development for variance for exposed aggregate sidewalk along McHenry and Coolidge.
(Resolution setting February 3, 1975 at 4:20 P.M. for hearing needed)

ACTION: Res. 75-62 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for construction of picnic area at Marshall Park.
(Suggested bid opening date February 11, 1975 at 11:10 A.M. This project has been budgeted as part of the Marshall Park development. This project was bid in October, 1974, and rejected for lack of bidders. A current staff survey shows bidder interest in the project. Resolution approving plans, specifications and bid call needed. Estimated cost \$8,000 (\$7,500 Const., \$500 Engr.) Funds are budgeted)

ACTION: Res. 75-63 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

5. Consider acceptance of Ferrero Electric Co.'s contract for replacement of street light circuit No. 7. (Original contract \$7,945. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$7,945. Funds are budgeted)

ACTION: Res. 75-64 adopted accepting contract. (Clerk to handle)

HEARINGS

6. Approximately 186 hearings on costs of alley improvement at the following locations: (Project 2) 7:30 P.M.

BLOCK 128

- (a) Fred A. Stoll, 630 - 16th St., Modesto, CA 95354 - Lots 31 & 32 - \$103.29

ACTION: Res. 75-65 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) Ada M. Swanson, 1209 S. Minaret, Turlock, CA 95380 - Lots 29 & 30 - \$103.29.

ACTION: Res. 75-66 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) Stephen C. and Linda L. Bakke, P. O. Box 1104, Turlock, CA 95380 - Lots 27 & 28 - \$103.29.

ACTION: Res. 75-66A adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (d) H. Wayne & Marjorie I. Davis, 1708 Joann St., Modesto, CA 95350 - Lots 25 & 26 - \$103.29.

ACTION: Res. 75-67 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Melissa Bishop, 604 - 16th St., Modesto, 95354 - Lots 23 & 24 - \$103.29.
(Paid - Drop from agenda)

ACTION: DROPPED

- (f) John E. Gustafson, 125 Lee St., Modesto 95354, Lots 21 & 22 - \$103.29

ACTION: Res. 75-68 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (g) William F. DeLane, P. O. Box 423, Modesto 95353, Lots 17, 18, 19, and 20 - \$206.58.

ACTION: Res. 75-69 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (h) Ken Iverson, 2813 Paradise Road, Modesto 95351, Lots 15 & 16 - \$103.29

ACTION: Res. 75-70 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

6. Cost of alley improvements, (continued)

7:30 P.M.

BLOCK 128

- (i) Angie M. Tice, 605 - 17th St., Modesto 95354, Lots 13 & 14 - \$103.29.
(Paid - Drop from agenda)

DROPPED

- (j) Robert W. Cole, 302 Burney Ave., Modesto 95354, Lots 9, 10, 11, and 12 - \$206.58.

ACTION: Res. 75-71 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (k) Frances Achterberg, 2401 Monte Vista Ave., Modesto 95350, Lots 7, 8 - \$103.29.
(Paid - Drop from agenda)

DROPPED

- (l) George F. & Jacqueline M. Silveira, 1506 Kent Way, Modesto 95355 - Lots 5 & 6 - \$103.29.

ACTION: Res. 75-72 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (m) Octomedent Inc., P. O. Box 1877, Modesto 95354 - Lots 1, 2, 3 and 4 - \$206.58.

ACTION: Res. 75-73 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK M

- (a) Pine, Ruth M., 202 Elmwood Ave., Modesto - the SW 46.8 feet of Lots 1, 2, 3, & 4 - \$211.68.
(Paid - Drop from agenda)

DROPPED

- (b) Tillie Estrada, 817 Westwood Drive, Modesto 95350 - Lots 5 & 6 - \$105.84.

ACTION: Res. 75-74 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collections. (Finance to handle)

- (c) Fred H. Wymore, 1904 Toyon, Modesto 95350 - Lots 7, 8 and 9 - \$208.72.

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

- (d) Adelia Felt/Myers, 612 - 17th St., Modesto, Lots 22 & 23 - \$94.20.

ACTION: Res. 75-76 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) John and Bernice N. Wein, 3105 Williamsburg Way, Modesto 95350 - Lots 24, 25 and 26 - \$158.76.

ACTION: Res. 75-77 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

6. Cost of alley improvements, (continued)

7:30 P.M.

BLOCK M

(f) Maurice H. and Florence M. Parker, 626 - 17th St., Lots 27 & 28 - \$105.84

ACTION: Res. 75-78 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Maurice H. & Florence M. Parker, 626 - 17th St., Modesto - Lots 29 and 30 - \$105.84.

ACTION: Res. 75-79 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Sofia K. & Stylianos N. Vackimes et al, 628 17th St., Modesto, Lots 31 and 32 - \$105.84.

ACTION: Res. 75-80 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 210

(a) Maxine Tanner & Peter E. Pelucca, 219 Los Cedros Way, Modesto, Lots 13 & 14 - \$276.08.

ACTION: Res. 75-81 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Walter Stringer, 123 Walden St., Modesto 95354 - Lots 10, 11 and 12 - \$128.18.

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

(c) Walter J. & Pearl M. Tweedy, 203 James St., Modesto 95354 - Lots 9 and 10 - \$69.02.
(Paid - Drop from Agenda)

DROPPED

(d) Josie B. Townsend, 209 James St., Modesto 95354 - Lots 7 & 8 - \$98.60
(Paid - Drop from Agenda)

DROPPED

(e) Nellie Z. Barker, 213 James St., Modesto 95354 - Lots 5 & 6 - \$98.60.

ACTION: Res. 75-83 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(f) Dora B. Trask, 217 James St., Modesto 95354 - Lots 3 & 4 - \$98.60.
(Paid - drop from agenda)

DROPPED

(g) Wayne E. & Helen M. Greenlee, 219 James St., Modesto 95354 - Lots 1 and 2 - \$98.60.

ACTION: Res. 75-84 adopted (Dunlap/Elliott, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

6. Cost of alley improvements (continued)

BLOCK 210

- (h) Janet A. Bettencourt, 118 Lane St., Modesto, CA, Lots 31 & 32,
\$276.08.

ACTION: Res. No. 75-85 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

BLOCK 403

- (a) Vivian L. Galeazzi & Brainard J. Galeazzi, Sr., 618 South
Franklin St., Modesto, CA, Lots 26, 27 & 28, \$155.93.

ACTION: (Paid - drop from agenda)

- (b) Lydia B. Dixon, 248 Ghormley, Oakland, CA 94603, Lots 24 & 25,
\$103.96.

ACTION: Res. 75-86 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (c) Larry D. & Janie Vail, 316 Walnut St., Modesto, CA Lots 22 and 23,
(103.96).

ACTION: Res. 75-87 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (d) Winnie Cornwell, c/o Winnie Kidd, 1772 Pauline Ave., Modesto,
Lots 19, 20, 21, \$155.93.

ACTION: Res. 75-88 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (e) Eva Thompson, 306 Walnut St., Modesto, CA Lots 17, 18 - \$103.96.

ACTION: Res. 75-89 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (f) George & Vinia Claxton, 617 Madison St., Modesto, CA, Lots 15, 16,
\$103.96.

ACTION: Res. 75-90 adopted (Dunlap/Elliott, unan) confirming report.
(Finance to handle)

- (g) A. Dale Dunkel, 434 Smith Ave., Modesto, CA, Lots 12, 13, 14 -
\$155.93.

ACTION: Res. 75-91 adopted (Dunlap/Elliott, unan) confirming report.
(Finance to handle)

- (h) John Wesley Berry, 307 Vine St., Modesto, CA, Lots 9, 10, 11 -
\$155.93.

ACTION: Res. 75-92 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (i) Randall J. & Imogene White, 712 Tuolumne Blvd., Modesto, CA -
Lots 7 & 8, \$103.96.

ACTION: Res. 75-93 adopted (Dunlap/Elliott, unan.) confirming report
(Finance to handle)

- (j) Richard L. & Suan Ann Suzuki, 203 Rowland, Modesto, CA, Lots 5
& 6, \$103.96.

ACTION: Res. 75-94 adopted (Dunlap/Elliott) confirming report.
(Finance to handle)

6. Cost of alley improvements (continued)

BLOCK 403

(K) Adam M. Seifert, 321 Vine St., Modesto, CA, Lots 3 & 4, \$103.96.
(Paid - drop from agenda)

(1) John Guidi, 325 Vine St., Modesto, CA, Lots 1 & 2, \$103.96.

ACTION: Res. No. 75-95 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

BLOCK 445

(a) Theodore M. and Patricia A. Cook, 508 Wentworth Lane, Modesto, Lots 1, 2, 3, 4, 5, - \$1,480.60.

(b) Maurice D. and Gayle Nordell, 1318 Oakwood Drive, Lots 6 & 7,

ACTION: By motion, action delayed for one week. (both (a) and (b)).
(Clerk to handle)

BLOCK 546 and 554

(a) James L. and Marianna J. Buzbee, 227 Elmwood Ct., Modesto, Lots 9 and 10 - \$40.89.

ACTION: (Paid - dropped from agenda)

(b) Fred W. and Lenna E. Althoff, 1227 Highland Ave., Modesto, CA, Lots 7 & 8 - \$138.29.
(Paid - dropped from agenda)

(c) Ruth S. Lambert, 426 Magnolia Ave., Modesto, CA Lots 5 & 6 - \$103.72
(Paid - dropped from agenda.)

(d) Drucilla Pearson, 430 Magnolia Ave., Modesto, CA, Lots 4 & 5, \$103.72.

ACTION: Res. 75-96 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

(e) Burton R. and Jean F. Pike, 3405 Lancashire Ln., Modesto, CA, Lots 2 & 3, \$80.24.

ACTION: Res. 75-97 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

(f) Evelyn Adair, 232 West Morris Ave., Modesto, CA, Lots 1 & 2 - \$76.73.
(Paid - dropped from agenda.)

(g) Michael J. & Judith L. Moradian, 215 Elmwood Ct., Modesto, CA, Lot 17, \$246.75.

ACTION: Res. 75-98 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

(h) Richard J. & Irene E. Hickey, 224 W. Morris Ave., Block 554, Lots 15 & 16 - \$266.26.

ACTION: Res. 75-99 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

BLOCK 1022

(a) Calvary Lutheran Church, 547 Rose Ave., Modesto, CA, portion of Block 1022 - \$597.69.

ACTION: (Paid - dropped from agenda)

6. Cost of alley improvements (continued)

BLOCK 1047

- (a) Frederic L. Baer, 3135 Moon Ave., Stockton, CA 95204, Lot 5,
\$1,211.72.

ACTION: Res. 75-100 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (b) Alfred E. & Ruth Heike, 901 Coffee Rd., Modesto, CA, Lot 1 - \$131.08
(Paid - dropped from agenda)

- (c) Melvin A. & Edna G. Wells, 1206 Chadwick Ct., Modesto, CA, lot 2 -
\$118.32.

ACTION: Res. No. 75-101 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (d) David C. & Martha M. Ehrlich, 1210 Chadwick Ct., Modesto, CA,
Lot 3 - \$118.32.

ACTION: Res. No. 75-102 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (e) Cornelius J. Jr. & Frances Hamilton, 1214 Chadwick Ct., Modesto, CA,
Lot 4 - \$118.32.

ACTION: Res. No. 75-103 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (f) Blanchard E. & Clyda A. Nichols, 1218 Chadwick Ct., Modesto, CA,
Lot 5 - \$118.32.
(Paid - dropped from agenda)

- (g) Irvin L. & Dorothy Schrichfield, 1222 Chadwick Ct., Modesto, CA,
Lot 6 - \$118.32.
(Paid - dropped from agenda)

- (h) Charles C. & Alma J. Austin, 1226 Chadwick Ct., Modesto, CA,
Lot 7 - \$125.24.
(Paid - dropped from agenda)

- (i) Sandra Rossi, 3324 Stenbridge Ave., Modesto, CA Lot 8 - \$118.34.
(Paid - dropped from agenda)

- (j) Andrew & Jo Ann Helen Van Dyk, 3543 Tully Rd., Suite C, Modesto, CA,
Lot 9 - \$206.05.

ACTION: Res. No. 75-104 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

BLOCKS 2197 & 2198

- (a) Herman G. & Neil Kanada, 185 Miller Ave., Modesto, CA, Lot 17 -
\$98.27.

ACTION: Res. No. 75-105 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

- (b) Joseph B. and Dorothy E. Carry, 208 Fusco Ave., Modesto, CA, Lot 18 -
\$103.22.

ACTION: Res. No. 75-106 adopted (Dunlap/Elliott, unan.) confirming report.
(Finance to handle)

6. Cost of alley improvements (continued)

BLOCKS 2197 & 2198

- (c) Robert L. & Virginia L. Clark, 1901 Yosemite Blvd., Modesto, CA, Lot 19 - \$103.22.
- ACTION: Res. 75-107 adopted (Dunlap/Elliott, unam) confirming costs.
(Finance to handle)
- (d) Gary L. & Jeannie Lawrence, 216 Fusco Ave., Modesto, CA Lot 20 - \$103.22.
- ACTION: Res. No. 75-108 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (e) Travis W. & Carol Townsend, 220 Fusco, Modesto, CA, Lot 21 - \$103.22
- ACTION: Res. 75-109 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (f) Ross R. & Violet Hill, 224 Fusco, Modesto, CA, Lot 22 - \$103.22.
(Paid - dropped from agenda)
- (g) Judy Breidenbaugh Sampere, 507 S. Hunt Dr., Mesa, Arizona, 85204, Lot 23 - \$103.22.
- ACTION: Res. 75-110 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (h) Don D. & Suan M. Carter, 232 Fusco, Modesto, CA, Lot 24 - \$103.22.
- ACTION: Res. 75-111 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (i) M. L. & Ruth Goodman, RFD Box 593, Toledo, Ore. 97391, Lot 27 - \$103.22.
- ACTION: Res. 75-112 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (j) Phillip & Myrna Anderson, 236 Fusco, Modesto, CA Lot 25 - \$103.22.
- ACTION: Res. No. 75-113 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (k) Catherine M. Thomas, 304 Fusco, Modesto, CA, Lot 26- \$103.22.
- ACTION: Res. 75-114 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (l) Axel G. & Vera Nystrom, 312 $\frac{1}{2}$ Fusco, Modesto, CA, Lot 28 - \$103.22.
(Paid - dropped from agenda)
- (m) Philip & Santena Fusco, 316 Fusco, Modesto, CA Lot 29 - \$103.22.
- ACTION: Res. 75-115 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (n) Leon & Anita Dias, 320 Fusco, Modesto, CA, Lot 30, \$103.22.
- ACTION: Res. 75-116 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (o) Stephen D. Guzman, 324 Fusco, Modesto, CA, Lot 31 - \$123.86.
- ACTION: Res. 75-117 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

6. Cost of alley improvements (continued)

(p) Theresa Mena, 328 Fusco, Modesto, CA, Lot 32 - \$134.18.

ACTION: Res. 75-118 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(q) Harold M. & Gladys B. Powell, 332 Fusco, Modesto, CA, Lot 33,
\$113.54.

ACTION: Res. 75-119 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(r) Jack E. & Wanda Leverone, 336 Fusco, Modesto, CA, Lot 34 - \$113.54.

ACTION: Res. 75-120 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(s) Sophie L. & Suan M. Jaffe, 1124 Wellesley, Modesto, Lot 8 - \$113.54.

ACTION: Res. 75-121 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(t) Robert E. & Norma N. Waite, 344 Fusco, Modesto, CA Lot 9 - \$113.54.

ACTION: Res. No. 75-122 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(u) Steve & Lou Anne Bettencourt, 348 Fusco, Modesto, CA, Lot 10-\$118.70

ACTION: Res. 75-123 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(v) C. D. & Ora Hamby, 352 Fusco, Modesto, CA, Lot 11 - \$118.70.

ACTION: Res. 75-124 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(w) Vernon L. Craig, c/o Macy Brown & Fields Inc., P.O. Box 155,
Pleasant Hill, CA, Lot 12 - \$123.86.

ACTION: Res. 75-125 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(x) E. Soper, 345 LaLoma, Lot 1 - \$119.67.

ACTION: Res. 75-126 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(y) Melvin McDonald, 1705 Ruby Lane, Modesto, CA, Lot 2 - \$103.22.

ACTION: Res. 75-127 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(z) Carroll M. Tweedy, 38 Sandview Dr., Pittsburg, CA, Lot 3 - \$103.22.

ACTION: Res. 75-128 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(aa) Milton E. & Barbara J. Barber, 335 San Juan Dr., Modesto, CA,
Lot 4 - \$103.22.

ACTION: Res. 75-129 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(6. Cost of alley improvements (continued)

(bb) Don T. & Beverly A. Rainey, 331 San Juan Dr., Modesto, Lot 5 - \$103.22

ACTION: Res. No. 75-130 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(cc) Thomas E. and Mary Z. Bingham, 327 San Juan Dr., Modesto, Lot 6 - \$103.22.

ACTION: Res. 75-131 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(dd) Angela-Merciadis, 788 Codoni Ave., Modesto, Lot 7 - \$123.86. (Paid - dropped from agenda)

(ee) Angela-Merciadis, 788 Codoni Ave., Modesto, Lot 1 - \$123.86. (Paid - dropped from agenda)

(ff) Andrew & Joann Helen Van Dyk, 3312 Royalton, Modesto, Lot 2 - \$103.2

ACTION: Res. No. 75-132 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(gg) Ida V. Hamilton, 309 San Juan Dr., Modesto, Lot 3 - \$103.22

ACTION: Res. 75-133 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(hh) Aloma B. Prather, 307 San Juan Dr., Modesto, Lot 4 - \$103.22.

ACTION: Res. 75-134 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(ii) Bernard D. & Gloria D. Enarson, 305 San Juan Dr., Modesto, Lot 5 - \$103.22.

ACTION: Res. 75-135 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(jj) Ernest E. & Corrine N. Eisenhour, 245 San Juan Dr., Modesto, Lot 6 - \$128.83. (Paid - dropped from agenda)

(kk) Dona B. Harper, Ruth A. Strickland, Reed D. & Hallis Harper, 243 San Juan Dr., Modesto, Lot 7 - \$137.44. (Paid - dropped from agenda)

(ll) Carl L. & Laverna A. Phoenix, 239 San Juan Dr., Modesto, portion of block - \$193.04.

ACTION: Res. 75-136 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(mm) Pauline Francone, Candida Calistro, Nicola & Ildabrande B. Francone, 225 San Juan Dr., Modesto, portion of Block - \$123.86.

ACTION: Res. 75-137 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(nn) Clinton L. & Blanche R. Atwood, 221 San Juan Dr., Modesto, portion of Block - \$123.86.

ACTION: Res. 75-138 adopted (Dunlap/Elliott, unan.) confirming costs (Finance to handle)

6. Cost of alley improvements (continued)

BLOCKS 2197 & 2198

(oo) Antonio & Mary N. Palumbo, 219 San Juan Dr., portion of Block 193.04.

ACTION: Res. 75-139 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(pp) Paul D. Smith, P.O. Box 1926, Modesto, portion of Block - \$316.91.

ACTION: Res. No. 75-140 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

BLOCK 6065

(a) Robert H. & Bessie R. Palmer, 1445 Sherwood, Modesto, Lot 10 - \$138.47.

ACTION: Res. 75-141 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(b) Jack E. & Vera E. Finley, 427 Balboa Way, Modesto, Lot 11 - \$138.47.

ACTION: Res. 75-142 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(c) Thomasina Ricci, 433 Balboa Way, Modesto, Lot 12 - \$138.47.

ACTION: Res. 75-143 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(d) Ethel R. Goss, 439 Balboa Way, Modesto, Lot 13, \$138.47.

ACTION: Res. 75-144 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(e) Charles E. and Phyllis A. Kincaid, 445 Balboa Way, Modesto, Lot 14, \$138.47.
(Paid - dropped from agenda)

(f) Douglas E. & Marcia L. Hendrix, 501 Balboa Way, Modesto, Lot 15 - \$138.47.

ACTION: Res. 75-145 adopted (Dunlap/Elliott, unan.) confirming costs.

(g) Walter I., Jr. and Lillian Spielman, 507 Balboa Way, Modesto, Lot 16, \$138.47.

ACTION: Res. 75-146 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(h) Douglas M. & Elizabeth Brimm, 513 Balboa Way, Modesto, Lot 17 - \$138.47.

ACTION: Res. 75-147 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(i) Edward H. & Alyce Yarick, 519 Balboa Way, Modesto, Lot 18 - \$146.44.

ACTION: Res. 75-148 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(j) Cyrus E. Woodward, Jr., 1211 Magnolia, Modesto, Lot 1 - \$146.40.

ACTION: Res. 75-149 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

6. Cost of alley improvements (continued)

BLOCK 6065

- (k) Philip C. & Frances D. Martin, 512 Bermuda Way, Modesto, Lot 2 - \$138.47.

ACTION: Res. 75-150 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

- (l) Nola Aitken, 506 Bermuda Way, Modesto, Lot 3 - \$138.47. (Paid - dropped from agenda)

- (m) Clifford D. & Burnice H. Larrabee, 500 Bermuda Way, Modesto, Lot 4 - \$138.47.

ACTION: Res. 75-151 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

- (n) Dorothy Busch, 444 Bermuda Way, Modesto, Lot 5 - \$138.47.

ACTION: Res. 75-152 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

- (o) Jerry L. & Joan M. Ferrera, 438 Bermuda Way, Lot 6 - \$138.47.

ACTION: Res. 75-153 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

- (p) Winston B. & Allyne Lawless, 432 Bermuda Way, Modesto, Lot 7 - \$138.47. (Paid - dropped from agenda)

- (q) Elinor Haun, 426 Bermuda Way, Modesto, Lot 8 - \$138.47.

ACTION: Res. 75-154 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

- (r) Paul & Carolyn Doane, 1505 Sherwood Ave., Modesto, Lot 9 - \$138.47.

ACTION: Res. 75-155 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

BLOCK 6717

- (a) David & Natalie J. Hannah, 500 Standiford Ave., Lot 8 - \$940.51.

ACTION: Res. 75-156 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

- (b) Lillian M. & Evelyn R. Allard, 1002 Mount Vernon Dr., Lot 6a, \$151.17.

ACTION: Res. 75-157 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

- (c) Fay E. Gross & Velma L. Meyers, 1009 Phelps Ave., Lot 5a - \$151.63. (Paid - dropped from agenda)

- (d) Ray W. & Catherine A. Bowman, 1015 Phelps, Modesto, Lot 4a - \$195.79. (Paid - drop from agenda)

- (e) Bobbie A. Gilmore, P.O. Box 1762, Salinas, CA, Lot 3a, \$158.84. (Paid - dropped from agenda)

- (f) Allen D. Gilmore, P.O. Box 1762, Salinas, CA, Lot 2a, \$163.70. (Paid - dropped from agenda)

6. Cost of alley improvements (continued)

BLOCK 6717

(g) Richard T. Tcsaw, P.O. Box 501, Ceres, Lot 1 - \$177.28.

ACTION: Res. 75-158 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

BLOCK 6726

(a) William Singrey & Doris Mae Witzke, 2204 Tully Rd., Modesto,
\$238.35.

ACTION: Res. 75-159 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(b) William I. & Dorothy F. Nicholas, 2205 Monte Vista, Lot 20 - \$123.62.

ACTION: Res. 75-160 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(c) William E. & Maryann Fortson, 2209 Monte Vista Ave., Modesto,
Lot 19 - \$134.62.

ACTION: Res. 75-161 adopted (Dunlap/Elliott) unan., confirming costs.
(Finance to handle)

(d) Vancy M. Siciliani, 2213 Monte Vista, Modesto, Lot 18 - \$134.62.

ACTION: Res. 75-162 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(e) Harvey K. & Maxine Emig, 2217 Monte Vista, Modesto, Lot 17 - \$134.62.

ACTION: Res. 75-163 adopted (Dunlap/Elliott) unan., confirming costs.
(Finance to handle)

(f) Loren E. & Frances C. Dick, 2301 Monte Vista, Modesto, Lot 16 - \$134.62.

ACTION: Res. 75-164 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(g) James R. & Carla H. Corn, 2305 Monte Vista, Modesto, Lot 15,
\$134.62.

ACTION: Res. 75-165 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(h) Bert R. & Carol M. Martin, 2309 Monte Vista, Modesto, Lot 14 - \$134.62.

ACTION: Res. 75-166 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(i) Darwin C. & Dorthie J. Hamblin, 2313 Monte Vista, Modesto, Lot 13,
\$134.62.

ACTION: Res. 75-167 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(j) Florence C. Hubbard, 2317 Monte Vista, Lot 12 - \$141.08.

ACTION: Res. 75-168 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(k) Marvin & Virginia S. Goodrow, 1216 Mount Vernon Dr., Lot 11, \$139.32

ACTION: Res. 75-169 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

6. Cost of alley improvements (continued)

BLOCK 6726

(l) Aaron L. Layman, P.O. Box 134, Empire, Lot 10, \$149.38.

ACTION: Res. No. 75-170 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(m) Joe M. Molles, 1528 Dallas St., Modesto, Lot 9 - \$132.54.

ACTION: Res. 75-171 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(n) Gus N. & Kathleen Rentziperis, 1618 Linwood Dr., Lot 8 - \$132.54.

ACTION: Res. 75-172 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(o) Carl R. & Irene Fischer, 4754 Dale Rd., Modesto, Lot 7 - \$132.54.

ACTION: Res. 75-173 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(p) Florene J. Owens, 1808 Bonanza Way, Modesto, Lot 6 - \$132.54.

ACTION: Res. 75-174 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(q) Florene J. Owens, 1808 Bonanza Way, Modesto, Lot 5 - \$132.54.

ACTION: Res. 75-175 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(r) Martin L. & Joan Ayala, 1121 N. Ham Lane, Lodi, Lot 4 - \$132.54.

ACTION: Res. 75-176 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(s) Elizabeth Brenda, 2214 Tully Rd., Modesto, Lot 3 - \$132.54.

ACTION: Res. 75-177 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(t) Jerry S. & Adele Assad, 2206 Tully Rd., Modesto, Lot 2 - \$132.54.
(Paid - dropped from agenda)

(u) Jerry S. & Adele Assad, 2206 Tully Rd., Modesto, Lot 1 - \$350.83.
(Paid - dropped from agenda)

BLOCK 6825

(a) Fred M. & Lois M. Nelsen, 402 Northgate Dr., Modesto, Lot 23 -
\$211.30.
(Paid - dropped from agenda)

(b) Jack L. & Betty Dickman, 406 Northgate Dr., Lot 21,22 - \$222.29.
(Paid - dropped from agenda)

(c) Lawrence A. & Dorothy B. Spellman, 410 Northgate, Lot 21 - \$199.53.
(Paid - drop from agenda)

(d) Robert J. & Irene H. Crabtree, 502 Northgate, Lot 20 - \$211.30.

ACTION: Res. 75-178 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(e) Walker D. & Pauline Halliday, 506 Northgate, Lot 19, \$211.30.

ACTION: Res. 75-179 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

6. Cost of alley improvements (continued)
BLOCK 6825

- (f) William H. & Geraldine J. McLaughlin, 510 Northgate, Lot 18 - \$211.30
ACTION: Res. 75-180 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (g) Louis F. & Jackqueline M. Gianelli, 602 Northgate, Lot 17 - \$190.17
ACTION: Res. 75-181 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (h) Charles W. & Gloria Betner, 606 Northgate, Lot 16 - \$190.17.
ACTION: Res. 75-182 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (i) Rudolph & Helen M. Loeffler, 702 Northgate, Lot 15 - \$186.87.
ACTION: Res. 75-183 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (j) Bart M. & Georgia L. Bartoni, 706 Northgate, Lot 14 - \$201.79.
ACTION: Res. 75-184 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (k) June L. Convers, 710 Northgate, Lot 13 - \$211.30.
ACTION: Res. 75-185 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (l) Robert S. and Marie A. Hatch, 709 Northwood, Lot 12 - \$209.44.
ACTION: Res. 75-186 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (m) George R. & Betty Haynes, 705 Northwood Dr., Lot 11 - \$181.74.
ACTION: Res. 75-187 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (n) Ronald E. & Gail R. Simi, 701 Northwood Dr., Modesto, Lot 10,
(188.46.
ACTION: Res. 75-188 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (o) Jack W. & Roberta Rowland, 605 Northwood, Lot 9 - \$202.17.
ACTION: Res. 75-189 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (p) William S. & Mary Horton, 601 Northwood Dr., Lot 8 - \$188.99.
ACTION: Res. 75-190 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (q) William D. & Barbara Bradford, 513 Northwood Dr., Lot 7 - \$169.04.
ACTION: Res. 75-191 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (r) Rudy & Mary Bonzi, 509 Northwood Dr., Lot 6 - \$179.61.
ACTION: Res. 75-192 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)
- (s) Donald H. & Phoebe J. Payne, 505 Northwood, Lot 5 - \$176.56.
ACTION: RES. 75-193 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

6. Cost of alley improvements (continued)

BLOCK 6825

(t) Haig & Isabelle Berberian, P.O. Box 3412, Modesto, Lots 3 & 4, \$241.50.

ACTION: Res. 75-194 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(u) Clarence G. & Laverne Duke, 405 Northwood, Lots 2 & 3 - \$208.13.

ACTION: Res. 75-195 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(v) Milford W. and Verna Julien, 401 Northwood, Lots 1 & 2 - \$290.01.

ACTION: Res. 75-196 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

BLOCK 6904

(a) Walter & Elizabeth DeBrower, 305 Norwegian Ave., Lot 10 - \$167.28.

ACTION: Res. 75-197 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(b) Pacifico & Maureen Fuentes, 313 Norwegian, Lots 11,12 - \$153.00.

ACTION: Res. 75-198 adopted (Dunlap/Elliott, unan.) confirming cost. (Finance to handle)

(c) Suzanne R. Day, 319 Norwegian, Lots 12 & 13 - \$142.80.

ACTION: Res. 75-199 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(d) George E. & Ethel Bossemeyer, 325 Norwegian, Lots 13 & 14, \$132.44.

ACTION: Res. 75-200 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(e) Ronald L. Kast, Sr., 401 Norwegian, Lots 14 & 15 - \$132.42.

ACTION: Res. 75-201 adopted (Dunlap/Elliott)/confirming costs. (Finance to handle) unan.

(f) David M. Wine, 407 Norwegian, Lots 15 & 16, \$132.42. (Paid - dropped from agenda)

(g) Ronald F. & Jackquelyn S. Dewalt, 413 Norwegian, Lots 16 & 17, \$140.76.

ACTION: Res. 75-202 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(h) Cinda L. Gilbert, 1905 LaCienega Dr., Modesto, Lot 18 - \$128.26.

ACTION: Res. 75-203 adopted (Dunlap/Elliott, unan.) confirming costs. (Finance to handle)

(i) Ted & Ruth A. Kirkendall, 408 Ribier, Modesto, Lot 1 - \$148.12. (Paid - dropped from agenda)

(j) Carl S. & Bankey Lawson, 404 Ribier, Modesto, Lots 2 & 3 - \$138.72. (Paid - dropped from agenda)

6. Cost of alley improvements (continued)

BLOCK 6904

((k) Vernon W. & Wanda Gaskill, 400 Ribier, Lots 3 & 4 - \$138.72.

ACTION: Res. 75-204 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(l) Roban F. & Nickie S. Grothaus, 316 Ribier, Lots 4 & 5, \$138.72

ACTION: Res. 75-205 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(m) Stanley R. & Doris A. Wallace, 1125 N. Wright, Santa Ana, CA,
Lots 5 & 6 - \$138.72.

ACTION: Res. 75-206 adopted (Dunlap/Elliott, unan) confirming costs.
(Finance to handle)

(n) Olen J. & Mavis Johnson, 308 Ribier, Lots 6 & 7, \$138.72.

ACTION: Res. 75-207 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(o) James O. and Sonia M. Henman, 304 Ribier, Lot 8 - \$138.72.

ACTION: Res. 75-208 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

(p) Stella F. Garrison, 300 Ribier, Lots 8 & 9 - \$148.92.

ACTION: Res. 75-209 adopted (Dunlap/Elliott, unan.) confirming costs.
(Finance to handle)

7. Hearing, repeal of Ordinance 907-C.S. and Sec. 5 of Ordinance 352-C.S.
relating to special building setback lines along Needham Street. 7:35 PM

ACTION: Ord. No. 1424-C.S. introduced (Newton/ Dunlap, unan) (Clerk to
handle).

8. Continued hearing on appeal by Charles Fenley to conditions imposed
by Planning Commission and to fees required by administrative decision
of staff in connection with parcel map of property at northwest
corner of Wylie Drive and Oakdale Road. 7:40 PM

ACTION: By motion (Elliott/Kullijian, unan.) a motion (Elliott/Dunlap) to
approve alternate 1 as recommended by staff was tabled to enable
staff to prepare a report on an alternate which might tie the fees
into a building permit. (P/W to handle)

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

NONE

ORDINANCES

CONSENT

10. Final adoption of the following ordinances:

(a) No. 1419-C.S. amending Section 24-3-8 and 19-3-9 of zoning map.

ACTION: By motion, Ord. No. 1419-C.S. adopted. (Mensinger/Dunlap, unan.)

(b) No. 1420-C.S. - Airport Garbage Service.

ACTION: By motion, Ord. No. 1420-C.S. adopted. (Mensinger/Dunlap, unan.)

CONSENT

10. Final adoption of ordinances. (continued)

(c) No. 1421-C.S. - Modesto Garbage Co.

ACTION: By motion, Ord. No. 1421-C.S. adopted (Mensing/Dunlap, unan.)

(d) No. 1422-C.S. - Orange Line Sanitation Co.

ACTION: By motion, Ord. No. 1422-C.S. adopted (Mensing/Dunlap, unan.)

(e) No. 1423-C.S. - Sanders Garbage Co.

ACTION: By motion, Ord. No. 1423-C.S. adopted (Mensing/Dunlap, unan.)

UNFINISHED BUSINESS

11. Further consideration of requirement for curb and gutter at 215 LaLoma - Richard W. Beall.

ACTION: Res. 75-210 adopted (Kullijian/Elliott, unan., Davies, absent) ordering construction of curb and gutter. (P/W to handle)

CONSENT

12. Agricultural lease, Chrysler Neighborhood Park site, James and Bonnie Weaver.

(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-211 adopted approving lease agreement. (Clerk to handle)

CONSENT

13. Resolutions determining that the public interest and convenience require that the following Additions be annexed to the Modesto Municipal Sewer District No. 1 and naming time and place for hearings.

(a) Spring Creek Addition.

(Resolution setting March 10, 1975 at 7:30 P.M. for hearing needed)

ACTION: Res. 75-212 adopted setting hearing. (Clerk to handle)

(b) Orangeburg-Sonoma No. 2 Addition.

(Resolution setting March 10, 1975 at 7:30 P.M. for hearing needed. It is now necessary to commence proceedings to annex these additions to the Sewer District. They were annexed to the City effective January 15, 1975. Two-thirds affirmative vote needed)

ACTION: Res. 75-213 adopted setting hearing. (Clerk to handle)

CONSENT

14. Resolutions withdrawing the following annexations from the McHenry-Dry Creek Fire District:

(a) Spring Creek Addition; (b) Orangeburg-Sonoma No. 2 Addition. (Resolutions withdrawing from Fire District needed)

ACTION: Res. 75-214 adopted withdrawing Spring Creek Addition from McHenry-Dry Creek Fire Protection District.

Res. 75-215 adopted withdrawing Orangeburg-Sonoma No. 2 Addition from McHenry-Dry Creek Fire Protection District.

CONSENT

15. Increase in amount of petty cash fund.

(Memo with agenda. Resolution authorizing increase needed)

ACTION: Res. 75-216 adopted authorizing increase in petty cash fund. (Finance to handle)

CONSENT

16. Right of way agreement, Crows Landing Road, Modesto Tallow Company. (Memo with agenda. Resolution approving agreement and accepting grant deed needed. Estimated cost \$23,956. Funds are budgeted)

ACTION: Res. 75-217 adopted approving agreement. (Clerk to handle)

CONSENT

17. Letter agreement for relocation of tenant on city-acquired property, 810 Tenth Street, 12 x 12 Fellowship Group. (Under this agreement, the City agrees to collect no rent after the date of September 1, 1974 in lieu of a relocation payment. The rental was nominal, as a non-profit group was using the premises. Resolution approving agreement needed)

ACTION: Res. 75-218 adopted approving letter agreement. (Clerk to handle)

CONSENT

18. Requirement for construction of curbs and/or sidewalks at the locations listed below.
(73/23/11-12 (74/03/01, 04-08) (74/04/01-011) Informal requests were sent to 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. Informal requests were sent before Council approved temporarily suspending sidewalk construction program. Many receiving notice did work voluntarily. This will complete the work for those who did not take action voluntarily. Resolution setting 7:30 P.M. February 10, 1975 for hearings needed)

- (a) Curb and sidewalk at 1528 Grape Ave., Lot 15 of Block 1608. (R. E. Grant)
- (b) Curb and sidewalk along Grape Ave. at 1722 Evergreen Ave., Lot 16, of Block 6108. (Roger W. Rogers)
- (c) Curb and sidewalk along Melrose Ave. at 421 Roseburg Ave., a portion of Block 1126. (J. H. Berry)
- (d) Curb and sidewalk at 1227 Melrose Avenue, a portion of Block 1126. (Mike Cannizzaro)
- (e) Curb and sidewalk at 2604 McAdoo Ave., Lot 9, Block 7252. (Paul R. Cheek)
- (f) Sidewalk at 2616 Strivens Ave., Lot 10 of Block 6350. (Lennie A. Thomas)
- (h) Sidewalk along Strivens Ave. at 2820 Brenner Way, Lot 12 of Block 7159. (Mary D. Fitz)
- (i) Sidewalk at 2412 Strivens Ave., Lot 18, Block 6350. (Doyle E. Ford)
- (j) Curb and sidewalk at 2712 McAdoo Ave., Lot 16, Block 7252. (Ernest J. Pombo)
- (k) Sidewalk at 2606 Strivens, Lot 8, Block 7159. (Fredric R. Ponte.)
- (l) Sidewalk along Strivens at 2805 Earl St., Lot 14 of Block 6349. (Richard J. Shanahan)
- (m) Sidewalk at 2528 Strivens Ave., Lot 28, Block 6350. (Eugene F. Smith)
- (n) Curb and sidewalk at 2616 McAdoo Ave., Lot 12, Block 7158. (Grady Lee Wilson)

CONSENT

18. Curb and sidewalk requirements, set hearings (continued)

(1) Sidewalk along Strivens Ave. at 2826 Brenner Way, Lot 1, Block 7158. (Frank D. Fields)

ACTION: Res. 75-219 adopted setting hearings. (P/W. to handle)

CONSENT

19. Consider acquisition of second spare bus. (Memo with agenda. Second spare bus is needed as the fleet is large and older. Motion authorizing staff to acquire second spare bus needed. Estimated cost \$3,500. Funds are budgeted)

ACTION: By motion, staff authorized to acquire second spare bus. (P & T to handle)

REPORTS

20. Oral report by Sherman Boone, Farm-City Advisory Committee.

ACTION: Mr. Boone reported that the Farm-City Advisory Committee recommended that Comprehensive Day Camp Programs be operated at a local level.

21. Report regarding construction of multipurpose facility. (Report concerning possible joint construction of multipurpose facility by the City of Modesto and the Modesto City Schools. Motion Directing staff needed. Estimated cost \$165,000. To be budgeted in 1975-76 C.I.P. budget).

At the request of Councilmember Kullijian, action on this item was delayed for a few weeks.

REPORTS FROM PLANNING COMMISSION

22. Recommendations concerning the City of Modesto's HCDA, Title I Grant application. (Report by the Chairman, HCDA Advisory Committee, with agenda. Motion referring to Planning Commission for public hearing and recommendation needed)

ACTION: By motion (Elliott/Dunlap, unan.) report referred to Planning Commission for public hearing and recommendation. (Planning to handle)

MISCELLANEOUS

23. Legislation.

ACTION: By motion (Kullijian/Elliott, unan.) AB-188 opposed. By motion (Dunlap/Mensing, unan.) AB-337 opposed. By motion (Mensing/Elliott, unan.) AB-328 and AB-335 supported. (City/Mgr. to handle)

24. Appointments.

ACTION: Res. 75-220 adopted (Elliott/Mensing, unan, Davies, absent) appointing Councilmember Kullijian as City representative on EDAC to replace Simon.

Res. 75-221 adopted (Elliott/Dunlap, unan, Davies, absent) appointing Carl Boyett as member of the Modesto Bicentennial Committee. (Clerk to handle)

25. Matters too late for the agenda.

Councilmember Mensinger reported that the study of control of cats is proceeding, though slowly.

Adjournment: 9:55 P.M.

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH
City Clerk 1/27/75

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 3, 1975 AT 4:00 P.M.

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

Absent: None
(Councilmember Newton arrived at 5:00 P.M.)

Pledge of allegiance to the Flag.

Invocation by Father Cornelius DeGroot, St. Joseph's Catholic Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 13, 17, 19,
Dunlap/Elliott, unan. - Newton, absent 20, 21, 22, 23, 24, 25, 26, 27,
28

(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 item.

WRITTEN COMMUNICATIONS

1. Request of Easter Seal Society for proclamation declaring February 26 to March 31, 1975 as Easter Seal Month. Mrs. Athena Moran, Executive Director, will make a presentation.

ACTION: Mrs. Moran introduced Tammie Bradley, Easter Seal Child. Mrs. Moran informed the Council of the goals the Society hoped to achieve. It was agreed that the Mayor would issue the necessary proclamation.

CONSENT

2. Resignation by R. J. Venn from Personnel Commission.
(Resolution accepting with regret needed)

ACTION: Res. 75-222 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT

3. Approve plans and specifications and call for bids for street light modernization Phase 6, 1974-75.
(Bid opening February 25, 1975 at 11:00 A.M. This project is part of a continuing effort to modernize the street lighting in the older areas of the City to bring the street lighting up to current subdivision standard. The Modesto Irrigation District has agreed to share one-half the cost of this project. Resolution approving plans, specifications and call for bids needed. Estimated cost \$161,850.00. (Contract \$137,690, Engr. & Contg. \$24,160). Funds are budgeted)

ACTION: Res. 75-223 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

4. Consider award of contract for construction of sanitary sewer to the Airport Utility Area and amend the Airport Fund budget. (Bids were opened January 21, 1975. The low bid of \$36,517.50 submitted by A. P. Pipeline, which is 1% above the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them, and that an additional \$6,800 be appropriated from the Airport Fund balance to supplement the existing appropriation of \$32,000.00. Resolution awarding contract to A. P. Pipeline, and resolution amending \$36,517.50, Engr. & Insp. \$2,282.50)

ACTION: Res. 75-224 adopted awarding contract to A. P. Pipeline. (P/W to handle)

Res. 75-225 adopted amending Airport Fund budget. (Finance to handle)

CONSENT

5. Consider award of contract for construction of waterlines in Carver Glen Subdivision. (Bids were opened January 28, 1975. The low bid of \$27,134.00 submitted by Joe Martin, which is 23% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$27,134. Funds are budgeted)

ACTION: Res. 75-226 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

6. Consider authorizing preparation of plans and specifications and a budget adjustment for a runway/taxiway overlay project at the Airport. (Memo with agenda. Motion authorizing preparation of plans, specifications and resolution approving budget adjustment needed)

ACTION: By motion, preparation of plans and specifications approved. (P/W to handle)

Res. 75-227 adopted approving budget adjustment. (Finance to handle)

HEARINGS

7. Continued hearing on amendment to Section 28-3-9 of zoning map to rezone property located north of Yosemite, west of Las Flores, to conform to General Plan. 4:00 P.M.
(Continued from January 20, 1975 meeting)

ACTION: Mayor Davies was excused from consideration of this item due to a conflict of interest.

Res. 75-228 adopted (Elliott/Dunlap, unan. - Davies, absent) denying rezoning. (Planning to handle)

Res. 75-229 adopted (Elliott/Kullijian, unan. - Davies, absent) initiating rezoning of subject property to H-1. (Planning to handle)

8. Hearing on amendment to Section 31-3-9 of zoning map to rezone to C-1, property located on the northeast corner of Chicago Ave. and Paradise Road. 4:05 P.M.

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

Ord. No. 1425-C.S. introduced (Dunlap/Elliott, unan. - Kullijian and Newton, absent) amending zoning map. (Clerk to handle)

Res. 75-230 adopted (Dunlap/Elliott, unan. - Kullijian and Newton, absent) directing Director of Planning to file Notice of Environmental Determination. (Planning to handle)

9. Hearing on amendment to Section 13-3-8 of the zoning map to rezone to R-3 property located on the northerly side of Earl Street and on the westerly side of Strivens Ave., to make zoning consistent with the General Plan. 4:10 P.M.

ACTION: Ord. No. 1426-C.S. introduced (Mensing/Dunlap, unan. - Newton, absent) amending zoning map. (Clerk to handle)

Res. 75-231 adopted (Mensing/Dunlap, unan. - Newton, absent) directing Director of Planning to file Notice of Environmental Determination. (Planning to handle)

10. Hearing on amendment to Section 9-3-9 of zoning map to prezone to H-1, property located on the east side of McHenry Ave. north of Union Avenue. (Salter) 4:15 P.M.

ACTION: Ord. No. 1427-C.S. introduced (Elliott/Kullijian, unan. - Newton, absent) amending zoning map. (Clerk to handle)

Res. 75-232 adopted (Elliott/Kullijian, unan. - Newton, absent) directing Director of Planning to file Notice of Environmental Determination. (Planning to handle)

11. Hearing on request of Rule Development for variance to install exposed aggregate sidewalk along McHenry & Coolidge. 4:20 P.M.

ACTION: Res. 75-233 adopted (Mensing/Kullijian, unan. - Newton, absent) granting variance. (P/W to handle)

12. Matters for the good of the community. 4:25 P.M.
(These may be presented by interested persons in the audience)

ACTION: The Deputy City Manager informed the Council that the City Manager was absent due to the Sierra snow conditions.

ORDINANCES

CONSENT

13. Final adoption of Ord. No. 1424-C.S. - Needham Street setback lines. (Motion adopting needed)

ACTION: By motion, Ord. No. 1424-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

14. Further consideration of cost of alley improvement in Block 445.
- (a) Theodore M. and Patricia A. Cook, Lots 1, 2, 3, 4, 5 - \$1,480.60.
 - (b) Maurice D. and Gayle Nordell, Lots 6 & 7 (Cost included in (a)).

ACTION: Res. 75-234 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

15. Action on motion (Elliott/Dunlap) to approve Alternate 1 as recommended by staff in connection with appeal by Charles Fenley to conditions imposed by Planning Commission and to fees required by administrative decision of staff in connection with parcel map of property at north-west corner of Wylie Drive and Oakdale Road. Note: Alternate 1 provides for a code change to provide for the payment of drainage fees over a period of time)

ACTION: The motion and second were withdrawn.

Res. 75-235 adopted (Kullijian/Elliott, unan. - Newton, absent) granting appeal. (P/W to handle)

By motion (Kullijian/Elliott, unan.) staff directed to prepare amendment to code to provide for the waiver of interest charges on deferred payment of fees for a period of 5 years or when development is started, whichever is first. (C/Atty to handle)

16. Further consideration of free parking on Saturdays.
(Memo with agenda. Free parking is not recommended as there would be a substantial loss in revenues and the likelihood that long term parkers would usurp parking spaces. Motion denying request needed. If free parking is to be approved, a motion directing the staff is required)

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to proceed with free on-street parking on Saturdays for a 3-month period. (P & T to handle)

NEW BUSINESS

CONSENT

17. Request by City Attorney to attend the League of California Cities' Annual Labor Relations Conference in San Francisco to be held February 5-7, 1975.
(Motion granting request needed)

ACTION: By motion, request granted.

18. Presentation of preliminary plans for Fire Station #4 at Carpenter and Blue Gum.
(An oral presentation will be made at the meeting. Motion directing staff needed)

ACTION: By motion (Dunlap/Elliott, unan.) staff directed to proceed with plan as presented. (C/Mgr to handle)

CONSENT

19. Approval of street alignments for Federal Aid to Urban Systems.
(Federal rules require Council approval of streets which are candidates for Federal Aid. Resolution approving map and tabulation of Urban Routes needed)

ACTION: Res. 75-236 adopted approving map and tabulation of Urban Routes.
(P/W to handle)

REPORTS

CONSENT

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

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. "CIP Trunk Sewer Extension: A Review of Priorities"
(In October, 1974, the Public Projects Committee requested staff and Planning Commission to study trunk sewer extension priorities in reviewing the CIP. This report constitutes staff review and contains recommendations to the Planning Commission. Motion forwarding report to Planning Commission for consideration in CIP review.)

ACTION: By motion, report referred to Planning Commission for consideration in CIP review. (Planning to handle)

CONSENT

22. Recommending to the Council an amendment to the Modesto Urban Area General Plan (Housing Element Phase II)
(By Resolution 75-9, adopted January 21, 1975 the Planning Commission recommends an amendment to the Modesto Urban Area General Plan (Housing Element Phase II). Resolution setting March 10, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. 75-237 adopted setting hearing. (Clerk to handle)

CONSENT

23. Recommend amendment to Section 8-3-9 of zoning map. (Santa Anita Development Corporation)
(On January 21, 1975, the Planning Commission adopted Resolution No. 75-10 recommending an amendment to Section 8-3-9 of the zoning map (Santa Anita Development Corporation - west side of McHenry Ave. south of Standiford Avenue and north of Woodrow Avenue. Resolution setting February 24, 1975 at 7:40 P.M. for public hearing needed)

ACTION: Res. 75-238 adopted setting hearing. (Clerk to handle)

CONSENT

24. Recommend amendment to Planned Development Zone (103) (Setliff Brothers)
(On January 21, 1975, the Planning Commission adopted Resolution No. 75-14 recommending to the Council an amendment to Planned Development Zone (103) to allow construction of a Photo Service Drive-up facility on the west side of Coffee Road north of East Orangeburg Avenue (Fotomat). Resolution setting March 3, 1975 at 4:05 P.M. for public hearing needed)

ACTION: Res. 75-239 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend amendment to Section 9-3-9 of zoning map (C. W. Brower) Northeast corner of McHenry and Union)
(On January 21, 1975, the Planning Commission adopted Resolution No. 75-13 recommending an amendment to Section 9-3-9 of the zoning map. Resolution setting February 24, 1975 at 7:45 P.M. for public hearing needed)

ACTION: Res. 75-240 adopted setting hearing. (Clerk to handle)

CONSENT

26. Recommend amendment to Section 24-3-9 of the zoning map, northeast corner of Lakewood and East Orangeburg Avenues (Domlee)
(On January 21, 1975, the Planning Commission adopted Resolution No. 75-8 recommending an amendment to Section 24-3-9 of the zoning map and denying a portion of the request (Domlee Development Corp., northeast corner Lakewood and East Orangeburg Avenues. Resolution setting March 3, 1975 at 4:15 P.M. for public hearing needed)

ACTION: Res. 75-241 adopted setting hearing. (Clerk to handle)

CONSENT

27. Set date for public hearing for annexation to the City of uninhabited territory (McHenry-Woodrow Addition).
(Approved by LAFC December 6, 1974. Resolution setting March 17, 1975 at 4:00 P.M. for public hearing needed)

ACTION: Res. 75-242 adopted setting hearing. (Clerk to handle)

CONSENT

28. County referral of open space contracts: No. 75-1930, Hilkey - Floyd and Roselle Avenues; No. 75-1948, Nufer, Merle Avenue; No. 75-2007, Nevins, Esta Avenue; No. 75-2008, Wagner, Bangs Avenue; No. 75-2012, Waterman, Carver Road and Bangs Avenue; No. 75-2013, Burchell Nursery, northwest corner Wells & McHenry Avenues; No. 75-2019, Pannell - Floyd Avenue; No. 75-2022, Polich, Sylvan Avenue; No. 75-2024, Nonella, Kiernan Avenue.
(Memo with agenda. 8 resolutions expressing recommendation of opposition (Hilkey, Nufer, Nevins, Wagner, Waterman, The Burchell Nursery, Pannell, Polich); and 1 resolution recommending no opposition, (Nonella) to the County Board of Supervisors)

ACTION: Res. 75-243 adopted expressing opposition to No. 75-1930 - Hilkey.
Res. 75-244 adopted expressing opposition to No. 75-1948 - Nufer.
Res. 75-245 adopted expressing opposition to No. 75-2007 - Nevins.
Res. 75-246 adopted expressing opposition to No. 75-2008 - Wagner.
Res. 75-247 adopted expressing opposition to No. 75-2012 - Waterman.
Res. 75-248 adopted expressing opposition to No. 75-2013 - Burchell Nursery.
Res. 75-249 adopted expressing opposition to No. 75-2019 - Pannell.
Res. 75-250 adopted expressing opposition to No. 75-2022 - Polich.
Res. 75-251 adopted expressing no opposition to No. 75-2024 - Nonella
(Clerk to handle)

MISCELLANEOUS

29. Legislation.

NONE

30. Appointments.

NONE

31. Matters too late for the agenda.

NONE

Adjournment at 6:05 P.M. to Room 1 at the Sun Dial to discuss the S.A.A.G,
Transportation Plan.

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

MINUTES AND ACTION AGENDA

MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 10, 1975 AT 7:30 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Vice Mayor Newton
Absent: Mayor Davies
(Vice Mayor Newton presided)

Pledge of allegiance to the Flag
Invocation by Reverend Harold Knowles, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 5, 6, 7, 8, 9, 11, 14,
Items 10, 20 and 23 removed from consent 15, 16, 17, 18, 21, 24, 25, 27
Elliott/Dunlap, unan. - Davies, absent

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 27, 1975 and February 3, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Rosemary K. Eismann for removal of city-owned tree at 2110 Regent Court due to damage to sewer line and driveway.

ACTION: By motion (Kullijian/Dunlap, unan.) request denied.

3. Request of Horn Construction Co. that City Council waive the one-year time limit for application for rezoning of four lots at southeast corner of Lakewood and Laramie.

ACTION: Res. 75-252 adopted (Elliott/Mensinger, unan. - Davies, absent) granting waiver. (Clerk to handle)

4. Request by Tanner & Peterson that hearing on appeal to Planning Commission denial of request for rezoning of property at northeast corner of Oakdale Road and Orangeburg Avenue be continued from February 24 hearing date.

ACTION: By motion (Dunlap/Kullijian, unan.) intention declared to continue hearing on February 24 to March 10 at 7:40 P.M. (Clerk to handle)

BIDS

CONSENT

5. Approve plans and specifications and call for bids for revised street light circuit on McHenry Ave. between Baker Way and Fairmont Avenue. (Bid opening February 25, 1975 at 11:15 A.M. This project will upgrade the lighting in this section of McHenry Avenue. Resolution approving plans, specifications and bid call needed. Estimated cost \$12,355 (Contract \$11,230; Engr. \$1,125.) Funds are partially budgeted. Additional funds will be requested after the bid opening and actual costs are known)

ACTION: Res. 75-253 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

6. Approve plans, specifications and call for bids for Oakdale Road storm sewer extension. (Bid opening February 25, 1975 at 11:10 A.M. This is the first stage of a two-stage extension project which will complete the Oakdale storm sewer south of Briggsmore Ave. Resolution approving needed. Estimated cost \$24,500 (Contract \$21,100; Engr. \$3,400). Funds are budgeted)

ACTION: Res. 75-254 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

7. Call for bids for replacement parking meters. (We need approximately 282 rebuilt vandal resistant parking meters to replace meters that are 18 to 28 years old. Resolution approving specifications and call for bids to be received March 4, 1975 at 2:00 P.M. Estimated cost \$11,917. Funds are budgeted)

ACTION: Res. 75-255 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

8. Consider award to sole bidder, Utility Body Company, Berkeley, to furnish one new Traffic Sign Truck body. (Resolution needed. Estimated cost \$2,299. Funds budgeted in Account 5433-48-512)

ACTION: Res. 75-256 adopted awarding contract to Utility Body Co. (Finance to handle)

CONSENT

9. Consider waiver of formal bid procedure for resurfacing Carver Road adjacent to a future park and Carver Glen Subdivision. (Memo with agenda. Resolution waiving formal bid procedure and authorizing issuance of purchase order to The Flintkote Co. for resurfacing Carver Road adjacent to future park and Carver Glen Subdivision needed. Estimated cost \$7,850. Funds are budgeted)

ACTION: Res. 75-257 adopted waiving formal bid procedure and authorizing issuance of purchase order. (P/W to handle)

10. Consider bids received for automotive equipment on January 28, 1975 as follows:

- (1) Reject all bids for Items 1 and 2 and authorize new call for bids to be opened February 26, 1975.

(Kullijian/Elliott, unan. - Davies, absent)

ACTION: Res. 75-258 adopted/rejecting bids received for items 1 and 2 and approving new specifications and bid call.

10. Bids for automotive equipment, (continued)

- (2) Award to Snider Motors, Items 3 and 4, 5 vehicles; \$16,423.96.

ACTION: Res. 75-259 adopted (Kullijian/Elliott, unan. - Davies, absent) awarding contract to Snider Motors for Items 3 and 4.

- (3) Award to Griswold & Wight, Items 5, 12, 13 - 9 vehicles, \$62,748.27.

ACTION: Res. 75-260 adopted (Kullijian/Elliott, unan. - Davies, absent) awarding contract to Griswold & Wight for Items 5, 12 and 13.

- (4) Award to Bill Hughes, Items 6, 7, 8, 9, 10 and 11, 7 vehicles, \$32,418.54.

ACTION: Res. 75-261 adopted (Kullijian/Elliott, unan. - Davies, absent) awarding contract for Items 6, 7, 8, 9, 10 and 11 to Bill Hughes Dodge. (Finance to handle)

(Memo and tabulation with agenda. Four resolutions needed. Estimated cost \$111,591. Funds are budgeted)

CONSENT

11. Consider purchase of new Vermeer model 2460A stump cutter from Vermeer Sales and Service, Fremont, California.
(Memo with agenda. Resolution authorizing purchase and resolution approving appropriation transfer of \$2,019 from Account 60-512. Estimated cost \$9,976. Budgeted, \$7,957.)

ACTION: Res. 75-262 adopted authorizing purchase.

Res. 75-263 adopted approving appropriation transfer of \$2,019 from Account 60-512 to Account 5422-48-512. (Finance to handle)

HEARINGS

12. Hearings on requirement for construction of curbs, gutters and/or sidewalks at the following locations: 7:30 P.M.
(Projects 73/23/11-12; 74-03/01,04-08; 74/04/01-011)

- (a) Curb and sidewalk at 1528 Grape Avenue, Lot 15 of Block 6108. (R. E. Grant)
- (b) Curb and sidewalk along Grape Avenue at 1722 Evergreen Ave., Lot 16 of Block 6108. (Roger W. Rogers)
- (c) Curb and sidewalk along Melrose Avenue at 421 E. Roseburg Avenue, portion of Block 1126. (J. H. Berry)
- (d) Curb and sidewalk at 1227 Melrose Avenue, a portion of Block 1126. (Mike Cannizzaro)

ACTION: By motion (Elliott/Kullijian, unan.) hearing on (c) and (d) continued to March 3 at 4:25 P.M. to permit staff to prepare a report on the plan for all of Roseburg between McHenry & Sunrise. (P/W to handle)

- (e) Curb and sidewalk at 2604 McAdoo Avenue, Lot 9 of Block 7252. (Paul R. Cheek)
- (f) Sidewalk at 2616 Strivens Ave., Lot 10 of Block 7159. (Paul R. Cheek)
- (g) Sidewalk at 2404 Strivens Ave., Lot 16, Block 6350. (Lennie A. Thomas)
- (h) Sidewalk along Strivens Avenue at 2820 Brenner Way, Lot 12 of Block 7159. (Mary D. Fitz)

12. Hearings, requirement for construction of curbs, etc., 7:30 P.M.
continued.

- (i) Sidewalk at 2412 Strivens Avenue, Lot 18 of Block 6350.
(Doyle Eugene Ford)
- (j) Curb and sidewalk at 2712 McAdoo Avenue, Lot 16 of Block 7252.
(Ernest J. Pombo)
- (k) Sidewalk at 2606 Strivens Avenue, Lot 8 of Block 7159.
(Fredric R. Ponte)
- (l) Sidewalk along Strivens Avenue at 2805 Earl Street, Lot 14
of Block 6349. (Richard J. Shanahan)
- (m) Sidewalk at 2528 Strivens Avenue, Lot 28 of Block 6350.
(Eugene F. Smith)
- (n) Sidewalk along Strivens Avenue at 2826 Brenner Way, Lot 1 of
Block 7158. (Frank D. Fields)
- (o) Curb and sidewalk at 2616 McAdoo Avenue, Lot 12 of Block 7252.
(Grady Lee Wilson)

ACTION: Res. 75-264 adopted (Kullijian/Dunlap, unan. - Davies, absent)
ordering construction for all except (c) and (d). (P/W to
handle)

13. Matters for the good of the community. 7:35 P.M.
(These may be presented by interested persons in the audience)

ACTION: Robert Erickson, representing Roller King, Inc., expressed
his appreciation for the response his roller rink had received
in Modesto.

ORDINANCES

CONSENT

14. Final adoption of the following:

- (a) Ord. No. 1425-C.S. amending Section map 31-3-9 (Chicago-Paradise)

ACTION: By motion, Ord. No. 1425-C.S. adopted.

- (b) Ord. No. 1426-C.S. amending Section map 13-3-8 (Earl/Strivens)

ACTION: By motion, Ord. No. 1426-C.S. adopted.

- (c) Ord. No. 1427-C.S. amending Section map 9-3-9 (McHenry-Union)

ACTION: By motion, Ord. No. 1427-C.S. adopted. (Clerk to handle)

CONSENT

15. Request for repeal of Municipal Code Section 4-1.802 - closing
hours for roller skating rinks.

(Report with agenda. Motion introducing ordinance needed)

ACTION: By motion, Ord. No. 1428-C.S. introduced. (Clerk to handle)

CONSENT

16. Consider ordinance amending Modesto Municipal Code section 5-6.07, payment of subtrunk sewer extension charges.
(Memo with agenda. Introduction of ordinance needed)

ACTION: By motion, Ord. No. 1429-C.S. introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

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

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

CONSENT

18. Consider request for sewer service to property at 821 California Avenue, located on the north side between MID lateral No. 5 and Spencer Ave.
(Owner, Westside Neighborhood Church). The property owners' representatives have signed an agreement to annex when requested to do so by City. The property is contiguous to the City; however, a sewer line must be extended to serve it. Resolution approving agreement needed)

ACTION: Res. 75-265 adopted approving agreement. (P/W to handle)

19. Consider request by upper "J" Street merchants (12th Street to Needham) to install metal sleeves in the public sidewalk area for display of the national flag.
(Memo with agenda. Resolution granting encroachment permit for installation of metal sleeves and display of flag needed)

ACTION: Res. 75-266 adopted (Mensingher/Elliott, unan. - Davies, absent) granting encroachment permit. (P/W to handle)

- (b) Request by Downtown Improvement District for approval of flag display program and for appropriation transfer of \$1,000 from D.I.D. General Reserve.

ACTION: Res. 75-267 adopted (Mensingher/Elliott, unan. - Davies, absent) approving appropriation transfer of \$1,000 from Account 60-218 to Account 5399-218, (Finance to handle)

20. Consider adoption of prevailing wage rates and directing publication thereof.
(This is the annual determination of prevailing wage rates required to be paid on all Public Works contracts. Memo with agenda. (Resolution needed)

ACTION: Res. 75-268 adopted (Elliott/Dunlap, unan. - Davies, absent) adopting prevailing wage rates. (Clerk to handle)

Councilman Elliott raised the following questions:

1. Who checks to see if the prevailing wage rates are paid?
 2. Who enforces payment of prevailing wage rates?
 3. What are the penalties for non-compliance?
 4. Is City permitted to inspect the salary records of contractors?
- These questions were referred to the City Manager for report.
(C/Mgr to handle)

CONSENT

21. Amend Sewer Service Fund budget, adding \$783,125 Grant revenue not previously estimated.
(Report with agenda. Resolution amending budget needed)

ACTION: Res. 75-269 adopted amending Sewer Service Fund budget. (Finance to handle)

22. Discussion of S.A.A.G. transportation plan.

ACTION: Doyle Dodd of Stanislaus Area Association of Government showed illustrations of how the proposed plan would serve the area and explained the proposed financing. No action was taken.

REPORTS

23. Greyhound request for rate increase.
(Memo with agenda. Request is for a 2.5 - 5% increase in passenger fares and express rates. It is recommended that the matter be left to the P.U.C. Motion approving report needed)

ACTION: By motion (Elliott/Dunlap, unan.) report accepted.

CONSENT

24. Presentation of financial statement for January 1975.
(Copies of report will be presented at the meeting)

ACTION: By motion, report accepted.

CONSENT

25. Report by Ecology Action on tonnages and income for 1974.
(Memo with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

26. Report of mid-year budget status and recommended adjustments to appropriations.
(Report with agenda. Motion accepting report and three resolutions approving appropriation transfers needed)

ACTION: By motion (Elliott/Dunlap, unan.) report accepted.

Res. 75-270 adopted (Elliott/Dunlap, unan. - Davies, absent) approving appropriation transfer of \$207,306 from Account 60-101 to various accounts.

Res. 75-271 adopted (Elliott/Dunlap, unan. - Davies, absent) approving appropriation transfer of \$1,327,351 from Account 60-212 to various accounts.

Res. 75-272 adopted (Elliott/Dunlap, unan. - Davies, absent) approving appropriation transfer of \$12,533 from Account 60-350 to various accounts. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

27. Uninhabited annexation to the City of Modesto - Coffee-Floyd No. 3 Addition.
(The LAF Commission authorized this annexation without notice or public hearing - January 31, 1975. Resolution approving annexation needed)

ACTION: Res. 75-273 adopted annexing Coffee-Floyd No. 3 to City of Modesto. (Clerk to handle)

Res. 75-274 adopted directing Director of Planning to file Notice of Environmental Determination. (Planning to handle)

28. Report on closure of Oxford Way.

ACTION: (Councilmember Elliott was excused from consideration of this item as he lives in the vicinity.)

By motion (Dunlap/Mensing, unan.) report referred to Planning Commission for public hearing and recommendation to Council.
(City expenditure not to exceed \$1,500) (Planning to handle)

MISCELLANEOUS

29. Legislation.

NONE

30. Appointments.

NONE

31. Matters too late for the agenda.

ACTION: Vice Mayor Newton requested a survey of the lighting and, if possible, a report on crimes that are related to poor lighting in the Merton Avenue area. (C/Mgr, P/W and Police to handle)

Adjournment at 9:30 P.M. to executive session to discuss acquisition of real estate with the understanding that the Council would not return to open meeting but would adjourn to 12:00 noon, February 14, 1975 in the CoveII Crown Room for the purpose of meeting with Assemblyman Perino.

ATTEST:



W. T. CHYNOWETH, City Clerk

Modesto City Council
Adjourned Regular Meeting
February 14, 1975

The Council of the City of Modesto met at 12:00 noon in the Crown Room of the Hotel Covell this date pursuant to adjournment and there were:

Present: Councilmembers: Elliott, Mensinger, Mayor Davies

Absent: Councilmembers: Dunlap, Kullijian, Newton

A round table discussion was held with Carmen Perino whose Assembly District encumbers a portion of the City of Modesto. Matters of mutual interest and concern were discussed and Mr. Perino offered the assistance of his office at any and all times.

The meeting was adjourned at 1:45 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 18, 1975 AT 4:00 P.M.

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

Pledge of allegiance to the Flag.

Invocation by Reverend William Notehelfer, Modesto Covenant Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 7, 8, 9,
Elliott/Kullijian, unan. - Newton, 10, 11, 12, 13, 14, 15, 16
absent

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of February 10, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal by Stone Bros. to denial by Planning Commission of request for time extension and rephrasing of Phase 4 of P-D(21).
(Resolution setting March 17, 1975 at 4:05 P.M. for hearing needed)

ACTION: Res. 75-275 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

3. Consider approval of specifications and authorize call for bids to be opened March 4, 1975 at 2:10 P.M. for furnishing 59 cassette recorders and 55 recharging units for police personnel.
(Resolution needed. Estimated cost \$6,350.00. Funds are budgeted)

ACTION: Res. 75-276 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

4. Consider award of contract for construction of picnic area at Marshall Park.
(Bids were opened February 11, 1975. The low bid of \$6,223 submitted by William Mineni, which is 17% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution needed. Estimated cost \$6,223. Funds are budgeted.)

ACTION: Res. 75-277 adopted awarding contract to Willima Mineni. (P/W to handle)

CONSENT

5. Consider acceptance of World Enterprises' contract to demolish building at 1801 "H" Street.
(Original contract \$9,900. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and file notice of completion. Resolution accepting work needed. Final cost \$9,900. Funds are budgeted)

ACTION: Res. 75-278 adopted accepting contract. (Clerk to handle)

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

NONE

ORDINANCES

CONSENT

7. Final adoption of the following:
(Motions adopting needed)

(a) Ord. No. 1428-C.S. relating to skating rinks.

ACTION: By motion, Ord. No. 1428-C.S. adopted.

(b) Ord. No. 1429-C.S. relating to subtrunk sewer fees.

ACTION: By motion, Ord. No. 1429-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

8. (a) Consider massage establishment ordinance.
- (b) Consider adoption of urgency ordinance declaring a 120-day moratorium on the issuance of any permits or approvals for massage and bath establishments and consider adoption of resolution initiating amendments to the City of Modesto's zoning regulations to require conditional use permits for massage and bath establishments in the C-2 and C-M Zones.
(Memo with agenda. Adoption of urgency ordinance and resolution and motion directing staff to prepare final draft of massage establishment ordinance needed)

ACTION: Ord. No. 1430-C.S. adopted declaring moratorium. (Clerk to handle)

Res. 75-279 adopted initiating amendments to zoning regulations.
(Clerk to handle)

By motion, staff directed to prepare draft of ordinance. (C/Atty to handle)

CONSENT

9. Request by City Manager to attend the annual City Managers' Spring meeting sponsored by the League of California Cities in Monterey, February 19 - 21, 1975.
(Motion granting request needed. Estimated cost \$150. Funds are budgeted)

ACTION: By motion, request granted.

CONSENT

10. Increased charge for distribution of Commission agendas and minutes.
(Memo with agenda. Resolution establishing charges needed)

ACTION: Res. 75-280 adopted establishing charges. (Planning to handle)

CONSENT

11. Notice of P. G. & E. application to increase natural gas rates.
(Memo with agenda. The application is to offset increases that P. G. & E. will have to pay to gas suppliers. Domestic rates would go up about 5.9% in July 1975. It is recommended that the matter be left to the P.U.C. Motion accepting report needed)

ACTION: By motion, report accepted.

CONSENT

12. Consider resolution approving the final map of Jeffery Park Subdivision and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the north side of Floyd Avenue west of Coffee Road. It contains 4.412 acres. Resolution approving final map needed)

ACTION: Res. 75-281 adopted approving final map. (Clerk to handle)

CONSENT

13. Agreement with Central California Art League.
(Recommendation that Art League agreement to rent space in the McHenry Museum be extended for two years and that rent be increased effective March 14, 1975 to \$130.00 per month. Resolution renewing agreement needed)

ACTION: Res. 75-282 adopted approving renewal of agreement. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

14. Tentative subdivision map of Standiford Park subdivision.
(On February 4, 1975 the Planning Commission approved the tentative map of the above subdivision and found that said subdivision, together with its design and improvements is consistent with the applicable general and specific plans of the City. The City Council if required to make the same findings. An environmental assessment of the subdivision has been made and negative declaration has been filed. Resolution making findings needed)

ACTION: Res. 75-282A adopted making necessary findings. (Clerk to handle)

CONSENT

15. County referral of Open Space Contracts as follows:

<u>Number</u>	<u>Name</u>	<u>Vicinity</u>	<u>Recommendation</u>
(a) 75-2016	Kramer	SE corner of Oakdale/Mable	Opposition
<u>ACTION:</u> Res. 75-283 adopted expressing recommendation of opposition.			
(b) 75-1937	Calkins	NW corner of MID Lateral/Ohio	No opposition
<u>ACTION:</u> Res. 75-284 adopted expressing recommendation of no opposition.			
(c) 75-2015	Caster	SW corner of Carver/Standiford	Opposition

ACTION: Res. 75-285 adopted expressing recommendation of opposition.

CONSENT

15. County referral of Open Space Contracts as follows, continued:

<u>Number</u>	<u>Name</u>	<u>Vicinity</u>	<u>Recommendation</u>
(d) 75-1991	Pike	SW corner of Woodland/Rosemore	Opposition
<u>ACTION:</u> Res. 75-286 adopted expressing recommendation of opposition.			
(e) 75-1966	Brendler	SW corner of Blue Gum/Claus	Opposition
<u>ACTION:</u> Res. 75-287 adopted expressing recommendation of opposition.			
(f) 75-1965	Brendler & SW corner, Merle/Claus Parker		Opposition
<u>ACTION:</u> Res. 75-288 adopted expressing recommendation of opposition.			
(g) 75-1949	Harms	Near NW corner Merle/Claus	Opposition
<u>ACTION:</u> Res. 75-289 adopted expressing recommendation of opposition.			
(h) 75-1997	Nolen	Near NW corner Sylvan/Roselle	Opposition
<u>ACTION:</u> Res. 75-290 adopted expressing recommendation of opposition.			
(i) 75-1992	Bird	Near NW corner Sylvan/Roselle	Opposition
<u>ACTION:</u> Res. 75-291 adopted expressing recommendation of opposition.			
(j) 75-1985	Holloman	Near NW corner Sharon/Fine	Opposition
<u>ACTION:</u> Res. 75-292 adopted expressing recommendation of opposition.			
(k) 75-1946	Peters	NW corner, Chapman Avenue, MID Lateral No. 6	No opposition
<u>ACTION:</u> Res. 75-293 adopted expressing recommendation of no opposition.			
(l) 75-1953	Rumble	SW & SE corners of Nutcracker/ Kiernan	No opposition
<u>ACTION:</u> Res. 75-294 adopted expressing recommendation of no opposition.			
(m) 75-1955	Driver	Dakota near Murphy	No opposition
<u>ACTION:</u> Res. 75-295 adopted expressing recommendation of no opposition.			
(n) 75-1969	Regusci	NE corner, Sisk/Kiernan through to Stoddard	No opposition
<u>ACTION:</u> Res. 75-296 adopted expressing recommendation of no opposition.			
(o) 75-1976	Kootstra	NW corner, MID Lat. No. 7/Dakota	No opposition
<u>ACTION:</u> Res. 75-297 adopted expressing recommendation of no opposition.			
(p) 75-1988	Sonke	Finney near Murphy	No opposition
<u>ACTION:</u> Res. 75-298 adopted expressing recommendation of no opposition.			
(q) 75-1995	Couture	NW corner Kiernan/Dale SW corner Bangs/Carver	No opposition Opposition
<u>ACTION:</u> Res. 75-299 adopted expressing recommendation of no opposition to Kiernan/Dale portion.			
Res. 75-300 adopted expressing recommendation of opposition to Bangs/Carver portion.			

CONSENT

15. County referral of Open Space Contracts as follows, continued:

	<u>Number</u>	<u>Name</u>	<u>Vicinity</u>	<u>Recommendation</u>
(r)	75-1994	Couture	NW corner Snyder/Carver	Opposition
<u>ACTION:</u> Res. 75-301 adopted expressing recommendation of opposition.				
(s)	75-1982	Luchessa	NW corner Bangs/Carver near SW corner Tully/Kiernan, near NE corner Tully/Bangs	Opposition
<u>ACTION:</u> Res. 75-302 adopted expressing recommendation of opposition.				
(t)	75-1981	Luchessa	SW and SE corners Tully/Bangs	Opposition
<u>ACTION:</u> Res. 75-303 adopted expressing recommendation of opposition.				
(u)	75-1934	Ney	NE corner Bangs/Morrow	Opposition
<u>ACTION:</u> Res. 75-304 adopted expressing recommendation of opposition.				
(v)	75-1961	Offermann	Wells near MID Lateral No. 6	Opposition
<u>ACTION:</u> Res. 75-305 adopted expressing recommendation of opposition. (Clerk to handle)				

CONSENT

16. Recommend amendments to Sections 10-2.1510 and 10-2.1511 of the Modesto Municipal Code.
(On February 4, 1975 the Planning Commission adopted a resolution recommending to the Council amendments to Sections 10-2.1510 and 10-2.1511 of the Modesto Municipal Code relating to parking of travel trailers and other recreational vehicles and clarifying the term "Street Line." Resolution setting March 10, 1975 at 7:45 P.M. for public hearing needed)

ACTION: Res. 75-306 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

17. Legislation.

NONE

18. Appointments.

ACTION: Res. 75-307 adopted (Mensingher/Dunlap, unan. - Newton, absent) appointing Cheri Ebright to replace Eric Scott as a member of the Modesto Youth Commission for a term ending December 1975 and reappointing Rock Griffin to the Commission for a term ending December 1975. (Clerk to handle)

19. Matters too late for the agenda.

ACTION: Councilmember Mensinger reminded the Council of the public hearing that she and Councilmember Kullijian are holding on February 25 starting at 4:00 P.M. to give the public an opportunity to express their views concerning cat control.

Councilmember Kullijian reported that he planned to lead a discussion during the March 3 Council meeting concerning spending priorities for the City of Modesto. He requested the Councilmembers to furnish him their thoughts on this subject before then.

Adjournment at 4:05 P.M. to executive session to discuss acquisition of property. It was announced that the Council would not return to open meeting.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 24, 1975 AT 7:30 P.M.

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

Pledge of allegiance to the Flag,
Invocation by Ron Meyer, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 12, 13, 14,
Item 11 removed from consent 15, 16, 17
Dunlap/Kullijian, unan. - Elliott, absent

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of February 14 and 18, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Modesto City Employees' Ass'n for payment of \$282 budgeted for softball team.
(Motion granting request needed)

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

BIDS

CONSENT

3. Approve appropriation of \$5,940 to purchase bus fare boxes.
(We need four new fare boxes to replace four worn-out boxes. New fare boxes require 7 months for delivery so four used boxes are needed now to get by until the new boxes arrive. Memo with agenda, Resolution approving appropriation transfer and resolution waiving formal bid procedure and authorizing purchase of 4 new fare boxes needed. Estimated cost: \$5,940)

ACTION: Res. 75-308 adopted waiving formal bid procedure and authorizing purchase. (P & T to handle)

Res. 75-309 adopted approving appropriation transfer of \$5,940 from Account 60-350 to Account 5401-350. (Finance to handle)

CONSENT

4. Consider acceptance of Valley Construction's contract for construction of Waterlines in Keller Street. Original Contract: \$9,744.00.
(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. Resolution accepting work as complete needed. Final cost; Contract: \$9,526.00; funds budgeted in Account No. 6828-50-101, Waterline Strengthening)

ACTION: Res. 75-310 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for construction of waterlines in Smoke Tree No. 2 Subdivision. (Suggested Bid opening: March 11, 1975 at 11:00 A.M. Cost and Revenues: Construction \$24,008; Connection Charges \$16,940; Net Revenue \$1,340. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,008 (\$15,788 Const; \$8,220 Engr & Matl.); funds budgeted in Account No. 6804-50-101, Waterline Extension and 5301-50-101, New Services)

ACTION: Res. 75-311 adopted approving plans, specifications and bid call. (Clerk to handle)

HEARINGS

6. Hearing, application for federal funds to purchase 3 buses. (Memo with agenda concerning S.A.A.G. transit plan) 7:30 P.M.

(Dunlap/Kullijian, unan. - Elliott, absent)

ACTION: Res. 75-312 adopted/authorizing City Manager to sign application and other documents.

(Dunlap/Kullijian, unan. - Elliott, absent)

Res. 75-313 adopted/directing Director of Planning to file Notice of Determination re Environmental Impact.

By motion (Dunlap/Kullijian, unan.) intention declared to use new buses for proposed routes 8 and 11 (this may be changed) and to institute dial-a-ride in other areas.

By motion (Dunlap/Kullijian, unan.) it was agreed that Modesto, Ceres and Stanislaus County would work together as an informal transit district.

By motion (Mensing/Dunlap, unan.) S.A.A.G. delegates instructed to support coverage indicated by Transit Plan and to proceed approximately in the manner recommended by the Director of Parking and Traffic.

7. Hearing on appeal by Tanner & Peterson to denial by Planning Commission of request for rezoning of property at northeast corner of Old Oakdale and Orangeburg. 7:35 P.M.
(Note: This hearing will be continued to March 10 at 7:40 P.M. Motion continuing hearing needed)

ACTION: By motion (Newton/Dunlap, unan.) hearing continued to March 10 at 7:40 P.M. (Clerk to handle)

Robert Bomberger requested that no further delays be permitted.

8. Hearing on amendment to Section 8-3-9 of zoning map to rezone from R-1, R-3 and H-1 to P-D and to prezone to P-D to allow construction of a community shopping center and residential dwellings on the west side of McHenry south of Standiford. 7:40 P.M.
(Santa Anita Development Corp.)

ACTION: Ord. No. 1431-C.S. introduced (Kullijian/Dunlap, unan. - Elliott, absent) rezoning and preozoning subject area. (Clerk to handle)

Res. 75-314 adopted (Kullijian/Dunlap, unan. - Elliott, absent) approving development Plan. (Planning to handle)

Res. 75-315 adopted (Kullijian/Dunlap, unan. - Elliott, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

9. Hearing on amendment to Section 9-3-9 of zoning map to prezone to P-D for construction of a convenience market at northeast corner of McHenry and Union. 7:45 P.M.
(Brower)

ACTION: Ord. No. 1432-C.S. introduced (Newton/Dunlap, unan. - Elliott, absent) rezoning area. (Clerk to handle)

Res. 75-316 adopted (Newton/Dunlap, unan. - Elliott, absent) approving Development Plan. (Planning to handle)

Res. 75-317 adopted (Newton/Dunlap, unan. - Elliott, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

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

ACTION: Joe Hart, Chairman of the Farm-City Advisory Committee, was introduced.

NEW BUSINESS

11. Authorize changes in colors of taxis.
(Modesto Cab wants to have their cabs painted white above blue. Red Top has all white cabs although apparently never formally approved. Two Resolutions authorizing the revised colors for the two cab companies needed)

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

Res. 75-318 adopted (Dunlap/Newton, unan. - Elliott, Kullijian, absent) authorizing Modesto Cab to have white over blue color scheme.

Res. 75-319 adopted (Dunlap/Newton, unan. - Elliott, Kullijian, absent) authorizing Red Top Cab to have all white color scheme. (P & T to handle)

CONSENT

12. Consider request for sewer service to property at 1757 Crows Landing Road, located on west side of Crows Landing Road between Butte Avenue and Colusa Avenue. Owners: Alan G. and Faye Taylor.
(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 sewer main exists to serve property. Resolution approving agreement needed)

ACTION: Res. 75-320 adopted approving agreement. (P/W to handle)

CONSENT

13. Consider approval of Grant Contract and Submission of Part B of Grant Application for State and Federal participation in Waste Treatment Plant Improvements.
(Memo with agenda. Resolution to authorize the City Manager to execute the Grant Contract and Part B of the Grant Application needed)

ACTION: Res. 75-321 adopted authorizing City Manager to execute Grant Contract and Part B of Grant Application. (P/W to handle)

CONSENT

14. Consider a resolution approving the final map of Lakewood Gardens No. 1 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Lakewood Gardens No. 1 Subdivision is located on the east side of Lakewood Avenue south of East Orangeburg Avenue. It contains 22.371 Acres. Resolution approving final map and authorizing execution of the agreement by City needed)

ACTION: Res. 75-322 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider resolution approving the final map of The Smoke Tree No. 2 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. The Smoke Tree No. 2 Subdivision is located east of Lakewood Avenue on the north side of East Orangeburg Avenue. It contains 15.098 Acres. Resolution approving final map and authorizing execution of the agreement by City needed)

ACTION: Res. 75-323 adopted approving final map. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

16. Public Hearing - Plot Plan Review - P-D(53), Neighborhood Shopping Center located at Northeast corner Sylvan Avenue and Coffee Road.
(On February 18, 1975, the Planning Commission adopted a resolution approving a plot plan P-D(53) - Neighborhood Shopping Center at the Northeast corner of Sylvan Avenue and Coffee Road. Resolution setting March 10, 1975 at 7:50 P.M. for public hearing needed)

ACTION: Res. 75-324 adopted setting hearing. (Clerk to handle)

CONSENT

17. Tentative Subdivision Maps of Woodlands and Lincoln Square No. 4.
(On February 18, the Planning Commission approved the tentative maps and found that said subdivisions together with their design and improvements are consistent with applicable general and specific plans of the City. The City Council is required to make the same findings. Environmental assessments of the subdivisions have been made and Negative Declarations have been filed. Two resolutions making findings needed.

(a) Woodlands.

ACTION: Res. 75-325 adopted making findings.

(b) Lincoln Square No. 4.

ACTION: Res. 75-326 adopted making findings. (Clerk to handle)

MISCELLANEOUS

18. Legislation.

NONE

19. Appointments.

NONE

20. Matters too late for the agenda.

NONE

Adjournment at 10:15 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 3, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Mayor Davies
Absent: None

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 8, 9, 16,
Item 7 removed from consent 17, 19, 21, 22, 24, 25, 27, 28,
Dunlap/Newton, unan. 29, 30, 31

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of February 24, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Downtown Improvement District for appropriation transfer of \$4,500 from General Reserve to Business Promotions Account.
(Resolution needed)

ACTION: Res. 75-327 adopted approving appropriation transfer of \$4,500 from Account 60-218 to Account 237-218. (Finance to handle)

3. Letter from Mrs. Chapman stating that questions raised during rezoning hearing from Gemco Store were not answered.

ACTION: No action was taken on the letter but Councilmember Mensinger requested that more info be furnished neighbors of proposed rezonings.

BIDS

CONSENT

4. Authorization to negotiate change order to Phase VI Street Light Modernization Project.
(Memo with agenda. Motion authorizing staff to negotiate a change order needed. Estimated cost \$5,950. Funds are budgeted)

ACTION: By motion, staff authorized to negotiate change order. (P/W to handle)

CONSENT

5. Consider rejection of all bids for the construction of T-Hangar "G" at the Modesto City-County Airport.
(Memo with agenda. Resolution rejecting bids needed)

ACTION: Res. 75-328 adopted rejecting all bids. (P/W to handle)

CONSENT

6. Consider approval of plans, specifications and call for bids for construction of wading pool at Rose Avenue Park. (Suggested bid opening March 18, 1975 at 11:00 A.M. This project has been planned as part of the Rose Avenue Park development. Resolution approving plans, specifications and bid call needed. Estimated cost \$24,500 (\$23,900 Const.; \$600 Engr.) Funds are budgeted).

ACTION: Res. 75-329 adopted approving plans, specifications and bid call. (Clerk to handle)
Res. 75-330 not used.

7. Consider award of contract for Oakdale Road Storm Sewer extension. (Bids were opened February 25, 1975. The low bid submitted by Fisher Bros., Inc. is 23.5% above the Engineer's Estimate, and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them, as the estimate was too low. Resolution awarding contract and resolution approving appropriation transfer of \$5,000 from Prescott-Carpenter Overpass Project needed. Estimated cost \$29,477 (Contract \$26,077; Engr & Contg \$3,400. Funds are partially budgeted).

ACTION: Res. 75-331 adopted (Kullijian/Elliott, unan.) awarding contract to Fisher Bros., Inc. (P/W to handle)

Res. 75-332 adopted (Kullijian/Elliott, unan.) approving appropriation transfer of \$5,000 from Account 6735-41-321 to Account 6608-41-321. (Finance to handle)

Res. 75-333 not used.

CONSENT

8. Consider award of contract for revised street circuit on McHenry Avenue between Baker Way and Fairmont Ave. (Bids were opened February 25, 1975. The low bid submitted by Ferrero Electric, Inc. is 24% below the Engineer's Estimate, and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Ferrero Electric, Inc. needed. Estimated cost \$9,655 (Contract \$8,530; Engr. \$1,125). Funds are budgeted.)

ACTION: Res. 75-334 adopted awarding contract to Ferrero Electric. (P/W to handle)

CONSENT

9. Consider award of contract for Street Light Modernization, Phase 6, 1974-75. (Bids were opened February 25, 1975. The low bid submitted by Industrial Electrical Company is 23% below the Engineer's Estimate, and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Industrial Electrical Co. needed. Estimated cost \$130,236 (Contract \$106,076; Engr. & Contg. \$24,160). Funds are budgeted)

ACTION: Res. 75-335 adopted awarding contract to Industrial Electrical Co. (P/W to handle)

Res. 75-336 directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

HEARINGS

10. Continued hearing on application of Bertolotti Disposal Service for garbage license. 4:00 P.M.
(Continued from January 20 meeting)

ACTION: By motion (Elliott/Kullijian, unan.) hearing continued to April 21 at 4:00 P.M. (Clerk to handle)

11. Hearing on amendment to P-D(103) for construction of a Photo Service Drive-Up on west side of Coffee, north of East Orangeburg Ave. (Fotomat) 4:05 P.M.

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

Ord. No. 1433-C.S. introduced (Newton/Mensinger, unan. - Kullijian, absent) amending P-D(103). (Clerk to handle)

Res. 75-337 adopted (Newton/Mensinger, unan. - Kullijian, absent) approving development plan. (Planning to handle)

Res. 75-338 adopted (Newton/Mensinger, unan. - Kullijian, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

12. Hearing on amendment to Section 24-3-9 of zoning map to rezone from R-1 to P-D for a 44-unit 1 and 2-story single family development at the northeast corner of Lakewood and E. Orangeburg Ave. (Domlee) 4:15 P.M.

ACTION: Ord. No. 1434-C.S. introduced (Dunlap/Newton, unan.) rezoning area. (Clerk to handle)

Res. 75-339 adopted (Dunlap/Newton, unan.) approving development plan. (Planning to handle)

Res. 75-340 adopted (Dunlap/Newton, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

13. Continued hearing on requirement for sidewalk and curb along Melrose at 421 E. Roseburg, Lot 16, Block 1126 (J. H. Berry) and at 1227 Melrose, a portion of Block 1126 (Mike Cannizzaro) 4:25 P.M.
(Continued from February 10, 1975 meeting)

ACTION: Res. 75-341 adopted (Elliott/Dunlap, unan.) ordering work done. (P/W to handle)

It was agreed that staff would make a report to Council concerning the entire sidewalk, curb and gutter program. (P/W to handle)

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

ACTION: At the request of Helen Duell, Daughters American Revolution, staff was requested to ascertain what had happened to the historical marker presented to the McHenry Museum. (P & R to handle)

ORDINANCES

15. Final adoption of the following:

- (a) Ord. No. 1431-C.S. - amending Section 8-3-9 of zoning map (Santa Anita Development Corp.)

ACTION: Councilmember Elliott was excused from consideration of these items as he had not been present during the public hearings)

By motion (Kullijian/Dunlap, unan. - Elliott, absent) Ord. No. 1431-C.S. adopted.

- (b) Ord. No. 1432-C.S. - amending Section 9-3-9 of zoning map (Brower).

ACTION: By motion (Kullijian/Dunlap, unan. - Elliott, absent) Ord. No. 1432-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

16. Resolutions determining that the public interest and convenience require that the following Additions annexed to the City be annexed to the Modesto Municipal Sewer District No. 1 and naming time and place for hearing.

- (a) Orangeburg-Lakewood Addition, annexed to the City effective February 24, 1975.
(Resolution setting hearing April 28, 1975 at 7:30 P.M. needed. Two-thirds affirmative vote required)

ACTION: Res. 75-342 adopted setting hearing. (Clerk to handle)

- (b) Coffee-Floyd No. 3 Addition - annexed to the City effective February 14, 1975.
(Resolution setting hearing April 28, 1975 at 7:30 P.M. needed. Two-thirds affirmative vote required)

ACTION: Res. 75-343 adopted setting hearing. (Clerk to handle)

CONSENT

17. Resolutions withdrawing the following Additions from the McHenry-Dry Creek Fire District:

- (a) Orangeburg-Lakewood Addition.
(Resolution withdrawing from Fire District needed)

ACTION: Res. 75-344 adopted withdrawing Orangeburg-Lakewood Addition from McHenry-Dry Creek Fire District.

- (b) Coffee-Floyd No. 3 Addition.
(Resolution withdrawing from Fire District needed)

ACTION: Res. 75-345 adopted withdrawing Coffee-Floyd No. 3 Addition from McHenry-Dry Creek Fire District. (Clerk to handle)

18. Consider renegotiation of fees and charges of the rental car leases at the Airport.

(Memo with agenda. Motion directing staff needed)

ACTION: By motion (Dunlap/Elliott, unan.) staff authorized to renegotiate fees and charges. (P/W to handle)

CONSENT

19. Consider renegotiation of lease with Modesto Exec-Air at the Airport.
(Memo with agenda. Motion authorizing staff to renegotiate lease as requested needed)

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

20. Letter from Muir Trail Girl Scout Council requesting use of city parks for day camps.
(Request from Girl Scout Council to use Kewin, Scott & Legion Parks for day camps June 16 - 20, 1975 from 8:30 A.M. to 3:30 P.M. Staff recommends approval and staff will work out details. Motion granting request needed)

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

By motion, (Dunlap/Kullijian, unan.) request granted. (P & R to handle)

CONSENT

21. Amendment to Personnel Rule 7.5 creating "acting appointments,"
(Memo with agenda. Resolution approving amendment needed)

ACTION: Res. 75-346 adopted approving amendment. (Personnel to handle)

CONSENT

22. Addition of Personnel Rule 17.10 to authorize the designation of management-confidential employees.
(Resolution approving new personnel rule needed)

ACTION: Res. 75-347 adopted approving Personnel Rule 17.10, (Personnel to handle)

23. Consider consulting service to assist the Finance Department with a reorganizational study to meet the rapidly increasing work load.
(Memo with agenda. Resolution accepting the proposal of Andersen, Heiss, and Hughes and resolution amending budget needed. Estimated cost \$6,000)

ACTION: Res. 75-348 adopted (Mensing/Dunlap, unan.) accepting proposal.

Res. 75-349 adopted (Mensing/Dunlap, unan.) amending budget.
(Finance to handle)

CONSENT

24. Right of way agreement - Briggsmore Avenue Street Project, James E. and Ilona B. Biddington,
(Amount: \$10,000. This is the appraisal plus damages involved. Resolution approving agreement and accepting grant deed needed. Estimated cost \$10,000. Funds are budgeted)

ACTION: Res. 75-350 adopted approving agreement and accepting grant deed.
(Clerk to handle)

REPORTS

CONSENT

25. Report on results of sale of furniture and equipment at City Hall parking annex property.
(On January 13, 1975 the Council authorized the sale of furniture and equipment at the property acquired for the City Hall parking annex to the highest bidder. The highest bid was submitted by the Riverbank Auction Company (\$500) and the items have now been removed from the property. Three other bids were received, ranging from \$7.10 to \$410. Motion accepting report needed)

ACTION: By motion, report accepted.

26. Report by Councilmember Kullijian on his recommendation concerning city priorities.

ACTION: Councilmember Kullijian stated that due to the pending election he would make his presentation at a later date.

CONSENT

27. Notice of request to increase phone rates.
(Memo with agenda. Pacific Telephone is requesting P.U.C. approval of an approximate 5% increase in intrastate revenues. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

28. Recommend amendment to Section 10-2.1609 of the Modesto Municipal Code.
(On February 18, 1975, the Planning Commission adopted Resolution No. 75-30 recommending to the Council amendment to Section 10-2.1609 of Article 16 of Chapter 2 of Title X of the Modesto Municipal Code relating to "Clear Vision Triangle." Resolution setting March 17, 1975 at 4:10 P.M. for public hearing needed)

ACTION: Res. 75-351 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend amendment to Section 20-3-9 of the zoning map.
(Holden Optical Co. - College Avenue Congregational Church)
(On February 18, 1975, the Planning Commission adopted Resolution No. 75-28 recommending to the Council amendment to Section 20-3-9 of the zoning map to reclassify from Medium Density Residential, R-2, to Planned Development Zone, P-D, to allow continued maintenance of the church facilities and conversion of an existing dwelling to a professional office and construct additional offices and parking areas. Resolution setting March 24, 1975 at 7:30 P.M. needed)

ACTION: Res. 75-352 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend amendment to Section 25-3-9 of the zoning map (Mid Coast Mortgage Company - Lincoln Square No. 4)
(On February 18, 1975, the Planning Commission adopted Resolution No. 75-29 recommending an amendment to Section 25-3-9 of the zoning map (Mid Coast Mortgage Co.) to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the east side of Lincoln Avenue just south of MID Lateral #2. Resolution setting March 24, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. 75-353 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

31. Appropriation transfer to provide for termination pay for our chief accountant and two weeks additional overlap in the purchasing officer position.
(Memo with agenda. Resolution approving transfer needed)

ACTION: Res. 75-354 adopted approving appropriation transfer of \$1,791 from Account 60-101 to Account 110-15-101. (Finance to handle)

MISCELLANEOUS

32. Legislation.

ACTION: By motion (Dunlap/Kullijian, unan.) SB1 opposed.
By motion (Mensingher/Newton, unan.) SB2 opposed.
(C/Mgr to handle)

33. Appointments.

NONE

34. Matters too late for the agenda.

ACTION: Mayor Davies urged everyone to vote on March 4.

Adjournment at 4:53 P.M.

ATTEST:

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 10, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Mayor Davies
Absent: None

Pledge of allegiance to the Flag

Invocation by Reverend Robert Hardison, Friendship Southern Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7,
Item 15 removed from consent 16, 17, 18, 19, 20, 21, 22
Dunlap/Newton, unan.

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 3, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal of Jay Lawyer to decision rendered by Environmental Assessment Committee on February 25, 1975 requiring an environmental impact report for development at Standiford-Tully.
(Resolution setting March 24, 1975 at 7:45 P.M. for hearing needed)

ACTION: Res. 75-355 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

3. Call for bids for construction of City Hall parking annex.
(Completion date of City Hall parking annex is to be December 3, 1975. The parking annex will have 58 spaces. Resolution approving plans and specifications and call for bids needed. Estimated cost \$96,889. Funds are budgeted)

ACTION: Res. 75-356 adopted approving plans and specifications and call for bids to be received April 15, 1975 at 2:00 P.M. (Clerk to handle)

CONSENT

4. Consider awards to low bidders for automotive equipment.
(Award to Griswold & Wight: eight 4-door sedans, \$31,905.20.
Award to Bill Hughes Dodge: one 4-door sedan, \$3,717.96. Funds are budgeted. Memo and tabulation with agenda. Two resolutions needed)

ACTION: Res. 75-357 adopted awarding contract for eight 4-door sedans to Griswold & Wight.

Res. 75-358 adopted awarding contract for one 4-door sedan to Bill Hughes Dodge. (Finance to handle)

CONSENT

5. Consider award to low bidder, Bornstein Company, to furnish 59 Cassette Recorders and 55 recharging units for police personnel.
(Memo with agenda. Resolution needed. Funds are budgeted)

ACTION: Res. 75-359 adopted awarding contract to Bornstein Company.
(Finance to handle)

CONSENT

6. Award contract for 303 rebuilt Duncan Model 60 parking meters.
(The low bidder is American Parking Meter Company at \$39.29 each.
The bid is lower than our \$42.25 estimated cost and is acceptable.
Estimated cost \$11,904.87. Funds are budgeted)

ACTION: Res. 75-360 adopted awarding contract to American Parking Meter Co. (P & T to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of waterlines in Lillian Drive for Pump Station No. 41.
(Suggested bid opening March 25, 1975 at 11:00 A.M. This project will tie to proposed Pump Station 41 and will provide service for future development along Lillian Drive. Resolution approving bid call needed. Estimated cost \$16,480 (\$13,480 Const; \$3,000 Matl. & Engr.) Funds are budgeted)

ACTION: Res. 75-361 adopted approving plans, specifications and bid call. (Clerk to handle)

HEARINGS

8. Hearing, annexation of Spring Creek Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 75-362 adopted (Dunlap/Kullijian, unan.) annexing Spring Creek Addition to Modesto Municipal Sewer District No. 1.
(Clerk to handle)

9. Hearing, annexation of Orangeburg-Sonoma No. 2 Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 75-363 adopted (Kullijain/Elliott, unan.) annexing Orangeburg-Sonoma No. 2 Addition to Modesto Municipal Sewer District No. 1.
(Clerk to handle)

10. Hearing on amendment to General Plan (Housing Element Phase 2) 7:35 P.M.

ACTION: Res. 75-364 adopted (Newton/Mensing, unan.) adopting amendment to General Plan. (Planning to handle)

11. Continued hearing on appeal by Tanner & Peterson to denial by Planning Commission of request for rezoning of property at northeast corner of Oakdale Road and Orangeburg Avenue. 7:40 P.M.

ACTION: By motion (Kullijian/Newton, unan.) intention declared to grant appeal and staff directed to prepare ordinance, resolution and conditions for consideration by Council on March 24, 1975.
(C/Atty and Planning to handle)

12. Hearing on amendments to code relating to parking of recreational vehicles and clarifying the term "street line" 7:45 P.M.

ACTION: Ord. No. 1435-C.S. introduced (Mensingher/Elliott, unan.) amending code. (Clerk to handle)

13. Hearing on plot plan review for P-D(53) Neighborhood Shopping Center at northeast corner of Sylvan & Coffee. 7:50 P.M.

(a) Review of landscaping, irrigation and sign plans for P-D(53).

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

Res. 75-365 adopted (Elliott/Newton, unan. - Kullijian, absent) approving plot plan and landscaping, irrigation and sign plans. (Planning to handle)

14. Matters for the good of the community. 7:55 P.M.
(These may be presented by interested persons in the audience)

ACTION: Mr. and Mrs. John de Boer, representing the Farm-City Advisory Committee, were introduced.

Webelo Pack No. 137, Boy Scouts, and Den Leader, Ralph Baldwin, were introduced.

ORDINANCES

15. Final adoption of the following:
(Two motions adopting needed)
(a) Ord. No. 1433-C.S. (Fotomat)

ACTION: (Councilmember Kullijian disqualified himself on this item due to a conflict of interest)

By motion, Ord. No. 1433-C.S. adopted (Dunlap/Elliott, unan. - Kullijian, absent)

(b) Ord. No. 1434-C.S. amending Section 24-3-9 of zoning map (Domlee)

ACTION: By motion, Ord. No. 1434-C.S. adopted (Dunlap/Mensingher, unan.) (Clerk to handle)

NEW BUSINESS

CONSENT

16. Resolution of intention to approve an amendment to contract between the Board of Administration of the Public Employees' Retirement System and the City Council of the City of Modesto.
(Memo and copy of resolution with agenda. Resolution needed. Cost, \$145,000 per year)

ACTION: Res. 75-366 adopted declaring intent to approve amendment to contract. (Personnel to handle)

CONSENT

17. Consider acceptance of improvements in Lincoln Square No. 2 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods. (Lincoln Square No. 2 is located on the east side of Lincoln Avenue north of Yosemite Boulevard. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 75-367 adopted accepting improvements. (Clerk to handle)

CONSENT

18. Consider approval of assignment of lease of city property located at 1343 Legion Park Drive - Mr. and Mrs. Willard Foster to Mr. and Mrs. John Loades. (This property was acquired for the Tuolumne River Regional Park, subject to a lease at \$300 per month for rest home purposes. The lease ends on October 1, 1977. The present lessees of the rest home desire assigning the lease to new operators. New operators are required to comply with all County and State regulations relating to the operation of rest homes. Resolution approving assignment of lease needed)

ACTION: Res. 75-368 adopted approving assignment of lease. (Clerk to handle)

CONSENT

19. Communication from Del Este Water Company concerning amendment to their application for rate increase, which is a petition for interim rate relief. (Memo with agenda. Motion ordering letter filed needed)

ACTION: By motion, letter ordered filed.

REPORTS

CONSENT

20. Presentation of financial statement for February 1975. (Copies of report will be presented at meeting. Motion accepting report needed)

ACTION: By motion, report accepted.

CONSENT

21. Notice of request to increase natural gas rates. (Memo with agenda. P. G. & E. is requesting P.U.C. approval of a 12.9% increase in gas prices. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

22. Status Report, and set date for a public hearing, application to HUD for HCDA funds. (Memo with agenda. Resolution setting March 24, 1975 at 7:40 P.M. for public hearing needed)

ACTION: Res. 75-369 adopted setting hearing. (Clerk to handle)

23. Consider adoption of amendments to Municipal Code pertaining to subdivision regulations and the establishment of fees and required securities in connection therewith.
(Proposed amendments to the subdivision regulations have been prepared and are recommended to maintain consistency with recent amendments to the State Subdivision Map Act and to effect other needed changes. It is also recommended that the subdivision street name sign fee be set at \$25.00 per sign and that the required security to guarantee payment for setting monuments be established at \$15.00 per monument. It is further recommended that the amount of the security to guarantee and warranty subdivision improvements for a period of one year after acceptance be set at 0% of the improvement security. Memo with agenda. Council action needed: (1) Adoption of urgency ordinance amending the subdivision regulations. (2) Introduction of an ordinance amending the subdivision regulations. (3) Adoption of a resolution establishing \$25.00 per sign as the fee for subdivision street name signs. (4) Adoption of resolution establishing \$15.00 per monument as the amount of cash deposit required to guarantee payment to the engineer or surveyor for setting subdivision monuments. (5) A motion setting 0% of the improvement security as the amount of security to guarantee and warranty subdivision improvements for a period of one year after acceptance.
(Elliott/Kullijian, unan.)

ACTION: Ord. No. 1436-C.S. adopted/amending subdivision regulations.
(Clerk to handle)

Ord. No. 1437-C.S. introduced (Elliott/Kullijian, unan.) amending subdivision regulations. (Clerk to handle)

Res. 75-370 adopted (Elliott/Kullijian, unan.) establishing \$25.00 as fee for street name signs. (P/W to handle)

Res. 75-371 adopted (Elliott/Kullijian, unan.) establishing \$15.00 per monument as cash deposit required to guarantee payment of fees for setting subdivision monuments. (P/W to handle)

By motion (Elliott/Kullijian, unan.) 0% set as amount of security to be required to guarantee and warranty subdivision improvements for a period of one year after acceptance. (P/W to handle)

MISCELLANEOUS

24. Legislation.

ACTION: By motion (Dunlap/Kullijian, unan.) SB175 opposed.
By motion (Kullijian/Mensingher, unan.) AB429 opposed.
(C/Mgr to handle)

25. Appointments.

ACTION: Res. 75-372 adopted (Mensingher/Kullijian, unan.) appointing William Watson as a member of the Modesto Bicentennial Committee.
(Clerk to handle)

26. Matters too late for the agenda.

NONE

Adjournment at 10:05 P.M. to 4:00 P.M. on March 11, 1975 for the purpose of certifying the canvass of votes cast at the municipal election, March 4, and the administration of oath of offices to the successful candidates.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk
3/10/75

Adjourned Regular Meeting
Modesto City Council
March 11, 1975

The Council of the City of Modesto met at 4:00 P.M. on March 11, 1975 pursuant to adjournment.

Present: Elliott, Kullijian, Mensinger, Mayor Davies

Absent: Dunlap, Newton

Res. 75-373 adopted (Mensinger/Elliott, unan. - Dunlap and Newton, absent) confirming canvass of votes cast at the Modesto Municipal Election held March 4, 1975, and declaring the results of said election.

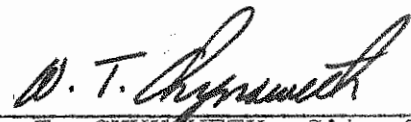
Res. 75-374 adopted (Elliott/Kullijian, unan. - Dunlap and Newton, absent) providing for a recount of ballots cast for Members of the Board of Education at the General Municipal Election held on Tuesday, March 4, 1975 and appointing a special recount Board to recount said ballots.

The City Clerk then administered the oath of office to the following:

Councilmember:	Robert T. Elliott, Ed. D.
Councilmember:	Susan D. Siefkin
Mayor:	Lee H. Davies

There being no further business to come before the Council, the meeting was adjourned at 4:15 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 17, 1975 AT 4:00 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Siefkin, Vice Mayor
Newton

Absent: Dunlap, Mayor Davies
(Vice Mayor Newton presided)

Pledge of allegiance to the Flag

Invocation by Father Michael Kelly, Our Lady of Fatima Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9,
Items 15 and 25 removed from consent 16, 17, 18, 19, 20, 21, 23, 24,
Kullijian/Mensinger, unan. - Dunlap
and Davies, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some member of the audience or council member 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. Confirmation of recanvass of votes cast for members of the Board of Education.
(Resolution needed. Following the adoption of this resolution, the successful candidates may be sworn in.)

ACTION: (Vice Mayor Newton was excused from consideration of this item as he was the Committee Treasurer for Richard Patterson)

As the Mayor and Vice Mayor were both absent, the City Clerk requested nominations for Mayor Pro Tempore.

Res. 75-375 adopted (Kullijian/Siefkin, unan. - Davies, Dunlap and Newton, absent) electing Councilmember Elliott as Mayor Pro Tempore.

Res. 75-376 adopted (Kullijian/Mensinger, unan. - Davies, Dunlap and Newton, absent) confirming recanvass of votes cast for members of the Board of Education and declaring results of said election.

The City Clerk then administered the oath of office to the following members of the Board of Education:

Donald B. Cantwell
Richard Patterson

APPROVAL OF MINUTES

CONSENT

2. Minutes of March 10 and 11, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Resignation of Greg Crosby from Modesto Youth Commission.
(Resolution accepting with regret needed)

ACTION: Res. 75-377 adopted accepting resignation. (Clerk to handle)

CONSENT

4. Request of Midstate Theatres, Inc. for change in municipal code relating to admission tax.
(Motion referring to staff for report and recommendation needed)

ACTION: By motion, request referred to staff for report and recommendation.
(Finance and C/Atty to handle)

BIDS

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened March 28, 1975 at 2:00 P.M. for furnishing Pelletized and Homogenized Fertilizer for golf course fairways.
(Resolution needed. Estimated cost \$4,200. Funds are budgeted)

ACTION: Res. 75-378 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

6. Consider acceptance of The Flintkote Co.'s contract for piping of Lateral No. 7 - Standiford Avenue.
(Original contract \$87,552. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final cost \$88,142. Funds are budgeted)

ACTION: Res. 75-379 adopted accepting contract. (Clerk to handle)

CONSENT

7. Consider award of contract for construction of waterlines in Smoke Tree No. 2 subdivision.
(Bids were opened March 11, 1975. The low bid of \$15,603 submitted by Joe Martin which is 1% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$15,603. Funds are budgeted)

ACTION: Res. 75-380 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for construction of waterlines in Jeffrey Park Subdivision.
(Suggested bid opening April 1, 1975 at 11:10 A.M. Construction \$6,037; connection charges, \$5,060; net revenue \$400. Resolution approving plans and specifications and call for bids. Estimated cost \$6,037 (\$2,892 Const.; \$3,145 Engr. & Matl.) Funds are budgeted)

ACTION: Res. 75-381 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

9. Approve plans and specifications and call for bids to reline existing sanitary subtrunk sewer on Rose Avenue between Birggsmore Ave. and Celeste Drive.
(Bid opening April 1, 1975 at 11:00 A.M. This subtrunk sewer line needs to be relined to reduce the maintenance costs of the existing sewer. A copy of the notice and certificate of determination of exemption from Environmental Assessment distributed with agenda. Resolution approving plans, specifications and call for bids needed. Estimated cost \$11,150 (Contract \$10,150, Engr.; Insp. \$1,000) Funds are budgeted)

ACTION: Res. 75-382 adopted approving plans, specifications and bid call.
(Clerk to handle)

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 17, 1975 AT 4:00 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Siefkin, Vice Mayor
Newton

Absent: Dunlap, Mayor Davies
(Vice Mayor Newton presided)

Pledge of allegiance to the Flag

Invocation by Father Michael Kelly, Our Lady of Fatima Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9,
Items 15 and 25 removed from consent 16, 17, 18, 19, 20, 21, 23, 24,
Kullijian/Mensinger, unan. - Dunlap
and Davies, absent

(Information concerning the consent items listed above has been forwarded to each council member prior to this meeting for study. Unless some member of the audience or council member 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. Confirmation of recanvass of votes cast for members of the Board of Education.
(Resolution needed. Following the adoption of this resolution, the successful candidates may be sworn in.)

ACTION: (Vice Mayor Newton was excused from consideration of this item as he was the Committee Treasurer for Richard Patterson)

As the Mayor and Vice Mayor were both absent, the City Clerk requested nominations for Mayor Pro Tempore.

Res. 75-375 adopted (Kullijian/Siefkin, unan. - Davies, Dunlap and Newton, absent) electing Councilmember Elliott as Mayor Pro Tempore.

Res. 75-376 adopted (Kullijian/Mensinger, unan. - Davies, Dunlap and Newton, absent) confirming recanvass of votes cast for members of the Board of Education and declaring results of said election.

The City Clerk then administered the oath of office to the following members of the Board of Education:
Donald B. Cantwell
Richard Patterson

APPROVAL OF MINUTES

CONSENT

2. Minutes of March 10 and 11, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Resignation of Greg Crosby from Modesto Youth Commission.
(Resolution accepting with regret needed)

ACTION: Res. 75-377 adopted accepting resignation. (Clerk to handle)

CONSENT

4. Request of Midstate Theatres, Inc. for change in municipal code relating to admission tax.
(Motion referring to staff for report and recommendation needed)

ACTION: By motion, request referred to staff for report and recommendation.
(Finance and C/Atty to handle)

BIDS

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened March 28, 1975 at 2:00 P.M. for furnishing Pelletized and Homogenized Fertilizer for golf course fairways.
(Resolution needed. Estimated cost \$4,200. Funds are budgeted)

ACTION: Res. 75-378 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

6. Consider acceptance of The Flintkote Co.'s contract for piping of Lateral No. 7 - Standiford Avenue.
(Original contract \$87,552. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final cost \$88,142. Funds are budgeted)

ACTION: Res. 75-379 adopted accepting contract. (Clerk to handle)

CONSENT

7. Consider award of contract for construction of waterlines in Smoke Tree No. 2 subdivision.
(Bids were opened March 11, 1975. The low bid of \$15,603 submitted by Joe Martin which is 1% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$15,603. Funds are budgeted)

ACTION: Res. 75-380 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for construction of waterlines in Jeffrey Park Subdivision.
(Suggested bid opening April 1, 1975 at 11:10 A.M. Construction \$6,037; connection charges, \$5,060; net revenue \$400. Resolution approving plans and specifications and call for bids. Estimated cost \$6,037 (\$2,892 Const.; \$3,145 Engr. & Matl.) Funds are budgeted)

ACTION: Res. 75-381 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

9. Approve plans and specifications and call for bids to reline existing sanitary subtrunk sewer on Rose Avenue between Birggsmore Ave. and Celeste Drive.
(Bid opening April 1, 1975 at 11:00 A.M. This subtrunk sewer line needs to be relined to reduce the maintenance costs of the existing sewer. A copy of the notice and certificate of determination of exemption from Environmental Assessment distributed with agenda. Resolution approving plans, specifications and call for bids needed. Estimated cost \$11,150 (Contract \$10,150, Engr.; Insp. \$1,000) Funds are budgeted)

ACTION: Res. 75-382 adopted approving plans, specifications and bid call.
(Clerk to handle)

HEARINGS

10. Hearing on annexation of McHenry-Woodrow Addition to City of Modesto. 4:00 P.M.

ACTION: Res. 75-383 adopted (Elliott/Kullijian, unan. - Dunlap and Davies, absent) declaring majority protest not made. (Clerk to handle)

Res. 75-384 adopted (Elliott/Kullijian, unan. - Dunlap and Davies, absent) directing Director of Planning to file Notice of Environmental Impact. (Planning to handle)

Ord. No. 1439-C.S. adopted (Elliott/Kullijian, unan. - Dunlap and Davies, absent) annexing McHenry-Woodrow Addition to City. (Clerk to handle)

11. Hearing on appeal by Stone Bros. to Planning Commission denial of request for time extension and rephrasing of Phase 4 of P-D(21), Standiford and Tully. 4:05 P.M.
(Request for continuance with agenda. Motion continuing hearing to April 7, 1975 at 4:00 P.M. needed)

ACTION: By motion (Mensingher/Elliott, unan.) hearing continued to April 7, 1975 at 4:00 P.M. (Clerk to handle)

12. Hearing on amendment to Section 10-2.1609 of municipal code relating to "clear vision triangle." 4:10 P.M.

ACTION: Ord. No. 1438-C.S. introduced (Siefkin/Kullijian, unan. - Dunlap and Davies, absent) (Clerk to handle)

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

ACTION: Frank Andrews spoke.

ORDINANCES

14. Final adoption of Ordinance No. 1435-C.S. - parking of recreational vehicles and definition of street line. (Motion adopting needed)

ACTION: (Councilmember Siefkin was excused from consideration of this item as she had not been a member of the Council when the ordinance was introduced)

By motion (Kullijian/Elliott, unan. - Dunlap, Siefkin, and Mayor Davies, absent) Ord. No. 1435-C.S. adopted. (Clerk to handle)

NEW BUSINESS

15. Consider closing Rosedale along Modesto High during school hours. (Memo with agenda. Modesto City Schools has requested the action for pedestrian safety. Resolution needed)

ACTION: Res. 75-385 adopted/authorizing closure. (Elliott/Mensingher, unan. - Dunlap & Davies, absent) (P & T to handle)

CONSENT

16. Amendment to agreement - Modesto City Schools - Sonoma Park acquisition. (East Orangeburg Park)
(Memo with agenda. Resolution approving agreement needed. Estimated cost \$4,200. Funds are budgeted)

ACTION: Res. 75-386 adopted approving amendment to agreement. (Clerk to handle)

CONSENT

17. Consider request of Council members Mensinger and Siefkin to attend a program at the University of California, Davis, on "Energy Conservation Legislation: Local Governments' Responsibility and Opportunities," to be held April 4, 1975.
(Motion approving request needed. Estimated cost \$60. Funds are budgeted)

ACTION: By motion, request granted.

CONSENT

18. Accept improvements in McHenry Estates No. 3 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(McHenry Estates No. 3 Subdivision is located east of McHenry Avenue and on the north side of Sylvan Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 75-387 adopted accepting improvements. (Clerk to handle)

CONSENT

19. Consider approval of agreement with Yosemite Junior College for connection of swine operation to city sewer system.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-388 adopted approving agreement. (P/W to handle)

CONSENT

20. Consider requests for sewer service to the following properties: (1) 333 Woodrow Avenue, on the north side of Woodrow between McHenry and Mark Allen Drive; (2) 205 Girard Avenue on the east side of Roselawn Avenue between South Avenue and Rouse Avenue. Property owners: (1) Department of Veterans Affairs of the State of California and Richard W. and Marilyn E. Shorman. (2) Harold D. and W. Joyce Johnson.
(The property owners have signed agreements to annex when requested to do so by City. The properties are contiguous to the City and sewer lines exist to serve them. Resolutions approving agreements needed)

ACTION: Res. 75-389 adopted approving agreement. (Veterans Affairs and Shorman)

Res. 75-390 adopted approving agreement (Johnson)
(P/W to handle)

REPORTS

CONSENT

21. Report of activities of Human Rights Commission during 1974.
(Motion accepting needed)

ACTION: By motion, report accepted.

22. Final master plan - Coleman F. Brown Neighborhood Park.
(Preliminary Master Plan was reviewed at Council meeting on January 20, 1975. This will be a review of proposed final master plan for the park. Oral report will be made at the meeting. Motion approving master plan needed)

ACTION: By motion (Elliott/Mensing, unan.) approval given to master plan. (P & R to handle)

Res. 75-391 adopted (Elliott/Mensing, unan. - Dunlap and Davies, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

CONSENT

23. Notice of application to increase Trailways' bus fares and charges. (Memo with agenda. Fares and express charges would be increased 7% if P.U.C. approves. Motion accepting report needed)

ACTION: By motion, report accepted.

CONSENT

24. Notice of Pacific Telephone request to increase rates for special PBX installations. (Memo with agenda. The increase would average 7.04% and would apply to only five installations in Modesto. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

25. Recommendation from the Planning Commission that neighborhood meetings to consider the possible closure of several streets intersecting Briggsmore Avenue be discontinued. (Memo with agenda. Motion directing the discontinuance of the neighborhood meetings needed)

ACTION: By motion (Kullijian/Mensing, unan.) neighborhood meetings continued. (Planning to handle)

MISCELLANEOUS

26. Legislative matters.

(a) Airport user fees.
(Memos with agenda)

ACTION: By motion (Kullijian/Elliott, unan.) Federal User Tax opposed and 3-year extension of Airport and Airway Development Act of 1970 (PL 91-258) supported.

By motion (Mensing/Siefkin, unan.) ACA 21 and AB330 opposed.
(C/Mgr to handle)

27. Appointments.

NONE

28. Matters too late for the agenda.

NONE

Adjournment at 5:50 P.M.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk
Page 5 3/17/75

MINUTES AND ACTION AGENDA

CITY OF MODESTO :

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 24, 1975 AT 7:30 P.M.

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

Absent: None
(Councilmember Newton was excused at 11:00 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend Ben Jennings, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 6, 7, 16, 19, 20,
Items 3, 17, 18, 21 and 22 removed 23, 24, 25, 26, 28, 29
from consent
Dunlap/Newton, unan.

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 17, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Greater Modesto Chamber of Commerce for \$15,000 to be included in 1975-76 budget for advertising and promotion.
(Motion referring to proper budget session needed)

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

3. Request of California State Foundation for Council endorsement of project to restore and permanently display the Great Relief Map of California.
(Motion indicating endorsement needed)

ACTION: By motion (Elliott/Kullijian, unan.) endorsement given to project. (Clerk to handle)

4. Request of Downtown Merchants Ass'n. for extension of free Saturday parking in Downtown to January 1, 1976.

ACTION: By motion (Kullijian/Mensinger, maj.) staff directed to report in two weeks on present status of program. (P & T to handle)

5. Request of Modesto Babe Ruth League for permission to operate Snow-Cone van at Downey Park from 5:00 P.M. to 11:00 P.M. each evening starting May 12 through July 20 and for waiver of the 6% payment of gross sales.

ACTION: By motion (Mensinger/Dunlap, unan.) staff directed to prepare study dealing with the development of a workable program for non-profit groups (when their teams are playing) and report to Council on April 7. (P & R to handle)

BIDS

CONSENT

6. Consider award of contract for construction of wading pool at Rose Avenue Park.
(Bids were opened March 18, 1975. A single bid of \$28,888.00 submitted by William Mineni, which is 21% above the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to him. A staff survey indicates that construction and material costs are higher than originally estimated and contact with planholders indicates that future bidder interest will be low. A reevaluation of the Engineer's bid estimate indicates the bid of \$28,888.00 to be reasonable. Resolution awarding contract needed. Estimated cost: \$28,888.00. Funds are budgeted.

ACTION: Res. 75-392 adopted awarding contract. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for Dryden Clubhouse Expansion.
(Suggested bid opening date: April 8, 1975 at 11:00 A.M. This project has been planned to provide additional space in the interior of the building. Resolution approving plans, specs and bid call needed. Estimated cost: \$10,000 (\$9,500 Const. \$500 Engr. & Insp.). Funds are budgeted.

ACTION: Res. 75-393 adopted approving plans, specifications and bid call. (Clerk to handle)

HEARINGS

8. Hearing on amendment to Sec. 20-3-9 of zoning map to rezone from R-2 to P-D to allow continued maintenance of church facilities, conversion of an existing dwelling to a professional office and construction of additional offices and parking areas. (College Ave. Congregational Church) 7:30 P.M.

ACTION: Ord. No. 1440-C.S. introduced (Elliott/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 75-394 adopted (Elliott/Kullijian, unan.) approving development plan.

Res. 75-395 adopted (Elliott/Kullijian, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

9. Hearing on amendment to Sec. 25-3-9 of zoning map to rezone from R-1 to R-2 property located on east side of Lincoln south of M.I.D. Lateral #2. (Mid Coast Mortgage Co.) 7:35 P.M.

ACTION: Ord. No. 1441-C.S. introduced (Kullijian/Newton, unan.) rezoning area. (Clerk to handle)

Res. 75-396 adopted (Kullijian/Newton, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

10. Hearing on application to HUD for HCDA Funds. 7:40 P.M.

ACTION: Res. 75-397 adopted (Dunlap/Newton, unan.) authorizing filing of application. (Planning to handle)

Res. 75-398 adopted (Dunlap/Newton, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

11. Hearing on appeal filed by Jay Lawyer to Environmental Assessment Committee requirement for E.I.R. for development at Standiford/Tully. 7:45 P.M.

ACTION: Res. 75-399 adopted (Elliott/Kullijian, maj. - Dunlap and Siefkin, no) granting appeal and overruling Environmental Assessment Committee.

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

ACTION: Felix Garcia announced the formation of a Mexican-American Chamber of Commerce and introduced his fellow officers.

ORDINANCES

13. Final adoption of the following:
(Motions adopting needed)

(a) Ord. No. 1437-C.S. (Subdivision regulations).

ACTION: (Councilmember Siefkin was excused from consideration of this item as this ordinance was introduced before she was a member of the Council)

By motion (Elliott/Mensing, unan. - Siefkin, absent) Ord. No. 1437-C.S. adopted.

(b) Ord. No. 1438-C.S. (Clear vision triangle)

ACTION: (Councilmember Dunlap and Mayor Davies were excused from consideration of this item as they had not been present when the ordinance was introduced.)

By motion (Kullijian/Elliott, unan. - Davies and Dunlap, absent) Ord. No. 1438-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

14. Formal action on appeal filed by Tanner and Peterson to denial by Planning Commission of request for rezoning of property at northeast corner of Oakdale Road and Orangeburg Avenue. On March 10, the Council declared its intention to grant the appeal and directed staff to prepare the necessary documents. By stipulation and Court order in the case of Soelling vs City of Modesto, the City has agreed to:

(a) Postpone action on the Tanner-Peterson application until April 14, 1975.

(b) Set a public hearing for April 7, 1975, at 4:05 P.M. to reconsider the appeal of Dr. Soelling from the denial by the Planning Commission of his application for rezoning of land at Briggsmore Avenue and Oakdale Road.

14. Action on appeal filed by Tanner and Peterson, (continued)

(Action needed is a motion postponing further action on the Tanner-Peterson application and a Resolution setting the public hearing to reconsider the Soelling application).

ACTION: By motion (Dunlap/Siefkin, unan.) further action on Tanner-Peterson appeal postponed to April 14, 1975.

Res. 75-400 adopted (Dunlap/Siefkin, unan.) setting hearing for reconsideration of Dr. Soelling's appeal. (Clerk to handle)

15. Informal hearing: Establishment of Revised Fee Structures for Street Name Signs and Street Trees; Review of Fees for Subdivision Monuments. (Memo with agenda. Adoption of resolution(s) establishing any new fees or securities.)

ACTION: Res. 75-401 adopted (Dunlap/Elliott, unan.) establishing \$15.00 fee for street trees. (P & R to handle)

Res. 75-402 adopted (Dunlap/Elliott, unan.) establishing \$42.00 fee for street name signs. (P & T to handle)

NEW BUSINESS

CONSENT

16. Request for approval of funds for Terry McGrath, Chairman of the Modesto Bicentennial Committee, to attend a Regional Meeting of the Mayors' Committee on the Bicentennial (under the auspices of the U.S. Conference of Mayors) in Las Vegas, Nevada, April 24-26, 1975. (An appropriation transfer will be needed of \$300 from Account 207-65-101, Conference Expense, to Account 464-61-101, Bicentennial Contribution. Motion approving request and resolution approving appropriation transfer needed)

ACTION: By motion, request approved.

Res. 75-403 adopted approving appropriation transfer of \$300 from Account 207-65-101 to Account 464-61-101. (Finance to handle)

17. Consider letter from Chuck Moody regarding municipal auditorium. (Memo with agenda. Motion postponing decision until completion of downtown plan.)

ACTION: By motion (Mensing/Dunlap, maj.) staff directed to obtain information as to obtaining balance of property in the subject block. (C/Mgr to handle)

18. Resolution revising Position Classification Plan and resolution amending salary schedules and establishing compensation for new classification effective 3-25-75. (The individual occupying the position being created will be responsible for the implementation of HCDA. Job specification and alphabetical listing attached. Adoption of two resolutions needed)

ACTION: Res. 75-404 adopted (Kullijian/Elliott, unan. - Newton, absent) revising Position Classification Plan to establish classification of Housing Program Officer.

Res. 75-405 adopted (Kullijian/Elliott, unan. - Newton, absent) amending salary schedules to establish compensation for new position. (Personnel to handle)

CONSENT

19. Amended contract with Cooperative Personnel Services for classification study.
(Memo attached. Resolution authorizing City Manager to sign amended contract with CPS and resolution approving appropriation transfer of \$3,000 from General Reserve)

ACTION: Res. 75-406 adopted approving amended contract. (Personnel to handle)

Res. 75-407 adopted approving appropriation transfer of \$3,000 from Account 60-101 to Account 421-17-101. (Finance to handle)

CONSENT

20. Request by City Attorney for permission to attend the League of California Cities City Attorneys' Department Spring Meeting at South Lake Tahoe, California, April 30 - May 2, 1975.
(Funds for this conference are budgeted. Motion authorizing attendance needed)

ACTION: By motion, attendance authorized.

21. Designation of Police Department as the licensing authority of the City of Modesto for licenses for concealable weapons.
(Memo with agenda. Resolution designating Police Department as licensing authority for concealable weapons needed)

ACTION: Res. 75-408 adopted (Dunlap/Elliott, unan. - Newton, absent) designating Police Dept. as licensing authority. (Police to handle)

22. Consider approval of Annual Claim for Local Transportation Funds. (Each year the City makes a claim to SAAG for its apportionment of Local Transportation Funds. This is a claim for \$688,278 for fiscal year 75-76. Resolution approving submittal of Annual Transportation Claim needed)

ACTION: Res. 75-409 adopted (Mensing/Dunlap, unan. - Newton, absent) approving submittal of Annual Transportation Claim. (P/W to handle)

CONSENT

23. Request from Parking and Traffic Director for permission to engage in temporary outside employment.
(Memo with agenda. Motion granting request needed)

ACTION: By motion, request granted.

CONSENT

24. Consider establishing flat rate charges for water to six different school districts.
(Memo with agenda. 6 Resolutions establishing flat rate charges for water service to the schools needed.)

ACTION: Res. 75-410 adopted establishing flat rate charges for Modesto City Schools.
Res. 75-411 adopted establishing flat rate charges for Yosemite Jr. College (Modesto East Campus)
Res. 75-412 adopted establishing flat rate charges for Central Catholic High.
Res. 75-413 adopted establishing flat rate charges for Empire Union.
Res. 75-414 adopted establishing flat rate charges of Stanislaus Union.
Res. 75-415 adopted establishing flat rate charges for Sylvan Union.
(Finance to handle)

CONSENT

25. Request of Modesto City Employees' Association for change in appeal period on classification study.
(See attached memo. Resolution approving request to amend appeal period on classification study to 14 calendar days after distribution of the study.)

ACTION: Res. 75-416 adopted approving request. (Personnel to handle)

REPORTS

CONSENT

26. Notice of P. G. & E. Application to Increase Charges.
(P. G. & E. seeks approval of a 4.0% annual increase to offset an increase from El Paso Natural Gas Company. Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

27. Status report on El Vista/Encina storm drainage.
(Copies of letters concerning this subject with agenda)

ACTION: It was agreed that staff would continue to work with the M.I.D. in an effort to help this problem and to keep Mr. Bearrup informed of the status of the situation. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

28. Public Hearings - Closures of Dillon Drive, Bronson Avenue, Carlton Avenue, Calle De Rosas, and Sherwood Avenue, at their Intersections with Briggsmore Avenue.
(On March 18, 1975, the Planning Commission approved resolutions recommending these closures. 5 Resolutions setting April 14, 1975 at 7:30 P.M. for public hearings needed)

ACTION: Res. of Intention 348 - (1297-S.P.) adopted setting hearing (Dillon Drive).

Res. of Intention 349 (1298-S.P.) adopted setting hearing (Bronson Avenue).

Res. of Intention 350 (1299-S.P.) adopted setting hearing (Carlton Avenue).

Res. of Intention 351 (1300-S.P.) adopted setting hearing (Calle De Rosas).

Res. of Intention 352 (1301-S.P.) adopted setting hearing (Sherwood Avenue). (Clerk to handle)

CONSENT

29. Recommend amendment to Title X of the Modesto Municipal Code.
(On March 18, 1975, the Planning Commission adopted Resolution No. 75-41 recommending to the Council amendment of Section 10-2.901 of Article 9 of Chapter 2 of Title X and Section 10-2.1101 of Article 11 of Chapter 2 of Title X of the Modesto Municipal Code relating to Massage and Bath Establishments and Schools of Massage. Resolution setting April 14, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. 75-417 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

30. Legislation.

(a) AB 15

ACTION: By motion (Elliott/Dunlap, maj.) AB 15 opposed in its present form.

(b) Other

ACTION: By motion (Dunlap/Mensing, unan.) AB 481 opposed.
By motion (Dunlap/Elliott, unan.) AB 1163 supported.
By motion (Dunlap/Mensing, unan.) AB 1059 opposed.
By motion (Kullijian/Elliott, unan.) AB 609 supported.
(C/Mgr to handle)

31. Appointments.

NONE

32. Matters too late for the agenda.

NONE

Adjournment at 12:15 A.M.

ATTEST:

W. T. Chydoweth
W. T. CHYDOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 7, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 4, 5, 7, 8, 9, 11, 12,
Item 10 dropped from agenda. 13, 14, 18, 19, 20, 23, 24, 27,
Items 26 and 33 removed from consent. 28, 29, 31, 32, 34
Dunlap/Newton, unan.

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

PRESENTATIONS

1. SUGGESTION AWARDS:

- (a) \$25.00 to Willie Jones (Public Works) for suggestion to install metal hand grips and two-step metal ladder on garden refuse truck behind left and right rear tires.
- (b) \$25.00 to Jerome Jacobson (Public Works) for suggestion to make telescoping snare for center cores on rockwells.
(Mayor to present awards. Actual cost \$50.00. Funds are budgeted)

ACTION: The awards were presented by Mayor Davies.

2. Presentation to City of Modesto by Central California Art League of award winning painting for hanging in City Hall.

ACTION: Following the presentation of three paintings by Mrs. Ghilotti and Mrs. Beamish, the Council adopted Res. 75-418 (Mensinger/Elliott, unan) thanking and commending the Art League. (Clerk to handle)

Mayor Davies appointed Councilmembers Kullijian and Siefkin to work with staff to make recommendation as to where the paintings are to be hung. (C/Mgr to handle)

APPROVAL OF MINUTES

CONSENT

3. Minutes of March 24, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

4. Request of Ronald and Diane Driscoll, dba Orange Line Sanitation Company, for transfer of license to collect garbage to Orange Line Sanitation Company, Inc.
(Resolution setting April 21, 1975 at 4:05 P.M. for hearing needed)

ACTION: Res. 75-419 adopted setting hearing. (Clerk to handle)

CONSENT

5. Resignation of Roy Hall from Culture Commission as of May 27, 1975.
(Resolution accepting with regret needed)

ACTION: Res. 75-420 adopted accepting resignation with regret. (Clerk to handle)

6. Letter from Clyde F. Holiday concerning closure of Milo Street.
(Memos from staff with agenda)

ACTION: By motion (Mensing/Kullijian, unan.) referred to City/County Liaison Committee for review. (C/Mgr to handle)

CONSENT

7. Request of Majestic Furniture Co. for variance to permit entrance sidewalk of Bomanite.
(Resolution setting April 14, 1975 at 7:40 P.M. for informal hearing needed)

ACTION: Res. 75-421 adopted setting informal hearing. (Clerk to handle)

BIDS

CONSENT

8. Consider award to low bidder Occidental Chemical Company to furnish 12 tons of fertilizer.
(Tabulation with agenda. Resolution needed. Estimated cost \$2,417. Funds are budgeted)

ACTION: Res. 75-422 adopted awarding contract to Occidental Chemical Co.
(Finance to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for construction of sludge drying bed modifications.
(Suggested bid opening April 22, 1975 at 11:10 A.M. This project will provide a more effective means of drying sludge. This project is exempt from an environmental assessment and has a Class I(d) exemption. Resolution approving plans, specifications and bid call needed. Estimated cost \$26,730 (\$19,930, Const; \$6,800 Matl. & Engr.) Portion of funds are budgeted. Additional funding will be requested after bid opening)

ACTION: Res. 75-423 adopted approving plans, specifications and bid call.
(Clerk to handle)

10. Consider approval of plans and specifications and call for bids for runway overlay and marking at Modesto City-County Airport/Harry Sham Field and authorizing filing of application for federal assistance for the project.
(Suggested bid opening date April 22, 1975 at 11:00 A.M. This project will provide additional asphalt depth and increase the strength of the runway section as requested by FAA. This work will be done during the next fiscal year. Funds have been accelerated to cover the account during the 1974-75 year. Resolution approving bid call and resolution authorizing City Manager to sign and file application for federal funds needed. Estimated cost \$416,450.00 (\$406,450, Constr., and \$10,000, Eng. & Cont.) Funds are partially budgeted. Additional funding will be requested after bid opening)

DROPPED FROM AGENDA

CONSENT

11. Consider award of contract to reline existing sanitary subtrunk sewer on Rose Avenue between Briggsmore Avenue and Celeste Drive. (Bids were opened April 1, 1975. The low bid submitted by R & R Construction Company is 1.45% below the Engineer's Estimate, and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to low bidder. Resolution awarding contract to R & R Construction Company needed. Estimated cost \$10,994 (Contract \$9,994; Engr. \$1,000). Funds are budgeted)

ACTION: Res. 75-424 adopted awarding contract to R & R Construction Co. (P/W to handle)

CONSENT

12. Consider award of contract for construction of waterlines in Jeffrey Park Subdivision. (Bids were opened April 1, 1975. The low bid of \$2,440 submitted by R & R Construction Co., which is 16% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to R & R Construction Co. needed. Estimated cost \$2,440.00. Funds are budgeted)

ACTION: Res. 75-425 adopted awarding contract to R & R Construction Co. (P/W to handle)

CONSENT

13. Consider award of contract for Wastewater Treatment Works Improvements-Aerators and High Pressurization unit. (Bids were opened February 11, 1975. The low bid of \$598,891.00 submitted by Elmer J. Freethy, which is 11% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him and that \$309,020 be transferred from Sewer Service Fund Reserve to cover cost of project not previously budgeted. Resolution awarding contract and resolution approving appropriation transfer needed. Funds are partially budgeted)

ACTION: Res. 75-426 adopted awarding contract to Elmer J. Freethy. (P/W to handle)

Res. 75-427 adopted approving appropriation transfer of \$309,020 from Account 60-212 to Account 6588-212. (Finance to handle)

CONSENT

14. Consider award of contract for construction of waterline in Lillian Drive for Pump Station No. 41. (Bids were opened March 25, 1975. The low bid of \$13,056 submitted by R & R Construction Co., which is 3% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to low bidder. Resolution awarding contract needed. Estimated cost \$13,056.00. Funds are budgeted)

ACTION: Res. 75-428 adopted awarding contract to R & R Construction Co. (P/W to handle)

HEARINGS

15. Continued hearing on appeal of Stone Bros. to denial by Planning Commission of request for time extension and rephasing of Phase 4 of P-D(21). 4:00 P.M.
(Continued from March 17 meeting)

ACTION: After the public hearing closed, the following actions were taken by Council:

ACTION: A resolution (Kullijian/Mensing) granting the appeal and setting times for commencement of Phase 4 of P-D(21) was withdrawn.

A resolution (Dunlap/Kullijian) to require commencement of all of Phase 4 by January 1, 1976 and completion by December 31, 1976 failed as Elliott, Newton, Siefkin and Mayor Davies voted no.

A resolution (Siefkin/Elliott) to deny the appeal and require applicant to file by the critical path method when a building permit is applied for failed as Dunlap, Kullijian, Mensinger and Mayor Davies voted no.

Res. 75-429 adopted (Elliott/Siefkin, maj. - Dunlap, Kullijian and Mensinger, no) amending the P-D as to the shopping center to require the 29,600 square feet to be completed and in use occupancy by January 1, 1976 and the remainder of the 79,000 square feet to be framed in by that same date.

By motion (Elliott/Dunlap, unan.) it was agreed to reconsider the resolution to clarify the term "use occupancy."

By motion (Elliott/Siefkin, maj. - Dunlap, Kullijian and Mensinger, no) resolution amended to provide for construction to be completed and ready for occupancy by December 31, 1975.

16. Hearing, reconsideration of appeal of Warner M. Soelling to decision of Planning Commission denying request for rezoning from R-1 to P-D to permit construction of shopping center and office complex at southwest corner of Briggsmore Avenue and Oakdale Road.

4:05 P.M.

ACTION: Res. 75-430 adopted (Dunlap/Siefkin, maj. - Kullijian, Mensinger and Newton, no) denying appeal for five separate reasons which are set forth in the resolution. (C/Atty to handle)

17. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested citizens in the audience)

ACTION: Councilmember Mensinger introduced two students from the 6th grade at Rose Avenue School.

Ellen Duell reported that the D.A.R. planned to have a ceremony on June 29, 1975 to dedicate a plaque at McHenry Museum. (P & R to handle)

ORDINANCES

CONSENT

18. Final adoption of the following:

(a) Ord. No. 1440-C.S. amending Section 20-3-9 of zoning map. (Holden Optical Co.)

ACTION: By motion, Ord. No. 1440-C.S. adopted.

(b) Ord. No. 1441-C.S. amending Section 25-3-9 of zoning map. (Mid Coast Mortgage Co.)

ACTION: By motion, Ord. No. 1441-C.S. adopted. (Clerk to handle)

CONSENT

19. Consider approval of amendment to contract between the City of Modesto and Public Employees' Retirement System to provide for post retirement survivors' benefit. (On March 10, 1975, the City Council passed Resolution of Intention to approve this amendment with contract with PERS. Effective date for implementation of amendment is June 24, 1975. Introduction of ordinance needed. Estimated cost \$144,899.19. (\$5,553.97 bi-weekly)

ACTION: Ord. No. 1442-C.S. introduced amending contract. (Clerk to handle)

CONSENT

20. Consider revision to the water and sewer section of the municipal code. (Memo with agenda. Motions introducing two ordinances and resolution establishing revised schedule of water meter costs needed)

ACTION: Ord. No. 1443-C.S. introduced revising water fees.

Ord. No. 1444-C.S. introduced revising sewer fees. (Clerk to handle)

Res. 75-431 adopted establishing revised schedule of water meter costs. (P/W to handle)

UNFINISHED BUSINESS

21. Report on free Saturday on-street parking.
(Memo with agenda. The Downtown Modesto Association had requested an extension of the free parking through 1975. Motion directing staff to continue or terminate program needed)

ACTION: By motion (Kullijian/Mensing, maj. - Davies, no) extending free Saturday parking to December 31, 1975 with the D.M.A. to promote bus and bike usage and to work on overtime parking and providing for progress reports. (P & T to handle)

22. Reconsideration of Stanislaus Area Transportation plan.
(Memo with agenda. There have been some modifications in the plan originally considered by the Council. Motion needed instructing the City's SAAG delegates how to vote on the modifications needed)

ACTION: By motion (Kullijian/Dunlap, unan.) recommendations of staff which are on file with City Clerk approved. (C/Mgr to handle)

CONSENT

23. Report on request from BABE Ruth League to operate food concession at Downey Park.
(Memo with agenda. Motion approving recommendation needed)

ACTION: By motion, recommendation to permit Babe Ruth League to operate concession under certain conditions approved. (P & R to handle)

NEW BUSINESS

CONSENT

24. Consider authorizing monthly bus passes.
(Memo with agenda. It is proposed that monthly bus passes be sold at \$7.50 each. Such passes would be good for an unlimited number of one-person rides. Resolution approving sale of monthly bus passes needed)

ACTION: Res. 75-432 adopted approving sale of monthly bus passes.
(P & T to handle)

25. Acceptance of deed of gift from Lawrence and Ida McClure.
(Memo with agenda. Resolution accepting with appreciation gift of miscellaneous furniture and furnishings needed)

ACTION: Res. 75-433 adopted (Mensing/Elliott, unan.) accepting deed of gift with appreciation. (Clerk to handle)

26. Implementation of Housing and Community Development Act.
(Memo with agenda. Adoption of two resolutions and introduction of ordinance needed)

ACTION: Ord. No. 1445-C.S. introduced (Mensing/Elliott, unan.) changing name of Planning Department to Planning and Community Development Department. (Clerk to handle)

Res. 75-434 adopted (Mensing/Elliott, unan.) amending Position Classification Plan to reflect change.

Res. 75-435 adopted (Mensing/Elliott, unan.) amending salary resolution to reflect change. (Personnel to handle)

CONSENT

27. Consider acceptance of improvements in Capistrano Park No. 2 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(Capistrano Park No. 2 Subdivision is located on the south side of Haddon Avenue east of Riverside Drive. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 75-436 adopted accepting improvements. (Clerk to handle)

CONSENT

28. Consider amendments to City's environmental impact guidelines.
(Memo with agenda. Resolution adopting revised guidelines needed)

ACTION: Res. 75-437 adopted adopting revised guidelines. (Environmental Assessment Committee to handle)

CONSENT

29. Consider request by Western Pacific Railroad to modify general development plan of their industrial area in South Modesto.
(Memo with agenda. Motion giving tentative approval of modification subject to agreement on East/West Street between Western Pacific and City)

ACTION: By motion, tentative approval given to modification of plan subject to agreement on development of East/West Street. (P/W to handle)

30. (a) Consider acquisition of property at corner of 11th and I Streets, known as King's Bench.
(Resolution approving agreement and accepting grant deed needed)

ACTION: Res. 75-438 adopted (Newton/Dunlap, unan.) approving agreement and accepting grant deed. (Clerk to handle)

- (b) Consider lease agreement with Dale C. and Ellen S. Miner of the King's Bench Restaurant and Cocktail Lounge.
(Memos with agenda. Resolution approving agreement needed. Estimated cost \$238,000. Revenue, \$850.00 per month. Funds are budgeted)

ACTION: Res. 75-439 adopted (Newton/Dunlap, unan.) approving lease agreement. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

31. Recommend amendment to Section 19-3-9 of zoning map. (Leroy Hemple)
(On March 18, 1975, the Planning Commission adopted Res. 75-48 recommending this amendment to reclassify from Medium Density Residential Zone, R-2, and Medium High Density residential Zone, R-3, to Planned Development Zone, P-D, property located at the northwest corner of Clayton and Martin Avenues, on the northeast side of U. S. Freeway 99. Resolution setting April 28, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. 75-440 adopted setting hearing. (Clerk to handle)

CONSENT

32. Set date for informal public hearing for commercial standards report.
(Memo with agenda. Resolution setting April 21, 1975 at 4:10 P.M. for hearing needed)

ACTION: Res. 75-441 adopted setting hearing. (Clerk to handle)

33. Recommendation from Planning Commission recommending revisions to the conditions of P-D(53).
(On April 1, 1975, the Planning Commission adopted Resolution No. 75-50 recommending revisions to the conditions of P-D(53) approved by Planning Commission Resolution 75-31, and by Council Resolution No. 75-365. Resolution revising Resolution No. 75-365 needed)

ACTION: Res. 75-442 adopted (Elliott/Dunlap, unan. - Kullijian, absent) revising Res. 75-365. (Planning to handle)

(Councilmember Kullijian disqualified himself from consideration of this item due to a conflict of interest)

CONSENT

34. Resolution approving appropriation transfer of \$490.00 for recruitment of Housing Program Officer.
(Resolution approving transfer of \$490.00 from Account No. 110-8-101 to Account 230-17-101 needed)

ACTION: Res. 75-443 adopted approving appropriation transfer of \$490.00 from Account 110-8-101 to Account 230-17-101. (Finance to handle)

MISCELLANEOUS

35. Legislation.

ACTION: By motion (Dunlap/Elliott, unan.) AB 960 opposed.
By motion (Dunlap/Elliott, unan.) AB 700 opposed.
By motion (Dunlap/Kullijian, unan.) SB 370 opposed.
By motion (Kullijian/Mensing, unan.) SB 106 supported.
By motion (Elliott/Mensing, unan.) AB 997 supported.
(C/Mgr to handle)

36. Appointments.

ACTION: Res. 75-444 adopted (Mensing/Elliott, unan.) appointing Richard Lang as chairman of the Modesto Bicentennial Committee.
(Clerk to handle)

Res. 75-445 adopted (Newton/Dunlap, unan.) appointing James Forbes as chairman of the Human Rights Commission and appointing James Edmundson as a member of the Human Rights Commission to replace Gerald Goren for a term ending May 1, 1978. (Clerk to handle)

37. Matters too late for the agenda.

NONE


38. Executive session to discuss election of Vice Mayor.

ACTION: (The Council retired to executive session at 11:43 P.M. and returned to open meeting at 12:00 midnight.)

Res. 75-446 adopted (Elliott/Kullijian, unan.) electing Councilmember Newton as Vice Mayor for a term ending March 22, 1976.
(Clerk to handle)

Adjournment at 12:05 A.M.

ATTEST:


W. T. CHYMOVETH, City Clerk

Page 8

4/7/75

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 14, 1975 AT 7:30 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin,
Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation by Father Cornelius DeGroot, St. Joseph's Catholic Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 6, 8, 9, 10, 11, 16, 18,
Items 5, 21 and 25 removed from consent 19, 20, 22, 23, 24, 26, 27, 28,
Kullijian/Newton, unan. 29, 30, 31, 34

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 7, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Modesto City Fire Fighters Association that City Council initiate and support an emergency medical services program.

ACTION: By motion (Elliott/Kullijian, unan.) request referred to staff for study and recommendation. (C/Mgr to handle)

3. Request of El Concilio for closure of Rouse Avenue at National Guard Armory May 4, 1975 from 12:00 noon through 7:00 P.M. during the fiesta which is scheduled to be held at the Del Webb Soccer Field.

ACTION: By motion (Newton/Mensinger, unan,) request granted with condition that El Concilio must furnish portable toilet facilities. (P & R and Police to handle)

4. Request of McHenry Museum Society for permission to remove three paintings from the Museum for restoration.
(Motion granting request needed)

ACTION: (Councilmember Mensinger was excused due to a conflict of interest)

By motion (Dunlap/Kullijian, unan.) request granted. (P & R to handle)

5. Appeal by Peter Decker to Board of Zoning Adjustment denial of request for variance to permit a parking lot in an R-1 zone adjacent to property at the northwest corner of McHenry and Roseburg.
(Resolution setting May 5, 1975 at 4:00 P.M. for hearing needed)

ACTION: (Councilmember Mensinger was excused due to a conflict of interest)

Res. 75-447 adopted (Dunlap/Kullijian, unan. - Mensinger, absent) setting hearing. (Clerk to handle)

6. Request of Cablecom General for rate changes.
(Motion referring to staff for report needed)

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

7. Donation of \$100 from Carmen Sabatino for use in connection with Youth Prayer Breakfast under the following stipulations:
1. That the money be used only for letterhead and postage; 2. That the Mayor's Youth Prayer Breakfast be changed to Modesto Youth Prayer Breakfast; 3. That committee members be selected from representative faiths.

ACTION: By motion (Dunlap/Kullijian, unan.) subject of Mayor's Prayer Breakfasts referred to Public Projects Committee for review and report to Council. (C/Mgr to handle)

By motion (Dunlap/Kullijian, unan.) staff directed to return check to Mr. Sabatino. (Clerk to handle)

BIDS

CONSENT

8. Consider approval of plans, specifications and call for bids for taxiway lighting and security fencing at Modesto City-County Airport/Harry Sham Field, and authorize filing of the application for federal assistance for the project.
(Suggested bid opening date April 29, 1975 at 11:10 A.M. This project will provide new taxiway lights and will provide security fencing at several areas. Memo with agenda. Two resolutions needed, (1) approving bid call and (2) authorizing City Manager to sign and file application for federal assistance. Estimated cost \$109,330.50 (\$95,070; Const. \$14,260.50, Eng. & Cont.). Funds are budgeted)

ACTION: Res. 75-448 adopted approving plans, specifications and bid call.
(Clerk to handle)

Res. 75-449 adopted authorizing City Manager to sign and file application for federal assistance. (C/Mgr to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for runway overlay and marking at Modesto City-County Airport/Harry Sham Field, and authorize filing of application for federal assistance for the project.
(Suggested bid opening April 29, 1975 at 11:00 A.M. This project will provide additional asphalt depth and increase the pavement strength as requested to FAA. Memo with agenda. Resolution approving bid call and resolution authorizing City Manager to sign and file application for federal assistance needed. Estimated cost \$416,450 (\$406,450, Const.; \$10,000 Eng. & Cont.) Funds are budgeted)

ACTION: Res. 75-450 adopted approving plans, specifications and bid call.
(Clerk to handle)

Res. 75-451 - Not Used.

CONSENT

10. Consider approval of plans, specifications and call for bids for construction of Davis Park picnic area.
(Suggested bid opening April 29, 1975 at 11:15 A.M. This project has been budgeted as part of the Davis Park Development. Resolution approving bid call needed. Funds are budgeted)

ACTION: Res. 75-452 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

11. Consider award of contract for construction of Dryden Clubhouse expansion.
(Bids were opened April 8, 1975. The low bid of \$4,343 submitted by Olsen Bros., which is 54% below the Engineer's Estimate, is considered acceptable. A review of the bid with the low bidder indicates that the estimate did not properly reflect the costs for doing the work. It is recommended that the contract be awarded to low bidder. Estimated cost \$4,343. Funds are budgeted)

ACTION: Res. 75-453 adopted awarding contract to Olsen Bros. (P/W to handle)

HEARINGS

12. Hearings on proposed street closures at Briggsmore. 7:30 P.M.

(a) Dillon Drive; (b) Bronson Ave.; (c) Carlton Ave.;
(d) Calle De Rosas; (e) Sherwood Ave.

ACTION: Res. 1302-S.P. adopted (Dunlap/Siefkin, unan.) authorizing closure of Dillon Drive.

Res. 1303-S.P. adopted (Dunlap/Siefkin, unan.) authorizing closure of Bronson Ave.

Res. 1304-S.P. adopted (Dunlap/Siefkin, unan.) authorizing closure of Carlton Ave.

Res. 1305-S.P. adopted (Dunlap/Siefkin, unan.) authorizing closure of Calle De Rosas.

Res. 1306-S.P. adopted (Dunlap/Siefkin, unan.) authorizing closure of Sherwood Ave. (P/W to handle)

By motion (Dunlap/Siefkin, unan.) staff directed to get together with neighbors on type of closure to be used. (Planning to handle)

13. Hearing on amendment to Municipal Code relating to massage and bath establishments and schools of massage. 7:35 P.M.

ACTION: Ord. No. 1446-C.S. introduced (Dunlap/Elliott, unan.). (Clerk to handle)

14. Informal hearing on request of Majestic Furniture Co. for variance to permit entrance sidewalk of Bomanite. 7:40 P.M.

ACTION: Res. 75-454 adopted (Newton/Elliott, unan.) granting request. (P/W to handle)

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

ACTION: David Dolan showed slides of some old buildings and requested that the demolition of buildings on 10th Street to make room for a City Hall parking lot be held up for now. No action was taken by the Council.

ORDINANCES

CONSENT

16. Final adoption of the following:
(Four motions adopting needed)

- (a) Ord. No. 1442-C.S. relating to retirement system.

ACTION: By motion, Ord. No. 1442-C.S. adopted. (Clerk to handle)

- (b) Ord. No. 1443-C.S. relating to water rates.

ACTION: By motion, Ord. No. 1443-C.S. adopted. (Clerk to handle)

- (c) Ord. No. 1444-C.S. relating to sewer service charges.

ACTION: By motion, Ord. No. 1444-C.S. adopted. (Clerk to handle)

- (d) Ord. No. 1445-C.S. relating to Planning and Community Development Department.

ACTION: By motion, Ord. No. 1445-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

17. Further action on appeal by Tanner & Peterson to denial by Planning Commission of request for rezoning of property at northwest corner of Oakdale & Orangeburg.

ACTION: (Councilmember Siefkin was excused from consideration of this item as she was not on the Council at the time of the hearing)

Ord. No. 1447-C.S. introduced (Elliott/Kullijian, unan. - Siefkin, absent) rezoning area. (Clerk to handle)

Res. 75-455 adopted (Elliott/Kullijian, unan. - Siefkin, absent) approving development plan. (Planning to handle)

Res. 75-456 adopted (Elliott/Kullijian, unan. - Siefkin, absent) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

CONSENT

18. Agreement with Babe Ruth Baseball.

(Agreement with Babe Ruth Baseball to operate a portable food vending vehicle at Downey Park during Babe Ruth baseball games. The agreement contains the provisions approved by the Council April 7, 1975. Resolution approving agreement needed)

ACTION: Res. 75-457 adopted approving agreement. (P & R to handle)

NEW BUSINESS

CONSENT

19. Renewal of food concession at Beard Brook Park.

(Mr. Charles Wright has requested renewal of contract to operate a food concession at Beard Brook Park. The City's relationship with Mr. Wright has been most satisfactory, and it is recommended that the contract be renewed for one year. All terms and conditions which applied under the last agreement will remain in force with the exceptions in Appendix "A" requested by Mr. Wright: (1) Soft drinks - increase from 20¢ for a 10 oz. cup to 30¢ for a 12 oz. can; (2) Candy: Increase from 10¢ to 20¢ per bar or package; (3) Eliminate ice cream bars; (4) Hot dogs - increase from 25¢ to 30¢; (5) Snow cones - increase from 15¢ & 20¢ to 20¢ and 25¢; (6) Popcorn - increase from 15¢ to 20¢ for popcorn bar. Resolution approving agreement needed)

ACTION: Res. 75-458 adopted approving agreement. (P & R to handle)

CONSENT

20. Consider installation of left turn lanes and no parking zones on Tully at Briggsmore.
(Memo with agenda. The left turn lanes are needed to facilitate traffic and to avoid collisions. One resident may object to having a no parking zone. Motion authorizing Director of Parking and Traffic to install left turn lanes as recommended needed. Funds are budgeted.)

ACTION: By motion, Director of Parking and Traffic authorized to install left turn lanes and no parking zones on Tully at Briggsmore as recommended. (P & T to handle)

21. Consider retaining the consulting civil engineering services of R. E. Fredricksen & Associates to design the Dryden Trunk Sewer - 1975. (Golf Course Trunk Sewer).
(On October 28, 1974, the City Council approved the recommendations set forth in the Urban Growth Policy Review Report dated October 11, 1974 which included construction of this trunk sewer now. Memo with agenda dated April 8, 1975. Resolution approving agreement and resolution approving \$25,000 appropriation transfer needed. Preliminary estimated cost, \$700,000)

ACTION: Res. 75-459 adopted (Newton/Kullijian, unan.) approving agreement. (Clerk to handle)

Res. 75-460 adopted (Newton/Kullijian, unan.) approving appropriation transfer of \$25,000 from Account 60-212 to Account 6616-212. (Finance to handle)

CONSENT

22. Consider authorizing the staff to submit an Airport Planning Grant application for Airport Master Plan Study. (Study budgeted to provide an orderly planned development at Airport. Memo with agenda. Resolution needed. Estimated cost \$39,960).

ACTION: Res. 75-461 adopted authorizing submission of Grant Application. (P/W to handle)

CONSENT

23. Consider approval of new letter of agreement for operation of Airport light systems.
(The completion of the new lights for Runway 281/10R and connecting taxiways necessitates revising our letter of agreement to add the operation of the new lighting systems. Memo with agenda. Copy of agreement sent to Attorney's office. Resolution approving agreement needed.)

ACTION: Res. 75-462 adopted approving agreement. (P/W to handle)

CONSENT

24. Approve agreement with Morgan and Jacobsen for architectural and engineering services - City Hall expansion.

(a) Determination on city hall expansion.
(Memo with agenda. Resolution approving agreement and motion approving recommendation needed. Estimated cost unknown - 6 3/4% of construction cost. Funds are budgeted)

ACTION: Res. 75-463 adopted approving agreement. (Clerk to handle)

By motion, recommendation to add 4th floor to present building and use available office space in Luckey-Miner Building in lieu of expanding City Hall over parking lot approved. (C/Mgr to handle)

25. Resolution expressing City of Modesto concern that Stanislaus County, together with other Cities in the County receive funding under the Federal Housing and Community Development Act of 1974, providing its application otherwise meets HUD approval.
(Memo with agenda. Resolution needed)
(Elliott/Dunlap, unan.)

ACTION: Res. 75-464 adopted/expressing concern re funding. (Clerk to handle)

CONSENT

26. Deletions and Additions to the truck route map.
(Deletion of Rosedale and South Avenues from the truck route map, and addition of Standiford Road and Sylvan Avenue as truck routes are recommended. Resolution adopting Exhibits "A" and "B" as Modesto Truck Routes and rescinding Resolution No. 73-581 needed.)

ACTION: Res. 75-465 adopted setting forth truck routes and rescinding Res. No. 73-581. (P & T to handle)

CONSENT

27. Request of Library to use adjacent city parking lot for Mexican Independence celebration.
(Memo with agenda. Celebration will be on Saturday, May 3, 1975. No staff objections. Motion authorizing use of parking lot for celebration needed)

ACTION: By motion, use of parking lot on May 3, 1975 approved. (Clerk to handle)

CONSENT

28. Consider approval of final map of Lincoln Square No. 3 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the east side of Lincoln Avenue north of Yosemite Blvd. It contains 9.183 acres. Resolution approving final map needed)

ACTION: Res. 75-466 adopted approving final map of Lincoln Square No. 3. (Clerk to handle)

CONSENT

29. Consider approval of final map of Wyldewood Meadow No. 1 Subdivision of the City of Modesto and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Code.
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the north side of Scenic Drive, east of Lakewood Ave. It contains 7.073 acres. Memo with agenda. Resolution approving final map and resolution approving temporary access agreement and accepting temporary access deed needed)

ACTION: Res. 75-467 adopted approving final map of Wyldewood Meadow No. 1. (Clerk to handle)

Res. 75-468 adopted approving temporary access agreement and accepting temporary access deed. (Clerk to handle)

CONSENT

30. Consider approval of request for sewer service outside the City at 133 W. Hatch, 1421 Crows Landing, 1349 Crows Landing, 1327 Crows Landing, 1413 Crows Landing, 1343 Crows Landing, 1337 Crows Landing, 1331 Crows Landing and 1333 Crows Landing.
(Owner Bill Caruso has signed an agreement to annex when requested to do so by City. The property is south of the Tuolumne River and is not contiguous to the City. A sewer line must be constructed to serve it. Resolution approving agreement needed)

ACTION: Res. 75-469 adopted approving agreement. (P/W to handle)

CONSENT

31. Resolution of intent to participate with the County of Stanislaus in a special census of residents within the jurisdictional boundaries of the City of Modesto.
(Memo and resolution with agenda. Estimated cost \$38,778 to be budgeted in 1975-76)

ACTION: Res. 75-470 adopted declaring intention to participate. (Clerk to handle)

REPORTS

32. Report regarding construction of multipurpose facility.
(Report concerning possible joint construction of multipurpose facility by the City of Modesto and the Modesto City Schools. Motion directing staff needed. Estimated cost \$165,000. Funds to be budgeted in 1975-76 C.I.P. budget)

ACTION: By motion (Elliott/Dunlap, maj. - Kullijian and Newton, no) intention declared to participate in construction. (P & R to handle)

33. Report - request of D.A.R. to install plaque on Museum.
(Report on request of the D.A.R. to install a plaque on McHenry Museum of Art and History in commemoration of the Bicentennial. Motion directing staff needed)

ACTION: By motion (Mensingher/Elliott, unan.) installation approved. (P & R to handle)

CONSENT

34. Presentation of financial statement for March 1975.
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

MISCELLANEOUS

35. Legislation.

ACTION: By motion (Dunlap/Elliott, unan.) AB 1375 supported. (C/Mgr to handle)

36. Appointments.

NONE

37. Matters too late for the agenda.

ACTION: David Dolan informed the Council of a meeting to be held at the McHenry Museum on April 16 at 7:00 P.M. to discuss preservation of historic buildings.

Adjournment at 10:00 P.M.

ATTEST:

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 21, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation by Reverend Jack Fix, United Brethren in Christ Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 6, 7, 8, 9, 10, 12, 17,
Item 25 dropped from agenda 18, 19, 21, 24, 26, 27, 28, 29,
Items 20, 22 and 23 removed from consent 30
Kullijian/Newton, unan.

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 14, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request for financial support from City of Modesto for airconditioning of Modesto High School Auditorium.

ACTION: By motion (Dunlap/Siefkin, maj. - Elliott and Davies, no) request referred to staff for study and report. (C/Mgr to handle)

3. Presentation by Greater Modesto Chamber of Commerce requesting an increase from 5% to 6% for Transient Occupancy tax to promote tourism.

ACTION: By motion (Elliott/Siefkin, unan.) staff directed to prepare necessary documents for the requested increase in the tax.
(C/Atty to handle)

4. Presentation by Edward Banderob, Sister-City Committee, concerning sending a man from the Modesto Fire Department to Barranquilla, Columbia to assist them in reorganization.

ACTION: By motion (Newton/Kullijian, unan.) request tabled as no one appeared to make the presentation.

BIDS

CONSENT

6. Consider acceptance of Joe Martin's contract for construction of waterlines in Veneman Avenue.
(Original contract \$45,926. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final contract cost \$52,319.40. Funds are budgeted)

ACTION: Res. 75-471 adopted accepting contract. (Clerk to handle)

CONSENT

7. Consider acceptance of Joe Martin's contract for construction of waterlines in Lincoln Square No. 2, Poppypatch No. 2, and Wyldewood No. 5.
(Original contract \$36,509.25. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final contract cost \$35,304.26 (Main \$31,614.26; Services \$3,690). Funds are budgeted)

ACTION: Res. 75-472 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider acceptance of Joe Martin's contract for construction of waterlines on Madison Street between Blocks 401 to 414.
(Original contract \$14,949.20. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final construction cost, \$15,057.30)

ACTION: Res. 75-473 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider approval of specifications and authorize call for bids to be opened May 27, 1975 at 2:00 P.M. for furnishing one or more 1500 GPM Fire Department pumpers.
(Memo with agenda. Resolution needed. Estimated cost \$90,000 or more. Funds are partially budgeted. Total amount will not be known until bids are received)

ACTION: Res. 75-474 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

10. Consider acceptance of Western Pipeline's contract for construction of subtrunk sewer in Carver Road - Cheyenne Way to Brixton Lane.
(Original contract \$15,609. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final contract cost \$13,951. Funds are budgeted)

ACTION: Res. 75-475 adopted accepting contract. (Clerk to handle)

11. Award contracts to Arons Building Wrecking Company and Knapp Excavators, Inc. for City Hall parking annex project.
(Memo with agenda. Arons' and Knapp's bids combined are \$82,536 of which the City is responsible for \$60,048 and Crocker National Bank, \$22,488. The bid is 33% lower than estimate of \$122,000. Resolutions awarding contracts to Arons Building Wrecking Company and Knapp Excavators, Inc. needed. Estimated cost \$60,048. Funds are budgeted) (Letter from Ernest J. Freggiaro requesting delay with agenda)

ACTION: Two resolutions (Elliott/Dunlap) awarding contracts failed as Councilmembers Kullijian, Mensinger, Newton, and Siefkin voted no.

By motion (Kullijian/Newton, carried) further consideration continued to May 5. (Clerk to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for construction of Pump Station No. 40 and Pump Station No. 41. (Suggested bid opening May 6, 1975 at 11:00 A.M. These pump stations will increase water supply and reduce line surges. Environmental assessments No. 73-62 and 73-123, showing negative declarations, were filed May 2, 1973. Memo with agenda. Resolution approving bid call needed. Estimated cost \$12,500 (\$9,700, contract; \$800 Engr., \$2,000, city forces). Funds are budgeted)

ACTION: Res. 75-476 adopted approving plans, specifications and bid call. (Clerk to handle)

HEARINGS

13. Hearing, application of Bertolotti Disposal Service for garbage license. 4:00 P.M.
(Continued from 1/20/75 and 3/3/75 meetings)

ACTION: By motion (Newton/Elliott, unan.) hearing continued to May 19, 1975 at 4:00 P.M.

14. Hearing on application of Ronald Driscoll and Diane Driscoll dba Orange Line Sanitation Co. for transfer of garbage license to Orange Line Sanitation Co., Inc. 4:05 P.M.

ACTION: Ord. No. 1448-C.S. introduced (Dunlap/Kullijian, unan.) granting license to Orange Line Sanitation Co., Inc. (Clerk to handle)

15. Hearing on commercial standards. 4:10 P.M.

ACTION: Res. 75-477 adopted (Dunlap/Siefkin, maj. - Elliott, no) adopting the Planning Commission's recommended policy for Satellite Commercial Areas with the addition of a provision that there shall be an annual review of the policy. (Planning to handle)

By motion (Dunlap/Siefkin, maj. - Elliott, no) staff and Planning Commission directed to study neighbor grids as to the possibility of locating major streets in the inside portions of neighborhoods rather than on the perimeters and to make a study of neighborhoods that would not qualify under the new policy and report to Council. (Planning to handle)

By motion (Elliott/Mensing, unan.) the following recommendations of the Planning Commission relating to Commercial Standards adopted:

- 1) Heavier density residential zoning in area on Oakdale Road between Scenic and Briggsmore is warranted but only as shown on the Commission's adopted zoning and development plans for the Rose Park and East Orangeburg Neighborhoods.
- 2) The recently revised Land Use and Circulation Elements of the General Plan raised from 5 - 7 to 7 - 9 acres, the acceptable size for neighborhood shopping centers. Seven to nine acres is adequate and should not be increased to 10 acres.
- 4) During land use hearings in October of each year, additional community shopping centers should be discussed along with sewer extensions and neighborhood plans.

15. Hearing on commercial standards, (continued)

4:10 P.M.

ACTION: 7) The following is the definition of strip commercial development:

"A melange of development, usually commercial, extending along both sides of a major street leading out of the center of a city. Usually a strip zone is a mixture of auto-oriented enterprises (e.g., gas stations, motels, and food stands); truck-dependent wholesaling and light industrial enterprises, along with the once-rural homes and farms overtaken by the haphazard leapfrogging of unplanned sprawl. Strip development, with its incessant turning movements in and out of each enterprise's driveway, has so reduced the traffic-carrying capacity of major highways leading out of urban centers that the postwar limited-access freeway networks have become a necessity. In zoning terms, a strip zone may refer to a district consisting of a ribbon of highway commercial uses fronting both sides of a major arterial route."

- 8) Because an office location policy is so inter-related with the downtown plan, the office location policy should be deferred until completion of the downtown plan.
- 9) Conduct a review of the timing of General Plan changes in relationship to zoning requests.

Res. 75-477A adopted (Elliott/Mensing, unan.) adopting the Planning Commission's recommendations concerning construction timing for neighborhood shopping centers.

Res. 75-477B adopted (Elliott/Mensing, unan.) adopting the Planning Commission's recommended policy for Community Shopping Centers.

16. Matters for the good of the community.

4:15 P.M.

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

NONE

ORDINANCES

CONSENT

17. Final adoption of the following:

- (a) Ord. No. 1446-C.S. relating to massage and bath establishments.

ACTION: By motion, Ord. No. 1446-C.S. adopted.

- (b) Ord. No. 1447-C.S. amending Section 23-3-9 of zoning map. (Tanner and Peterson)

ACTION: By motion, Ord. No. 1447-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

18. Resolution withdrawing McHenry-Woodrow Addition from the McHenry-Dry Creek Fire District.

(The McHenry-Woodrow Addition was annexed to the City of Modesto effective April 11, 1975. Resolution withdrawing from Fire District needed)

ACTION: Res. 75-478 adopted withdrawing McHenry-Woodrow Addition from McHenry-Dry Creek Fire Protection District. (Clerk to handle)

CONSENT

19. Resolution determining that the public interest and convenience require that McHenry-Woodrow Addition be annexed to Modesto Municipal Sewer District No. 1 and naming time and place for hearing. (This addition was annexed to the City effective April 11, 1975. It is now necessary to annex it to the Sewer District. Resolution setting June 9, 1975 at 7:30 P.M. for public hearing needed. Two-thirds affirmative needed)

ACTION: Res. 75-479 adopted setting hearing. (Clerk to handle)

20. Consider approval of agreement to purchase from James Price and Edward Johnson property needed for Dry Creek Park. (Memo with agenda. Resolution approving agreement and accepting grant deed needed. Estimated cost \$72,885. Funds are budgeted)

ACTION: Res. 75-480 adopted (Dunlap/Siefkin, maj. - Kullijian, no) approving agreement and accepting deed. (Clerk to handle)

CONSENT

21. Extend lease agreement with Sears Roebuck for city operation of parking lot on 10th between K and L Streets. (Sears has drafted a supplemental lease agreement extending the current expiration date from September 1, 1975 to February 28, 1977. The City operates the lot and Sears pays all expenses. Resolution approving the "First Agreement Supplementing Lease" with Sears needed)

ACTION: Res. 75-481 adopted approving First Agreement Supplementary Lease. (Clerk to handle)

22. Consider agreement with Modesto City Schools for acquisition of Neighborhood Park site - Scenic East Neighborhood. (Memo with agenda. Resolution approving agreement needed. Estimated cost \$48,500. Funds are budgeted)

ACTION: Res. 75-482 adopted (Dunlap/Siefkin, maj. - Kullijin, no) approving agreement. (Clerk to handle)

23. Consider purchase of remaining McClure property for Dry Creek Regional Park. (Memo with agenda. Resolution approving agreement and accepting deed needed. Estimated cost \$28,440. Funds are budgeted)

ACTION: Res. 75-483 adopted (Dunlap/Siefkin, maj. - Kullijian, no) approving agreement and accepting deed. (Clerk to handle)

CONSENT

24. Consider agricultural lease - C. J. Rumble and Sons - Northeast End Neighborhood Park. (Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-484 adopted approving lease agreement. (Clerk to handle)

25. Authorize City Manager to sign Standard Agreement with State and County for State to improve McHenry Avenue between Warren Way and Meily Way. (Project consists of widening McHenry Avenue. City agrees to provide 375 lineal feet of curb and to acquire a part of the right of way. Resolution approving agreement needed. Estimated cost \$2,000. Funds are budgeted)

DROPPED FROM AGENDA

CONSENT

26. Consider approval of agreement between the City of Modesto and Charles P. Fenley, et al. (Owners of real property located at the northwest corner of Oakdale Road and Wylie Drive wish to file a parcel map dividing the property into four parcels. The City Council on February 3, 1975 by Resolution No. 75-235 authorized the preparation of an agreement to defer payment of sanitary subtrunk sewer and storm drainage fees for these parcels for a period of five years, under certain conditions. The agreement has been prepared and signed by the property owners. Resolution approving agreement needed)

ACTION: Res. 75-485 adopted approving agreement. (Clerk to handle)

CONSENT

27. Consider request to repeal city ordinance prohibiting palm reading. (Copies of Mr. Steve John's letter and memos from the City Attorney and Finance Director with agenda. Motion denying request needed)

ACTION: By motion, request denied. (Clerk to handle)

CONSENT

28. Consider approval of final map of Woodglen Park No. 1 Subdivision of the City of Modesto and authorization of an agreement with subdividers as required by Section 4-4-.604(c) of the Modesto Municipal Code. (The agreement has been signed and all fees paid. This subdivision is located on the west side of Dale Road north of the Hahn Development. It contains 21.459 acres. Resolution approving final map needed)

ACTION: Res. 75-486 adopted approving final map. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

29. Consider appropriation transfer of \$6,100 for maintenance of street lights and traffic signals. (Memo with agenda. Resolution approving appropriation transfer from General Reserve needed)

ACTION: Res. 75-487 adopted approving appropriation transfer of \$6,100 from Account 60-101 to Account 320-43-101. (Finance to handle)

CONSENT

30. Appropriation transfer of \$5,000 to provide for West Trunk Engineering Study. (To provide for the West Trunk Engineering Study contained in the agreement with Jenks and Adamson dated December 23, 1974 (Resolution 74-1172). Funds covering this study should have been included, but were omitted from the original amount approved by Council Resolution 75-271. Resolution approving transfer needed)

ACTION: Res. 75-488 adopted approving appropriation transfer of \$5,000 from Account 60-212 to Account 6615-212. (Finance to handle)

MISCELLANEOUS

31. Legislation.

ACTION: By motion (Dunlap/Elliott, unan.) SB 275 opposed unless amendments are made concerning supervisory employees and limit on scope of bargaining are made.

31. Legislation, (continued)

ACTION: By motion (Dunlap/Kullijian, unan.) AB 307 opposed,
By motion (Mensingers/Newton, unan.) AB 306 opposed. (C/Mgr to handle)

32. Appointments.

ACTION: Res. 75-489 adopted (Mensingers/Dunlap, unan.) making the following appointments to Council Committees:

Economic Development Action Committee	Newton
City-County Police Services Study Committee	Kullijian Newton
Stanislaus County Highway Advisory Committee	Siefkin Newton (Alt)
City-County Committee	Mensingers Elliott
Tuolumne River Regional Park Plan Committee	Dunlap Siefkin
Public Projects Committee	Dunlap (Chmn) Elliott Siefkin
Chamber of Commerce Board of Directors Liaison	Elliott
League of California Cities; Central Valley Division Executive Committee	Elliott Newton (Alt)
Stanislaus Area Association of Governments	Dunlap Kullijian Mensingers Elliott (Alt) Newton (Alt) Siefkin (Alt)
Stanislaus Area Association of Governments Executive Committee	Mensingers
Sister City Committee Liaison	Dunlap
California Council on Criminal Justice	Newton
Local Agency Formation Commission	Siefkin
Ancillary Manpower Planning Board #5	Elliott
City-County Transportation Study Committee	Kullijian Mensingers
Council-Supervisors Liaison Committee	Davies Newton

Res. 75-490 adopted (Elliott/Dunlap, unan.) appointing Jim Madison to the Culture Commission to replace Roy H. Hall for a term ending January 1, 1978 and appointing Gene W. Anderson as a member of the Culture Commission. (Clerk to handle)

33. Matters too late for the agenda.

ACTION: Councilmember Mensinger recommended that consideration be given to a change in the procedure for making appointments.

By motion (Kullijian/Mensing, unan.) City Manager requested to look into the possibility of a special dinner meeting May 5 to discuss Council priorities. (C/Mgr to handle)

Adjournment at 7:15 P.M. to the Sundial for a dinner meeting to discuss the preparation, adoption and implementation of a Social Services Element of the General Plan.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 28, 1975 AT 7:30 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag

Invocation by Reverend Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 6, 7, 8, 14, 17,
Items 15, 16, and 20 removed from consent 18, 19, 21, 22, 23
Item 13 dropped from agenda
Newton/Dunlap, unan.

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 21, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Presentation by Edward Banderob, Sister-City Committee, concerning sending a man from Modesto Fire Department to Barranquilla, Colombia, to assist their fire department.

ACTION: By motion (Elliott/Siefkin, unan.) action delayed pending receipt of answers to questions to be included in letter from City Manager to Barranquilla. (C/Mgr to handle)

3. Request of Tony Valenzuela for change in city ordinance re family amusement arcades.

ACTION: By motion (Dunlap/Kullijian, unan.) request referred to staff for study and report to Council. (C/Mgr to handle)

BIDS

CONSENT

4. Consider acceptance of Robco Construction Co.'s contract for construction of waterlines in Carver Village. (Original contract \$63,870.20). All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final contract cost \$59,265.61 (Main \$55,107.61; Services \$4,158). Funds are budgeted)

ACTION: Res. 75-491 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for construction of waterlines in Lincoln Square No. 3 Subdivision. (Suggested bid opening May 13, 1975 at 11:10 A.M. Cost and revenues: Construction, \$16,782; Connection charges, \$10,120; Net Revenue, \$800. Resolution approving bid call needed. Estimated cost: \$16,782 (\$6,232 Contract, \$10,550 Matl. & Engr.). Funds are budgeted)

ACTION: Res. 75-492 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

6. Consider approval of specifications and authorize call for bids to be opened May 15, 1975 at 2:00 P.M. for furnishing annual requirements of liquid and emulsified asphalts. (Resolution needed. Estimated cost \$21,500. Funds are budgeted)

ACTION: Res. 75-493 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

7. Consider acceptance of Flintkote Co.'s contract for grading, concrete construction and paving at Sutter Park. (Original contract \$66,751. All work on this project has been completed to the satisfaction of the Parks and Recreation and the Public Works Departments. It would be in order to accept the work as complete and record the notice of completion. Resolution accepting work as complete needed. Final contract cost \$69,130.50. Funds are budgeted)

ACTION: Res. 75-494 adopted accepting contract. (Clerk to handle)

CONSENT

8. Approve plans, specifications and call for bids for telemetering lift stations. (Suggested bid opening May 13, 1975 at 11:00 A.M. Memo with agenda. Resolution approving plans, specifications and call for bids, and resolution waiving formal bid procedure for purchase of Larse Status Monitoring units needed. Estimated cost \$5,300 (Contract \$4,610; Engr. \$690). Funds are budgeted.) (Larse Units, \$10,255.00)

ACTION: Res. 75-495 adopted approving plans, specifications and bid call. (Clerk to handle)

Res. 75-496 adopted waiving formal bid procedure for purchase of Larse Status Monitoring Units. (P/W to handle)

HEARINGS

9. Hearing on annexation of Coffee-Floyd No. 3 Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

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

Res. 75-497 adopted (Dunlap/Elliott, unan. - Kullijian, absent) annexing Coffee-Floyd No. 3 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

10. Hearing on annexation of Orangeburg-Lakewood Addition to Modesto Municipal Sewer District No. 1.

ACTION: Res. 75-498 adopted (Dunlap/Newton, unan.) annexing Orangeburg-Lakewood Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

11. Hearing on amendment to Section 19-3-9 of zoning map to rezone from R-2 and R-3 to P-D to allow development of a shop building on property located at the northwest corner of Clayton and Martin Avenues. (Leroy Hemple) 7:35 P.M.

ACTION: Ord. No. 1449-C.S. introduced (Mensing/Siefkin, unan.) (Clerk to handle)

Res. 75-499 adopted (Mensing/Siefkin, unan.) approving development plan.

Res. 75-500 adopted (Mensing/Siefkin, unan.) directing Director of Planning to file Notice re Environmental Impact. (Planning to handle)

12. Matters for the good of the community. (These may be presented by interested citizens in the audience) 7:40 P.M.

ACTION: Paul Lavine, member of the Farm-City Advisory Committee, was introduced. He suggested that people having out of town visitors to buy lunches and eat them in the City parks.

ORDINANCES

13. Final adoption of Ord. N. 1448-C.S. - Orange Line Sanitation Co., Inc.) (Motion adopting needed)

DROPPED FROM AGENDA

CONSENT

14. Consider massage establishment ordinance. (Memo with agenda. Introduction of ordinance needed)

ACTION: By motion, Ord. No. 1450-C.S. introduced. (Clerk to handle)

UNFINISHED BUSINESS

15. Further consideration of El Vista turning lanes/no parking zones. (Memo with agenda. The installations seem necessary unless residents present conflicting data. Motion approving recommendation needed)

ACTION: By motion (Elliott/Dunlap, unan.) staff directed to continue as at present but to continue to watch the situation. (P & T to handle)

NEW BUSINESS

16. Request of McHenry Village Shopping Center for the City of Modesto to sign an Amendment to Declaration of Easement. (Memo with agenda. Resolution authorizing City Manager to sign and the City Clerk to attest the amendment to declaration of easement)

ACTION: (Councilmember Dunlap was excused from consideration of this item due to a conflict of interest. Res. 75-501 adopted (Newton/Elliott, unan. - Dunlap, absent) authorizing signing. (Clerk to handle)

CONSENT

17. Request of Don Mantarro for permission to pay costs of installation of sidewalk on the installment basis and amending Resolution 74-12 (\$703.75).
(Staff recommends payment over a ten year period. The property is located at 715 Sycamore. Resolution approving time payment needed. Funds are budgeted.)

ACTION: Res. 75-502 adopted amending Resolution 74-12 to provide for payment over a ten year period. (Finance to handle)

CONSENT

18. Consider establishing a new metered rate for water service to State Department of Transportation.
(Memo with agenda. Resolution establishing new metered water service rate to Department of Transportation needed)

ACTION: Res. 75-503 adopted establishing a new metered rate. (P/W to handle)

CONSENT

19. Consider approval of new letter of agreement concerning emergency service to the Modesto City-County Airport/Harry Sham Field.
(A recent review of the Modesto Airport Emergency Service agreement has been completed and it is desired that a new letter of agreement be executed. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-504 adopted approving agreement. (P/W to handle)

20. Consider revocation of encroachment permit granted to Gerald Schweitzer.
(Memo with agenda. Resolution needed. Estimated cost \$3,200 paving, curb and gutter; \$1,100 to remove brine lines. Funds to be requested later from Fund 6660-41-321, Misc. Resurfacing. Reason for delaying: Depends on action taken by Mr. Schweitzer)

ACTION: By motion (Dunlap/Mensing, unan.) referred back to staff for study of work to be done and how to finance it. (P/W to handle)

CONSENT

21. Consider approval of grant contract from the State Water Resources Control Board for the funding of an areawide facilities plan.
(Memo with agenda. Resolution authorizing City Manager to execute grant contract on behalf of City and resolution approving appropriation transfer of \$25,000 needed. Estimated cost \$25,000. Funds are partially budgeted)

ACTION: Res. 75-505 adopted authorizing City Manager to execute grant contract. (P/W to handle)

Res. 75-506 adopted approving appropriation transfer of \$25,000 from Account 60-212 to Account 6615-212. (Finance to handle)

REPORTS

CONSENT

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

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

23. Uninhabited annexation to the City of Modesto - East Orangeburg No. 6 Addition.
(The LAF Commission has authorized this annexation without notice or public hearing - April 18, 1975. Resolution approving annexation needed)

ACTION: Res. 75-507 adopted annexing East Orangeburg No. 6 Addition to City. (Clerk to handle)

MISCELLANEOUS

24. Legislation.

ACTION: By motion (Elliott/Dunlap, unan.) SB 189 opposed.
By motion (Mensinger/Newton, unan.) AB 901 opposed as amended but original bill supported.
By motion (Dunlap/Newton, unan.) SB 662 opposed.
By motion (Kullijian/Dunlap, unan.) SB 636 opposed.
By motion (Dunlap/Davies, maj. - Mensinger and Siefkin, no) AB 1074 opposed.
(C/Mgr to handle)

25. Appointments.

NONE

26. Matters too late for the agenda.

ACTION: The Councilmembers were requested to inform the Clerk whether or not they planned to ride in the Apricot Fiesta Parade in Patterson on May 31. (Clerk to handle)

The Councilmembers and the City Manager and their spouses were invited to attend the Trade Club meeting on May 6 as this night is designated as Modesto Night. (C/Mgr to handle)

By motion (Mensinger/Siefkin, unan.) C/Atty authorized to be a member of the League Legal Advocacy Team for a three year term.
(C/Atty to handle)

27. The Council retired to executive session at 9:00 P.M. to discuss acquisition of real property. It was announced that the Council would not return to open meeting.

Adjournment at 9:00 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 5, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - Roll call vote required: Items 1, 2, 3, 4, 6, 7, 8, 9, 10,
Items 5, 20 and 24 removed from consent 13, 15, 16, 17, 19, 21, 23, 25,
Item 18 dropped 26, 27, 28, 29, 30, 31, 33(a)
Kullijian/Newton, unan.)

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 28, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal by Horn Construction Co. to Planning Commission denial of request for rezoning of property southeast corner of Lakewood and Laramie Drive from R-1 to R-2.
(Resolution setting May 27, 1975 at 7:30 P.M. for hearing needed)

ACTION: Res. 75-508 adopted setting hearing. (Clerk to handle)

CONSENT

3. Request of Downtown Improvement District for use of sidewalks for Spring Sidewalk Sale May 15, 16 and 17.
(Resolution granting request needed)

ACTION: Res. 75-509 adopted granting request. (Clerk to handle)

BIDS

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened May 20, 1975 at 2:00 P.M. for furnishing annual requirements of ready-mixed concrete.
(Resolution needed. Estimated cost \$5,500. Funds are budgeted)

ACTION: Res. 75-510 adopted approving specifications and bid call.
(Clerk to handle)

5. Consider approval of plans and specifications and call for bids for construction of T-Hangar "G" at Modesto City-County Airport/ Harry Sham Field.
(Suggested bid opening May 20, 1975 at 11:10 A.M. Memo with agenda. Resolution approving plans, specifications and bid call, and resolution establishing rental rate needed. Estimated cost \$95,590 (\$92,590 Const., \$3,000 Eng. & Insp.)

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

Res. 75-511 adopted (Elliott/Mensing, unan. - Kullijian, absent) approving plans, specifications and bid call. (Clerk to handle)

By motion (Elliott/Mensing, unan.) staff directed to restudy rental rates for all T-Hangars. (P/W to handle)

CONSENT

6. Consider approval of plans, specifications and call for bids for construction of waterline extension on Mable Avenue to the Mable Ave. School.
(Suggested bid opening date May 20, 1975 at 11:15 A.M. This project will supply water to the proposed school site. Resolution approving bid call needed. Estimated cost \$12,532 (\$9,362, Constr; \$2,900 Matl. & Engr. Funds are budgeted)

ACTION: Res. 75-512 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

7. Approve plans and specifications and call for bids for construction of Parking Area - West Side of Fire Station No. 5.
(Bid opening May 20, 1975 at 11:00 A.M. This is part of the improvements required for the expansion of Fire Station No. 5. The environmental assessment indicating no significant environmental effects was approved by the Environmental Assessment Committee on December 22, 1972. Resolution approving plans and specifications and bid call needed. Estimated cost \$12,900 (Contract \$10,750; Engr. \$2,150) Funds are budgeted)

ACTION: Res. 75-513 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

8. Approve plans and specifications and authorize staff to seek bids for installation of traffic signals and street light on Downey Street between I Street and McHenry Ave.
(Completion date is December 5, 1975. Memo with agenda. Resolution approving plans, specifications and setting June 3, 1975 at 2:00 P.M. for receiving bids needed. Estimated cost \$9,500. Funds are budgeted)

ACTION: Res. 75-514 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

9. Consider award of contract for construction of Davis Park picnic area.
(Bids were opened April 29, 1975. The low bid of \$50,369 submitted by William Mineni, which is 22.5% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$50,369.00. Funds are budgeted)

ACTION: Res. 75-515 adopted awarding contract to William Mineni. (P/W to handle)

CONSENT

10. Consider acceptance of Modesto Sand & Gravel's contract for demolition of two-story residence at 2900 River Road. (Original contract \$3,675. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost \$3,975)

ACTION: Res. 75-516 adopted accepting contract. (Clerk to handle)

HEARINGS

11. Hearing on appeal by Peter Decker to Board of Zoning 4:00 P.M.
Adjustment denial of variance to permit parking lot in R-1 zone at northwest corner of McHenry and Roseburg. (Applicant has requested permission to withdraw his appeal. Motion granting request needed)

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

By motion (Siefkin/Newton, unan. - Mensinger, absent) request granted.

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

NONE

ORDINANCES

CONSENT

13. Final adoption of the following:
(Three motions adopting needed)

(a) Ord. No. 1448-C.S. (Orange Line Sanitation Co., Inc., license)

ACTION: By motion, Ord. No. 1448-C.S. adopted.

(b) Ord. No. 1449-C.S. (Amendment to Section 19-3-9, Hemple)

ACTION: By motion, Ord. No. 1449-C.S. adopted.

(c) Ord. No. 1450-C.S. (Massage establishments).

ACTION: By motion, Ord. No. 1450-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

14. Further consideration of award of contracts for City Hall parking annex.
(If Council wishes to proceed with the project, a resolution awarding contract to Arons Building Wrecking Co. and resolution awarding contract to Knapp Excavators, Inc. is required. Letter from David Dolan requesting public hearing on this subject with agenda)

ACTION: Res. 75-517 adopted (Elliott/Kullijian, maj. - Mensinger, Newton and Siefkin, no) awarding contract to Knapp Excavators, Inc. for fill of basements and the construction of a vehicular parking lot on Lots 17 through 22, inclusive, of Block 69 of the City of Modesto.

Res. 75-518 adopted (Elliott/Kullijian, maj. - Mensinger, Newton and Siefkin, no) awarding contract to Arons Building Wrecking Co. for demolition of buildings on Lots 17 through 22, inclusive, of Block 69 of the City of Modesto. (P & T to handle)

NEW BUSINESS

CONSENT

15. Property acquisition - Brighton Avenue right of way, 1501 Locke Road, Lamon Wright.
(This property located at the northeast corner of the intersection of Brighton and Locke is required for the extension of Brighton Ave. from Coffee Road to Scenic. The purchase price agrees with the appraisal obtained by the City. Resolution accepting offer to sell to City needed. Estimated cost \$16,000. Funds are budgeted)

ACTION: Res. 75-519 adopted accepting offer. (Clerk to handle)

CONSENT

16. Increase bus service petty cash account from \$104 to \$152.
(The City provides a change fund of \$8.00 for each bus driver. Six new drivers are being hired, making a total of 19 drivers. Resolution increasing petty cash fund from \$104 to \$152.00 needed)

ACTION: Res. 75-520 adopted increasing petty cash fund. (Finance to handle)

CONSENT

17. Application by United Air Lines seeking authority from the Public Utilities Commission to increase certain of its intrastate passenger fares.
(Memo recommending no action with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

18. Resolution authorizing the institution of condemnation proceedings to acquire property in the City of Modesto to be used for the Sonoma Storm Drain from Dr. C. R. Maino, et al.
(Memo with agenda. Resolution needed)

DROPPED FROM AGENDA

CONSENT

19. Consider approval of final map of the resubdivision of Block 2850 of Lincoln Square No. 2 subdivision.
(All fees have previously been paid as a condition of approving the final map of Lincoln Square No. 2 Subdivision. This final map was needed in order to remove the existing building setback line along Lincoln Avenue. This subdivision is located on the east side of Lincoln Ave. north of Yosemite Blvd. It contains 1.466 acres. Resolution approving the resubdivision of Block 2850 of Lincoln Square No. 2 Subdivision needed)

ACTION: Res. 75-521 adopted approving final map. (Clerk to handle)

20. Consider quit claim easement at the Vintage Faire shopping center back to the property owner.
(A trunk sanitary sewer is being relocated and a new easement has been granted. Memo with agenda. Resolution needed)

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

(Kullijian/Elliott, unan. - Dunlap, absent)

Res. 75-522 adopted/approving granting quit claim easement deed.
(Clerk to handle)

CONSENT

21. Consider authorizing staff to arrange for State Bridge Department to look into alternatives directed toward utilization and/or reconstruction of existing Seventh Street bridge.
(Memo with agenda. Resolution authorizing staff to proceed, and resolution approving appropriation transfer needed)

ACTION: Res. 75-523 adopted authorizing staff to proceed. (P/W to handle)
Res. 75-524 adopted approving appropriation transfer of \$4,000 from Account 6704-01-207 to Account 6752-01-207. (Finance to handle)

22. Presentation of 1975-76 preliminary budget.
(Copies of the budget will be distributed at council meeting. The Council must set a date for formal public hearing-June 9 at 7:30 P.M. is recommended-and establish a schedule for review of budget and the six-year capital improvement program 1975-76 through 1980-81. Last year the Council met on Tuesdays and Thursdays at 4:00 P.M. to 5:30 P.M. until review was completed. Resolution setting public hearing and motion establishing procedure for review of budget and Capital Improvement Program needed)

ACTION: Res. 75-525 adopted (Dunlap/Elliott, unan.) setting June 9 at 7:30 P.M. for hearing. (Clerk to handle)

By motion (Dunlap/Elliott, unan.) Tuesday and Thursday from 4:00 P.M. to 5:30 P.M. set for budget and C.I.P. review.

CONSENT

23. Planning Commission recommendation - Capital Improvement Program, 1975-76 through 1980-81.
(See Planning Commission Resolution No. 75-36 and tabulation of Capital Projects. Motion acknowledging receipt of Commission recommendation on the C.I.P. and referring C.I.P. to appropriate budget session needed)

ACTION: By motion, receipt of recommendation acknowledged and C.I.P. referred to appropriate budget session. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

24. Uninhabited annexation to the City of Modesto - North Carver No. 1 Addition.
(The IAF Commission has authorized this annexation without notice or public hearing - December 6, 1974. Resolution approving annexation needed)

ACTION: Res. 75-526 adopted (Kullijian/Elliott, unan.) annexing North Carver No. 1 to City of Modesto. (Clerk to handle)

CONSENT

25. Recommend the granting of an unclassified use permit to Modesto City Schools to allow continuation of a single mobilehome and residence on the Downey High School site located between Coffee Road and Brighton Avenue, south of Downey Park.
(On April 22, 1975, the Planning Commission adopted Resolution No. 75-68 recommending to the Council the granting of an unclassified use permit to Modesto City Schools. Resolution setting May 27, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. 75-527 adopted setting hearing. (Clerk to handle)

CONSENT

26. Recommend the granting of an unclassified use permit to Modesto City Schools to allow continuation of a single mobilehome and residence on the Roosevelt School site located on the southeast corner of College Avenue and West Orangeburg Avenue.
(On April 22, 1975, the Planning Commission adopted Resolution No. 75-67 recommending to the Council the granting of an unclassified use permit to Modesto City Schools. Resolution setting May 27, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. 75-528 adopted setting hearing. (Clerk to handle)

CONSENT

27. Recommending amendment to Section 15-3-9 of zoning map (Harley D. Brannan).
(On April 22, 1975, the Planning Commission adopted Resolution No. 75-66 recommending an amendment to Section 15-3-9 of the zoning map to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2. Resolution setting May 27, 1975 at 7:40 P.M. for public hearing needed)

ACTION: Res. 75-529 adopted setting hearing. (Clerk to handle)

CONSENT

28. Recommend amendment to Section 7-3-9 of zoning map (Exxon Company, U.S.A.).
(On April 22, 1975, the Planning Commission adopted Resolution No. 75-65 recommending an amendment to Section 7-3-9 of zoning map (Exxon Company, U.S.A.) Resolution setting May 27, 1975 at 7:40 P.M. for public hearing needed)

ACTION: Res. 75-530 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommending amendment to Sections 31-3-9 and 6-4-9 of zoning map (Paradise Road)
(On April 22, 1975, the Planning Commission adopted Res. 75-61 recommending amendment to Sections 31-3-9 and 6-4-9 of zoning map to prezone to R-2 and R-1 properties located in the Paradise Road area between Ellen and Vernon Avenues. Resolution setting May 27, 1975 at 7:45 P.M. for public hearing needed)

ACTION: Res. 75-531 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend amendment to the Modesto Urban Area General Plan (Safety, Scenic Highways, and Seismic Safety Elements)
(On April 22, 1975, the Planning Commission adopted Resolution No. 75-62 recommending an amendment to the Modesto Urban Area General Plan (Safety, Scenic Highways, and Seismic Safety Elements). Resolution setting June 2, 1975 at 4:00 P.M. for public hearing needed)

ACTION: Res. 75-532 adopted setting hearing. (Clerk to handle)

CONSENT

31. Recommend permanent closure of Oxford Way at Sunrise Avenue.
(On April 22, 1975, the Planning Commission adopted Resolution No. 75-63 recommending this closure to Council. Resolution setting June 2, at 4:05 P.M. for public hearing needed)

ACTION: Res. of Int. 353 (1307-S.P.) adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

32. Legislation.

(a) SB 839

ACTION: By motion (Dunlap/Mensing, unan.) SB 839 supported.

(b) Other.

ACTION: By motion (Kullijian/Dunlap, maj.) AB 86 opposed,
By motion (Kullijian/Dunlap, maj.) AB 1724 opposed,
By motion (Kullijian/Dunlap, unan.) AB 119 opposed,
By motion (Elliott/Dunlap, unan.) SB 1112 supported,
By motion (Dunlap/Kullijian, unan.) AB 302 opposed,
By motion (Kullijian/Dunlap, unan.) AB 331 opposed,
By motion (Dunlap/Mensing, unan.) AB 828 opposed.
(C/Mgr to handle)

33. Appointments.

CONSENT

(a) Rescind appointment of Gene W. Anderson as member of the Culture Commission.
(Memo with agenda. Resolution needed)

ACTION: Res. 75-533 adopted rescinding appointment. (Clerk to handle)

(b) Others.

NONE

34. Matters too late for the agenda.

ACTION: The Council was informed of a meeting to be held in the Council Chambers on Thursday, May 8 at 7:30 P.M. to discuss cat and dog problems.

Adjournment at 5:40 P.M. to executive session to discuss litigation and then to the Sun Dial for a dinner meeting and a discussion of priorities and the method of making appointments.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 12, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.

Invocation by Reverend Ben Jennings, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9,
Items 18 and 22b dropped from agenda 10, 12, 13, 14, 15, 16, 17, 19,
Dunlap/Elliott, unan. 20, 21, 22a, 23, 24, 25

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 5, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Resignation of Reverend Ben Jennings as a member of the Human Rights Commission.
(Resolution accepting with regret needed)

ACTION: Res. 75-534 adopted (Mensinger/Kullijian, unan.) accepting resignation with regret. (Clerk to handle)

Mayor Davies then presented Reverend Jennings with a Service Award.

BIDS

CONSENT

3. Consider approval of specifications and authorize call for bids to be opened May 27, 1975 at 2:15 P.M. for annual requirements of lamps for municipal lighting for one (1) year ending June 30, 1976.
(This is a cooperative venture and includes the needs of Modesto City Schools, City of Modesto, Stanislaus County, and Yosemite Junior College District, representing \$66,185.00 list price value. Resolution needed. Estimated cost \$12,800, City of Modesto. Funds are budgeted)

ACTION: Res. 75-535 adopted approving specifications and bid call,
(Clerk to handle)

CONSENT

4. Consider approval of plans, specifications and call for bids for construction of automatic fire sprinkler system in the basement of the Senior Citizens Building.
(Bid opening May 27, 1975 at 11:00 A.M. Resolution needed. Estimated cost \$5,800 (\$5,000 Const., \$800.00 Engr.). Funds are budgeted)

ACTION: Res. 75-536 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

5. Consider rejection of all bids for construction of sludge drying bed modifications and approval of revised plans, specifications and call for bids for construction of sludge drying bed modifications. (Bid opening May 27, 1975 at 11:10 A.M. This project is exempt from an environmental assessment and has a Class I(d) exemption. Memo with agenda. Resolution rejecting bids and resolution approving new bid call needed. Estimated cost \$28,025 (\$17,325 Const., \$10,700 Mat'l and Engr.) Funds in amount of \$21,000 budgeted. Additional funding will be requested after bid opening)

ACTION: Res. 75-537 adopted rejecting bids. (P/W to handle)

Res. 75-538 adopted approving revised plans, specifications and new bid call. (Clerk to handle)

CONSENT

6. Consider approval of plans, specifications and call for bids for construction of waterlines for Sonoma Plaza No. 1 Subdivision. (Suggested bid opening May 27, 1975 at 11:25 A.M. Cost and Revenues: Construction, \$28,106; Connection charges, \$17,820; New Revenue \$1,409. Resolution approving bid call needed. Estimated cost \$28,106 (\$10,622 Const.; \$17,484, Mat'l. & Engr.)

ACTION: Res. 75-539 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

7. Consider approval of plans, specifications and call for bids for construction of waterlines in Lakewood Gardens No. 1 Subdivision. (Suggested bid opening May 27, 1975 at 11:20 A.M. Costs and Revenues, Construction, \$34,206; Connection charges, \$12,150; Net Revenue, \$1,409. Resolution approving bid call needed. Estimated cost \$34,206 (\$22,427, Const; \$11,779, Mat'l & Engr.) Funds are budgeted.

ACTION: Res. 75-540 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

8. Consider approval of plans, specifications and call for bids for construction of Kearney Ave. Waterline between Coldwell Ave. and Princeton Ave. (Suggested bid opening May 27, 1975 at 11:15 A.M. This is a water strengthening project. This project has a Class I(d) exemption from an environmental assessment. Resolution approving bid call needed. Estimated cost \$20,660 (\$17,560 contract; \$3,100 Mat'l & Engr.)

ACTION: Res. 75-541 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

9. Consider acceptance of Joe Martin's contract for construction of waterlines in Carver Glen Subdivision. (Original contract \$27,134. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution needed. Final contract cost \$27,119.60; (Main \$23,999.60; Services \$3,120)

ACTION: Res. 75-542 adopted accepting contract. (Clerk to handle)

CONSENT

10. Consider acceptance of Ferrero Electric's contract for revised street light circuit on McHenry Ave. between Baker Way and Fairmont Ave. (Original contract \$8,530. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Final Contract cost \$8,530. Funds are budgeted)

ACTION: Res. 75-543 adopted accepting contract. (Clerk to handle)

HEARINGS

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

ACTION: Henry George spoke of poor treatment he had received at the hands of the police, sheriff and jail staff and the district attorney.

By motion (Newton/Kullijian, unan.) the following policy concerning use of amplification of music in parks was adopted:

It is the policy of the City of Modesto that no amplification of musical instruments is permitted outdoors in parks and on other public property in the City of Modesto; however, the City Council reserves the right to approve the use of amplified musical instruments in conjunction with and as part of a community-wide celebration held on an annual basis to celebrate an established event, such as an ethnic festival, if such amplified musical instruments will be played in a location and the volume thereof can be controlled in such manner so that the instruments will not unreasonably disturb or annoy the peace and quiet of the persons residing in the areas adjoining such location and the volume will conform with the decible limits set forth in the City of Modesto's noise regulations contained in Sections 4-9.101 et seq. of the Modesto Municipal Code.

The demolition of the buildings on 10th Street across the alley from City Hall was again discussed but no Council action taken.

ORDINANCES

CONSENT

- 12.a) Ordinance amending Section 8-2.603 of the Municipal Code relating to transient occupancy tax.
- b) Agreement between City and Chamber of Commerce relating to developing tourism potentials.
- c) Letter from Chamber of Commerce relating to its budget request. (At the Council meeting April 21, 1975, the Council considered the Chamber of Commerce's request for a 1% increase in the transient occupancy tax for purposes of establishing a tourism promotion fund. This ordinance would increase the transient occupancy tax by 1% as proposed and a copy of the proposed agreement and the Chamber's budget request for 1975-76 are being transmitted with the agenda. (a) Motion introducing ordinance; (b) Adoption of resolution approving agreement; (c) Motion referring budget request to appropriate budget session)

ACTION: Ord. No. 1451-C.S. introduced.

Res. 75-544 adopted approving agreement. (Clerk to handle)

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

NEW BUSINESS

CONSENT

13. Consider approval of annual recreation agreement between County of Stanislaus and City of Modesto.
(This agreement is similar to agreements entered into between the County and City in previous years. The agreement provides that the County will allocate and transfer to the City \$25,551.21 for expenditure by the City on community recreation for the fiscal year 1974-75. This is an increase of \$9,681.80 from last year's allocation. Resolution approving agreement needed)

ACTION: Res. 75-545 adopted approving agreement. (Clerk to handle)

CONSENT

14. Authorize City Manager to sign standard agreement with State and County for State to improve McHenry Avenue. City agrees to provide 375 lineal foot of curb and to acquire a part of the right of way. Resolution approving agreement needed. Estimated cost \$2,000. Funds are budgeted)

ACTION: Res. 75-546 adopted approving agreement. (Clerk to handle)

CONSENT

15. Right of way agreement - McHenry Avenue - Spiro D. Mellis et al.
(Right of way is being dedicated to the City for widening of McHenry Avenue at no cost for the land. The City expense will be for installation of curbs and gutters. Street construction will be done by Department of Transportation. Resolution approving agreement and accepting grant deed needed)

ACTION: Res. 75-547 adopted approving agreement and accepting grant deed.
(Clerk to handle.)

CONSENT

16. Consider formal application to Public Utilities Commission asking them to order crossing gates at Bowen, Granger and Roseburg at the Tidewater Southern tracks.
(Crossing gates are needed and the City has budgeted its share of the cost since 1973. Memo with agenda. Resolution authorizing City Manager to sign and submit application needed. Estimated cost \$39,000. Funds are budgeted)

ACTION: Res. 75-548 adopted approving submission of applications.
(P & T to handle)

CONSENT

17. Amendment to 1974-75 operating budget to provide money for Junior Golf Program.
(Memo with agenda. Resolution amending budget needed)

ACTION: Res. 75-549 adopted amending budget. (Finance to handle)

18. Consider three year lease with United Air Lines setting forth rates and charges for facilities used and landing fees at the Modesto City-County Airport/Harry Sham Field.
(Memo with agenda. Resolution approving agreement needed)

ACTION: DROPPED FROM AGENDA

CONSENT

19. Resolution authorizing the institution of condemnation proceedings to acquire property in the City of Modesto to be used for the Sonoma Storm Drain from Dr. C. R. Maino, et al.
(Staff has been unable to obtain needed easements for storm drain. Resolution needed. Estimated cost \$2,360. Funds are budgeted)

ACTION: Res. 75-550 adopted authorizing condemnation proceedings.
(C/Atty to handle)

CONSENT

20. Consider request for sewer service to property at 1517 Queens Ave. located on the west side of Queens Avenue between E. Coolidge and Briggsmore Ave.
(Property owners John Martin Pereira and Sharon L. Pereira have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits; however, a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 75-551 adopted approving agreement. (P/W to handle)

CONSENT

21. Resolution authorizing institution of condemnation proceedings to acquire property on Crows Landing Road for right of way. (Manford Marshall, et al).
(This property is needed for widening of Crows Landing Road. The City previously obtained right of entry in order that the project could proceed, and has been attempting to negotiate a settlement. A settlement has not been possible. It is therefore necessary to commence condemnation proceedings. Resolution needed)

ACTION: Res. 75-552 adopted authorizing condemnation proceedings.
(C/Atty to handle)

22. Areawide Facilities Plan Project.

CONSENT

- (a) Consider approval of grant amendment from the U.S. Environmental Protection Agency to increase our Step 1 Grant for preparation of Areawide Facilities Plan Project Report by an amount of \$25,000.
(Resolution approving grant amendment needed)

ACTION: Res. 75-553 adopted approving grant amendment. (P/W to handle)

- (b) Consider approval of agreement between J. B. Gilbert & Associates and the City for preparation of an Environmental Impact Report for the Area Wide Facilities Plan Project Report.
(Memo with agenda. Resolution approving agreement needed)

DROPPED FROM AGENDA

REPORTS

CONSENT

23. Presentation of financial statement for April 1975.
(Copies of report will be presented at meeting. Motion accepting report needed)

ACTION: By motion, report accepted.

CONSENT

24. Quarterly report, January 1, 1975 to March 31, 1975 on Ecology Action curbside recycling program.
(The salvageable waste license issued to Ecology Action requires periodic reports on their activities. Their report for the first quarter of 1975 is submitted to Council indicating tonnages and income generated for that period. Motion accepting report needed)

ACTION: By motion, report accepted.

CONSENT

25. Notice of P G & E application for a gas rate increase.
(Memo with agenda. Rates would go up 3.2% on 9/1/75. The increase amounts to about \$31,594,000 per year. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

26. Legislation.

ACTION: By motion (Kullijian/Mensing, unan.) AB 1485 supported.
(C/Mgr to handle)

27. Appointments.

ACTION: Res. 75-554 adopted (Dunlap/Siefkin, unan.) appointing Maryco Graff, Tina Snyder and Dale Davis as members of the Modesto Bicentennial Committee. (Clerk to handle)

By motion (Mensing/Newton, unan.) Councilmembers Dunlap and Siefkin named as a committee to study procedure for making appointments. Mayor Davies then presented his charge to this committee.

28. Matters too late for the agenda.

ACTION: Res. 75-555 adopted (Dunlap/Mensing, unan.) setting June 2 at 4:10 P.M. as time for hearing on appeal by F. V. O. Hart to Board of Zoning Adjustment granting of a conditional use permit to McHenry Mini-Warehouse Partners for a mini-warehouse facility on McHenry north of Union. (Clerk to handle)

By motion (Elliott/Newton, unan.) Councilmembers Dunlap, Kullijian and Mensinger, City Manager and Director of Parking & Traffic authorized to investigate San Jose dial-a-ride program. (C/Mgr to handle)

It was agreed that staff would look into problems referred to by Councilmember Newton concerning parking of recreational vehicles, a non-functioning dry well and a barber salon on Coffee. (C/Mgr to handle)

Adjournment at 9:20 P.M. to 4:00 P.M. on May 13, 1975 to begin budget study.

ATTEST:


W. T. CHYNOWETH, City Clerk

Modesto City Council
May 13, 1975

The Council of the City of Modesto met in adjourned regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, to consider the preliminary budget for fiscal year 1975-76.

Present: Councilmembers: Elliott, Kullijian, Mensinger, Siefkin

Absent: Councilmembers: Dunlap, Newton and Mayor Davies

In the absence of the Mayor and Vice Mayor, the Clerk called the meeting to order and requested nominations for Mayor Pro Tempore.

By motion (Kullijian/Mensinger, unan.) Councilmember Elliott was elected Mayor Pro Tempore.

The City Manager then discussed the budget message.

The following operating and supplemental budget requests were considered:

CITY COUNCIL - 7 (P. 30 and 31)

CITY MANAGER - 8 (P. 32 and 33)

TYPING POOL AND RECORDS - 9 (P. 34 and 35)

PERSONNEL - 17 (P. 36, 37 and 39)

DISASTER & CIVIL DEFENSE - 26 (P. 40 and 41)

(It was agreed that the City Manager would furnish copies of the Civil Defense Plan to Councilmembers.)

CITY ATTORNEY - 13 (P. 42 and 43)

(The City Attorney was excused from attendance at budget sessions provided that he be available if needed. A question was raised as to why \$1,200 of the City Attorney's salary was included in Parking and Traffic's Parking Fund budget and the City Manager was requested to review this to see if this should be changed.)

CITY CLERK & AUDITOR - 14 (P. 44 and 45)

FINANCE - 15 (P. 46, 47 and 49)

PLANNING & COMMUNITY DEVELOPMENT - 17 (P. 50, 51 and 53)

COMPREHENSIVE PLANNING - 16 (P. 54 and 55)

FIRE - 21 (P. 56; 57, 58 and 59)

POLICE - 22 (P. 60, 61, 62, 63, 64, 65 and 66)

PARKS & RECREATION - ADMINISTRATION - 31 (P. 68, 69 and 71)

The meeting was adjourned at 5:35 P.M. to 4:00 P.M. on Thursday, May 15, 1975.

ATTEST:

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

5/13/75

Modesto City Council
May 15, 1975

The Council of the City of Modesto met in adjourned regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, to consider the preliminary budget for fiscal year 1975-76.

Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Siefkin, Mayor Davies

Absent: Councilmembers: None
(Councilmember Newton and Mayor Davies arrived
at 4:20 P.M.)

In the absence of the Mayor and Vice Mayor, the Clerk called the meeting to order and requested nominations for Mayor Pro Tempore.

By motion (Kullijian/Siefkin, unan.) Councilmember Elliott was elected Mayor Pro Tempore.

Councilmember Kullijian suggested that in the future the amount of money placed in reserve be increased each year by the then-current rate of inflation plus 10%. The question was raised as to the amount both revenues and expenditures are affected by inflation. The staff was also questioned as to how projected operating costs could be figured. It was agreed that staff would prepare a report of this subject. (C/Mgr to handle)

Councilmember Newton and Mayor Davies arrived and the following operating and supplemental budget requests were considered:

PARKS & RECREATION - McHENRY MUSEUM OF ART AND HISTORY - 29 (P. 72, 73)

PARKS & RECREATION - KING-KENNEDY MEMORIAL CENTER - 30 (P. 74, 75, 77)

PARKS & RECREATION - RECREATION - 32 (P. 78, 79, 81)

PARKS & RECREATION - MADDUX YOUTH CENTER - 33 (P. 82, 83)

(In response to a question concerning the use of floor buffers in more than one building, the Council was told that it costs more in the long run to move the buffers to various buildings.)

PARKS & RECREATION - MODESTO COMMUNITY SERVICE CENTER - 34 - (P. 84, 85, 87)

(Staff was directed to look into the possibility of replacing the old lighting fixtures in the upstairs rooms at the Community Service Center. (P & R to handle)

PARKS & RECREATION - PARKS - 35 - (P. 88, 89, 91)

(Staff agreed to furnish Council on the plans for the McClure home)

The possibility of changing the format of the preliminary budget to show totals of operating budgets plus the supplemental requests was discussed. This will be looked into by staff.

PARKS & RECREATION - STREET TREES - 36 - (P. 92, 93, 95)

PARKS & RECREATION - 9-HOLE MUNICIPAL GOLF COURSE - 37 - (P. 96, 97, 99)

PARKS & RECREATION - DRYDEN PARK MUNICIPAL GOLF COURSE - 38 - (P. 100, 101, 103)

PARKS & RECREATION - MODESTO SENIOR CITIZENS CENTER - 39 - (P. 104, 105, 107)

PUBLIC WORKS - ENGINEERING & ADMINISTRATION - 41 - (P. 108, 109, 111)

PUBLIC WORKS - CITY HALL - 19 - (P. 112, 113, 115)

(In response to a question by Councilmember Elliott, the Council was informed that ramps and other changes were being planned to assist handicapped persons using City Hall facilities.)

PUBLIC WORKS - BUILDING INSPECTION - 42 - (P. 116, 117, 119)

PUBLIC WORKS - ELECTRICAL - 43 - (P. 120, 121, 123)

PUBLIC WORKS - WATER - 50 - (P. 124, 125, 127)

PUBLIC WORKS - STREETS - 51 (P. 128, 129)

PUBLIC WORKS - SEWERS - 52 - (P. 130, 131, 133)

PUBLIC WORKS - WATER QUALITY CONTROL - 53 - (P. 134, 135, 137)

PUBLIC WORKS - GARDEN REFUSE - 54 - (P. 138, 139, 141)

PUBLIC WORKS - AIRPORT - 46 - Fund 230 (P. 166, 167, 169)

The meeting was adjourned at 5:35 P.M. to 4:00 P.M. on Tuesday, May 20, 1975.

ATTEST:

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

City of Modesto

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 19, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin

Absent: Mayor Davies - Vice Mayor Newton presided

Councilmember Elliott was excused at 4:20 P.M.

Pledge of allegiance to the Flag

CONSENT ITEMS - Roll call vote required: Items 1, 2, 4, 5, 6, 7, 8, 9,
Dunlap/Elliott, unan.-Davies, absent 10, 11, 12, 13, 14, 17, 18,
19, 20, 21, 22, 23, 24, 25

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

APPROVAL OF MINUTES

CONSENT

1. Approval of minutes of May 12 and 13, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of American Association of Retired Persons that the new Regional Park contain facilities for outdoor exercise for older people and for a much larger senior citizens building.
(Motion referring to C.I.P. budget session needed)

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

3. Letter from Dr. Jerome Weiss concerning noise made by motorcycles in the eastern section of Thousand Oaks Park.

ACTION: By motion (Dunlap/Siefkin, unan.-Davies, absent) staff directed to prepare ordinance which would require a use permit to allow property to be used for motorbike riding. (C/Attorney to handle)

BIDS

CONSENT

4. Approve plans and specifications and call for bids for improvements in Block 308-A at the Municipal Golf Course.
(Suggested bid opening June 3, 1975 at 11:00 A.M. The improvements consist of curb and gutter, pavement patching, and catch basins on Tuolumne Boulevard and Neece Drive at the Municipal Golf Course. Resolution approving bid call needed. Estimated cost \$14,880.
(Contract \$12,940; \$1,940 Eng.) Funds are budgeted.

ACTION: Res. 75-556 adopted approving plans and specifications and bid.
(P.W. to handle)

5. Consider acceptance of A. P. Pipeline's contract for construction of sanitary sewer to Airport Utility Area. (Original contract \$36,517.50. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record Notice of Completion. Final cost \$36,702.50. Funds are budgeted)

ACTION: Res. 75-557 adopted accepting contract (Clerk to handle)

CONSENT

6. Consider approval of specifications and authorize call for bids to be opened June 3, 1975 at 2:15 P.M. for furnishing annual requirement of liquid chlorine. (Product is used for treating sewage. Included in our bid tabulations are the needs of the cities of Turlock and Oakdale. Total estimated cost \$147,696. Resolution approving needed. Estimated cost, City \$122,400. Funds are budgeted)

ACTION: Res. 75-558 adopted approving specifications and bid call (Clerk to handle)

CONSENT

7. Consider award of contract for telemetering lift stations. (Bids were opened May 13, 1975. The low bid submitted by Collins Electrical Company, Inc., is 4.12% above the Engineer's estimate and is considered acceptable. It is recommended by the Public Works Dept. that contract be awarded to low bidder. Resolution awarding contract needed. Estimated cost \$5,490 (Contract \$4,800; Engr. \$690.) Funds are budgeted.)

ACTION: Res. 75-559 adopted awarding contract to Collins Electrical Co., Inc. (P.W. to handle)

CONSENT

8. Consider award of contract for the construction of waterlines in Lincoln Square No. 3 Subdivision. (Bids were opened May 13, 1975. The low bid of \$5,161 submitted by Joe Martin, which is 17% below the Engineer's estimate, is considered acceptable. It is recommended that the contract be awarded to low bidder. Estimated cost \$5,161. Funds are budgeted)

ACTION: Res. 75-560 adopted awarding contract to Joe Martin. (P.W. to handle)

CONSENT

9. Consider acceptance of Ferrero Electric's contract for construction of taxiway and apron pavement, Fire Rescue Road, Lighting and other improvements. (Original contract \$197,915.05. All work has been completed to the satisfaction of the FAA and the Public Works Dept. It would be in order to accept the work as complete and record Notice of Completion. Resolution accepting work as complete needed. Final contract cost \$199,943.19. Funds are budgeted)

ACTION: Res. 75-561 adopted accepting contract (Clerk to handle)

CONSENT

10. Consider approval of plans, specifications, and call for bids for construction of subtrunk sewer in Honey Creek Road and Nightingale Drive in Woodglen Park Subdivision. (Suggested bid opening June 3, 1975 at 11:10A.M. This project will provide sewer service for the proposed Woodglen Park Subdivision. Resolution approving plans, specifications and bid call needed. Estimated cost \$75,760 (\$72,760 Constr.; \$3,000 Engr. & Insp.) Funds are budgeted)

ACTION: Res. 75-562 adopted approving plans and specifications and bid call (Clerk to handle)

concrete construction, and paving at Rose Avenue Park.
(All work has been completed to the satisfaction of the Parks and Recreation Department and the Public Works Department. It would be in order to accept the work as complete and to record Notice of Completion. Resolution accepting work as complete needed. Final contract cost \$57,212. Funds are budgeted)

ACTION: Res. 75-563 adopted accepting contract (Clerk to handle)

CONSENT

12. Consider acceptance of grant offer from FAA for ADAP Project No. 8-06-0153-03 and No. 8-06-0153-04.
(Bids were opened April 29, 1975, for the runway and taxiway overlay project and the taxiway lighting and security fencing project. Both projects were less than the Engineer's estimate. It would now be in order to accept the FAA grant offer for their portion of the project cost. Memo with agenda. Resolution accepting grant offer needed. Funds are budgeted.)

ACTION: Res. 75-564 adopted accepting grant offer (P.W. to handle)

CONSENT

13. Consider award of contract for construction of taxiway lighting and security fencing at Modesto City-County Airport/Harry Sham Field.
(Bids were opened April 29, 1975. The low bid of \$79,540 submitted by Collins Electrical Co. which is 16% below the Engineer's estimate is considered acceptable. We have been authorized by FAA to award the contracts after the City has accepted the grant offer. It is therefore recommended that the contract be awarded to low bidder. Estimated cost \$79,540. Resolution awarding contract needed. Funds are budgeted)

ACTION: Res. 75-565 adopted awarding contract to Collins Electrical Co., Inc. (P.W. to handle)

CONSENT

14. Consider award of contract for runway and taxiway overlay and marking at Modesto City-County Airport/Harry Sham Field.
(Bids were opened April 29, 1975. The low bid of \$284,450 submitted by The Flintkote Co., which is 30% below the Engineer's estimate, is considered acceptable. We have been authorized by FAA to award the contracts after the City has accepted the grant offer. It is therefore recommended that the contract be awarded to low bidder. Resolution awarding contract needed. Estimated cost \$284,450. Funds are budgeted)

ACTION: Res. 75-566 adopted awarding contract to The Flintkote Co. (P.W. to handle)

HEARINGS

15. Hearing on Bertolotti Disposal application for garbage license. 4:00 P.M.
(Continued from April 21, 1975. Motion continuing to June 16 at 4:00 P.M. needed)

ACTION: By motion, (Dunlap/Kullijian, unan.-Davies, absent) hearing continued to June 16, 1975, at 4:00 P.M. (Clerk to handle)

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

NONE

CONSENT

17. Adoption of Ord. No. 1451-C.S. - transient occupancy tax.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1451-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

18. Revision of Personnel Rule 17.3
(See attached memorandum. Resolution approving revision needed.)

ACTION: Res. 75-567 adopted approving revision. (Personnel to handle)

CONSENT

19. Consider approval of agreement between J. B. Gilbert & Associates and the City for preparation of an Environmental Impact Report for the Area Wide Facilities Plan Project Report.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-568 adopted approving agreement. (Clerk to handle)

CONSENT

20. Resolution authorizing final application for a grant from the U. S. Department of Housing and Urban Development for Comprehensive Planning Assistance (701) Funds.
(Memo with agenda. Resolution authorizing final application to HUD to obtain grant approval. (\$25,000 HUD Grant; \$12,500 local (Modesto) match. Funds are budgeted)

ACTION: Res. 75-569 adopted authorizing final application to HUD. (Planning to handle)

CONSENT

21. Consider approval of final map of Sonoma Plaza No. 1 subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Sonoma Plaza No. 1 subdivision is located on the north side of East Orangeburg Avenue at Sonoma Avenue. It contains 15.933 acres. Resolution approving final map needed)

ACTION: Res. 75-570 adopted approving final map (Clerk to handle)

CONSENT

22. Consider approval of final map of Wesson Estates No. 2 Subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Wesson Estates No. 2 subdivision is located east of Tully Road north of Hetch Hetchy right of way. It contains 12.414 acres. Resolution approving final map needed.)

ACTION: Res. 75-571 adopted approving final map. (Clerk to handle)

CONSENT

23. Approve submission of claim to SAAG for Local Transportation funds to be used for transportation.
(A claim for \$125,352 for transit use of 1975-76 fiscal year has been prepared. Memo with agenda. Resolution approving submission of claim needed.)

ACTION: Res. 75-572 adopted approving submission of claim. (P. & T. to handle)

CONSENT

24. Set date for public hearing for amended standard specifications for improvements within the public right of way.
(Planning Commission Resolution No. 75-77 recommended to Council the adoption of the amended standard specifications. Resolution setting June 2, 1975 at 4:15 P.M. for hearing needed)

ACTION: Res. 75-573 adopted setting hearing (Clerk to handle)

CONSENT

25. Set date for public hearing for annexation to the City of uninhabited territory (McHenry-Union Addition)
(Approved by LAFC June 21, 1974. Extension request to be considered by LAFC on May 16, 1975. Resolution setting July 7, 1975 at 4:00 P.M. for public hearing needed)

ACTION: Res. 75-574 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

26. Legislation

NONE

27. Appointments.

NONE

28. Matters too late for the agenda.

ACTION: By motion (Kullijian/Mensing, unan., -Davies, absent) City Attorney authorized to name City of Modesto as Amicus Curiae in Court action against Santa Rosa concerning use tax. (City Attorney to handle)

Adjournment at 4:35 P.M.

ATTEST:

W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

May 20, 1975

The Council of the City of Modesto met in adjourned regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, to consider the preliminary budget for fiscal year 1975-76.

Present: Councilmembers: Dunlap, Mensinger, Newton, and Siefkin

Absent: Councilmembers: Elliott, Kullijian, and Mayor Davies

Vice-Mayor Newton presided

The following operating and supplemental budget requests were considered:

PUBLIC WORKS - SERVICE DIVISION - 48 (WORKING CAPITAL FUND-512)(P.174, 175, 176, 177)

PARKING & TRAFFIC - 56 (P. 142, 143)

PARKING & TRAFFIC - OFFICE SERVICES - 58 (P. 144, 145)

PARKING & TRAFFIC - 57 (PARKING FUND - 209) (P. 154, 155)

PARKING & TRAFFIC - (BUS SERVICE FUND -350) (P. 170, 171)

(Councilmember Siefkin requested information as to the amount of money spent in Merced to promote Dial-A-Ride.)

MUSIC & PROMOTION - 61 (P. 146, 147)

(It was pointed out that the Modesto Symphony Orchestra was requesting an increase in their allocation from the \$2,500 listed in the preliminary budget to \$3,000. It was agreed to discuss this at a later meeting when more members of the Council are present.)

(Following a discussion of the proposed tourism budget for the Chamber of Commerce, the Councilmembers present indicated that they preferred that promotions should be done by methods other than billboards.)

INSURANCE & RETIREMENT - 64 (P. 148, 149)

MISCELLANEOUS UNCLASSIFIED - 65 (P. 150, 151)

(It was agreed that Account 231 (Head Rest Subsidy) will be discussed at the May 27 budget session.)

DOWNTOWN IMPROVEMENT DISTRICT FUND - 218 (P. 156, 157)

COMPREHENSIVE EMPLOYMENT TRAINING ACT - TITLE II - TITLE VI (FUND 219) (P. 158, 159, 160)

(Staff was directed to report on why the total of salaries for 20 employees under Title II was \$763,220 while under Title VI the total of salaries for 94 employees was \$96,080.)

NEIGHBORHOOD YOUTH ADVISOR PROGRAM - 221 (P. 162, 163)

HOUSING & COMMUNITY DEVELOPMENT -(FUND 224) (P. 164, 165)

BOND REDEMPTION & INTEREST REQUIREMENTS (P. 172, 173)

The meeting was adjourned at 5:35 P.m. to Tuesday, May 27, 1975 at 4:00 P.M.

ATTEST:

W. T. Chynoweth

W.T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 27, 1975 at 7:30 P.M.

Roll Call- Present: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

Absent: None

Pledge of allegiance to the Flag

Invocation by Reverend Ronald Hurst, Maze Blvd. Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 24, 25, 26, 27, 28, 29, 30, 32, 33

Kullijian/Dunlap, 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.)

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 15, 19, and 20, 1975
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Stanislaus Food Products Co. for abandonment of alleys in Blocks 99 and O.
(Resolution referring to Planning Commission needed)

ACTION: Res. 75-575 adopted referring request to Planning Commission for recommendation. (Planning to handle)

CONSENT

3. Request of John Quaresma for abandonment of a portion of an alley in Quaresma Tract No. 1.
(Resolution referring to Planning Commission needed)

ACTION: Res. 75-576 adopted referring request to Planning Commission for recommendation. (Planning to handle)

BIDS

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened June 10, 1975 at 2:10 P.M. for furnishing annual requirements of rock, sand, and gravel.
(Products are used for street repair, etc. by Public Works; sand traps by Parks and Recreation; and other City projects. Purchases made intermittently during the 1975-76 fiscal period. Funds are budgeted. Estimated cost \$15,777. Resolution needed)

ACTION: Res. 75-577 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened June 10, 1975 at 2:00 P.M. for annual requirements of traffic line paint for one (1) year ending July 14, 1976.
(To furnish the City of Modesto line paint for the purpose of marking traffic lanes, crossings, and curb surfaces of portland cement or asphaltic concrete. Material will be purchased on a partial basis throughout the year. Resolution needed. Estimated cost \$27,200. Funds are budgeted)

ACTION: Res. 75-578 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

6. Approve plans and specifications and authorize seeking of bids for traffic signals and street lighting at the intersection of Coffee Road and Floyd Avenue.
(Completion date is December 23, 1975. Memo with agenda. Resolution authorizing call for bids needed. Estimated cost \$19,500. Funds are budgeted. Appropriation transfer for additional funds needed will be requested after bid opening)

ACTION: Res. 75-579 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

7. Consider award to low bidder, George Reed, Inc. to furnish our annual requirements of liquid and emulsified asphalt for the 1975-76 fiscal year.
(Memo with agenda. Resolution needed. Funds are budgeted. Estimated cost \$21,500.)

ACTION: Res. 75-580 adopted awarding contract to George Reed, Inc. (Finance to handle)

CONSENT

8. Consider award of contract for the construction of pump station No. 40 and Pump Station No. 41.
(Bids were opened May 6, 1975. The low bid of \$13,751 submitted by Howk Well and Equipment Company, which is 42% above the Engineer's estimate is considered acceptable. It is recommended that the contract be awarded to them. A review of the electrical costs by the Chief Electrician revealed that the Engineer's estimate was \$2,100 too low. Allowing for this difference, the low bid of \$13,751 would be 17% above the Engineer's estimate and would appear to be reasonable bid. Resolution awarding contract needed. Estimated cost \$13,751 (\$5,876 P.S. #40; \$7,875 P.S. #41. Funds are budgeted)

ACTION: Res. 75-581 adopted awarding contract to Howk Well & Equipment Company. (P.W. to handle)

CONSENT

9. Accept as complete traffic signals at G Street and 12th Street.
(All work was completed by Industrial Electrical Company and is acceptable. Acceptance was delayed because of problems with vehicle detector. Resolution accepting work needed. Estimated cost \$4,368; contract-\$3,283 ; Inspection and Flashing Beacon Relocation -\$1,085. Funds are budgeted.)

ACTION: Res. 75-582 adopted accepting contract (Clerk to handle)

picnic area at Marshall Park.
(Original contract \$6,223.00. All work on this project has been completed to the satisfaction of the Parks and Recreation Department and the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work needed. Final contract cost \$6,223. Funds are budgeted.)

ACTION: Res. 75-583 adopted accepting contract (Clerk to handle)

CONSENT

11. Consider award of contract for construction of waterline extension on Mable Avenue to Mable Avenue School.
(Bids were opened May 20, 1975. The low bid of \$9,419.50 submitted by R & R Construction Co., which is 2% below the Engineer's estimate is considered acceptable. It is recommended that the contract be awarded to low bidder. Resolution awarding contract needed. Estimated cost \$9,419.50. Funds are budgeted)

ACTION: Res. 75-584 adopted awarding contract to R & R Construction Co. (P.W. to handle)

CONSENT

12. Consider approval of plans, specifications and call for bids for construction of Coffee Terrace No. 4 waterlines.
(Suggested bid opening June 10, 1975 at 11:00 A.M. Cost and revenues: Construction- \$31,693; Connection charges- \$21,780; Net revenue - \$1,723)

ACTION: Res. 75-585 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

13. Approve plans, specifications and call for bids for surface treatment of slurry seal method - 10th Street between Needham Street and G St.
(Bid opening June 10, 1975 at 11:10 A.M. This project is needed to rejuvenate and seal the existing surfacing on 10th Street between Needham Street and G Street. Resolution approving plans, specifications and bid call needed. Funds are budgeted. Estimated cost \$8,437 : Contract \$7,670 ; Engr. \$767)

ACTION: Res. 75-586 adopted approving plans and specifications and bid call (Clerk to handle)

CONSENT

14. Consider award of contract for construction of parking area on west side of Fire Station No. 5.
(Bids were opened May 20, 1975. The low bid of \$10,980.40 submitted by Morrow & Waggoner, Inc. is 6.7% below the Engineer's estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$13,130.40: Contract- \$10,980.40 and Engr. - \$2,150. Funds are budgeted.)

ACTION: Res. 75-587 adopted awarding contract to Morrow & Waggoner, Inc. (P. W. to handle)

CONSENT

15. Consider award to low bidder, Putnam Sand & Gravel, Modesto to furnish our annual requirements of ready-mix concrete for fiscal year 1975-76.
(Memo with agenda. Resolution needed, Estimated cost \$4,904.50 Funds are budgeted.)

ACTION: Res. 75-588 adopted awarding contract to Putnam Sand & Gravel (Finance to handle)

16. Consider acceptance of W. M. Lyles Co.'s contract for construction of subtrunk sewer in Carver Road. (Original contract \$149,949. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file Notice of Completion. Final cost, contract, \$162,441.14. Funds are budgeted.

ACTION: Res. 75-589 adopted accepting contract (Clerk to handle)

HEARINGS

17. Hearing on appeal by Horn Construction Co. to Planning Commission denial of request for rezoning of four lots south of Laramie Drive in Lakewood Gardens Subdivision. 7:30 P.M.

ACTION: A motion (Siefkin/Davies) to rezone the area failed as Dunlap, Elliott, Kullijian, Mensinger, and Newton voted no.

Res. 75-590 adopted (Mensinger/Elliott, maj.- Siefkin & Davies, no) denying appeal (Planning to handle)

18. Hearing, unclassified use permit to Modesto City Schools to allow continuation of a single mobile home and residency on the Downey High School site located between Coffee Road and Brighton Avenue, south of Downey Park. 7:35 P.M.

ACTION: Res. 75-591 adopted (Elliott/Dunlap, unan.) granting permit. (Planning to handle)

19. Hearing, unclassified use permit to Modesto City Schools to allow continuation of a single mobile home and residency on the Roosevelt School site located on the southeast corner of College Avenue and West Orangeburg Avenue. 7:35 P.M.

ACTION: Res. 75-592 (Dunlap/Elliott, unan.) adopted granting permit. (Planning to handle)

20. Hearing on proposed amendment to Section 15-3-9 of zoning map to rezone from low density residential zone, R-1, to medium density residential zone, R-2, property located on the northerly side of Lancey Drive extended, west of Oakdale Road, and north of Briggsmore Avenue and M.I.D. Lateral No. 3. (Harley Brannan) 7:40 P.M.

ACTION: Ord. No. 1452-C.S. introduced (Kullijian/Newton, unan.) rezoning area. (Clerk to handle)

Res. 75-593 adopted (Kullijian/Newton, unan.) directing Director of Planning to file Notice re: Environmental Impact. (Planning to handle)

21. Hearing on proposed amendment to Section 7-3-9 of zoning map to rezone from low density residential zone, R-1, to planned development zone, P-D, to allow construction of an office building. (Exxon Co.) 7:40 P.M.

ACTION: Ord. No. 1453-C.S. introduced (Elliott/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 75-594 adopted (Elliott/Kullijian, unan.) approving development plan. (Planning to handle)

Res. 75-595 adopted (Elliott/Kullijian, unan.) directing Director of Planning to file Notice re: Environmental Impact. (Planning to handle.)

6-4-9 of zoning map to prezone to R-2 and R-1, properties located in the Paradise Road area between Ellen Avenue and Vernon Avenue (Paradise Road)

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

Ord. 1454-C.S introduced (Elliott/Dunlap, unan.-Kullijian, absent) rezoning area with the exclusion of the Swain, Clemens and Gervasoni properties. (Clerk to handle)

Res. 75-596 adopted (Elliott/Dunlap, unan.-Kullijian, absent) denying rezoning of Swain, Clemens, & Gervasoni properties.

Res. 75-597 adopted (Elliott/Dunlap, unan.- Kullijian, absent) directing Director of Planning to file Notice re: Environmental Impact. (Planning to handle)

*23. See end of agenda

CONSENT

24. Resolution withdrawing the East Orangeburg No. 6 Addition from the McHenry-Dry Creek Fire District.
(Resolution withdrawing from Fire District needed)

ACTION: Res. 75-598 adopted withdrawing East Orangeburg No. 6 Addition from McHenry-Dry Creek Fire Protection District. (Clerk to handle)

CONSENT

25. Resolution withdrawing North Carver No. 1 Addition from the Salida Fire District.
(Resolution withdrawing from Fire District needed)

ACTION: Res. 75-599 adopted withdrawing North Carver No. 1 Addition from Salida Fire Protection District (Clerk to handle)

CONSENT

26. Resolution determining that the public interest and convenience require that East Orangeburg No. 6 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City and it is now necessary to annex it to the Modesto Municipal Sewer District No. 1. Resolution setting hearing July 14, 1975 at 7:30 P.M. needed. (2/3 affirmative vote needed)

ACTION: Res. 75-600 adopted setting hearing (Clerk to handle)

CONSENT

27. Resolution determining that the public interest and convenience require that North Carver No. 1 Addition be annexed to Modesto Municipal Sewer District No. 1 and naming time and place for hearing.
(The subject area has been annexed to the City and it is now necessary to annex it to the Modesto Municipal Sewer District. Resolution setting public hearing July 14, 1975 at 7:30 P.M. needed. (2/3 affirmative vote required)

ACTION: Res. 75-601 adopted setting hearing (Clerk to handle)

CONSENT

28. Consider acceptance of State Department of Transportation Division of Aeronautics grant agreement not to exceed \$15,842 toward the overlay projects of the main runway and north parallel taxiway at the Modesto City-County Airport/Harry Sham Field.
(Memo with agenda. Resolution authorizing acceptance of grant agreement needed)

ACTION: Res. 75-602 adopted authorizing acceptance of grant offer.
(P.W. to handle)

29. Resolution amending resolution approving purchase of houses prepared for Tuolumne River Regional Park.
(Before this purchase was completed, the dwelling was destroyed by fire. Therefore, a new purchase price has been negotiated. The new price is \$56,980. The old figure was \$60,000.)

ACTION: Res. 75-603 adopted amending Resolution No. 74-1129 to change purchase price from \$60,000 to \$56,980. (Finance to handle)

CONSENT

30. Notice of P. G. & E. application to increase gas rates.
(In a May 13, 1975 application to the P.U.C., the P. G. & E. asks permission to increase gas rates on August 1, 1975, and on November 1, 1975, to match increased costs imposed by Canada at those times. Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

31. Recommendation from the Planning Commission to modify Condition No. 11 of City Council Resolution No. 73-213 (Street Tree Requirement for P-D (109) Vintage Faire Regional Shopping Center)
(On May 20, 1975, the Planning Commission adopted Resolution No. 75-80 correcting the number of street trees required under Condition No. 11 of City Council Resolution No. 73-213 P-D (109) Vintage Faire Regional Shopping Center. Resolution revising Resolution No. 73-213 needed.)

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

Res. 75-604 adopted (Elliott/Newton unan.-Dunlap, absent)
amending Resolution No. 73-213 to reduce required number of street trees from 180 to 84. (Planning to handle)

CONSENT

32. Uninhabited annexation to the City of Modesto-Blue Gum Addition.
(The LAF Commission has authorized this annexation without notice or public hearing - May 16, 1975. Resolution approving annexation needed)

ACTION: Res. 75-605 adopted annexing Blue Gum Addition to City of Modesto. (Clerk to handle)

CONSENT

33. Uninhabited annexation to the City of Modesto - Scenic-Lakewood Addition.
(The LAF Commission has authorized this annexation without notice or public hearing - May 16, 1975. Resolution approving annexation needed.)

ACTION: Res. 75-606 adopted annexing Scenic-Lakewood Addition.
(Clerk to handle)

MISCELLANEOUS

34. Legislation

ACTION: By motion, (Dunlap/Mensing, unan.) SB 807 opposed
Action on AB 1674 delayed
No action taken on AB 2041 (City Manager to handle)

35. Appointments

ACTION: By motion (Elliott/Siefkin, unan.) Councilmembers Kullijian, Mensinger, and Newton were appointed as a Committee to make study of size, uses, and costs of a Senior Citizens Full Service Center and to report to Council within 45 days. (City Manager to handle)

36. Matters too late for the agenda.

ACTION: By Motion (Mensinger/Elliott, unan.) Public Projects Committee requested to study possible need of a Social Services Element to the General Plan; to set priorities; to determine the method of delivery of the needs; and to determine the agency or agencies who would accomplish these goals. (City Manager to handle)

Adjournment at 9:45 P.M.

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

ACTION: Frank Andrews suggested that people dig out their old flags, clean them, and display them.

ATTEST:


W. T. CHYNOWETH, City Clerk

Modesto City Council
May 27, 1975

The Council of the City of Modesto met in adjourned regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California to consider the preliminary budget for fiscal year 1975-76.

Present - Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Siefkin, Mayor Davies

Absent - Councilmembers: None

The Council was informed that Roger Thompson wished to submit a revised budget for Head Rest. As a result, this budget request was not discussed.

The Parks and Recreation Department Capital Improvement Program (Pages 4, 5, 6, & 7) was discussed.

It was agreed that Project 315, Fund 321 (Davis Community Park Development) and Project 320, Fund 328 (E. La Loma Neighborhood Park) would be held for later discussion.

Councilmember Kullijian read a statement concerning the establishment of a Full Service Center for the Elderly. This was discussed by the Council, but the only action taken was a motion (Kullijian/Newton, majority - Dunlap & Davies, no) to the effect that three members of the Council be appointed as a Committee to make a study of size, potential uses, and costs of this type of facility with the understanding that this action in no way constitutes a financial commitment on the part of the Council at this time.

The meeting was adjourned at 5:35 P.M. to Thursday, May 29th at 4:00 P.M.

ATTEST:



W. T. CHYNOWETH
City Clerk

The Council of the City of Modesto met in adjourned regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, to consider the preliminary budget for fiscal year 1975-76.

Present - Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin

Absent - Councilmembers: Mayor Davies

In the absence of the Mayor and Vice Mayor, the City Clerk called the meeting to order and requested nominations for Mayor Pro Tempore.

By motion, (Dunlap/Mensinger, unan.) Councilmember Elliott was elected Mayor Pro Tempore.

Vice Mayor Newton arrived at 4:08 P.M. and presided over the remainder of the meeting. Councilmember Elliott was excused at 4:50 P.M.

The following Capital Improvement Program projects were considered:

FIRE - (P. 1)

FINANCE - (P. 2)

POLICE - (P. 3)

CITY HALL - (P. 8)

P. W. - ENGINEERING (P. 9)

P. W. - AIRPORT (P. 10)

P. W. - SERVICE (P. 11)

P. W. - WATER (P. 12, 13)

P. W. - STREETS (P. 14, 15, 16)

P. W. - SEWERS AND SEWAGE DISPOSAL (P. 17, 18)

P. W. - STORM DRAINAGE (P. 19)

(The Director of Public Works stated that \$25,000 for drywell repair or replacement for each year had been inadvertently omitted from the print out for this item.)


(It was agreed that staff would furnish the Council with a report concerning the amount of money spent on dry wells during this fiscal year, and the number of dry wells that needed replacement or renovation but were not replaced or renovated due to lack of funds.) (P/W to handle)

P. W. - STREET LIGHTING (P. 20)

PARKING & TRAFFIC (P. 21, 22)

The meeting was adjourned at 5:40 P.M. to Tuesday, June 3, 1975, at 4:00 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 2, 1975 AT 4:00 P.M.

Roll Call - Present: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

Absent: None

(Councilmember Newton arrived at 4:02 P.M.)

Pledge of allegiance to the Flag

Invocation by Rev. Larry Wincensen, Wesley Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8,
Items 25 and 27 removed from consent. 9, 10, 12, 13, 14, 20, 21,
Dunlap/Elliott, unan.-Newton, absent 22, 23, 24, 28, 29

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 27, 1975 (Budget and Regular)
(Motion approving needed)

ACTION: By motion, minutes approved

2. Request of The Hanot Foundation for closure of 13th Street between K and L Streets on July 13, 1975, from 6:30 A.M. to 10:30 P.M. for a fund raising event.

ACTION: By motion (Newton/Mensinger, unan.) request referred to staff for handling. (C/Mgr. to handle)

CONSENT

3. Request of the Salvation Army for permission to conduct Sunday evening services in West Side Park June 15 through August 24.
(Motion granting request needed)

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

BIDS

CONSENT

4. Consider award to low bidder Consolidated Electrical Distributors, Modesto, furnishing annual requirements of lamps beginning July 1, 1975.
(Memo with agenda. Resolution needed. Estimated cost \$4,753.00
Funds are budgeted)

ACTION: Res. 75-607 adopted awarding contract to Consolidated Electrical Distributors. (Finance to handle)

CONSENT

5. Consider acceptance of R & R Construction Co.'s contract for relining of existing sanitary subtrunk sewer on Rose Avenue between Briggsmore Avenue and Celeste Drive.
(Original contract \$9,994.00. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file Notice of Completion. Resolution accepting work as complete needed. Final cost \$9,994.00. Funds are budgeted.)

ACTION: Res. 75-608 adopted accepting contract (Clerk to handle)

6. Consider approval of plans and specifications and call for bids for construction of waterline on Sherwood Avenue between Woodrow and Standiford.
(Suggested bid opening is June 17, 1975 at 11:00 A.M. This project will supply water for a GEMCO Shopping Center and other development adjacent to Sherwood Avenue. Resolution approving bid call needed. Estimated cost \$11,066.00 (Const., \$4,041; Engr. & Matls. \$7,025.00) Funds are budgeted)

ACTION: Res. 75-609 adopted approving plans and specifications and bid call. (Clerk to handle)

CONSENT

7. Consider award of contract for construction of waterlines for Sonoma Plaza No. 1 Subdivision.
(Bids were opened May 27, 1975. The low bid of \$8,669.00 submitted by Joe Martin, which is 18% below the Engineer's estimate is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract to Joe Martin needed. Funds are budgeted.)

ACTION: Res. 75-610 adopted awarding contract to Joe Martin (P/W to handle)

CONSENT

8. Consider award of contract for construction of waterlines in Lakewood Gardens No. 1 Subdivision.
(Bids were opened May 27, 1975. The low bid of \$21,647.25 submitted by Joe Martin, which is 3% below the Engineer's estimate is considered acceptable. It is recommended that the contract be awarded to him. Estimated cost \$21,647.25 Funds are budgeted.)

ACTION: Res. 75-611 adopted awarding contract to Joe Martin (P/W to handle)

CONSENT

9. Consider award of contract for construction of Kearney Avenue waterline between Coldwell Avenue and Princeton Avenue.
(Bids were opened May 27, 1975. The low bid of \$16,774.50 submitted by Joe Martin, which is 4% below the Engineer's estimate is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$16,774.50 Funds are budgeted.)

ACTION: Res. 75-612 adopted awarding contract to Joe Martin (P/W to handle)

CONSENT

10. Consider award of contract for construction of sludge drying bed modifications.
(Bids were opened May 27, 1975. The low bid of \$16,911.75 submitted by Lee White Paving Company, which is 2% below the Engineer's estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract and resolution approving appropriation transfer of \$7,200.00 needed. Estimated cost \$28,200.00 (\$16,911.75 cost.; \$11,288.25 Engr. & Matl. and contingencies) Funds are partially budgeted)

ACTION: Res. 75-613 adopted awarding contract to Lee White Paving Co. (P/W to handle)

Res. 75-614 adopted approving appropriation transfer of \$7,200 from Account 312-53 to Account 6563-212. (Finance to handle)

CONSENT
11. Consider award of contract for construction of T-Hangar G at the Modesto City-County Airport and consider establishing T-Hangar rental rates.

(Bids were opened May 20, 1975. The low bid of \$91,718.20 submitted by Tri-County Builders, Inc., which is 1% below the Engineer's estimate, is considered acceptable. It is recommended that the contract be awarded to them. Memo with agenda. Resolution awarding contract, resolution establishing new T-Hangar rental rates, and resolution approving appropriation transfer of \$20,000.00 needed. Estimated cost \$95,000.00 (\$91,718.20, const; \$3,281.80 Engr., mats, and contingency)

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

Res. 75-615 adopted (Elliott/Dunlap, unan-Kullijian, absent) awarding contract to Tri-County Builders, Inc. (P/W to handle)

Res. 75-616 adopted (Elliott/Dunlap, unan.-Kullijian, absent) establishing T-Hangar monthly rates as follows: A-\$33, B, C, & D- \$35; E & F - \$38; G- \$45, (P/W to handle)

Res. 75-617 adopted (Elliott/Dunlap, unan.- Kullijian, absent) approving appropriation transfer of \$20,000.00 from Account 60-101 to Account 6514-46-230. (Finance to handle)

CONSENT

12. Consider acceptance of Collins Electrical Co.'s contract for construction of Baseball Field lighting at Davis Park.
(Original contract \$89,600.00. All work on this project has been completed to the satisfaction of the Parks and Recreation Department and the Public Works Department. It would be in order to accept the work as complete and to file Notice of Completion. Resolution accepting work needed. Final cost (contract) \$89,600.00 Funds are budgeted.

ACTION: Res. 75-618 adopted accepting contract (Clerk to handle)

CONSENT

13. Consider acceptance of George Reed, Inc. contract for construction of Coffee Road widening, Briggsmore to Brighton.
(Original contract \$98,233.00. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file Notice of Completion. Resolution accepting work needed. Final cost \$105,985.33. Funds are partially budgeted; additional funds needed will be requested later by appropriation transfer)

ACTION: Res. 75-619 adopted accepting contract (Clerk to handle)

CONSENT

14. Consider acceptance of Flintkote Co.'s contract for asphalt concrete resurfacing of various city streets 1974-75, Unit No. 1- select streets, Unit No. 2- residential streets.
(Original contract \$70,655.35. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file Notice of Completion. Final cost \$74,281.38 (select- \$18,670.77; residential - \$55,610.61) Funds are budgeted. Resolution accepting work as complete needed)

ACTION: Res. 75-620 adopted accepting contract (Clerk to handle)

HEARINGS

15. Hearing, amendment to the Modesto Urban Area General Plan 4:00 P.M.
(Safety, Scenic Highways, and Seismic Safety Elements)

ACTION: By motion (Elliott/Dunlap, unan.) hearing continued to June 9, 1975 at 7:35 P.M.

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

Res. 1308 - S.P. adopted (Mensing/Kullijian, unan.- Elliott absent) closing Oxford Way at Sunrise.

By motion, (Mensing/Kullijian, unan.-Elliott, absent) financial participation by City of 1/2 the cost, but not to exceed \$1,000 approved. (P/W to handle)

17. Hearing on appeal by F.V.O. Hart to Board of Zoning Adjustment granting a conditional use permit to McHenry Mini-Warehouse Partners for a mini-warehouse facility on west side of McHenry approximately 975 feet north of Union. 4:10 P.M.

ACTION: Res. 75-621 adopted (Elliott, Kullijian, unan.)/Issuance of Conditional Use Permit approved subject to additional condition for 6' masonry wall along north side, plus screen landscaping. (Planning to handle)

18. Hearing on amended Standard Specifications for Improvements within the public right of way. 4:15 P.M.

ACTION: Res. 75-622 adopted (Elliott/Kullijian, unan.) approving Standard Specifications.

By motion, (Elliott/Kullijian, unan.) action on coordinate monuments held in abeyance. (P/W to handle)

19. Matters for the good of the community. 4:20 P.M.
(These may be presented by interested persons in the audience)

NONE

NEW BUSINESS

CONSENT

20. Request by City Manager to be absent on vacation Friday, June 13, 1975.
(Motion approving needed)

ACTION: By motion, request approved

CONSENT

21. Accept easement deed and agreement - Charles R. and Jeannette Maino; Scenic-Sonoma-Orangeburg storm drain.
(The agreement provides for payment of \$2,360.00, which is the appraised value for the easement and loss of some walnut trees. Acceptance of this easement allows construction of the storm drain line. Resolution approving agreement and Deed of Easement needed. Funds are budgeted.)

ACTION: Res. 75-623 adopted approving Agreement and accepting Deed (Clerk to handle)

CONSENT

22. Relocation assistance payment (\$8,816.75) - Dr. E. H. Wood, 802-10th Street.
(Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 75-624 adopted approving agreement (Clerk to handle)

23. Report of Superintendent of Streets on cost of installation of curbs and gutters and/or sidewalks at the locations listed below:

- (a) Sidewalk along Miller Ave. at 140 Severin Ave., Lot 22 in Block 2125. (William H. Covey - \$441.20)
- (b) Curb and sidewalk along Grape Ave. and Evergreen Ave. at 1722 Evergreen Ave., Lot 16 in Block 6108. (David P. Deldotto - \$2,024.75)
- (c) Curb along Griswold Ave. at 520 Griswold Ave., Lot 8 and the north 15 feet of Lot 7 of Block 714. (Louise Friedman and Irene Hirschel - \$549.50)
- (d) Sidewalk along Miller Ave. at 143 Rosina Ave., Lot 1 in Block 2125. (Mildred Goodwill - \$434.85)
- (e) Curb and sidewalk along Miller Ave. at 1851 Miller Ave., Lot 17 in Block 2197. (Herman G. Kanada - \$621.70)
- (f) Curb along Griswold Ave. at 905 Brady Ave., a portion of Block 720. (James P. McCormick - \$1,145.50)
- (g) Curb along Griswold Ave. at 829 Brady Ave., Lot 1 and north 15 feet of Lot 2 in Block 714. (Frank Paradis - \$683.50)
- (h) Curb and sidewalk along Encina Ave. at 904 Encina Ave., Lot 13 and north 15 feet of Lot 12 in Block 2027. (Charles R. Walker - \$2,391.05)

(Resolution setting 4:05 P.M. on June 16, 1975 for public hearings needed.)

ACTION: Res. 75-625 adopted setting hearings. (P/W to handle)

CONSENT

24. Resolution commending Police Reserves for contributions to community welfare and safety.
(Resolution needed.)

ACTION: Res. 75-626 adopted commending Police Reserves (Personnel to handle)

REPORTS FROM THE PLANNING COMMISSION

25. Recommend that Brannan Avenue, Cameo Way, Dixie Lane, Gardenia Avenue, Honeysuckle Drive, Opal Avenue, and Ruby Lane not be closed at their intersections with Briggsmore Avenue.
(On May 20, 1975 the Planning Commission adopted Resolution No. 75-83 recommending these streets not be closed. Motion accepting Planning Commission recommendation and directing that streets not be closed needed at this time.)

ACTION: By motion, (Elliott/Kullijian, unan.) receipt of Planning Commission recommendation that named streets not be closed acknowledged and any action on closure deferred to allow more time for Council study, especially as to the effect of the previous closures of streets intersecting Briggsmore.
(Planning to handle)

(Sandoz Construction Company)
(On May 20, 1975 the Planning Commission adopted Resolution No. 75-81 recommending an amendment to Section 17-3-9 of the zoning map to rezone from low density residential zone, R-1 to Planned Development Zone, P-D, northeast corner Tully and Briggsmore. Resolution setting June 23, at 7:35 P.M. for public hearing needed.)

ACTION: (Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)
Res. 75-627 adopted (Dunlap/Elliott, unan.- Kullijian, absent) setting hearing (Clerk to handle)

27. Urban Growth Policy Update recommendation from Public Projects Committee.
(Memo from Public Projects Committee on Urban Growth Policy Update. Resolution approving report of Public Projects Committee needed.)

ACTION: Res. 75-628 adopted (Dunlap/Mensing, majority - Elliott and Kullijian, no) accepting report and adding "and other interested parties " to the list of parties to undertake a Westside Development Incentives Study. (C/Mgr. to handle)

CONSENT

28. Recommend amendment to filing fee schedule for home occupation permits.
(Memo with agenda. Resolution amending Resolution No. 70-1022 needed.)

ACTION: Res. 75-629 adopted amending filing fee schedule to bring all Home Occupation Permits to an annual fiscal year basis.
(Finance and Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

29. Appropriation transfer from General Reserve needed.
(Needed to pay salary for vacation replacement in Clerk's office and for legal advertising. Resolution approving appropriation transfer of \$2,000 from General Reserve needed)

ACTION: Res. 75-630 adopted approving appropriation transfer of \$2,000 from Account No. 60-101 to Account No. 120-14-101 (\$700) and Account No. 230-14-101 (\$1,300) (Finance to handle)

MISCELLANEOUS

30. Legislation

ACTION: By motion, (Elliott/Kullijian, unan.) AB 1674 supported.
(C/Mgr. to handle)

31. Appointments.

None

32. Matters too late for the agenda.

Councilmember Mensinger stated that she intended to present cost figures at the June 3 budget session to support her contention that the buildings being demolished for City Hall parking should be renovated for City Hall expansion rather than the present plans of adding a floor.

By motion, (Dunlap/Elliott, unan.) staff authorized to work with residents of affected areas and to contact our Senators and Congressmen concerning the Post Office requirement for curbside mail boxes. (C/Mgr. and P/W to handle)

It was announced that Joe Hart, Chairman of the Farm-City Liason Committee and community leader had passed away on June 1.

Adjournment at 8:25 P.M.

ATTEST:

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

6/2/75

Modesto City Council
June 3, 1975

The Council of the City of Modesto met in adjourned regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, to consider the preliminary budget for fiscal year 1975-76.

Present - Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Siefkin, Mayor Davies

Absent - Councilmembers: None

The Capital Improvement Program for the Downtown Improvement District - (P. 23) was considered. It was explained that the beautification funds were not being spent at this time, but projects would be planned after completion of the Downtown Plan.

Councilmember Mensinger expressed concern over the apparent high cost for the expansion of City Hall. It was pointed out that the figures were just estimates and the Council would have the option to change directions as to City Hall expansion when the bids have been received.

Gene W. Anderson, representing the Mini-Youth Theatre, inquired as to why his request for \$916 had not been placed in the Preliminary Budget. After a discussion it was agreed that this request would be given further consideration at the next budget study meeting.

Roger Thompson presented the Head Rest, Inc., budget request in the amount of \$20,000. He explained that Head Rest was also requesting \$20,000 from the Modesto City Schools. The staff pointed out that some portions of the proposed Head Rest budget were not related to the ombudsman program and that \$10,000 should be the maximum contribution by the City of Modesto.

By motion (Newton/Elliott, unan.) a budget allocation of \$10,000 for Head Rest, Inc. was given tentative approval subject to final approval later and also subject to the approval of an equal contribution by the Modesto City Schools.

The meeting was adjourned at 5:00 P.M. to Tuesday, June 10, 1975 at 4:00 P.M.

ATTEST:



W. T. CHYNOWETH
City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 9, 1975, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation by Rev. George Swift, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 5, 6, 7, 9, 10,
Item 8 dropped from agenda 15a, 15b, 16, 17, 18, 19,
Dunlap/Siefkin, unan. 20, 21, 22, 23, 24

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 29, June 2 and June 3, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Fourth of July Committee for:
 - (1) Barricades to be placed on I Street between 11th and 12th Streets from 9:30 a.m. through 3:30 p.m.
 - (2) Use of the City's reviewing stand with canvas top, to be placed on I Street close to the cannon in the Courthouse Park, by city personnel on July 2nd or 3rd.
 - (3) Use of a public address system (to be furnished by our committee) at the reviewing stand.
 - (4) Use of the City Ball Park the evening of July 4th for entertainment and fireworks. The City to supply a standby fire truck (along with the County.) The American Legion to furnish auxiliary police for patrol and added protection.
 - (5) The parade route is requested to be the same as last year, starting at Tenth and F, north on Tenth to J, east on J to 11th, south on 11th to I, east on I to 16th and I Street and disband.

(Resolution granting request needed)

ACTION: Res. 75-631 adopted granting request. (P/W to handle #1, P & R to handle #2 and #4, P & T to handle #5, Fire to handle #4, and Police to handle #5.

3. Request of Catherine Brenner for discussion concerning the damage allegedly caused by lightning being transmitted by Cable T.V.

ACTION: After a discussion on this subject, it was agreed that staff and Cable T.V. would handle this matter. (P/W to handle)

4. Request for 20 MPH speed limit in front of Rose Avenue School.

ACTION: By motion, (Kullijian/Dunlap, unan.) staff directed to ask local legislators to look into present State law concerning requirement for survey for establishment of speed limits. (C/Mgr. to handle)

By motion, (Mensingher/Elliott, unan.) staff authorized to take traffic survey in vicinity of Rose Avenue School. (P & T to handle)

BIDS

CONSENT

5. Consider rejecting bid for construction of automatic fire sprinkler system in the basement of the Senior Citizens Building and readvertising and calling for new bids.

(New bid opening June 24, 1975 at 11:00 a.m. One bid was received for this work, which was 60% over the estimate. The system was designed by a consulting mechanical engineer who recommends that the bid be rejected. Two additional contractors have been contacted who have indicated they will submit bids if the project is readvertised. Resolution rejecting bid and authorizing call for new bids needed. Funds are budgeted. Estimated cost \$6,800 (\$6,000 const.; \$800 Eng.)

ACTION: Res. 75-632 adopted rejecting bid and setting time for receiving new bids. (Clerk to handle)

CONSENT

6. Consider award of contract for construction of subtrunk sewer in Honey Creek Road and Nightingale Drive in Woodglen Park Subdivision.

(Bids were opened June 3, 1975. The low bid of \$83,150 submitted by Jack L. Forcade, which is 14% above the engineer's estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$83,150. Funds are budgeted)

ACTION: Res. 75-633 adopted awarding contract to Jack L. Forcade (P/W to handle)

CONSENT

7. Consider acceptance of Olsen Bros. contract for construction of Dryden Clubhouse expansion.

(Original contract \$4,343. All work on this project has been completed to the satisfaction of the Parks and Recreation Dept. and the Public Works Dept. It would be in order to accept the work as complete and record Notice of Completion. Resolution accepting work needed. Final contract cost \$4,343. Funds are budgeted.

ACTION: Res. 75-634 adopted accepting contract (Clerk to handle)

CONSENT

8. Consider acceptance of Raintree Landscape & Sprinkler Co.'s contract for planting and irrigation at Downey Park annex.

(Original contract \$29,700. All work on this project has been completed to the satisfaction of the Parks and Recreation Department and the Public Works Department. It would be in order to accept the work as complete and to record Notice of Completion. Resolution accepting work as complete needed. Final contract cost \$29,700. Funds are budgeted.

ACTION: Dropped from agenda.

CONSENT

9. Consider acceptance of George Reed, Inc.'s contract for improvement of Needham Street from Hackberry to Nellie.

(Original contract \$222,283.95. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record Notice of Completion. Resolution accepting work needed. Final cost \$225,995.56. Funds are budgeted.

ACTION: Res. 75-635 adopted accepting contract (Clerk to handle)

CONSENT

10. Consider award of contract for improvements in Block 308-A at the Municipal Golf Course.
(Bids were opened June 3, 1975. The low bid of \$11,754.55 submitted by The Flintkote Company is 9.68% below the Engineer's estimate. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$13,694.55 (contract \$11,754.55; \$1,940 Engr.) Funds are budgeted)

ACTION: Res. 75-636 adopted awarding contract to The Flintkote Co. (P/W to handle)

HEARINGS

11. Hearing, annexation of McHenry-Woodrow Addition to Modesto Municipal Sewer District No. 1 7:30 p.m.

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

Res. 75-637 adopted (Dunlap/Kullijian, unan. - Davies, absent) annexing McHenry-Woodrow Addition to Modesto Municipal Sewer District No. 1 (Clerk to handle)

12. Hearing, preliminary budget for 1975-76 and six-year Capital Improvement Program. 7:30 p.m.

ACTION: No action taken. Public hearing held and closed.

13. Continued hearing on amendment to Modesto Urban Area General Plan (Safety, Scenic Highways and Seismic Safety Elements) 7:35 p.m.

ACTION: Res. 75-638 adopted (Elliott, Dunlap, unan.) amending Modesto Urban Area General Plan to add Safety, Scenic Highways and Seismic Safety Elements. (Planning to handle)

14. Matters for the good of the community. 7:40 p.m.

Charles Breen, 823 Annabelle, complained that a tree planted many years ago by the City had now been discovered to be on private property and was not being taken care of by the City. He wished to have the tree removed at City expense. No action was taken by Council.

Dave Dolan requested that the City send one or more delegates to a conference to be held in Seattle concerning the preservation of old buildings.

ORDINANCES

15. Final adoption of the following:

CONSENT

- (a) Ord. No. 1452-C.S. amending Section 15-3-9 of zoning map. (Brannan)

ACTION: By motion, Ord. No. 1452-C.S. adopted

CONSENT

- (b) Ord. No. 1453-C.S. amending Section 7-3-9 of zoning map. (Exxon Co.)

ACTION: By motion, Ord. No. 1453-C.S. adopted.

- (c) Ord. No. 1454-C.S. amending Sections 31-3-9 and 6-4-9 of zoning map. (Paradise Road)

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

By motion, (Elliott, Dunlap, unan.-Kullijian, absent) Ord. No. 1454-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

16. (a) Authorize execution of quitclaim deed from City of Modesto to Acacia Memorial Association, Inc., -Cemetery Site.

ACTION: Res. 75-639 adopted authorizing execution of Quit Claim Deed.

- (b) Authorize execution of quitclaim deed from City of Modesto to Modesto Cemetery Association - cemetery site.

ACTION: Res. 75-640 adopted authorizing execution of Quit Claim Deed. (Clerk to handle)

CONSENT

17. Consider waiving escalation of sewer bond redemption charge for residential, commercial, and industrial properties for fiscal year 1975-76.

(Memo with agenda. Resolution waiving automatic \$25 per residential dwelling unit escalation of bond redemption charge for fiscal year 1975-76; and waiving automatic \$100 per acre escalation of sewer bond redemption charge for fiscal year 1975-76 needed.)

ACTION: Res. 75-641 adopted waiving escalation of charges for fiscal year 1975-76. (P/W to handle)

CONSENT

18. Approve right of way agreement and accept Deed for five feet for sidewalk at 215 LaLoma - Richard W. and Carol Beall (Treehouse) (Conditions are as discussed at council meeting on this subject 1/27/75. Resolution approving agreement and accepting Deed needed.

ACTION: Res. 75-642 adopted approving agreement and accepting Deed. (Clerk to handle)

CONSENT

19. Consider acceptance of improvements in McHenry Estates No. 4 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (McHenry Estates No. 4 Subdivision is located on the north side of Sylvan east of McHenry Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 75-643 adopted accepting improvements. (Clerk to handle)

CONSENT

20. Consider planning grant offer and agreement with Arnold Thompson Associates, Inc. to provide the Master Plan for the Modesto City-County Airport/Harry Sham Field. (Memo with agenda. Resolution approving Planning Grant offer and resolution approving agreement with Arnold Thompson Associates, Inc.

ACTION: Res. 75-644 adopted approving Planning Grant Offer
Res. 75-645 adopted approving agreement (P/W to handle)

REPORTS

CONSENT

21. Report regarding Western Liquid Asphalt Cases (Antitrust action) (Memo with agenda. Motion acknowledging receipt of report needed.

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. Presentation of financial statement for May, 1975. (Copies of report will be presented at meeting. Motion accepting report needed.

ACTION: By motion, report accepted

REPORTS FROM THE PLANNING COMMISSION

CONSENT

23. Recommend granting of an unclassified use permit to Clarence E. Simpson to allow conversion of the Golden Years Convalescent Hospital to a residential center for maximum 25 developmentally handicapped children at 1344 E. Orangeburg.
(On May 20, 1975, the Planning Commission adopted Resolution 75-82 recommending the granting of this unclassified use permit. Resolution setting July 14 at 7:35 p.m. for public hearing needed.)

ACTION: Res. 75-646 adopted setting hearing (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

24. Reallocation of Entitlement III Revenue Sharing Planned Use projects. (Memo with agenda. Resolution approving transfer of \$31,861 from the Revenue Sharing Fund (Acct. 60-611) to the Special Gas Tax fund (Account 941-01-207) needed.)

ACTION: Res. 75-647 adopted approving transfer of \$31,861 from Account 60-611 to Account 941-01-207 (Finance to handle)

MISCELLANEOUS

25. Legislation.

By motion, (Elliott/Kullijian, unan.) AB1013 supported subject to assurance that it would not remove power of Council to fill vacancy on Council. If this seems to be the case, the matter is to be brought back to Council on 6/16. (C/Attorney to handle)

26. Appointments.

Res. 75-648 adopted (Dunlap/Mensing, unan.) making the following appointments to the Modesto Youth Commission for terms expiring June, 1976:

- | | |
|--------------------------------|-----------------------|
| Beyer High School - | Miss Samee Roberts |
| Central Catholic High School - | Miss Teresa Feeney |
| Davis High School - | Mr. Gary Swann |
| Downey High School - | Mr. Nick Boodrookas |
| Downey High School - | Miss Donna Ruhnaw |
| Modesto High School - | Miss Andrea Menghetti |

(P & R to handle)

27. Matters too late for the agenda.

The Council was informed that there will be an old fashioned meeting in Graceada Park the afternoon of July 4th and that Councilmembers are invited to make political speeches.

Adjournment at 9:05 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

Modesto City Council
June 10, 1975

At 4:50 P.M., there being a quorum of the Council present, the meeting was called to order by the City Clerk who then called for nominations for Mayor Pro Tempore.

By motion, (Mensinger/Siefkin, unan.) Councilmember Elliott was elected Mayor Pro Tempore.

Present - Councilmembers: Dunlap, Elliott, Mensinger, Siefkin

Absent - Councilmembers: Kullijian, Newton, Mayor Davies

The following actions were taken:

By motion, (Dunlap/Mensinger, unan.) the budget for Modesto Symphony (Music & Promotion - 61, Account 446) increased to \$3,000.

By motion, (Mensinger/Dunlap, unan.) the Tuolumne River Regional Park budget approved as submitted.

By motion, (Dunlap/Mensinger, unan.) the C.I.P. project for repair or replacement of drywells increased to \$35,000.

Res. 75-649 adopted (Mensinger/Dunlap, unan.- Kullijian, Newton, and Davies absent) approving the Planned Use Report for Revenue Sharing funds. (Finance to handle)

It was agreed without vote that:

Request of Mini-Youth Theatre not be included.

Previous action re: Head Rest reaffirmed

The report concerning the air conditioning of the Modesto High School Auditorium would be presented to Council late in June or early in July and that this could be financed from the reserves if needed.

By motion, (Siefkin/Mensinger, unan.) supplemental request of Police Department for \$382 for bike rack platform which had been excluded by City Manager was approved for inclusion in budget.

The meeting was adjourned at 5:25 P.M.

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH
City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 16, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Siefkin,
Vice Mayor Newton
Absent: Mayor Davies
(Vice Mayor Newton presided)

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 7, 8, 9, 10, 11,
Item 6 removed from consent 15, 16, 17, 18, 19, 20, 21, 22,
Dunlap/Mensinger, unan. - Mayor Davies, 23, 24, 25, 26, 27, 28
absent

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

AWARDS

1. Suggestion awards:

- (1) To Ernest Halsey (Public Works) for suggestion to install cranking mechanism for barbecues on the City Parks. (\$25)
- (2) \$100 to Lee Earnhart (Public Works) for suggestion on placing corner boards for dump trucks.
(Mayor to present awards)

ACTION: Vice Mayor Newton presented Lee Earnhart with his award and requested the Director of Public Works to present Ernest Halsey with his as Mr. Halsey was not able to attend due to illness. Mr. Earnhart stated that his check was being donated to the Streets Division Sickness Fund as this was a joint project by several employees.

APPROVAL OF MINUTES

CONSENT

2. Minutes of June 9 and 10, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

3. Request of Modesto Jaycees to use Lincoln School site for carnival on July 4, 5 and 6, 1975.

ACTION: By motion (Elliott/Dunlap, unan.) further consideration delayed for one week to permit further study.

BIDS

CONSENT

4. Consider award to low bidder Jones Chemical Inc. to furnish our annual requirements of Liquid Chlorine for period ending June 30, 1976.
(Memo with agenda. Resolution awarding bid needed. Estimated cost \$122,400 (Modesto portion). Funds are budgeted)

ACTION: Res. 75-650 adopted awarding contract to Jones Chemical Co.
(Finance to handle)

CONSENT

5. Consider awards to low bidders to furnish rock, sand and gravel for one year, for period ending June 30, 1976.
(M. J. Ruddy & Son: Concrete Mix aggregate at \$3.10/ton; Fill sand at \$2.50/ton; Aggregate base material, \$2.85/ton; Crushed rock screenings at \$4.50/ton. The Flintkote Co.: Fine aggregate at \$3.45/ton; Drain rock at \$2.85/ton. Estimated cost \$15,777. Funds are budgeted)

ACTION: Res. 75-651 adopted awarding contract to M. J. Ruddy & Son.
Res. 75-652 adopted awarding contract to The Flintkote Co.
(Finance to handle)

6. Consider recommendation to reject bids received for traffic signal on Downey between I and McHenry and not install signal.
(Memo with agenda. New traffic proposals and the signal cost make it advisable to consider dropping the signals and returning unexpended amount of Ralston Tower deposit. Resolution rejecting bids and resolution determining signals are not needed and authorizing return of unexpended amount of signal deposit.)

ACTION: Res. 75-653 adopted (Mensingher/Kullijian, unan. - Davies, absent) rejecting bids.
Res. 75-654 adopted (Mensingher/Kullijian, unan. - Davies, absent) determining that signals are not needed and authorizing return of unexpended balance of deposit. (P & T to handle)

Staff to notify MACHO that staff at Ralston Tower are expected to park in area north of Downey. (C/Mgr to handle)

CONSENT

7. Consider award of contract for construction of Coffee Terrace No. 4 waterlines.
(Bids were opened June 10, 1975. The low bid of \$18,091 submitted by Joe Martin, which is 10% below the Engineer's Estimate, is considered acceptable. It is recommended that contract be awarded to him. Resolution awarding contract needed. Estimated cost \$18,091. Funds are budgeted)

ACTION: Res. 75-655 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

8. Consider award of contract for surface treatment by the slurry seal method - 10th Street between Needham and G Streets.
(Bids were opened June 10, 1975. The low bid of \$5,580.22 submitted by Sunrise Slurry Seal Company is 27.25% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$6,347.22 (Contract, \$5,580.22; Engr. \$767). Funds are budgeted)

ACTION: Res. 75-656 adopted awarding contract to Sunrise Slurry Seal Co.
(P/W to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for Scenic-Sonoma-Orangeburg drainage system - south portion.
(Bid opening July 1, 1975 at 11:10 A.M. This is part of the Scenic-Sonoma-Orangeburg storm drainage system. The project includes the outfall trunk and outfall structure and will discharge storm water to Dry Creek. Resolution approving bid call needed. Estimated cost \$87,300 (Contract \$79,334; Engr. \$7,966). Funds are partially budgeted. Additional funds will be requested after bid opening when actual costs are known)

ACTION: Res. 75-657 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for construction of Building No. 5 at the City of Modesto Corporation Yard.
(Suggested bid opening date July 15, 1975 at 11:00 A.M. Memo with agenda. Resolution approving bid call needed. Estimated cost \$194,850. (\$181,250, Const. \$13,600 Engr. and Contg.). Funds are partially budgeted. Appropriation transfer for balance needed will be requested after bid opening when actual costs are known).

ACTION: Res. 75-658 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

11. Consider approval of plans, specifications and call for bids for construction of Wyldewood Meadow waterline.
(Suggested bid opening July 1, 1975 at 11:00 A.M. Cost and revenues: Construction \$14,446; Connection charges, \$7,040; Net Revenue, \$577.00. Estimated cost \$14,446; (\$8,259 Const.; \$6,187, Matl. & Engr.).

ACTION: Res. 75-659 adopted approving plans, specifications and bid call.
(Clerk to handle)

HEARINGS

12. Hearing on Bertolotti Disposal application for garbage license. 4:00 P.M.

ACTION: Res. 75-660 adopted (Elliott/Dunlap, unan. - Davies, absent) approving agreement with Bertolotti Disposal Service.

Ord. No. 1455-C.S. introduced (Elliott/Dunlap, unan. - Davies, absent) granting license to Bertolotti Disposal Service. (Clerk to handle)

13. Hearing, cost of installation of curbs, gutters and/or sidewalks at various locations listed below: 4:05 P.M.

- (a) Sidewalk along Miller Ave. at 140 Severin Ave., Lot 22, Block 2125. (William H. Covey - \$441.20)
(Dunlap/Kullijian, unan. - Davies, absent)

ACTION: Res. 75-661 adopted/approving report, assessing costs and directing method of collection. (Finance to handle)

- (b) Curb and sidewalk along Grape Ave. and Evergreen Ave., at 1722 Evergreen Ave., Lot 16, Block 6108. (David P. Deldotto - \$2,024.75) (Payment over a ten year period requested)
(Dunlap/Kullijian, unan. - Davies, absent)

ACTION: Res. 75-662 adopted/approving report, assessing costs and directing method of collection (over a ten year period). (Finance to handle)

13. Hearings, curbs, gutters and/or sidewalks, (continued)

4:05 P.M.

- (c) Curb along Griswold Ave. at 520 Griswold, Lot 8 and the north 15 feet of Lot 7, Block 714. (Louise Friedman and Irene Hirschel - \$549.50)

ACTION: Res. 75-663 adopted (Dunlap/Kullijian, unan. - Davies, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

- (d) Sidewalk along Miller Ave. at 143 Rosina Ave., Lot 1, Block 2125. (Mildred Goodwill - \$434.85)
(Payment over a 9-year period requested)

ACTION: Res. 75-664 adopted (Dunlap/Kullijian, unan. - Davies, absent) approving report, assessing costs and directing method of collection (over a 9-year period). (Finance to handle)

- (e) Curb and sidewalk along Miller Ave. at 1851 Miller, Lot 17, Block 2197. (Herman G. Kanada - \$621.70)

ACTION: Res. 75-665 adopted (Dunlap/Kullijian, unan. - Davies, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

- (f) Curb along Griswold Ave. at 905 Brady Ave. a portion of Block 720. (James P. McCormick - \$1,145.50)

ACTION: Res. 75-666 adopted (Dunlap/Kullijian, unan. - Davies, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

- (g) Curb along Griswold Ave. at 829 Brady Ave., Lot 1 and north 15 feet of Lot 2, Block 714. (Frank Paradis - \$683.50)

ACTION: Res. 75-667 adopted (Dunlap/Kullijian, unan. - Davies, absent) approving report, assessing costs and directing method of collection. (Finance to handle)

- (h) Curb and sidewalk along Encina Ave. at 904 Encina, Lot 13 and north 15 feet of Lot 12, Block 2027. (Charles R. Walker - \$2,391.05)
(Payment over a ten-year period requested)

ACTION: Res. 75-668 adopted (Dunlap/Kullijian, unan. - Davies, absent) approving report, assessing costs and directing method of collection (over a ten year period). (Finance to handle)

14. Matters for the good of the community.

4:10 P.M.

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

ACTION: Mrs. McVay, 1119 Bel Air Court, presented a petition requesting the removal of a Modesto Ash tree from her yard due to root problems. Pictures were shown and after a discussion it was agreed by the Council that no action be taken.

Paul Doane, representing a MJC Social Science Class, requested that Modesto make application for sales tax money to be used for a bicycle facility implementation program. It was agreed that this would be discussed further at the June 23 meeting and that staff would attempt to put together a generalized application for these funds. (C/Mgr to handle)

ORDINANCES

CONSENT

15. Ordinance amending Uniform Fire Code to adopt new edition of National Fire Code as minimum fire safety requirements for the City of Modesto. (Memo with agenda. Introduction of ordinance amending Section 3-1.102 of Modesto Municipal Code needed)

ACTION: By motion, Ord. No. 1456-C.S. introduced. (Clerk to handle)

CONSENT

16. Consider adoption of budget for the 1975-76 fiscal year and adoption of the Six-Year Capital Improvement Program. (A report has been prepared which shows the adjustments to the preliminary budget which have been reviewed and recommended by the City Council, including the first year of the Six-Year Capital Improvement Program and other adjustments based on updated information. Ordinance adopting the 1975-76 budget including the first year of the Capital Improvement Program needed)

ACTION: By motion, Ord. No. 1457-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

17. Resolution withdrawing Scenic-Lakewood Addition from the McHenry-Dry Creek Fire District. (This area was annexed to the City of Modesto effective May 30, 1975. Resolution withdrawing from Fire District needed)

ACTION: Res. 75-669 adopted withdrawing Scenic-Lakewood Addition from McHenry-Dry Creek Fire District. (Clerk to handle)

CONSENT

18. Resolution determining that the public interest and convenience require that Scenic-Lakewood Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (The subject area has been annexed to the City and it is now necessary to annex it to the Modesto Municipal Sewer District. Resolution setting August 4, 1975 at 4:00 P.M. for public hearing needed (Two-thirds affirmative vote required))

ACTION: Res. 75-670 adopted setting hearing. (Clerk to handle)

CONSENT

19. Agreement for payment of crop loss of city acquired easement with C. J. Rumble & Sons, Inc. (Agreement provides for payment of \$325 if construction occurs during period that results in loss of corn crop. Resolution approving agreement needed. Funds are budgeted)

ACTION: Res. 75-671 adopted approving agreement. (Finance to handle)

CONSENT

20. Renewal of contract for examination services with State Personnel Board-Cooperative Personnel Services. (Renew the City contract for examination services for period July 1, 1975 through June 30, 1978. (Resolution authorizing renewal of contract needed. Funds are budgeted))

ACTION: Res. 75-672 adopted authorizing renewal of contract. (Personnel to handle)

CONSENT

21. Resolution establishing salary schedule and fixing compensation for classified positions in city service and resolution declaring Council's intention to implement study by State Cooperative Personnel retroactive to June 24, 1975, and salary or other compensation increases for department head and council appointed employees.
(Exhibits with agenda. This will implement the provisions of the Memoranda of Understanding with the employee organizations. Adoption of two resolutions needed)

ACTION: Res. 75-673 adopted establishing salary schedule and fixing compensation for classified positions in city service.

Res. 75-673-A adopted declaring intent to implement study and salary or other compensation increases for department heads and council appointee employees retroactive to June 24, 1975.
(Finance and Personnel to handle)

CONSENT

22. Consider acceptance of improvements in Carver Glen Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the east side of Carver Road north of Hetch Hetchy right of way. Resolution accepting improvements needed)

ACTION: Res. 75-674 adopted accepting improvements. (Clerk to handle)

CONSENT

23. Consider authorizing City Manager to sign letter agreement with the Modesto Bee to print and publish the official advertising for the City for a one-year period ending June 30, 1976.
(Memo with agenda. Resolution needed. Estimated cost \$11,000. Funds are budgeted)

ACTION: Res. 75-675 adopted approving letter agreement. (Clerk to handle)

CONSENT

24. Consider 1975-76 budget for Geer Road Sanitary Landfill.
(Memo with agenda. Resolution approving proposed budget needed)

ACTION: Res. 75-676 adopted approving budget for Geer Road Sanitary Landfill. (Finance to handle)

CONSENT

25. Agreement for payment of crop loss on city-acquired easement from Dr. and Mrs. C. R. Maino - Richard S. Ciccarelli.
(Agreement provides for payment of \$200 if construction occurs during period that results in loss of walnut crop. Resolution approving agreement needed. Funds are budgeted)

ACTION: Res. 75-677 adopted approving agreement. (Finance to handle)

CONSENT

26. Consider approval of final map of Carver Village No. 2 Subdivision of the City of Modesto and authorization of an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the east side of Carver Road North of Hetch Hetchy right of way. It contains 37.833 acres. Resolution approving final map needed)

ACTION: Res. 75-678 adopted approving final map. (Clerk to handle)

CONSENT

27. Application for temporary use of two on-street parking spaces during the fourth of July parade.
(The Northcone Sno-Cone trucks wants to sell sno-cones during the 4th of July 1975 parade. Police Chief recommends approval subject to usual conditions imposed by Police Department for similar uses by non-profit organizations. Motion approving application needed)

ACTION: By motion, application approved subject to usual conditions.
(Police to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

28. Recommend amendments, additions and deletions to the zoning and subdivision regulations of the Modesto Municipal Code pertaining to rear yard setback requirements along major streets and conflicts between zoning setback lines on subdivisions.
(On June 3, 1975, the Planning Commission adopted Resolution No. 75-90 which recommended to the Council amendments, additions and deletions to the zoning and subdivision regulations of the Modesto Municipal Code. Resolution setting July 7, 1975 at 4:00 P.M. for public hearing needed)

ACTION: Res. 75-679 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

29. Legislation.

ACTION: By motion (Dunlap/Kullijian, unan.) AB 1029 opposed. (C/Mgr to handle)

30. Appointments.

NONE

31. Matters too late for the agenda.

NONE

32. The Council adjourned to executive session at 5:20 P.M. to discuss Department Heads and Council Appointees salaries. It was announced that the Council would not return to open meeting.

Adjournment at 5:20 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 23, 1975 AT 7:30 P.M.

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

Pledge of allegiane to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 5, 7, 8, 10, 11, 14,
Item 29 removed from consent 17, 18, 19, 20, 21, 23, 24, 25,
Items 6 and 9 dropped from agenda 26, 27, 28
Mensinger/Siefkin, unan. - Dunlap, absent

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of June 16, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Downtown Modesto Association for mid-block crosswalks on J Street between 10th and 11th and 11th and 12th, and on K Street between 10th and 11th, and to have Walk/Don't Walk signs disconnected.
(Memo with agenda)

ACTION: By motion (Elliott/Kullijian, unan.) request referred to D.I.D. for study and report to Council on July 7, 1975. (P & T to handle)

CONSENT

3. Request of Downey High Band Boosters for permission to sell hot dogs and soft drinks in Downey Park on August 2 and 3, 1975.

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

4. Request of Susan Trimble for strict enforcement of laws governing pedestrian right of way.
(Miss Trimble plans to speak on this subject)

ACTION: No action taken by Council.

BIDS

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened July 8, 1975 at 2:00 P.M. for furnishing double jacket-rubber lined fire hose.
(Memo with agenda)

ACTION: Res. 75-680 adopted approving specifications and bid call.
(Clerk to handle)

6. Consider award to low bidder, J. E. Bauer Coating, Inc. of Los Angeles to furnish our annual requirements of traffic line paint, ending July 14, 1976.
(Purchases made intermittently during the 1975-76 fiscal period. Memo with agenda. Resolution approving award needed)

ACTION: Dropped from agenda.

CONSENT

7. Award contract for construction of traffic signals and street lighting at Coffee and Floyd to Ferrero Electric, Inc.
(Low bid of \$17,915 from Ferrero is 0.5% below the estimate. Total project, including engineering and inspection, is \$19,500. Resolution awarding contract and resolution approving appropriation transfer of \$6,000 needed. Funds are partially budgeted)

ACTION: Res. 75-681 adopted awarding contract to Ferrero Electric.
(P & T to handle)

Res. 75-682 adopted approving appropriation transfer of \$6,000 from Account 60-321 to Account 6227-56-321. (Finance to handle)

CONSENT

- 8.a) Rejection of bids authorized by Resolution 75-474 for furnishing one, two or three 1500 GPM Pumpers.
(Resolution authorizing rejection needed)

ACTION: Res. 75-683 adopted rejecting all bids received. (Finance to handle)

- b) Consider approval of new specifications and authorize call for bids to be opened August 11, 1975 at 2:00 P.M. for one or more 1500 GPM Fire Department Pumpers.
(Memo with agenda. Resolution approving new call for bids needed. Estimated cost \$95,000. Funds are budgeted)

ACTION: Res. 75-684 adopted approving new specifications and bid call.
(Clerk to handle)

9. Consider approval of plans and specifications and call for bids for construction of Odor Control Addition to Emerald Avenue lift station.
(Bid opening July 8, 1975 at 11:00 A.M. This project will reduce existing odor. Resolution approving bid call needed. Estimated cost \$10,800 (\$9,100, Const.; \$1,700 Engr. & Matls.) Portion of funds are budgeted. Additional funding will be requested after bid opening)

DROPPED FROM AGENDA

CONSENT

10. Consider award of contract for construction of waterline on Sherwood Avenue between Woodrow and Standiford.
(Bids were opened June 17, 1975. The low bid of \$2,899.60 submitted by Joe Martin, which is 28% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$2,899.60. Funds are budgeted)

ACTION: Res. 75-685 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

11. Consider purchase of Micro-Aid Activator for use at the Water Quality Control Plant.
(Resolution waiving formal bid procedures and authorizing purchase of Micro-Aid Activator needed)

ACTION: Res. 75-686 adopted waiving formal bid procedure and authorizing purchase from Distributor Purchasing Company. (P/W to handle)

HEARINGS

12. Hearing on amendment to Section 17-3-9 of the zoning map to rezone from Low Density Residential Zone, R-1, to Planned Development Zone (P-D), property at the northeast corner of Tully and Briggsmore. 7:35 P.M.

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

Ord. No. 1458-C.S. introduced (Elliott/Siefkin, unan. - Dunlap and Kullijian, absent) rezoning area. (Clerk to handle)

Res. 75-687 adopted (Elliott/Siefkin, unan. - Dunlap and Kullijian, absent) approving development plan. (Planning to handle)

Res. 75-688 adopted (Elliott/Siefkin, unan. - Dunlap and Kullijian, absent) directing Director of Planning & Community Development to file Notice re Environmental Determination. (Planning to handle)

13. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested citizens in the audience)

ACTION: Henry George spoke of a problem he was having with the Police Department.

Jim High complained that he could not get a sewer line extended to property he owns which is outside the city limits. It was agreed that staff would continue efforts to solve the problem and to make a report to Council on July 7, 1975. (P/W to handle)

ORDINANCES

CONSENT

14. Final adoption of the following:
(Motions approving adoption needed)
(a) Ord. No. 1455-C.S. - license for garbage collection, Bertolotti Disposal Service.

ACTION: By motion, Ord. No. 1455-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1456-C.S. - relating to Fire Code.

ACTION: By motion, Ord. No. 1456-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

15. Further consideration of request of Junior Chamber to use Lincoln School site for a carnival on July 4, 5, and 6.

ACTION: By motion (Mensingher/Kullijian, unan.) request granted. (Police to handle)

16. Further consideration of request to apply for sales tax money for bike-related facilities.

ACTION: By motion (Mensingher/Siefkin, unan.) staff directed to prepare application for \$14,000 from non-motorized transportation funds for use in 1975-76 fiscal year. (P & T to handle)

By motion (Newton/Elliott, unan.) staff directed to prepare application for \$8,700 for funding the Urban Trails Plan. (P & T to handle)

NEW BUSINESS

CONSENT

17. Proposed Attitude Survey of Modesto Urban Area, supplemental to special census, fall 1975.
(Memo with agenda. Motion approving project needed)

ACTION: By motion, project approved. (Planning to handle)

CONSENT

18. Consider revision of telephone system to provide separate controls for Police and Fire Departments.
(Memo with agenda. Resolution waiving formal bid procedure and authorizing staff to order equipment and resolution approving appropriation transfer affecting 1975-76 fiscal year.)

ACTION: Res. 75-689 adopted waiving formal bid procedure and authorizing staff to order equipment. (C/Mgr to handle)

Res. 75-690 adopted approving appropriation transfer of \$2,948 from Account 204-19-101 and \$13,152 from Account 60-101 to Account 110-22-101 (\$6,600) and Account 204-22-101 (\$9,500).
(Finance to handle)

CONSENT

19. Resolution withdrawing Blue Gum Addition from the Woodland Fire District.
(The Blue Gum Addition was annexed to the City effective June 12, 1975. Resolution withdrawing from Fire District needed)

ACTION: Res. 75-691 adopted withdrawing Blue Gum Addition from Woodland Fire District. (Clerk to handle)

CONSENT

20. Resolution determining that the public interest and convenience require that Blue Gum Addition be annexed to Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Resolution setting August 11, 1975 at 7:30 P.M. for public hearing needed. (Two thirds affirmative vote required.)

ACTION: Res. 75-692 adopted setting hearing. (Clerk to handle)

CONSENT

21. Approve agreement with Ernest W. Hahn for traffic signals at the Beckwith/Standiford-Sisk/Dale intersection.
(The development plan for the Vintage Faire Shopping Center (P-D-109) requires Hahn to pay the City for these signals. The proposed agreement calls for Hahn to pay the City \$90,000 to prepare plans and specifications and administer a contract for the signal installation. The \$90,000 has been paid to the City. Resolution approving agreement needed)

ACTION: Res. 75-693 adopted approving agreement. (Clerk to handle)

22. Letter from Muir Trail Girl Scout Council requesting use of a city park for day camp.
(Request from Girl Scout Council to use Mancini Park for day camp August 18 - August 22, 1975, 8:30 A.M. to 1:00 P.M., daily. Staff recommends approval and staff will work out details. Motion granting request needed)

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

By motion (Kullijian/Newton, unan.) request granted. (P & R to handle)

CONSENT

23. Consider acceptance of improvements in North Hampton Park No. 2 Subdivision and authorize the City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the south side of Sylvan Avenue west of Coffee Road. Resolution accepting improvements needed)

ACTION: Res. 75-694 adopted accepting improvements. (Clerk to handle)

CONSENT

24. Consider acceptance of improvements in Romano Estates No. 1 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (This subdivision is located on east side of Sonoma Ave., south of East Orangeburg Ave. All improvements completed satisfactorily and all fees paid. Resolution accepting needed)

ACTION: Res. 75-695 adopted accepting improvements. (Clerk to handle)

CONSENT

25. Request for refund of overpayment of business license tax and business improvement area tax.
(Memo with agenda. Resolution approving refund needed)

ACTION: Res. 75-696 adopted approving refund of \$1,041.56 to Modesto Mazda. (Finance to handle)

CONSENT

26. Consider approval of the final map of the Eastridge No. 4 Subdivision of the City of Modesto and authorization of an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. This subdivision is located east of Sonoma Avenue and north of Scenic Drive. It contains 18.46 acres. Resolution approving final map needed)

ACTION: Res. 75-697 adopted approving final map. (Clerk to handle)

CONSENT

27. Consider approval of final map of Briggsmore Place subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. This subdivision is located at the northwest corner of Briggsmore Avenue and Oakdale Road. It contains 25.545 acres. Resolution approving final map needed)

ACTION: Res. 75-698 adopted approving final map of Briggsmore Place.
(Clerk to handle)

CONSENT

28. Recommend disposition of city-owned property to Emil A. Berthold for the sum of \$100.
(Memo with agenda. Resolution authorizing Mayor and City Clerk to sign deed transferring this property needed)

ACTION: Res. 75-699 adopted authorizing execution of deed. (Clerk to handle)

APPROPRIATION TRANSFERS

29. Appropriation transfers.

- (a) To provide funds in the Planning Department budget.
(Memo with agenda)

ACTION: Res. 75-700 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving appropriation transfer of \$2,362 from Account 60-101 to Account 110-18-101 (\$2,312); Account 218-18-101 (\$40) and Account 301-18-101 (\$10)

- (b) Other transfers. Since this is the last meeting of the 1974-75 fiscal year, other last minute adjustments to the budget which require council action may be necessary. If there are any other adjustments, this item will be taken off "Consent" and the transfers will be presented to the Council for approval. Resolutions approving final appropriation adjustments for the 1974-75 fiscal year needed)

ACTION: Res. 75-701 adopted (Elliott/Kullijian, unan. - Dunlap, absent) amending budget for 1975-76 to increase appropriations and revenues in the C.E.T.A. Fund (Fund 219). (Finance to handle)

MISCELLANEOUS

30. Legislation.

NONE

31. Appointments.

NONE

32. Matters too late for the agenda.

ACTION: Members of the Council commended Marvin Ray for his many contributions and he then complimented the Council for their dedicated efforts.

By motion (Mensingher/Elliott, unan.) intention declared to use some of the bricks from the demolition across the alley from City Hall in construction of a marker commemorating the ~~Cronk~~ ^{Brohlman} Building. (P/W to handle)

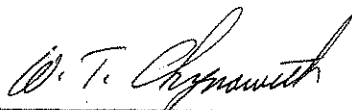
33. The Council retired to executive session at 9:50 P.M. to discuss salaries of Department Heads and Council appointees and returned to open meeting at 10:34 P.M.

ACTION: Res. 75-702 adopted (Kullijian/Elliott, unan. - Dunlap, absent) repealing Res. No. 75-673 and establishing salary schedules and fixing compensation for all employees. (Personnel and Finance to handle)

Res. 75-703 adopted (Kullijian/Elliott, unan. - Dunlap, absent) amending agreement with Monroe Taylor increasing compensation 10.5% effective 6/24/75. (Personnel and Finance to handle)

Adjournment at 10:35 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 7, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None
(Councilmember Newton arrived at 4:01 P.M.)

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 7, 8, 9, 11,
Item 10 dropped from agenda 12, 13, 14, 15, 16, 17, 18, 19,
Dunlap/Kullijian, unan. 20, 21, 22, 23, 24, 25, 26, 32,
33, 34, 35, 36, 37, 39, 40, 41,
42, 43, 45, 46, 47

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of June 23, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Letter from Sign Designs, Inc. regarding enforcement of sign ordinance.

ACTION: By Order of the Chair, a list of locations allegedly with more than one projecting or freestanding signs submitted by Mr. Smith, Sign Designs, was referred to staff for investigation and report back to Council. (P/W to handle)

CONSENT

3. Letter from City of Ceres requesting use of portable stage for the Ceres Peach Festival for the period July 17 - 19, 1975.
(Motion approving needed)

ACTION: By motion, request for portable stage approved. (P & R to handle)

CONSENT

4. Request of Glickman, Crumpler, Riley & Associates to purchase city property bounded by 17th Street, 19th Street, I Street and H Street.
(Motion referring to staff needed)

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

CONSENT

5. Letter from James Forbes resigning as Chairman and member of the Human Rights Commission.
(Resolution accepting resignation with regret needed)

ACTION: Res. 75-704 adopted accepting resignation as Chairman and member of the Human Rights Commission. (Clerk to handle)

6. Letter from Dan Onorato concerning the proposed East Stanislaus nuclear-fueled facility for the production of electrical energy.

ACTION: By motion (Dunlap/Elliott, unan.) matter taken under council consideration. Staff directed to make inquiries of M.I.D. as to their plans for having public hearings for pro and con discussion on the proposed nuclear energy facility in East Stanislaus County, and report back to Council. (C/Mgr to handle)

CONSENT

7. Letter from Downtown Improvement District requesting use of sidewalks for the Downtown's annual fall sidewalk sale on July 10, 11 and 12. (Resolution approving request needed)

ACTION: Res. 75-705 adopted approving request. (Clerk to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for asphalt concrete resurfacing various city streets 1975-76. (Suggested bid opening date July 22, 1975 at 11:00 A.M. This is our yearly program for street overlays, both select and residential streets. Memo with agenda. Resolution approving bid call needed. Funds are budgeted. Estimated cost \$212,500 (Contract, \$195,850; Engr. \$16,650)

ACTION: Res. 75-706 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for improvement of Rose Avenue from Briggsmore Ave. to Floyd Ave. (Suggested bid opening July 22, 1975 at 11:10 A.M. The improvement of this portion of Rose Avenue will complete the reconstruction of this street from Scenic Drive on the south to Floyd Avenue at the north end. Resolution approving bid call needed. Estimated cost. Contract, \$135,043; Engr. \$27,790. Funds are budgeted)

ACTION: Res. 75-707 adopted approving plans, specifications and bid call. (P/W to handle)

10. Council approval needed to authorize waiving of formal bid procedure and accepting the lowest negotiated price for the printing of 28,000 Burglary Prevention Booklets. (Low price submitted by Advertising Associates, 423 Elmwood, Modesto, P. O. Box 1389. Memo with agenda. Resolution waiving formal bid procedure and authorizing printing by Advertising Associates needed. Estimated cost \$4,175.98)

DROPPED FROM AGENDA

CONSENT

11. Consider award of contract for construction of automatic fire sprinkler system in the Senior Citizens Building. (Bids were opened June 24, 1975. The low bid of \$5,750 submitted by Associated Automatic Fire Protection Co., which is 4% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$5,750. Funds are budgeted)

ACTION: Res. 75-708 adopted awarding contract to Associated Automatic Fire Protection Co. (P/W to handle)

CONSENT

12. Consider acceptance of R & R Construction's contract for installation of waterlines in Lillian Drive for Pump Station No. 41. (Original contract \$13,056. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost, contract, \$13,268. Funds are budgeted)

ACTION: Res. 75-709 adopted accepting work as complete. (P/W to handle)

CONSENT

13. Consider acceptance of Fisher Bros., Inc. contract for construction of Oakdale Road Storm Sewer extension. (Original contract \$26,077. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work needed. Final cost, contract, \$26,911.93. Funds are budgeted)

ACTION: Res. 75-710 adopted accepting work as complete. (P/W to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for construction of waterlines in Eastridge No. 4 subdivision. (Suggested bid opening July 22, 1975 at 11:30 A.M. Costs and revenues: Construction, \$27,925; Connection charges, \$11,220; Net Revenue, \$887. Resolution approving plans and bid call needed. Estimated cost \$27,925 (\$18,286 Const; \$9,639, Engr. & Matls.) Funds are budgeted)

ACTION: Res. 75-711 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

15. Consider acceptance of George Reed, Inc.'s contract for construction of Scenic Drive - Downey to County Hospital. (Original contract \$187,097.60. All work on this project has been completed to the satisfaction of the State Department of Transportation and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost, contract, \$195,721.24. Funds are budgeted)

ACTION: Res. 75-712 adopted accepting work as complete. (P/W to handle)

CONSENT

16. Consider award of contract for construction of Wyldwood Meadow waterline. (Bids were opened July 1, 1975. The low bid of \$7,479.75 submitted by Joe Martin, which is 9% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$7,479.75. Funds are budgeted)

ACTION: Res. 75-713 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

17. Consider award of contract for construction of Scenic-Sonoma-Orangeburg drainage system - south portion.
(Bids were opened July 1, 1975. The low bid of \$86,094 submitted by Floyd Johnston Construction Co., Inc. is 8.52% above the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution needed awarding contract; Resolution needed approving appropriation transfer of \$7,600 for additional funds required. Balance of funds are budgeted. Estimated cost \$94,060 (Contract \$86,094; Engr. \$7,966)

ACTION: Res. 75-714 adopted awarding contract to Floyd Johnston Construction Co., Inc. (P/W to handle)

Res. 75-714-A adopted approving appropriation transfer of \$7,600 from Account 60-101 to Account 6607-321. (Finance to handle)

CONSENT

18. Consider acceptance of Joe Martin's contract for construction of Kearney waterline between Coldwell and Princeton.
(Original contract \$16,774.50. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed accepting work. Final cost \$16,826.31, contract. Funds are budgeted)

ACTION: Res. 75-715 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

19. Consider acceptance of Joe Martin's contract for construction of waterlines in Lincoln Square No. 3 Subdivision.
(Original contract \$5,161. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, \$5,080.25. Funds are budgeted)

ACTION: Res. 75-716 adopted accepting work as complete. (P/W to handle)

CONSENT

20. Consider acceptance of R & R Construction's contract for construction of waterline extension on Mable Ave. to Mable Ave. School.
(Original contract \$9,419.50. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost \$9,026.61. Funds are budgeted)

ACTION: Res. 75-717 adopted accepting work as complete. (P/W to handle)

CONSENT

21. Consider acceptance of Albert M. Biehl's contract for irrigation and planting of Sutter Park.
(Original contract, \$26,935. All work on this project has been completed to the satisfaction of the Parks & Recreation Department and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost, contract, \$26,839. Funds are budgeted)

ACTION: Res. 75-718 adopted accepting work as complete. (P/W to handle)

CONSENT

22. Consider acceptance of Albert Biehl's contract for irrigation and planting at Woodrow Park.
(Original contract \$32,409. All work on this project has been completed to the satisfaction of the Parks & Recreation Department and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost, contract, \$32,457.99. Funds are budgeted)

ACTION: Res. 75-719 adopted accepting work as complete. (P/W to handle)

CONSENT

23. Consider waiving formal bid procedure and authorizing purchase of gasoline and diesel fuel from designated vendors assigned by the Federal Mandatory Petroleum Allocation Program during the 1975-76 fiscal year.
(Memo with agenda. Estimated cost, \$180,000, purchases made in \$4,500 lots throughout fiscal year. Funds are budgeted)

ACTION: Res. 75-720 adopted waiving formal bid procedure and authorizing purchase. (Finance to handle)

CONSENT

24. Consider award to low bidder, J. E. Bauer Coating, Inc. of Los Angeles, to furnish our annual requirements of traffic line paint, ending July 14, 1976. Purchases made intermittently during the 1975-76 fiscal period.
(Memo with agenda. Resolution needed. Estimated cost \$27,200. Funds are budgeted)

ACTION: Res. 75-721 adopted awarding bid to J. E. Bauer Coating, Inc. (Finance to handle)

CONSENT

25. Consider waiving formal bid procedure for purchase of electronic distance meter and authorizing purchase of electronic distance meter.
(Memo with agenda. Resolution needed waiving formal bid procedure, and resolution needed authorizing purchase. Estimated cost \$7,956.78. Funds are budgeted)

ACTION: Res. 75-722 adopted waiving formal bid procedure.

Res. 75-723 adopted authorizing purchase from Hewlett-Packard.
(P/W to handle)

CONSENT

26. Approve plans, specifications and call for bids for asphalt concrete surfacing various residential alleys, Project No. 3.
(Bid opening date July 22, 1975 at 11:20 A.M. This is the third project of a new program which provides for City crews to clean, grade and compact the alleys and the adjacent property owners paying the cost of the asphalt concrete surfacing of the alleys. Memo with agenda. Resolution approving call for bids needed. Estimated cost \$34,636, contract; Eng. \$3,464. Funds are budgeted)

ACTION: Res. 75-724 adopted approving specifications and call for bids.
(P/W to handle)

HEARINGS

27. Hearing on annexation of McHenry-Union Addition to the City of Modesto. 4:00 P.M.
(Due to a change in the boundaries of this annexation by LAFCO on June 20, 1975, it is necessary that this annexation be reset for a protest hearing. Resolution needed resetting annexation hearing on August 25, 1975 at 7:30 P.M.)

ACTION: Res. 75-725 adopted (Dunlap/Newton, unan.) resetting hearing on August 25, 1975 at 7:30 P.M. (Clerk to handle)

28. Hearing on amendments, additions, deletions to zoning and subdivision regulations pertaining to rear yard setbacks and conflicts between zoning setback lines in subdivisions. 4:00 P.M.

ACTION: Ord. No. 1459-C.S. introduced (Dunlap/Elliott, unan.) amending zoning regulations as recommended.

Ord. No. 1460-C.S. introduced (Dunlap/Elliott, unan.) amending subdivision regulations as recommended. (Clerk to handle)

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

NONE

ORDINANCES

30. Final adoption of Ordinance No. 1458-C.S. amending Section 17-3-9 of zoning map - Sanders Construction Company.
(Motion with roll call vote needed)

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

By motion, (Dunlap/Elliott, unan. - Kullijian, absent) Ord. No. 1458-C.S. adopted. (Clerk to handle)

OLD BUSINESS

31. Report on complaint by Jim High regarding sewer line extension outside city limits at 1520 Rose Avenue.
(Continued from June 23rd meeting)

ACTION: By motion (Elliott/Mensing, unan.) referred back to staff to continue working for solution. (P/W to handle)

CONSENT

32. Report on Downtown Modesto Association request for mid-block cross-walks and disconnection of walk/don't walk signs.
(This request was referred to the Downtown Improvement District for report. The D.I.D. will be unable to have the report ready for Council until the July 14 meeting, because the Chairman is out of town on vacation. The D.M.A. has been notified of the one-week delay. (Motion continuing matter to July 14, 1975 needed)

ACTION: By motion, matter continued to July 14, 1975. (Clerk to handle)

NEW BUSINESS

CONSENT

33. Approve contract with Federal Government for grant to purchase three buses.
(Our application for a grant of up to \$174,816 to pay 80% of the cost of the new buses has been approved by UMTA. The contract is satisfactory and ready for approval. Resolution approving contract and authorizing City Manager to execute it, needed. City's share of cost, \$43,704. Funds are budgeted)

ACTION: Res. 75-726 adopted approving contract. (P & T to handle)

CONSENT

34. Amendment to agreement with Bonded Security Services, Inc.
(Amendment to agreement with Bonded Security for burglar alarm at the McHenry Museum. The cost would increase from \$28 to \$34 a month, effective July 1, 1975. Funds were budgeted for 1975-76 and will be available when the Council approves the budget. Resolution approving amendment to agreement needed)

ACTION: Res. 75-727 adopted approving amendment to agreement. (P & R to handle)

CONSENT

35. Approve new lease for operation of the 9th and J Parking lot.
(The former lease expired June 30, 1975 and a new one-year lease has been worked out where the owner will receive all revenue over the City's \$83 per month expenses. Memo with agenda. Resolution approving new lease needed)

ACTION: Res. 75-728 adopted approving new lease. (P & T to handle)

CONSENT

36. Accept grant deed and purchase agreement - Herman and Dorothy Thornsbery - Airport Clear Zone.
(Memo with agenda. Resolution approving purchase agreement and accepting grant deed needed; resolution approving relocation agreement needed)

ACTION: Res. 75-729 adopted approving purchase agreement and accepting grant deed. (C/Atty to handle)

Res. 75-729-A adopted approving letter agreement for relocation assistance payment. (Clerk to handle)

CONSENT

37. Consider setting date for public hearing on application for rate increase by Cablecom-General of Modesto.
(Memo with agenda. Resolution needed setting July 28, 1975 at 7:45 P.M. for hearing)

ACTION: Res. 75-730 adopted setting hearing. (Clerk to handle)

38. Report on annual premiums for City's basic liability policy and umbrella liability policy, and approval of appropriation transfers to provide funds for payment of premiums.
(Memo with agenda. Motion accepting report and three resolutions approving appropriation transfers to provide additional funds needed. Estimated cost \$232,133. \$156,916 are budgeted in various accounts)

ACTION: By motion (Kullijian/Siefkin, unan.) staff directed to look into areas of self insurance, reduction of insurance premium by reducing claims, and to request the assistance of the League of California Cities for an insurance study. (Finance to handle)

38. Report on annual premiums, (continued)

ACTION: Res. 75-731 adopted (Elliott/Dunlap, unan.) approving appropriation transfer of \$13,707 from Account 60-512 to Account 412-512.

Res. 75-732 adopted (Elliott/Dunlap, unan.) approving appropriation transfer of \$869 from Account 60-230 to Account 413-230.

Res. 75-733 adopted (Elliott/Dunlap, unan.) approving appropriation transfer of \$69,680 to various accounts. (Finance to handle)

CONSENT

39. Consider agreement between the City and The Western Pacific Railroad Company concerning the dedication and improvement of the east-west street in the South Modesto Industrial Park.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-734 adopted approving agreement. (P/W to handle)

CONSENT

40. Resolution certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1.
(Memo with agenda. Resolution needed)

ACTION: Res. 75-735 adopted certifying to Board of Supervisors amount of money needed. (Finance to handle)

CONSENT

41. Consider acceptance of improvements in Poppypatch No. 2 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(Poppypatch No. 2 Subdivision is located on the west side of Lincoln Ave., north of Yosemite Blvd. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 75-736 adopted accepting improvements and authorizing release of bonds. (Clerk to handle)

CONSENT

42. Consider acceptance of improvements in Carver Village No. 1 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the west side of Carver Road north of Standiford Ave. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 75-737 adopted accepting improvements and authorizing release of funds. (Clerk to handle)

CONSENT

43. Resolution revising Position Classification Plan.
(It is proposed to change the classifications of Policeman and Policewoman to Police Officer and to create a new classification of Community Service Officer as a police entry level training classification. Memo with agenda. Resolution approving revised Police Officer classification and creating the classification of Community Service Officer needed)

ACTION: Res. 75-738 adopted approving revised Police Officer classification and creating classification of Community Service Officer.
(Personnel to handle)

44. Consider State Transportation Board proposals.
(Memo with agenda)

ACTION: By motion (Elliott/Dunlap, unan.) that the Council ask for representation at the July 10th hearing summarizing basically, that the Council thinks that SAAG, in our particular area, is a satisfactory mechanism for getting us together on problems of transportation. (C/Mgr to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

45. Vacation and abandonment of the 20-foot public alley in Quaresma Tract No. 1 Subdivision.
(By Resolution No. 75-100 adopted June 17, 1975, the Planning Commission recommended to the City Council the vacation and abandonment of a portion of the 20-foot public alley in Quaresma Tract No. 1 Subdivision. Resolution of Intention to vacate and abandon and setting July 28, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. of Int. No. 354 (1309-S.P.) adopted setting public hearing of intent to vacate and abandon. (Clerk to handle)

CONSENT

46. Vacation and abandonment of the 20-foot alley in Blocks 99 and Q of the City of Modesto.
(By Resolution No. 75-101 adopted June 17, 1975 the Planning Commission recommended to the City Council the vacation and abandonment of the 20-foot public alley in Blocks 99 and Q of the City of Modesto. Resolution of Intention to vacate and abandon and setting July 28, 1975 at 7:40 P.M. for public hearing needed)

ACTION: Res. of Int. No. 355 (1310-S.P.) adopted setting public hearing of intent to vacate and abandon. (Clerk to handle)

CONSENT

47. Roble-Haddon Addition (inhabited) for referral to Planning Commission. (Annexation has been requested by residents of the unincorporated area bounded on the north by Roble Ave., on the south by Haddon Ave., on the east by the alley east of Trask Lane, and on the west by the alley west of El Vista Ave. The area is approximately 32 acres in size. Resolution referring to Planning Commission needed)

ACTION: Res. 75-739 adopted referring to Planning Commission.
(Planning to handle)

MISCELLANEOUS

48. Legislation.

NONE

49. Appointments.

ACTION: Res. 75-740 adopted (Dunlap/Newton, unan.) appointing Joe Kollmeyer, replacing Joe Hart, to Farm-City Advisory Committee for a term ending May 1, 1977, and John Britton, replacing Micahel Berryhill, for a term ending May 1, 1979. (Clerk to handle)

50. Matters too late for the agenda.

ACTION: Mrs. Mensinger said that at a recent meeting of the Easter Seal Society a certificate was presented to the City of Modesto relative to National Awareness Week in recognition of an affirmative program designed to create a barrier-free environment.

Mr. Kullijian stated that John Veneman, now associated with the office of the Vice President, recently sent best wishes to the Mayor and members of the Council.

Mrs. Siefkin reported that during a recent visit to the Santa Cruz Council Chambers, she noted a plaque mounted on the speaker's podium which read "Please state your name and address." She suggested a similar plaque for the City council chambers.

51. The Council adjourned to executive session at 6:30 P.M. to consider property acquisition and returned to open meeting at 7:15 P.M.

ACTION: Res. 75-741 adopted (Mensinger/Newton, unan.) appointing Barbara Manrique Chairman of the Human Rights Commission. (Clerk to handle)

Adjournment at 7:17 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 14, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Siefkin,
Vice Mayor Newton
Absent: Mayor Davies
(Vice Mayor Newton presided)

Pledge of allegiance to the Flag.

Invocation by Reverend Donald G. Weston, St. John's Chapel of the Valley

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 10, 11, 12, 13,
Item No. 2 removed from consent 14, 15, 16, 17
Dunlap/Mensinger, unan. - Mayor Davies,
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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of July 7, 1975 meeting.
(Motion approving needed)

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

WRITTEN COMMUNICATIONS

2. Letter from Gertrude D. Nelson requesting abandonment of walkway from Lavender Lane to Brighton Avenue.
(Resolution referring to Planning Commission for report and recommendation needed)

ACTION: Res. 75-742 adopted (Elliott/Dunlap, unan. - Mayor Davies, absent) referring proposed abandonment to Planning Commission for report and recommendation. (Clerk to handle)

3. Letter from Modesto Downtown Improvement District requesting consideration of request of Downtown Modesto Association for mid-block crosswalks and disconnection of walk/don't walk signs at various locations.
(Carried over from June 23 and July 7 meetings)

ACTION: By motion (Dunlap/Elliott, - Newton, no, - Mayor Davies, absent) staff directed to disconnect the walk/don't walk signals in the downtown area, and after a trial period the Council to decide whether to continue, have the walk/don't walk signals changed to coincide with the red and green signal, or return to the present system. (P & T to handle)

Res. 75-743 adopted (Siefkin/Mensinger - Dunlap and Elliott, no - Mayor Davies, absent) approving crosswalk on 10th Street between K and L Streets. (P & T to handle)

A motion (Mensinger/Kullijian) to permit crosswalks on J Street near the alleys, but not actually involving them, failed to carry, Dunlap, Elliott, Siefkin and Vice Mayor Newton voting "no".

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for construction of Briggsmore Place waterlines.
(Suggested bid opening July 29, 1975 at 11:00 A.M. Costs & Revenues: Construction, \$27,749; Connection charges, \$12,980; Revenue, \$1,027. Resolution approving call for bids needed. Estimated cost \$27,749 (\$18,074, Const.; \$9,675, Engr. & Matl.) Funds are budgeted)

ACTION: Res. 75-744 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

5. Consider acceptance of Raintree Landscape & Sprinkler Co.'s contract for planting and irrigation Downey Park Annex.
(Original contract \$29,700. All work on this project has been completed to the satisfaction of the Parks and Recreation and Public Works Departments. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$29,700. Funds are budgeted)

ACTION: Res. 75-745 adopted accepting work as complete. (Clerk to handle)

HEARINGS

6. Hearing, annexation of East Orangeburg No. 6 Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 75-746 adopted (Dunlap/Elliott, unan. - Mayor Davies, absent) approving annexation. (Clerk to handle)

7. Hearing, annexation of North Carver No. 1 Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 75-747 adopted (Dunlap/Elliott, unan. - Mayor Davies, absent) approving annexation to Modesto Municipal Sewer District No. 1. (Clerk to handle)

8. Hearing, application for an unclassified use permit to allow conversion of Golden Years Convalescent Hospital to a residential center for a maximum of 25 developmentally handicapped children at 1344 East Orangeburg Avenue. 7:35 P.M.

ACTION: Res. 75-748 adopted (Mensing/Kullijian, unan. - Mayor Davies, absent) approving unclassified use permit subject to conditions. (Planning to handle)

9. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested people in the audience)

NONE

ORDINANCES

CONSENT

10. Final adoption of the following ordinances:
(Motion with roll call vote needed)

(a) Ord. No. 1459-C.S. relating to zoning regulations.

ACTION: By motion, Ord. No. 1459-C.S. adopted. (Clerk to handle)

CONSENT

10. Final adoption of ordinances, (continued)

(b) Ord. No. 1460-C.S. relating to subdivision regulations.

ACTION: By motion, Ord. No. 1460-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

11. Consider right of entry agreement with Raymond D. Rucker, et ux. (This right of entry agreement will provide the construction area in order to install a storm drain line upon adjacent property. Right of entry is given in return for City regrading higher portion of property to conform to existing street grade. Resolution approving agreement needed)

ACTION: Res. 75-749 adopted accepting agreement. (P/W to handle)

CONSENT

12. Purchase agreement and lease agreement - Charles W. and Dorothy Moody. (Memo with agenda. Three resolutions needed: approving purchase agreement; approving lease agreement; appropriation transfer of \$48,500 from account 61-321 to account 6406-321 for land acquisition)

ACTION: Res. 75-750 adopted approving appropriation transfer of \$48,500 from Account 61-321 to Account 6406-31-321. (Finance to handle)

Res. 75-751 adopted approving purchase agreement (807 - 19th Street and 819 - H Street). (P/W to handle)

Res. 75-752 adopted approving lease agreement. (P/W to handle)

CONSENT

13. Approve Program of Projects for bus operation for fiscal 1975-76. (The program is required as the first step in applying for federal funds for operation and capital expenses for the bus/DAR systems for fiscal 1975-76. Agreements between Modesto, Ceres and Stanislaus County are to be worked out for sharing the costs. Memo and Program of Projects with agenda. Resolution approving Program of Projects needed. Estimated cost \$638,300)

ACTION: Res. 75-753 adopted approving Program of Projects. (P & T to handle)

CONSENT

14. Consider amending salary resolution to establish compensation for new classifications effective July 15, 1975. (This action is necessary to implement City Council action of July 7, 1975 approving job specifications for Police Officer and Community Service Officer. Resolution needed)

ACTION: Res. 75-754 adopted amending salary resolution to establish compensation for Police Officer and Community Service Center. (Finance to handle)

CONSENT

15. The City Manager requests vacation for Friday, August 22, and Thursday and Friday, August 28 and 29. (Motion approving request needed)

ACTION: By motion, requests for vacation approved. (C/Mgr to handle)

REPORTS

CONSENT

16. Quarterly report of Chamber of Commerce (April, May & June, 1975)
(Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

17. Designation of the Housing Authority of Stanislaus County as the Public Housing agency for the City of Modesto to implement the Housing Assistance Payments Program.
(Memo with agenda. Resolution designating Housing Authority as the Public Housing Agency needed)

ACTION: Res. 75-755 adopted designating the Housing Authority of Stanislaus County as the Public Housing agency for the City of Modesto.
(Planning to handle)

MISCELLANEOUS

18. Legislation.

(a) Consideration of Bills SB-51372 and HR-6294.

ACTION: By motion (Elliott/Newton, unan. - Mayor Davies, absent) bills opposed. (C/Mgr to handle)

(b) Other.

ACTION: By motion (Mensingher/Kullijian, unan. - Mayor Davies, absent) staff directed to check with Assemblyman John Thurman on status of bill AB-1222. (C/Mgr to handle)

19. Appointments.

NONE

20. Matters too late for the agenda.

NONE

Adjournment at 10:15 P.M.

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

Special Council meeting
Modesto City Council
July 21, 1975

The Council of the City of Modesto met in special session on July 21, 1975 at 2:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, to hold an executive session to consider appointments to Boards and Commissions.

Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Siefkin, Mayor Davies
Absent: Councilmembers: None
(Councilmember Newton arrived at 2:50 P.M.)

The Council went into executive session at 2:33 P.M., returning to regular session at 3:59 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 21, 1975 AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag.

Invocation by Reverend George Weber, First United Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 6, 7, 8, 9,
Item 13 dropped from agenda 11, 12, 13a
Kullijian/Dunlap, 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)

APPROVAL OF MINUTES

CONSENT

1. Approval of minutes of July 14, 1975.
(Motion approving needed)

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

BIDS

CONSENT

2. Consider waiving formal bid procedure and authorizing purchase of one (1) Vermeer T-300A root cutter from Vermeer Sales and Service for the sum of \$13,124, including California sales tax.
(Memo with agenda. Resolution approving needed. Estimated cost \$13,635. Funds are budgeted)

ACTION: Res. 75-756 adopted waiving formal bid procedure and authorizing purchase. (Finance to handle)

CONSENT

3. Consider award of contract for construction of Building No. 5 at the Modesto City Corporation Yard.
(Bids were opened July 15, 1975. The low bid of \$165,184 submitted by C. T. Brayton and Sons, Inc., which is 8.9% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to low bidder needed. Estimated cost \$185,184; (\$165,184, contract; \$5,000 Eng. & Insp.; \$15,000 contingencies)

ACTION: Res. 75-757 adopted awarding contract to low bidder. (P/W to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for street closure barriers on Briggsmore Ave.
(Bid opening date August 5, 1975 at 11:00 A.M. The proposed street closures are located at Briggsmore Ave. and Carlton Ave., Sherwood Ave., Dillon Drive, Bronson Ave. and Calle De Rosas. These street closures were approved by the City Council on April 14, 1975. Resolution approving bid call needed. Estimated cost \$12,100 (Contract \$10,520; Engr. \$1,580. Funds are budgeted)

ACTION: Res. 75-758 adopted approving plans, specifications and bid call.
(P/W to handle)

HEARINGS

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

NONE

NEW BUSINESS

CONSENT

6. (a) Adoption of resolution declaring the Palomino Estates Lighting District of Stanislaus County dissolved.
(Resolution needed)

ACTION: Res. 75-759 adopted declaring Palomino Estates Lighting District dissolved. (C/Atty to handle)

- (b) Adoption of resolution declaring the Springcreek Lighting District of Stanislaus County dissolved.
(Resolution needed. Memo with agenda)

ACTION: Res. 75-760 adopted declaring Springcreek Lighting District of Stanislaus County dissolved. (C/Atty to handle)

CONSENT

7. Update existing agreement with State under which City maintains State Highways within City.
(Memo with agenda. Resolution approving new agreement needed. Estimated cost \$28,130, to be reimbursed by State. Funds budgeted in various accounts)

ACTION: Res. 75-761 adopted approving agreement updating existing agreement with State for maintenance of state highways within City.
(P/W to handle)

CONSENT

8. Consider solid waste management plan for Stanislaus County.
(Memo with agenda. Resolution setting informal public hearing on solid waste management plan for Stanislaus County for August 11, 1975 at 7:35 P.M. needed)

ACTION: Res. 75-762 adopted setting informal public hearing. (Clerk to handle)

CONSENT

9. Reorganization of City Manager's Office.
(Memo with agenda. Two ordinances (regular and emergency - amending Municipal Code to create office of Management Services needed. Three resolutions needed: (1) Appointing City Manager pro tempore; (2) Amending Position Classification Plan; (3) Approving Salary Schedule)

ACTION: Ord. No. 1461-C.S. adopted amending code relating to office of Management Service (emergency). (Clerk to handle)

Ord. No. 1462-C.S. introduced amending code relating to office of Management Services. (Clerk to handle)

Res. 75-763 adopted revising position classification plan for City of Modesto. (Personnel to handle)

Res. 75-764 adopted establishing salary schedules and fixing compensation for positions in the City service. (Personnel to handle)

CONSENT

9. Reorganization of City Manager's Office, continued

ACTION: Res. 75-765 adopted appointing Ross Campbell, Director of Public Works, as pro tempore during absence or disability of City Manager and appointing Elwyn L. Johnson, City Attorney, as pro tempore during absence or disability of both City Manager and Director of Public Works. (C/Mgr to handle)

10. Proposed uninhabited annexation - Standiford-Tully No. 2 Addition. (Memo with agenda. Motion directing staff needed)

ACTION: By motion (Dunlap/Elliott, unan.) staff directed to proceed on three-lot basis. (Planning to handle)

CONSENT

11. Consider approval of final map of Park Place No. 1 Subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. Park Place No. 1 subdivision is located on the south side of Rumble Road east of Conant Avenue. It contains 8.44 acres. Resolution approving final map needed)

ACTION: Res. 75-766 adopted approving final map. (Clerk to handle)

CONSENT

12. Request by City Attorney for vacation commencing August 18 through August 29, 1975. (Motion authorizing needed)

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

13. Consider advance of 15 work days sick leave credit for Fire Department employee Armando Contreras due to on-the-job injury. (Motion approving advance of sick leave credit needed)

DROPPED FROM AGENDA

CONSENT

13A. Consider approval of final map of Wycliffe Heights No. 1 Subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. Wycliffe Heights No. 1 Subdivision is located on the north side of Scenic Drive, east of Lakewood Avenue. It contains 9.223 acres. Resolution approving final map needed)

ACTION: Res. 75-767 adopted approving final map. (Clerk to handle)

REPORTS

14. Report by Public Projects Committee regarding City officials' participation in and sponsorship of religious and community events. (Report with agenda)

ACTION: By motion (Elliott/Dunlap - Kullijian, Newton, no) City Attorney directed to prepare and present to Council the necessary ordinance and resolution to repeal the authority for use of street banners to advertise community events. (C/Atty to handle)

14. Report by Public Projects Committee, continued

ACTION: Res. 75-768 adopted (Dunlap/Elliott - Kullijian, Newton, no) approving and setting forth as Council policy, recommendations (b), (c), (d), (e) and (f) of memorandum to Mayor and Members of the Council from the Public Projects Committee, dated July 14, 1975. (C/Mgr to handle)

By Order of the Chair, staff directed to check on proper use of City seal. (C/Atty to handle)

15. Report on curb, gutter and sidewalk program.
(Memo with agenda. Motion acknowledging receipt of report and directing staff needed)

ACTION: By motion (Kullijian/Elliott, unan.) report accepted and staff directed to proceed ahead. (P/W to handle)

MISCELLANEOUS

16. Legislation.

ACTION: Legislative bulletin dated July 17, 1975 to be considered at July 28, 1975 council meeting. (C/Mgr to handle)

17. Appointments.

ACTION: Res. 75-769 adopted (Kullijian/Elliott, unan.) accepting with regret the resignation of Dr. Merrill Alexander from the Planning Commission. (Clerk to handle)

Res. 75-770 adopted (Dunlap/Kullijian, unan.) appointing Charles E. Jolitz, 804 Carmel Drive, Modesto, CA 95354 to the Planning Commission for a term ending 1/1/79. (Clerk to handle)

By motion (Elliott/Kullijian) award of plaque to Dr. Alexander for eight years service on the Planning Commission approved. (Clerk to handle)

18. Matters too late for the agenda.

NONE

Adjournment at 5:30 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 28, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None
(Councilmember Newton was excused at 11:15 P.M.)

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 9,
Item 19 taken off consent 10, 11, 17, 18, 20, 21, 22, 23
Dunlap/Kullijian, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of Special Council meeting and regular Council meeting of July 21, 1975.
(Motion approving needed)

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

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from R. E. Fredricksen & Assoc. requesting abandonment of 20-foot right of way shown on the westerly boundary of the Robinson Tract.
(Resolution referring to Planning Commission for report and recommendation needed)

ACTION: Res. 75-771 adopted referring to Planning Commission for report and recommendation. (Clerk to handle)

3. Letter from Robert L. Erickson regarding landscaping of strip of land between Briggsmore and Roller Skating Rink.

ACTION: By order of Chair, Mr. Erickson's proposal regarding the landscaping referred to staff to work with Mr. Erickson. (P & R to handle)

BIDS

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened September 2, 1975 at 2:00 P.M. for furnishing two police traffic vehicles, and three turf vehicles.
(Items authorized for purchase in 1975-76 budget. Resolution needed. Estimated cost: \$5,633, budgeted in Account 5438-48-512, and \$4,815 budgeted in Account 5439-48-512)

ACTION: Res. 75-772 adopted approving specifications and bid call.
(Finance to handle)

CONSENT

5. Consider approval of specifications and authorize call for bid to be opened September 23, 1975 at 2:00 P.M. for furnishing one 100' aerial ladder fire truck.
(Memo with agenda. Resolution needed. Estimated cost, \$190,800. Funds are budgeted)

ACTION: Res. 75-773 adopted approving specifications and bid call.
(Finance to handle)

CONSENT

6. Consider approval of plans, specifications and call for bids for construction of waterlines in Wesson Estates No. 2.
(Suggested bid opening August 12, 1975 at 11:00 A.M. Costs and revenues: Construction, \$22,895; Connection Charges, \$11,440; Net Revenue, \$904. Resolution approving bid call needed. Estimated cost \$22,895; Construction \$12,945; Matl. & Engr. \$9,950)

ACTION: Res. 75-774 adopted approving plans, specifications and bid call.
(P/W to handle)

CONSENT

7. Consider approval of specifications and authorize call for bids to be opened August 26, 1975 at 2:00 P.M. for furnishing materials and labor to replace wet deck surface on the Police TMA-90 Cooling Tower.
(Present cooling tower wet deck surface has corroded due to water impurities. Resolution needed. Estimated cost \$5,000. Funds are budgeted)

ACTION: Res. 75-775 adopted approving specifications and bid call.
(Finance to handle)

CONSENT

8. Consider award of contract for asphalt concrete resurfacing various city streets 1975-76.
(Bids were opened July 22, 1975. The low bid of \$169,721.25 submitted by George Reed, Inc. was 13.34% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract needed. Funds are budgeted. Estimated cost \$186,371.25 (Cont., \$169,721.25; Engr. \$16,650)

ACTION: Res. 75-776 adopted awarding contract to low bidder. (P/W to handle)

CONSENT

9. Consider award of contract for construction of waterlines in Eastridge No. 4 Subdivision.
(Bids were opened July 22, 1975. The low bid of \$16,674.25 submitted by Joe Martin, which is 9% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$16,674.25. Funds are budgeted)

ACTION: Res. 75-777 adopted awarding contract to low bidder. (P/W to handle)

CONSENT

10. Consider award of contract for improvement of Rose Avenue from Briggsmore Avenue to Floyd Avenue.
(Bids were opened July 22, 1975. The low bid submitted by The Flintkote Company is 21.52% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$133,766.40 (Contract \$105,976.40; Engr. \$27,790). Funds are budgeted)

ACTION: Res. 75-778 adopted awarding contract to low bidder. (P/W to handle)

CONSENT

11. Consider acceptance of Sunrise Slurry Seal Co.'s contract for surface treatment by the Slurry Seal Method, 10th Street between Needham and G Streets.
(Original contract \$5,580.22. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work needed. Estimated cost, Contract, \$5,602.54. Funds are budgeted)

ACTION: Res. 75-779 adopted accepting work as complete. (Clerk to handle)

HEARINGS

12. Hearing on orders for alley improvements, 7:30 P.M.
Project No. 3, at the following locations:

- (a) 1. Block 832, College/Wellesley - Roseburg/Cecil

ACTION: Res. 75-780 adopted (Kullijian/Dunlap, unan.) ordering work done. (P/W to handle)

2. Block 456, W/Morris/Stoddard - Myrtle/Olive.

ACTION: Res. 75-781 adopted (Kullijian/Dunlap, unan.) ordering work done. (P/W to handle)

3. Block 6064, Balboa/Coronado - Enslen/Sherwood

ACTION: Res. 74-782 adopted (Kullijian/Dunlap, unan.) ordering work done. (P/W to handle)

4. Block 6620, Tully/Rivera - Mt. Vernon/Bowen (N/S leg)

ACTION: Res. 75-783 adopted (Kullijian/Dunlap, unan.) ordering work done. (P/W to handle)

5. Block 5322, Los/Pinos - Emerald - Elm/Arboleda (E/W leg)

ACTION: Res. 75-784 adopted (Kullijian/Dunlap, unan.) ordering work done. (P/W to handle)

6. Block 6918, Ryan/Charles - Jasmin/Dana

ACTION: Res. 75-785 adopted (Kullijian/Dunlap, unan.) ordering work done. (P/W to handle)

7. Block 6703, Adel/Bispo - Monticello/Winning

ACTION: Res. 74-786 adopted (Kullijian/Dunlap, unan.) ordering work done. (P/W to handle)

12. Hearings on orders for alley improvements, continued 7:30 P.M.

8. Block 355, Leon/Yosemite - Western/South

ACTION: Res. 75-787 adopted (Kullijian/Dunlap, unan.) ordering work done. (P/W to handle)

9. Block 587, Melrose/High - Redwood/Scenic

ACTION: Res. 75-789 adopted (Kullijain/Dunlap, unan.) ordering work done. (P/W to handle)

10. Block 6728, Monticello/Monte Verde - Mt. Vernon (E/W leg)

ACTION: Res. 75-790 adopted (Kullijian/Dunlap, unan.) ordering work done. (P/W to handle)

Staff was directed to resolve problems in area; to check the \$2.00 per lineal foot cost estimate, and to bring this back to Council if radically incorrect. (P/W to handle)

(b) Consider award of contract for asphalt concrete surfacing various residential alleys, Project No. 3.
(Bids were opened July 22, 1975. The low bid of \$29,264 submitted by George Reed, Inc. is 15.51% below the Engineer's Estimate, and is considered acceptable. It is recommended by the Public Works Department that contract be awarded to them. Estimated cost \$32,728.00 (Cont. \$29,264; Engr. \$3,464). Funds are budgeted)

ACTION: Res. 75-791 adopted (Elliott/Dunlap, unan.) awarding contract to low bidder. (P/W to handle)

13. Hearing on vacation and abandonment of the 20-foot alley in Quaresma Tract No. 1 Subdivision. 7:35 P.M.

ACTION: By motion (Dunlap/Kullijian, unan.) Council intent declared to formally abandon alley in Quaresma Tract No. 1 Subdivision when final map of Quaresma Tract No. 2 Subdivision is filed (deadline for filing said final map, February 6, 1976). (Planning to handle)

14. Hearing on vacation and abandonment of 20-foot public alley in Blocks 99 and Q of City of Modesto. 7:40 P.M.

ACTION: Res. 1311-S.P. adopted (Mensinger/Dunlap, unan.) approving vacation and abandonment of alleys. (P/W to handle)

15. Hearing, application of Cablecom-General of Modesto for rate increase. 7:45 P.M.

ACTION: By motion (Dunlap/Siefkin, unan.) request of Cablecom for rate increase referred back to staff committee making original study, two councilmembers to be appointed to work with the Committee, for further study on the quality of service, reception, programming, and rates, and to report back to the Council within a reasonable time. (C/Mgr to handle)

By order of the Chair, Councilmembers Siefkin and Dunlap appointed to work with the staff committee.

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

NONE

ORDINANCES

CONSENT

17. Adoption of Ordinance No. 1462-C.S. relating to Office of Management Services.
(Motion approving needed)

ACTION: By motion, Ord. No. 1462-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

18. Consider adopting new resolution establishing conditions for installment payments for sewer connection charges and subtrunk extension charges.
(Memo with agenda. Resolution establishing conditions needed)

ACTION: Res. 75-792 adopted establishing conditions for installment payments. (P/W to handle)

19. Consider authorization of Public Works staff to deviate from Standard City Specifications for replacement of street lights in established residential areas.
(Memo with agenda. Motion needed. Estimated cost \$135,600. Funds are budgeted)

ACTION: By motion (Mensingher/Siefkin, unan.) staff authorized to deviate from standard specifications for street light replacements in established residential areas. (P/W to handle)

CONSENT

20. Consider lease of city-owned property on 10th Street between F and G to Don L. Thiel of Thiel Motors.
(Memo with agenda. Resolution approving lease needed)

ACTION: Res. 75-793 adopted approving lease agreement. (Clerk to handle)

CONSENT

21. Status of Parking lot leases.
(Memo with agenda. This is a periodic report showing the status of the leases and possible future capital requirements. No council action needed. For information only)

ACTION: NONE

REPORTS

CONSENT

22. Quarterly report, April-June 1975 on Ecology Action curbside recycling program.
(The salvageable waste license issued to Ecology Action requires periodic reports on their activities. Their report for the second quarter of 1975 is submitted to Council indicating tonnages and income generated for that period. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

23. Recommend commencement of proceedings for annexation to the City of inhabited territory - Roble-Haddon Addition.
(On July 15, 1975, the Planning Commission adopted Resolution No. 75-110 recommending to the Council the commencement of proceedings for the annexation of this Addition. Resolution consenting to commencement of proceedings to annex needed)

ACTION: Res. 75-794 adopted approving commencement of proceedings.
(Planning to handle)

24. Consider proposed revision to Satellite Commercial Area Policy.
(On July 15, 1975, the Planning Commission by Resolution No. 75-112 recommended to the Council adoption of a revised satellite commercial area policy and referred to the Council for review a report titled "Review of Satellite Commercial Policy." Resolution approving revised satellite commercial area policy and motion acknowledging receipt of report titled "Review of Satellite Commercial Policy" needed)

ACTION: (Councilmember Newton was excused from meeting at 11:15 P.M.)

Res. 75-795 adopted (Dunlap/Kullijian, unan., Newton, Elliott absent) approving revision to Satellite Commercial Area policy.
(Planning to handle)

By motion, (Dunlap/Kullijian, unan - Newton, Elliott absent) receipt of report titled "Review of Satellite Commercial Policy" acknowledged.

25. Draft SAAG Housing Element Phase III: Council Direction to Delegates.
(Copies of draft report attached; memo with staff recommendation to follow. Motion directing SAAG delegates of desired action on Draft Phase III Housing Element needed)

ACTION: By motion (Elliott/Mensing, unan. - Newton, absent) delegates instructed to strongly support SAAG adoption of Housing Element Phase III. (Planning to handle)

MISCELLANEOUS

26. Legislation.

(a) Consideration of Legislative Bulletin dated July 17, 1975.

ACTION: By motion (Dunlap/Mensing, unan. - Newton, absent) AB-11 opposed in its present form. (C/Mgr to handle)

By motion (Mensing/Dunlap, unan. - Newton, absent) AB-416 supported if amended to provide changes cited by the League.
(C/Mgr to handle)

By motion (Dunlap/Elliott, unan. - Newton, absent) SB-505 supported. (C/Mgr to handle)

By motion (Dunlap/Mensing, unan. - Newton, absent) SB-623 opposed. (C/Mgr to handle)

By motion (Dunlap/Elliott, unan. - Newton, absent) SB-1127 opposed unless it is permissive. (C/Mgr to handle)

By motion (Dunlap/Mensing, unan. - Newton, absent) SB-271 opposed. (C/Mgr to handle)

27. Appointments.

NONE

28. Matters too late for the agenda.

ACTION: By motion (Mensing/Dunlap, unan. - Newton, absent) Mayor authorized to make statement in behalf of the Council against the bombing activities in Keyes)

The Council retired to executive session at 11:33 P.M. to consider a personnel matter and did not return to open session.

Adjournment at 11:33 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 4, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation by Reverend Greg Vacca, Trinity Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9,
Item 12 removed from consent 13, 14, 15, 16, 17, 18, 19, 20
Dunlap/Mensinger, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of regular meeting of July 28, 1975.
(Motion approving needed)

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

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from Superintendent, Stanislaus Union School District, concerning lack of a park site adjacent to Muncy School.
(Motion referring to staff for report and recommendation needed)

ACTION: By motion, letter referred to staff for report and recommendation.
(P & R to handle)

BIDS

CONSENT

3. Consider approval of specifications and authorize call for bids to be opened September 10, 1975 at 2:00 P.M. for furnishing one (1) gasoline powered, 4,000 lb. capacity, fork lift complete with side shift carriage.
(Item authorized for purchase in 1975-76 budget. Resolution approving bid call needed. Estimated cost \$12,356. Funds are budgeted)

ACTION: Res. 75-796 adopted approving bid call. (Finance to handle)

CONSENT

4. Approve plans and specifications for construction of a 34-space vehicular parking lot at the southeast corner of Tuolumne and Neece for the Municipal Golf Course and authorize call for bids.
(Memo with agenda. Estimated cost, \$24,414. Resolution approving plans, specifications and call for bids needed. Funds are budgeted)

ACTION: Res. 75-797 adopted approving plans, specifications and bid call to be opened at 2:10 P.M. on Spetember 2, 1975. (P & T to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for construction of Carver Village No. 2 waterlines.
(Suggested bid opening August 19, 1975 at 11:00 A.M. Costs and revenues: Construction, \$89,430; Connection charges, \$42,460; net revenue, \$3,358. Resolution approving bid call needed. Estimated cost, \$89,430 (\$61,125 Const.; \$28,305 Engr. & Matl.) Funds are budgeted)

ACTION: Res. 75-798 adopted approving plans, specifications and bid call.
(P/W to handle)

CONSENT

6. Consider award of contract for construction of Briggsmore Place waterlines.
(Bids were opened July 29, 1975. The low bid of \$16,592.50 submitted by Joe Martin, which is 8% below the Engineer's Estimate, is considered acceptable. It is recommended that contract be awarded to low bidder. Resolution awarding contract needed. Estimated cost \$16,592.50; funds are budgeted)

ACTION: Res. 75-799 adopted awarding bid. (P/W to handle)

CONSENT

7. Consider acceptance of Lee White's contract for construction of sludge drying bed modifications.
(Original contract \$16,911.75. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Final cost \$17,195.07. Funds are budgeted)

ACTION: Res. 75-800 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider awarding bid to American Rubber Company for furnishing 1½", 2½" and 3" fire hose as per city specifications Q-75 for \$13,054.72 including state and local taxes.
(Memo with agenda. Resolution awarding bid needed. Estimated cost \$13,054.72. Funds are budgeted)

ACTION: Res. 75-801 adopted awarding bid. (Finance to handle)

CONSENT

9. Approve plans and specifications and call for bids for asphalt concrete surfacing various residential alleys, Project No. 4.
(Suggested bid opening date August 19, 1975 at 11:10 A.M. This is the fourth project of the new program which provides for city crews to clean, grade and compact alleys, and the adjacent property owners paying the cost of the asphalt concrete surfacing of the alleys. Memo with agenda. Resolution approving bid call needed. Est. cost Cont. \$19,630; Eng. \$2,945.00. Funds are budgeted)

ACTION: Res. 75-802 adopted approving plans, specifications and bid call.
(P/W to handle)

HEARINGS

10. Hearing, annexation of Scenic-Lakewood Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 75-803 adopted approving annexation. (Clerk to handle)

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

NONE

ORDINANCES

12. (a) Ordinance amending Section 4-5.10 of Chapter 5 of Title IV of the Modesto Municipal Code relating to advertising banners. (Introduction of ordinance needed)

ACTION: Ord. No. 1463-C.S. introduced (Elliott/Siefkin - Kullijian, Newton and Mayor Davies, no) prohibiting banners. (Clerk to handle)

- (b) Resolution rescinding Resolution No. 64-34 entitled "A Resolution Establishing Policy on Granting of Permits to Display Banners and Decorations over and across Streets in the City of Modesto," and rescinding Resolutions Nos. 10,013-N.S. and 59-424.

ACTION: Res. 75-804 adopted (Elliott/Siefkin - Kullijian, Newton, and Mayor Davies, no) rescinding resolutions establishing banner policies. (Clerk to handle)

CONSENT

13. Consider approval of lease with Modesto Exec-Air, Airport fixed base operator.
(Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 75-805 adopted approving lease agreement. (Clerk to handle)

CONSENT

14. Consider revision of water rates and regulations section of Modesto Municipal Code by establishing minimum rate for a 12" service.
(Memo with agenda. Motion introducing ordinance needed)

ACTION: Ord. No. 1464-C.S. introduced approving revision of water rates and regulations. (Finance to handle)

CONSENT

15. Consider request of Dr. W. R. Swanke for an encroachment in the alley at 225 Granger.
(Letter attached. Resolution setting August 11, 1975 at 7:40 P.M. for hearing needed)

ACTION: Res. 75-806 adopted setting hearing. (Clerk to handle)

CONSENT

16. Consider agreement with Security Transport for Air Taxi Operation at the Modesto City-County Airport/Harry Sham Field.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-807 adopted approving agreement. (Clerk to handle)

CONSENT

17. Consider request for sewer service to property at 3800 McHenry Ave., located on the north side of Union Avenue east of McHenry Avenue. (C.W. Brower, Inc., property owner, has signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 75-808 adopted approving sewer service. (P/W to handle)

CONSENT

18. Consider approval of cooperative agreement with Stanislaus County to design and construct the new alignment of Standiford Ave. between Dale Road and MID Lateral No. 7.
(Agreement provides for sharing cost of construction of new street. Resolution needed. Estimated cost \$54,000 Fiscal year 75-76; \$383,000 Fiscal year 76-77. Funds are budgeted)

ACTION: Res. 75-809 adopted approving agreement with County. (P/W to handle)

CONSENT

19. Consider approval of revocable permit to City of Modesto from Hetch Hetchy Water and Power for access road across Hetch Hetchy right of way (Wesson Ranch Road) and authorize City Manager to execute on behalf of City of Modesto.
(The access road is known as Wesson Ranch Road and is located east of Tully Road. Resolution approving permit needed, authorizing execution by City Manager)

ACTION: Res. 75-810 adopted approving permit and authorizing execution by City Manager. (Clerk to handle)

CONSENT

20. Consider approval of revocable permit to the City of Modesto from Hetch Hetchy Water and Power to widen Tully Road across Hetch Hetchy right of way and authorize City Manager to execute on behalf of City of Modesto.
(This permit will allow the City to widen Tully Road to its full major street width on the west side at the Hetch Hetchy right of way. Resolution approving revocable permit and authorizing execution by City Manager needed)

ACTION: Res. 75-811 adopted approving permit and authorizing execution by City Manager. (Clerk to handle)

REPORTS

- 20-A. Report on Modesto High School Auditorium.
(Memo with agenda. Motion directing staff needed)

ACTION: By motion (Newton/Mensing, unan.) Council went on record approving financial participation in amount of \$33,000 to air condition the Modesto High School Auditorium, subject to agreement with Modesto City Schools relative to the availability of the auditorium for public use. (C/Mgr to handle)

REPORTS FROM THE PLANNING COMMISSION

21. Structural analysis of Strand Theater.
(Planning Commission has recommended a complete structural analysis be done of the Strand prior to City Council deliberations on downtown plan in the fall. Motion authorizing staff to start preliminary negotiations with structural engineers for a thorough structural analysis of Strand Theater in order to determine extent of work needed and cost)

ACTION: (Councilmember Kullijian was excused due to a conflict of interest)

By motion (Dunlap/Siefkin, unan. - Kullijian, absent) City Manager authorized to negotiate with engineering firm to make structural study of Strand Theater; staff directed to furnish Council with comparison cost estimates - restoration of old structure vs. construction of new structure. (C/Mgr to handle)

22. Obtain option to buy.
(Planning Commission has recommended to Council that an option to buy the Strand Theater be obtained pending a thorough structural analysis. Memo from Chairman of Planning Commission with agenda. Motion authorizing City Manager to obtain an option to buy Strand Theater pending a thorough structural analysis needed)

ACTION: (Councilmember Kullijian was excused due to a conflict of interest)

A motion (Dunlap/Newton - Kullijian, absent) that the option to buy the Strand Theater not be considered until after completion of the structural study was withdrawn.

By motion (Dunlap/Newton - Kullijian, absent) option approved at a cost to the City of not more than \$1.00. (C/Mgr to handle)

MISCELLANEOUS

23. Legislation.

ACTION: By motion (Mensingher/Newton, unan.) SB-927 supported. (C/Mgr to handle)

By motion (Kullijian/Dunlap, unan.) AB-1485 supported. (C/Mgr to handle)

By motion (Siefkin/Mensingher, maj./ Elliott, Kullijian & Davies, no) AB-1222 supported, subject to changes. (C/Mgr to handle)

24. Appointments.

ACTION: Res. 75-812 adopted (Mensingher/Kullijian, unan.) appointing Senaida Gomez, 719 Lombardo St., to Human Rights Commission, replacing Lupe Hernandez, for a term ending May 1, 1979. (Clerk to handle)

25. Matters too late for the agenda.

ACTION: Res. 75-813 adopted (Davies/Kullijian, unan.) protesting the bombing activities in Keyes. (C/Atty to handle)

The Council went into executive session at 6:24 P.M. to discuss acquisition of property, not to return to open session.

Adjournment at 6:24 P.M.

ATTEST:

Pauline P. Stanley
PAULINE P. STANLEY
Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 11, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 9,
Item 18 removed from consent 10, 11, 12, 17(b), 20, 21, 22,
Kullijian/Newton, unan. 23, 24

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of regular meeting of August 4, 1975.
(Motion approving needed)

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

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from Theodore M. Cook resigning from Downtown Improvement District Advisory Board.
(Resolution accepting resignation needed)

ACTION: Res. 75-814 adopted accepting resignation. (Clerk to handle)

3. Letter from Mr. Isaac Carter regarding collection of garden refuse.
(Memo with agenda)

ACTION: No action taken.

BIDS

CONSENT

4. Consider award of contract for street closure barriers at Briggsmore Avenue.
(Bids were opened August 5, 1975. The low bid of \$13,122 submitted by William M. Mineni is 24.7% above the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$15,090 (Contr. \$13,122; Engr. \$1,968). Funds are budgeted)

ACTION: Res. 75-815 adopted awarding contract to low bidder. (P/W to handle)

CONSENT

5. Approve specifications and call for bids for three new buses and three new fare boxes.
(The specifications provide for three new 42-passenger, air-conditioned, diesel buses and three new fare boxes. Delivery is expected about April 1, 1976. A federal grant will pay 80% of the cost. Memo with agenda. Resolution approving bid call needed. Estimated cost \$207,000. Funds are budgeted)

ACTION: Res. 75-816 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

6. Consider approval of specifications and authorize call for bid to be opened September 16, 1975 at 2:15 P.M. for furnishing one four-wheeled diesel tractor.
(Item authorized for purchase in 1975-76 budget. Resolution needed. Estimated cost \$8,297. Funds are budgeted)

ACTION: Res. 75-817 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of utility buildings in Rose Avenue, Sutter and Woodrow Parks.
(Suggested bid opening date September 2, 1975 at 11:00 A.M. This project has been budgeted to construct utility buildings in the three parks. Resolution approving bid call needed. Estimated cost \$116,000, (\$111,000 Const.; \$5,000 Engr. & Insp.). Funds are budgeted)

ACTION: Res. 75-818 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

8. Waive formal bid procedures and authorize the purchase of one Morris recirculating pump and accessories from the Milton S. Frank Company, San Francisco, California, for the total sum of \$16,777.36.
(Memo with agenda. Resolution needed. (5 affirmative votes required)
Funds are budgeted)

ACTION: Res. 75-819 adopted waiving formal bid procedure and authorizing purchase of recirculating pump from Milton S. Frank Co. (Finance to handle)

CONSENT

9. Consider acceptance of Joe Martin's contract for installation of waterlines in Smoketree No. 2.
(Original contract \$15,603. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost \$15,193. (Main, \$12,883; Services, \$2,310). Funds are budgeted)

ACTION: Res. 75-820 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Morrow & Waggoner's contract for construction of parking area on west side of Fire Station No. 5.
(Original contract \$10,980.40. All work on this project has been completed to the satisfaction of the Fire Department and the Public Works Department. It would be in order to accept the work as complete and to file the notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$11,366.80. Funds are budgeted)

CONSENT

10. Consider acceptance of Morrow & Waggoner's contract for construction of parking area on west side of Fire Station No. 5, continued.

ACTION: Res. 75-821 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider acceptance of Collins Electrical Co.'s contract for telemetering lift stations.
(Original contract \$4,800. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost \$4,800 (contract). Funds are budgeted)

ACTION: Res. 75-822 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider approval of specifications and authorize call for bids to be opened September 16, 1975, at 2:00 P.M. for furnishing one gasoline powered industrial sweeper.
(Item authorized for purchase in 1975-76 budget. Resolution needed. Estimated cost \$9,195. Funds are budgeted)

ACTION: Res. 75-823 adopted approving specifications and bid call.
(Clerk to handle)

HEARINGS

13. Hearing, annexation of Blue Gum Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 75-824 adopted (Dunlap/Kullijian, unan.) approving annexation of Blue Gum Addition to Modesto Municipal Sewer District No. 1.
(Clerk to handle)

14. Informal hearing - Solid Waste Management Plan for Stanislaus County. 7:35 P.M.

ACTION: Harter Bruch, Assistant County Public Works Director, discussed the preliminary draft of the Solid Waste Management Plan for Stanislaus County. Cliff Humphrey, Ecology Action, spoke briefly. No action was taken by the Council.

15. Hearing, request of Dr. W. R. Swanke for encroachment permit. 7:40 P.M.

ACTION: Res. 75-825 adopted (Dunlap/Kullijian, unan.) granting encroachment permit to Dr. W. R. Swanke to erect barrier in alley at 225 West Granger subject to conditions recommended by Director of Public Works. (P/W to handle)

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

ACTION: Director of Planning and Community Development Nichols introduced Robert Ross, the recently appointed Housing Program Officer.

John Ward, 528 College Avenue, suggested that if acquired, the Strand Theater be renovated at a minimal cost through volunteer effort on part of the public.

Robert Schmidt, member of the Farm-City Committee, was introduced from the audience by Mayor Davies.

ORDINANCES

- 17 (a) Final adoption of Ord. No. 1463-C.S. relating to advertising banners.
(Motion with roll call vote needed)

ACTION: By motion (Elliott/Dunlap - Kullijian, Newton and Mayor Davies, no) Ord. No. 1463-C.S. adopted. (Clerk to handle)

CONSENT

- 17 (b) Final adoption of Ord. No. 1464-C.S. relating to water rates.
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1464-C.S. adopted. (Clerk to handle)

18. An Ordinance adding Section 4-2.17 to Chapter 2 of Title IV of the Modesto Municipal Code relating to motorcycles.
(Memo with agenda. Motion introducing ordinance needed)

ACTION: By motion (Elliott/Mensing, unan.) matter held over to give interested persons and organizations a chance to submit input.
(C/Mgr to handle)

OLD BUSINESS

19. Report on sign complaint - Doug Smith - Sign Designs.
(Report with agenda. Motion acknowledging receipt of report needed)

ACTION: No action taken.

NEW BUSINESS

CONSENT

20. Renewal of Airport comprehensive liability insurance policy and consideration of providing additional non-owned aircraft liability coverage.
(Memo with agenda. Resolution authorizing renewal of comprehensive liability policy, including additional non-owned aircraft liability coverage, needed. Funds are budgeted. Estimated cost \$5,500)

ACTION: Res. 75-826 adopted authorizing renewal of comprehensive liability policy, including additional non-owned aircraft liability coverage. (Finance to handle)

CONSENT

21. Consider approval of final map of Havenbrook Park No. 2 Subdivision of the City of Modesto and authorize an agreement with subdivider, as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Havenbrook Park No. 2 Subdivision is located along the south side of Briggsmore Ave. east of Sonoma Ave. It contains 8.553 acres. Resolution approving final map needed)

ACTION: Res. 75-827 adopted approving final map of Havenbrook Park No. 2 Subdivision and approving agreement with subdivider.
(Clerk to handle)

CONSENT

22. Consider continuation of domestic water study with the United States Geological Survey.
(It is proposed the City enter into a cooperative agreement with United States Geological Survey for water resources investigations for this fiscal year. Memo with agenda. Estimated cost \$7,500. Budgeted funds, \$1,000. Resolution approving appropriation transfer of \$6,500 from Account 60-321 to Account 6808-41-321 needed; Resolution approving cooperative agreement needed)

ACTION: Res. 75-828 adopted approving appropriation transfer of \$6,500.
(Finance to handle)

Res. 75-829 adopted approving agreement. (P/W to handle)

CONSENT

23. Consider applications for aid for Airport 76-77 Capital Improvement Program projects.
(Memo with agenda. Resolution authorizing submittal of application under the CAAP for 1976-77 fiscal year and approving negative environmental impact statement; Resolution approving submittal of pre-application for federal assistance under the Airport and Airway Development Program (ADAP)

ACTION: Res. 75-830 adopted authorizing submittal of application under CAAP for 1976-77 and approving negative environmental impact statement. (P/W to handle)

Res. 75-831 adopted approving submittal of preapplication for federal assistance under the Airport and Airway Development Program. (P/W to handle)

REPORTS

CONSENT

24. Annual inventory of fixed assets and central stores items.
(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.

MISCELLANEOUS

25. Legislation.

ACTION: By motion, (Elliott/Siefkin, unan.) AB 1352 opposed.
By motion, (Elliott/Kullijian, unan.) SB-1082 opposed.
(C/Mgr to handle)

26. Appointments.

ACTION: Res. 75-832 adopted (Siefkin/Dunlap, unan.) appointing the following members to the Downtown Improvement District Advisory Board:

Gary West, Area D (replacing Theodore Cook) term ending 3/28/77
Eric Rowe, Area D (replacing Ray Langley) term ending 3/28/79
Dennis Wilson, Area H (replacing Willard Thomas) term ending 3/28/76
Lew Franklin Jr., Area H (replacing Cleveland Stockton) term ending 3/28/79
Dirk Hoek, Area G (replacing Earl Egolf) term ending 3/28/79.
(Clerk to handle)

26. Appointments, continued.

ACTION: Res. 75-833 adopted (Dunlap/Sieffin, unan.) appointing five members to the Citizen's Housing and Community Development Committee for terms to be determined later. (Clerk to handle)

Res. 75-834 adopted (Siefkin/Dunlap, unan.) appointing five members to the Housing Maintenance and Counseling Subcommittee of the Citizen's Housing and Community Development Committee for terms to be determined later. (Clerk to handle)

Res. 75-835 adopted (Newton/Dunlap, unan.) appointing five members to the Rehabilitation Loan Pool Subcommittee of the Citizen's Housing and Community Development Committee for terms to be determined later. (Clerk to handle)

27. Matters too late for the agenda.

NONE

Adjournment at 9:30 P.M. to Thursday, August 14, 1975 at 8:00 A.M. in Mirror Room, Hotel Covell, for review of downtown study.

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

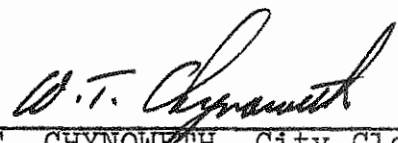
Modesto City Council
August 14, 1975

The Council of the City of Modesto met in adjourned regular session this date at 8:00 A.M. in the Mirror Room, Hotel Covell, 11th and J Streets, Modesto, California to consider the downtown study.

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

William Nichols, Director of Planning and Community Development, and Assistant Michael Herrera reviewed the progress made by the Downtown Improvement District Board and the Planning Commission in connection with the downtown study. A lap-up hearing will be held by the above on Tuesday, October 7, 1975, and the matter referred to the City Council for deliberation after review of the Urban Growth Study.

ATTEST:


W. T. CHYNOWETH, City Clerk

Modesto City Council
Special Meeting
August 18, 1975

The Council of the City of Modesto met in Special Meeting at the McHenry Museum of Art and History, 1402 Eye Street, Modesto, California, at 3:15 P.M. and there were:

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

The Council viewed the results of a project whereby the McHenry Museum Guild had paintings restored with the aid of a grant from the California Arts Commission.

The meeting was adjourned at 3:40 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 18, 1975 AT 4:00 P.M.

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

Absent: None
(Councilmember Newton arrived at 4:03 P.M.)

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9,
Item 13 removed from consent 11, 12, 14, 15, 17, 18, 19
Dunlap/Siefkin, unan. - Newton, 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)

PRESENTATIONS

1. Presentation to Dr. Merrill Alexander for eight years of service on the Planning Commission.

ACTION: Mayor Davies presented a plaque to Dr. Alexander.

APPROVAL OF MINUTES

CONSENT

2. Minutes of August 11, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Request of Kings County Truck Lines for abandonment of N Street between Washington and 8th Streets.
(Resolution referring to Planning Commission for report and recommendation needed)

ACTION: Res. 75-836 adopted referring request to Planning Commission for report and recommendation. (Planning to handle)

CONSENT

4. Appeal by Sign Designs, Inc. to Board of Zoning Adjustment finding that a 48 square foot sign at 1500 McHenry is illegal.
(Resolution setting September 8, 1975 at 7:30 P.M. for hearing needed)

ACTION: Res. 75-837 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

5. Consider acceptance of Joe Martin's contract for construction of waterlines on Sherwood Avenue between Woodrow and Standiford. (Original contract \$2,899.61. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$2,991.10. Funds are budgeted)

ACTION: Res. 75-838 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of Little John Creek Bridge. (Bid opening September 2, 1975 at 11:15 A.M. This bridge is needed to permit access to Thousand Oaks Park from Kewin Park. Resolution approving bid call needed. Estimated cost \$19,500 (\$17,500, Const.; \$2,000 Engr. & Insp.) Funds are budgeted)

ACTION: Res. 75-839 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of Woodglen Park No. 1 waterlines. (Suggested bid opening September 2, 1975 at 11:10 A.M. Construction, \$52,262; Connection charges, \$18,040; Net Revenue, \$1,427.00. Resolution approving call for bids needed. Estimated cost \$52,262 (Const. \$36,025; Matl. & Engr. \$16,237) Funds are budgeted)

ACTION: Res. 75-840 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

8. Consider approval of specification S-75 and authorize call for bids to be opened October 7, 1975 at 2:00 P.M. for furnishing automotive equipment. (Memo with agenda. Resolution needed. Estimated cost \$174,586. Funds are budgeted)

ACTION: Res. 75-841 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

9. Consider award of contract for construction of waterlines in Wesson Estates No. 2. (Bids were opened August 12, 1975. The low bid of \$12,315.50 submitted by R & R Construction, which is 5% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to low bidder. Resolution awarding contract needed. Estimated cost, \$12,315.50. Funds are budgeted)

ACTION: Res. 75-842 adopted awarding contract to R & R Construction Co. (P/W to handle)

HEARINGS

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

ACTION: None

NEW BUSINESS

CONSENT

11. Request from Modesto Roadmen for permission to conduct bicycle race around Downey Park and Downey High School.
(Memo with agenda. Motion approving request needed)

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

CONSENT

12. Authorize submittal of applications to SAAG for non-motorized facility and transportation planning grants.
(Memo with agenda. Applications have been filed by authority of Council motion; however, a resolution of the Council is necessary. Resolution authorizing submittal of applications needed)

ACTION: Res. 75-843 adopted authorizing submittal of applications to SAAG. (P & T to handle)

13. Consider lease agreement with SAFECO Title Insurance Co. for property at 920 - 12th Street.
(The City's responsibility in areawide census is to provide facility for census crew. The vacant title company building on 12th Street provides the only appropriate office area for required use. Lease is for two-month period beginning August 25. Rental payment is \$1,600 per month. Resolution approving agreement needed. Estimated cost \$3,200. Funds are budgeted)

ACTION: Res. 75-844 adopted/approving lease agreement. (P/W to handle) (Kullijian/Elliott, maj. - Mensinger & Siefkin, no)

By motion (Kullijian/Elliott, maj. - Mensinger & Siefkin, no) staff directed to continue to negotiate for a lower rental.
(P/W to handle)

CONSENT

14. Consider approval of State Department of Transportation grant agreement (The grant agreement provides assistance for airport clear zone land acquisition purchase costs. Memo with agenda. Resolution approving grant agreement and resolution transferring \$4,344 from the Special Fund for Capital Outlays to the Special Aviation Fund needed)

ACTION: Res. 75-845 adopted approving grant agreement. (P/W to handle)

Res. 75-846 adopted approving transfer of \$4,344 from the Special Fund for Capital Outlays to the Special Aviation Fund. (Finance to handle)

CONSENT

15. Consider request by Stone Bros. & Associates for a one year extension for installation of a rock well.
(Memo with agenda. Resolution approving letter agreement extending final date for installation of rock well to August 1, 1976 needed)

ACTION: Res. 75-847 adopted approving letter agreement. (P/W to handle)

16. Proposed amendment to Chapter 5 of Title IV of the Municipal Code and adoption of policy and standards for numbering of properties.
(Amendments to the street numbering system are proposed to update the present system adopted in 1950. Also, it is recommended that a policy and standards for numbering properties be adopted by separate resolution Memo with agenda. Introduction of ordinance amending municipal code and resolution establishing street numbering policy and standards needed)

ACTION: Ord. No. 1465-C.S. introduced (Kullijian/Dunlap, unan.) amending Chapter 5 of Title IV. (Clerk to handle)

Res. 75-848 adopted (Kullijian/Dunlap, unan.) establishing policy and standards for numbering. (Planning to handle)

REPORTS

CONSENT

17. Submission of annual summary reports of activities of all city departments for fiscal year 1974-75.
(Report attached. 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.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

18. Vacation and abandonment of the 6-foot public walkway.
(By Resolution No. 75-117 adopted August 5, 1975, the Planning Commission recommended to the City Council the vacation and abandonment of the 6-foot public walkway between Lavender Lane and Brighton Avenue in Block 1090, Lorenzen Park No. 3 Subdivison. Resolution of Intention to vacate and abandon and setting September 8, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. of Int. 356 (1312-S.P.) adopted setting hearing. (Clerk to handle)

CONSENT

19. Recommendations for street names.
(By Resolution No. 75-115 adopted August 5, 1975, the Planning Commission recommended to the Council that the unnamed street that runs east from Coffee Road 530 feet north of Sylvan Avenue be named Haig Way and that the unnamed street that runs north from Sylvan Avenue 530 feet east of Coffee Road be named Isabel Drive. Resolutions adopting street names needed)

ACTION: Res. 75-849 adopted naming Haig Way.

Res. 75-850 adopted naming Isabel Drive. (Planning to handle)

MISCELLANEOUS

20. Legislation.

NONE

21. Appointments.

NONE

22. Matters too late for the agenda.

NONE

Adjournment at 4:40 P.M. to executive session to consider a personnel matter. It was announced that the Council would not return to open meeting.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 25, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation by Reverend Harold Knowles, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 9, 12, 13,
Item 10 removed from consent 14, 18
Dunlap/Newton, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of August 14 (Adjourned regular); August 18 (Special) and August 18, 1975 (Regular).
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider acceptance of R & R Construction's contract for installation of waterlines in Jeffrey Park.
(Original contract \$2,440. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost: Contract, \$2,432; Mains, \$1,742; Services, \$690. Funds are budgeted)

ACTION: Res. 75-851 adopted accepting contract. (Clerk to handle)

CONSENT

3. Consider approval of plans, specifications and call for bids for construction of Odor Control Addition to Emerald Avenue Lift Station.
(Bid opening September 10, 1975 at 11:00 A.M. This project will reduce existing odor. Resolution approving bid call needed. Estimated cost, \$10,800 (\$9,100 Const.; \$1,700 Engr. & Matls.) \$7,000 budgeted. Additional funding will be requested after bid opening)

ACTION: Res. 75-852 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

4. Consider approval of plans, specifications and call for bids for construction of waterlines of Park Place No. 1, Sylvan Square, and Wycliffe Heights No. 1.
(Bid opening September 10, 1975 at 11:10 A.M. Costs and revenues, construction, Park Place No. 1, \$17,685; Sylvan Square, \$9,418; Wycliffe Heights #1, \$24,206. Connection Charges, Park Place No. 1, \$13,640; Wycliffe Heights No. 1, \$9,460. Net revenue, Park Place No. 1, \$1,079; Wycliffe Heights No. 1, \$748. Resolution approving bid call needed. Estimated cost \$31,950, Const.; \$19,359, Engr. & Matls. Funds are budgeted)

CONSENT

4. Consider approval of plans, specs & bid call, continued
(Waterlines - Park Place No. 1, Sylvan Square & Wycliffe Heights No. 1)

ACTION: Res. 75-853 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

5. Consider award of contract for construction of Carver Village No. 2 waterlines.
(Bids were opened August 19, 1975. The low bid of \$49,195.50 submitted by Joe Martin, which is 20% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$49,195.50. Funds are budgeted)

ACTION: Res. 75-854 adopted awarding contract to Joe Martin. (P/W to handle)

HEARINGS

6. Hearing, annexation of amended McHenry-Union Addition to City of Modesto. 7:30 P.M.

ACTION: Res. 75-855 adopted (Elliott/Kullijian, unan.) declaring majority protest not made.

Ord. No. 1466-C.S. adopted (Elliott/Kullijian, unan.) annexing McHenry-Union Addition to City. (Clerk to handle)

- 7A. Hearing on orders to construct alley improvement, Project No. 4, at the following locations: 7:35 P.M.

(a) Block 354 - Leon/Alturas - Western/South.

ACTION: Res. 75-856 adopted (Dunlap/Kullijian, unan.) ordering work done. (P/W to handle)

(b) Blocks 6113 & 6114 - Pearl/Glenwood - Tully/Kearney.

ACTION: Res. 75-857 adopted (Dunlap/Kullijian, unan.) ordering work done. (P/W to handle)

(c) Block 406 - Spruce/Vine - Jefferson/Washington.

ACTION: Res. 75-858 adopted (Dunlap/Kullijian, unan.) ordering work done. (P/W to handle)

(d) Block 6049 - W. Orangeburg/Cornell - College.

ACTION: Res. 75-859 adopted (Dunlap/Kullijian, unan.) ordering work done. (P/W to handle)

(e) Block 2125 - Miller/Yosemite - Rosina/Severin.

ACTION: By motion (Kullijian/Elliott, unan.) hearing continued to Sept. 2, 1975 at 4:00 P.M., and staff directed to work with Mrs. Sedora in attempt to help her. (P/W to handle)

(f) Block 6181 - Carlton/Bronson - Northern/Granger.

ACTION: Res. 75-860 adopted (Dunlap/Kullijian, unan.) ordering work done. (P/W to handle)

- 7B. Consider award of contract for asphalt concrete surfacing - various residential alleys, Project No. 4.
(Bids were opened August 19, 1975. The low bid of \$16,865 submitted by the Flintkote Company is 14.1% below the Engineer's Estimate, and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract needed. Estimated cost \$19,394.75 (Contr. \$16,865; Engr. \$2,529.75). Funds are budgeted)

ACTION: Held for one week.

8. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

9. Final adoption of Ord. No. 1465-C.S. - numbering of properties.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1465-C.S. adopted. (Clerk to handle)

10. Legalize speed limits on several streets.
(Radar speed surveys have been on several streets on which the Police Department wishes to use radar. Memo with agenda. Ordinance amending code needed. Estimated cost \$550. Funds are budgeted)

ACTION: Ord. No. 1467-C.S. introduced (Dunlap/Kullijian, unan.) designating speed limits. (Clerk to handle)

By motion (Kullijian/Mensing, unan.) Mayor requested to have League look into possible change in present State legislation re radar speed surveys.

NEW BUSINESS

11. Consider approving renewal of group medical insurance contract with California Blue Shield for one year commencing 9/2/75 with a 15.6 per cent rate increase and consider approval of appropriation transfer to cover increased cost to City.
(Memo and correspondence with agenda. Two resolutions needed: (1) approving renewal of contract at increased rates; (2) approving appropriation transfer for increased cost to City. Portion of funds are budgeted. Estimated cost, \$6,388 for fiscal year 1975-76)

ACTION: Res. 75-861 adopted (Elliott/Dunlap, unan.) approving renewal of contract. (Personnel to handle)

Res. 75-862 adopted (Elliott/Dunlap, unan.) approving appropriation transfers from Accounts 60-101 (\$9,592); 60-209 (\$47); 60-230 (\$80); and 60-512 (\$281) to Accounts 426-64-101 (\$9,571); 426-29-101 (\$21); 426-57-209 (\$47); 426-46-230 (\$80); and 426-48-512 (\$281). (Finance to handle)

CONSENT

12. Consider acceptance of improvements in Lincoln Square No. 3 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(Lincoln Square No. 3 Subdivision is located on the east side of Lincoln Avenue north of Yosemite Blvd. All improvements have been completed to the satisfaction of the Public Works Department and all fees paid. Resolution accepting improvements needed)

ACTION: Res. 75-863 adopted accepting improvements. (Clerk to handle)

CONSENT

13. Consider request for sewer service to property at 822 Erickson Ave., located on the south side of Erickson Avenue east of Bystrom.
(Property owner Polly E. Esparza has signed an agreement to annex when requested to do so by City. The property is not contiguous to the City, however, a sewer line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 75-864 adopted approving agreement. (P/W to handle)

CONSENT

14. Consider approval of revocable permit to the City of Modesto from Hetch Hetchy Water and Power to widen Carver Road across Hetch Hetchy right of way and authorize City Manager to execute on behalf of City of Modesto.
(This permit will allow the City to widen Carver Road to its full collector street width at the Hetch Hetchy right of way. Resolution approving revocable permit and authorizing execution by City Manager needed)

ACTION: Res. 75-865 adopted approving permit. (Clerk to handle)

15. Resolution establishing terms of office and procedures for Citizens Housing and Community Development Committee and Subcommittees.
(Memo with draft resolution attached. Adoption of resolution needed)

ACTION: Res. 75-866 adopted (Dunlap/Siefkin, unan.) establishing terms and procedures. (Planning to handle)

REPORTS

16. Report on the 1975-76 City Assessed Values and Tax Rates.
(Report with agenda. Ordinance setting tax rates and resolution authorizing an interfund transfer from the General Fund to the Special Fund for Capital Outlays needed)

ACTION: Ord. No. 1468-C.S. adopted (Elliott/Dunlap, unan.) setting tax rates at same figures as 1974-75.

Res. 75-867 adopted (Elliott/Dunlap, unan.) transferring \$500,000 to Community Center Fund and \$447,695 to Capital Improvement Fund. (Finance to handle)

17. Garden Refuse report and recommendation.
(Report with agenda. Motion acknowledging receipt of report and directing staff to prepare necessary amendments to Modesto Municipal Code needed)

ACTION: By motion (Elliott/Dunlap, unan.) receipt of report acknowledged and staff directed to prepare necessary documents for consideration at an informal public hearing in the near future. (P/W and C/Atty to handle)

APPROPRIATION TRANSFERS

CONSENT

18. Approval of appropriation transfers adjusting amounts carried over from the 1974-75 fiscal year for various projects.
(Memo with agenda. Five resolutions approving transfers in various funds needed)

ACTION: Res. 75-868 adopted approving appropriation transfer of \$17,206 from Account 6828-50-101 to Account 60-101.

Res. 75-869 adopted approving appropriation transfers from Accounts 6004-212 (\$5,600); 6588-212 (\$59,000); and 6615-212 (\$25,000) to Account 60-212 (\$89,600).

Res. 75-870 adopted approving appropriation transfer of \$516 from Account 6514-46-230 to Account 60-230.

Res. 75-871 adopted approving appropriation transfers from Accounts 6125-41-321 (\$3,699); 6227-56-321 (\$12,710); 6608-41-321 (\$703); 6657-41-321 (\$4,302); 8519-41-321 (\$9,666); 6256-31-321 (\$12,362); 8247-31-321 (\$2,140); 8311-31-321 (\$1,258); 8315-31-321 (\$1,877); 8371-31-321 (\$2,371); 8385-31-321 (\$687); 8415-31-321 (\$74,042) to Account 60-321 (\$125,817).

Res. 75-872 adopted approving appropriation transfers from Accounts 5420-48-512 (\$19,260) and 5433-48-512 (\$7,692) to Accounts 5301-48-512 (\$630); 5424-48-512 (\$2,110); 5445-48-512 (\$180); and 60-512 \$24,032). (Finance to handle)

MISCELLANEOUS

19. Legislation.

(a) AB 1127.

ACTION: By motion (Dunlap/Kullijian, unan.) AB 1127 opposed.

(b) Other.

ACTION: By motion (Siefkin/Mensinger, unan.) amendments to SB 100 supported. (C/Mgr to handle)

20. Appointments.

ACTION: Res. 75-873 adopted (Mensinger/Elliott, unan.) appointing James Biever as a member of the Human Rights Commission to replace Keith Thurston for a term ending May 1, 1976. (Clerk to handle)

Res. 75-874 adopted (Dunlap/Kullijian, unan.) appointing Councilmember Mensinger as the alternate for Councilmember Elliott on the Ancillary Manpower Planning Board #5. (Clerk to handle)

21. Matters too late for the agenda.

ACTION: By motion (Elliott/Kullijian, unan.) City Manager directed to make arrangements for a special Council meeting to be held for the purpose of obtaining citizen input as to priorities for the City. (C/Mgr to handle)

Adjournment at 9:40 P.M. to 10:00 A.M. on August 26, 1975 in the Law Library, third floor, City Hall, for the purpose of meeting with Congressman Sisk.

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

Page 5

8/25/75

Modesto City Council
Adjourned Regular
August 26, 1975

The Council of the City of Modesto met in adjourned regular session this date at 10:00 A.M. in the Law Library, third floor, City Hall, 801 Eleventh Street, Modesto, California, to discuss matters of mutual interest with Congressman Sisk.

Present: Councilmembers: Dunlap, Elliott, Mensinger, Siefkin,
Mayor Davies

Absent: Councilmembers: Kullijian, Newton

A general discussion was held and Congressman Sisk answered questions posed by Council and staff and he also received answers to questions he raised.

The meeting adjourned at 11:30 A.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 2, 1975 AT 4:00 P.M.

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

Pledge of allegiance to the Flag
Invocation by Reverend John Becker, Geneva Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED Items 1, 3, 4, 5, 6, 10, 11, 12,
Items 15 and 27 removed from consent 16, 17, 19, 20, 21, 22, 23, 24,
Items 14 and 18 dropped from agenda 25, 26, 28
Elliott/Newton, unan. - Dunlap, 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.)

APPROVAL OF MINUTES

CONSENT

1. Minutes of August 25 and 26, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

2. Consider award to lowest responsible bidder and authorize the purchase of three (3) 1500 GPM fire pumpers for the total amount of \$282,826.02.
(Memo with agenda. Two resolutions needed: (1) Award contract to low bidder; (2) Resolution appropriating additional amount for fire trucks and fire fighting equipment for the trucks. Estimated cost \$342,826.02. Funds are budgeted)

ACTION: Res. 75-875 adopted (Elliott/Siefkin, unan. - Dunlap, absent) awarding contract to Van Pelt Fire Trucks. (Finance to handle)

Res. 75-876 adopted (Elliott/Siefkin, unan. - Dunlap, absent) appropriating \$192,840.00 for purchase. (Finance to handle)

CONSENT

3. Consider acceptance of William Mineni's contract for construction of wading pool at Rose Avenue Park.
(Original contract \$28,888.00. All work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$29,756.36. Funds are budgeted)

ACTION: Res. 75-877 adopted accepting contract. (Clerk to handle)

CONSENT

4. Consider acceptance of Joe Martin's contract for construction of waterlines in Lakewood Gardens No. 1.
(Original contract \$21,647.25. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Final cost: Contract \$21,444.76. (Mains, \$19,014.76; Services, \$2,430.00) Funds are budgeted)

ACTION: Res. 75-878 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider acceptance of Tri County Builder's contract for construction of T-Hangar-G at Modesto City-County Airport.
(Original contract \$91,718.20. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost Contract, \$91,642.52. Funds are budgeted)

ACTION: Res. 75-879 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider awarding Lang's Enterprises the contract to replace the wet deck surface on the TMA-90 cooling tower located at the Police Department.
(Memo with agenda. Resolution awarding contract needed. Estimated cost \$3,504. Funds are budgeted)

ACTION: Res. 75-880 adopted awarding contract to Lang's Enterprises.
(Finance to handle)

HEARINGS

7. Continued hearing on order to construct alley improvement in Block 2125 - Miller/Yosemite - Rosina/Severin. 4:00 P.M.
(Motion continuing to September 8 at 7:40 P.M. needed to permit further study by staff)

ACTION: By motion (Kullijian/Mensing, unan.) further consideration continued to September 8, 1975 at 7:40 P.M. (Clerk to handle)

8. Award contract - alley resurfacing.
(To be held to September 8 - no Council action needed at this time)

ACTION: Held to September 8, 1975.

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

ACTION: Councilmember Siefkin introduced her mother, Mrs. Deeble, who is visiting here from Fullerton.

ORDINANCES

CONSENT

10. Final adoption of Ord. No. 1467-C.S. regarding speed limits.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1467-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

11. Request by City Manager for permission to attend the annual International Management Association Conference in Seattle, September 28 - October 2, 1975, and to take Friday, October 3, as a vacation day. (Motion approving request needed)

ACTION: By motion, request granted.

CONSENT

12. Consider request for sewer service to property at 417 Robin Hood Drive, located on the north side of Robin Hood Drive between Doncaster Lane and Tuxford Lane. (Owners Robert A. and Darlene J. Jacobsen have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City; however, a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 75-881 adopted approving agreement. (P/W to handle)

13. Approval of Master Plan - Phase I Development of Tuolumne River Regional Park. (Approval of Master Plan for Phase I of Tuolumne River Regional Park, (Area between Mitchell Road and Conejo Avenue) has been approved by the Tuolumne River Regional Park Committee and is being recommended for your approval. Motion approving master plan for Phase I Development needed)

ACTION: By motion (Siefkin/Newton, unan.) master plan approved. (P & R to handle)

CONSENT

14. Request to donate pressed plants to the Great Valley Museum. (Request from staff to donate pressed plant collection to the Great Valley Museum. The collection is now the property of the City and is stored at the McHenry Museum. Motion granting request needed)

DROPPED FROM AGENDA

- 15.A. Authorization for staff to file an application for State Park Bond Funds to assist with the development of Chrysler & Coleman F. Brown Neighborhood Parks. (Resolution approving needed)

ACTION: Res. 75-882 adopted (Kullijian/Mensing, unan. - Dunlap, absent) approving filing of application.

- B. Authorization of staff to file an application for State Park Bond Funds for Phase I development of the Tuolumne River Regional Park. (Resolution approving needed)

ACTION: Res. 75-883 adopted (Kullijian/Mensing, unan. - Dunlap, absent) approving filing of application. (P & R to handle)

CONSENT

16. Agreement with John C. Sue & Associates, Inc. (Agreement provides that John C. Sue & Associates, Inc., Landscape Architect, will prepare a Master Plan for Sylvan Neighborhood Park for a lump sum figure of \$7,280. This agreement is consistent with agreements used for all park Master Plans. Resolution approving agreement needed. Funds are budgeted)

ACTION: Res. 75-884 adopted approving agreement. (P & R to handle)

CONSENT

17. Consider approval of final map of Coffee Terrace No. 4 Subdivision of the City of Modesto and authorize an agreement with subdividers, as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. Coffee Terrace No. 2 subdivision is located on the north side of Floyd Ave. east of Coffee Road. It contains 19.708 acres. Resolution approving final map of Coffee Terrace #4 Subdivision needed)

ACTION: Res. 75-885 adopted approving final map. (Clerk to handle)

CONSENT

18. Consider request for sewer service to property at 1406 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado Avenue. (Owner Robert S. Crosby has signed an agreement to annex when requested to do so by City. The property is contiguous to the city limits and a sewer main exists to serve it. Resolution approving agreement needed)

DROPPED FROM AGENDA

REPORTS

CONSENT

19. Report - Tuolumne River Regional Park Fund. (Report of Tuolumne River Regional Park Funds as required by Regional Park agreement. Report with agenda)

ACTION: No action required.

CONSENT

20. Final report from staff on CPS classification and salary study and report on salary compaction in Police Department. (Reports have already been distributed. Resolution amending position classification plan and resolution approving salaries needed)

ACTION: Res. 75-886 adopted amending position classification plan.

Res. 75-887 adopted approving salaries. (Personnel to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. Vacation and abandonment of a portion of a 20-foot unimproved right of way north of Floyd Ave. approximately 1/2 mile west of Oakdale Road. (On August 19, 1975, the Planning Commission adopted Resolution No. 75-130 recommending to the City Council the vacation and abandonment of the 20-foot unimproved road right-of-way extending north of Floyd Ave. approximately 1/2 mile west of Oakdale Rd. Resolution of Intention to vacate and abandon, and setting October 6, 1975 at 4:00 P.M. for public hearing needed)

ACTION: Res. of Intention 357 (1313-S.P.) adopted setting hearing. (Clerk to handle)

CONSENT

22. Recommend amendment to Section 15-3-9 of the zoning map (U.S. By-Products)
(On August 19, 1975, the Planning Commission adopted Resolution No. 75-127 recommending an amendment to Section 15-3-9 of the zoning map to rezone from low density residential zone, R-1, to medium density residential zone, R-2, property located on the north side of Floyd Avenue east of Rose Avenue extended. Resolution setting October 6, 1975 at 4:05 P.M. for public hearing needed)

ACTION: Res. 75-888 adopted setting hearing. (Clerk to handle)

CONSENT

23. Recommend amendment to Section 8-3-9 of the zoning map (Gerald C. Rule)
(On August 19, 1975, the Planning Commission adopted Resolution No. 75-129 recommending an amendment to Section 8-3-9 of the zoning map to rezone from low density residential zone, R-1, to Planned Development Zone, P-D, property located at the southwest corner of Union and McHenry Avenues. Resolution setting October 6, 1975 at 4:10 P.M. for public hearing needed)

ACTION: Res. 75-889 adopted setting hearing. (Clerk to handle)

CONSENT

24. Recommend amendment to Section 7-3-9 of the zoning map (Lance E. Ellis)
(On August 19, 1975, the Planning Commission adopted Resolution No. 75-124 recommending an amendment to Section 7-3-9 of the zoning map to rezone from low density residential zone, R-1, to medium high density residential zone, R-3, general commercial zone, C-2, and professional office zone, P-0, property located on the west side of Tully between Standiford and Hetch Hetchy right of way. Resolution setting October 6, 1975 at 4:20 P.M. for hearing needed)

ACTION: Res. 75-890 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend amendment to Section 7-3-9 of zoning map (Lance E. Ellis and Carol L. Ellis)
(On August 19, 1975, the Planning Commission adopted Resolution No. 75-123 recommending an amendment to Section 7-3-9 of the zoning map to rezone from low density residential zone, R-1, to Planned Development Zone, P-D, to allow C-1 and P-0 zone uses, property located at the northwest corner of Standiford and Tully. Resolution setting October 6, 1975 at 4:20 P.M. for public hearing needed)

ACTION: Res. 75-891 adopted setting hearing. (Clerk to handle)

CONSENT

26. Recommend amendment to Section 22-3-9 of the zoning map (Wolverine Real Estate)
(On August 19, 1975, the Planning Commission adopted Resolution No. 75-128 recommending an amendment to Section 22-3-9 of the zoning map to rezone from medium density residential zone, R-2, to low density residential zone, R-1, property located on the south side of Wylie Drive east of Rose Avenue. Resolution setting October 6, 1975 at 4:25 P.M. for public hearing needed)

ACTION: Res. 75-892 adopted setting hearing. (Clerk to handle)

27. Recommend amendment to Section 13-3-8 of the zoning map (Sanders Construction Co.)
(On August 19, 1975, the Planning Commission adopted Resolution No. 75-126 recommending an amendment to Section 13-3-8 of the zoning map to rezone from low density residential zone, R-1, to Planned Development Zone, P-D, northwest corner of Rumble and Prescott Roads. Resolution setting October 14, 1975 at 7:30 P.M. for public hearing needed)

ACTION: Res. 75-893 adopted (Mensingers/Newton, unan. - Dunlap and Kullijian, absent) setting hearing. (Clerk to handle)

(Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

APPROPRIATION TRANSFER

CONSENT

28. Approve appropriation transfer of \$2,400 for modifying traffic signals at Coffee and Scenic.
(Memo with agenda. The modification is necessary to eliminate potential liability. Two-thirds of the modification costs is to be paid by the County. Resolution approving transfer of \$2,400 to provide funds to modify the Scenic-Coffee traffic signals needed. Estimated cost \$2,400)

ACTION: Res. 75-894 adopted approving appropriation transfer of \$2,400 from Account 60-321 to Account 7001-56-321. (Finance to handle)

MISCELLANEOUS

29. Legislation.

NONE

30. Appointments.

NONE

31. Matters too late for the agenda.

ACTION: A letter concerning the possibility of a Farmers Market in the downtown area was referred to the Farm-City Advisory Committee by Order of the Chair. (C/Mgr to handle)

A proposed special questionnaire to be used in connection with the census was distributed to councilmembers for their comments. As there were no strong feelings against the questionnaire, it was agreed that councilmembers would relay this information to the County Planning Department.

32. The Council retired to executive session at 4:55 P.M. to discuss personnel matters and returned to open meeting at 5:40 P.M.

ACTION: Res. 75-895 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving salaries for department heads. (Personnel to handle)

Res. 75-896 adopted (Newton/Mensingers, unan. - Dunlap, absent) making no changes in salaries for Council appointees.

Adjournment at 5:45 P.M. to 6:30 P.M. at the Sundial Lodge ^{discuss} to/the Capacity
Building Program with the League of California Team.

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

Modesto City Council
Adjourned Meeting (Regular)
September 2, 1975


The Council of the City of Modesto met at 6:30 P.M. in the Sundial Lodge pursuant to adjournment.

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

Lou Garcia, Bill Rapp and Paul Michael of the League of California Cities Capacity Building Team presented their Profile of the City of Modesto and explained what it was, how it was developed and what the team hoped to do in the future as to presenting possible changes in the operation of the City of Modesto.

Following a period of general discussion, the meeting was adjourned at 9:25 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 8, 1975 AT 7:30 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Siefkin, Vice Mayor
Newton

Absent: Dunlap, Mayor Davies
(Vice Mayor Newton presided)

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8,
Item 16 removed from consent 8a, 14, 15, 17
Mensinger/Siefkin, unan. - Dunlap and
Mayor Davies, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of September 2, 1975 (regular and adjourned regular).
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Resignation of Gordon M. Hart from the Board of Appeals, Dangerous Building Code.
(Resolution accepting with regret needed)

ACTION: 75-897 adopted accepting with regret resignation as of September 2, 1975. (Clerk to handle)

CONSENT

3. Request of Junior Chamber of Commerce for permission to use reviewing stand (with set up and take down by city crews) and to use parking spaces near reviewing stand for refreshment booth on October 11, 1975 in connection with marching band competition.
(Motion referring to staff for report needed)

ACTION: By motion, request referred to staff for report. (P & R, P & T and Police to handle)

BIDS

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened October 28, 1975 at 2:00 P.M. for furnishing police automotive equipment, twenty-four 4-door sedans, two 4-door wagons.
(Memo with agenda, Resolution approving specifications and bid call needed. Estimated cost: \$126,724.00; funds are budgeted)

ACTION: Res. 75-898 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

5. Approval of plans and specifications and call for bids for construction of Waterline Extension on McHenry Avenue, North of W. Union Ave. (Bid opening: September 23, 1975 at 11:00 A.M. This project will provide water for a proposed Mini Warehouse on McHenry Ave. Resolution approving plans, specifications and bid call needed. Estimated cost: \$4,075.00 (\$2,890 Construction, \$1,185 Engineering and Materials. Funds are budgeted)

ACTION: Res. 75-899 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

6. Consider awarding contract for Municipal Golf Course Parking Lot project. (The low bid of \$22,398.88 from George Reed, Inc. is 12% higher than estimated. However, it is recommended that the contract be awarded to George Reed, Inc. as the bid is reasonable. An appropriation transfer of only \$2,185 is needed. Resolution awarding contract and resolution approving appropriation transfer of \$2,185 is needed. Estimated Cost: \$26,786. Funds are budgeted)

ACTION: Res. 75-900 adopted awarding contract to George Reed, Inc. (P & T to handle)

Res. 75-901 adopted approving appropriation transfer of \$2,185 from Account 60-321 to Account 6257-31-321. (Finance to handle)

CONSENT

7. Consider award of contract for construction of Woodglen Park No. 1 Waterlines. (Bids were opened September 2, 1975. The low bid of \$32,477.25 submitted by R & R Construction Co., which is 10% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated Cost: \$32,477.25. Funds are budgeted)

ACTION: Res. 75-902 adopted awarding contract to R & R Construction Co. (P/W to handle)

CONSENT

8. Consider award of contract for construction of Utility Buildings in Rose Avenue Park, Sutter Park, and Woodrow Park. (Bids were opened on September 2, 1975. The low bid submitted by Tri-County Builders, which is 5% under the estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract needed. Funds are budgeted)

ACTION: Res. 75-903 adopted awarding contract to Tri-County Builders. (P/W to handle)

CONSENT

- 8a. Approval of clarifications and addendums to bus specifications requested by General Motors Corporation. (GMC has requested clarification and changes to the specifications for the three buses for which bids are to be opened September 30, 1975. Memo with agenda. Resolution approving requested clarifications and addendums needed. No additional cost over previous estimate (\$207,000 for buses and fare boxes).

ACTION: Res. 75-904 adopted approving clarifications and addendums. (P & T to handle)

HEARINGS

9. Hearing on appeal of Sign Designs, Inc. to BZA finding that 48 sq. ft. sign at 1500 McHenry is illegal. 7:30 P.M.
(To be dropped at request of appellant. Motion needed)

ACTION: By motion (Siefkin/Elliott, unan.) hearing dropped.

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

NONE

11. Hearing on abandonment of 6 foot walkway between Lavender Lane and Brighton Avenue in Lorenzen Park No. 3. 7:35 P.M.

ACTION: Res. 1314-S.P. adopted (Elliott/Kullijian, unan. - Dunlap and Mayor Davies, absent) vacating and abandoning six-foot walkway. (P/W to handle)

12. Continued hearing on order to construct alley improvement in Block 2125 - Miller/Yosemite - Rosina/Severin. 7:40 P.M.
(Continued from 9/2/75)

ACTION: Res. 75-905 adopted (Elliott/Kullijian, unan. - Dunlap and Mayor Davies, absent) ordering that alley in Block 2125 not be improved at this time. (P/W to handle)

13. Consider award of contract for Asphalt Concrete Surfacing Various Residential Alleys, Project No. 4.
(Bids were opened August 19, 1975. The low bid of \$16,865.00 submitted by the Flintkote Company is 14.1% below the Engineer's Estimate, and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract needed. Estimated Cost: \$19,394.75 (Contr. \$16,865.00, Engr. \$2,529.75). Funds are budgeted)

ACTION: Res. 75-906 adopted (Mensinger/Siefkin, unan. - Dunlap and Mayor Davies, absent) awarding contract (omitting alley in Block 2125 (\$2,206) to The Flintkote Co. (P/W to handle)

NEW BUSINESS

CONSENT

14. Consider approval of cooperative agreement with Stanislaus County providing for City to maintain electrical traffic control and safety devices at intersections which are partially within unincorporated territory.
(Agreement specifies cost sharing basis. Resolution approving agreement needed)

ACTION: Res. 75-907 adopted approving agreement. (Clerk to handle)

CONSENT

15. Approval of agreement with George S. Nolte and Associates for preparing a storm water disposal study for areas within the City of Modesto, and authorize the City Manager to sign on behalf of the City. (Funds have been budgeted to conduct this study in conjunction with the study currently being prepared for Stanislaus County. Resolution approving agreement needed. Estimated Cost: \$25,000. Funds are budgeted)

ACTION: Res. 75-908 adopted approving agreement. (Clerk to handle)

16. Consider agreement with Morgan and Jacobsen and Gordon M. Hart, Consulting Engineer, for structural analysis of Strand Theater. (Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer of \$11,800 needed)

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

Res. 75-909 adopted (Elliott/Siefkin, unan. - Dunlap, Kullijian and Mayor Davies, absent) approving agreement. (Clerk to handle)

Res. 75-910 adopted (Elliott/Siefkin, unan. - Dunlap, Kullijian and Mayor Davies, absent) approving appropriation transfer of \$11,800 from Account 60-101 to Account 235-41-101. (Finance to handle)

CONSENT

17. Consider request for sewer service to property at 2051 Lance Street, located on the north side of Lance between Fortuna Street and Brookfield Drive.
(The owner, Ruth E. Williams, has signed an agreement to annex when requested to do so by City. The property is contiguous to City and a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 75-911 adopted approving agreement. (P/W to handle)

MISCELLANEOUS

18. Legislation.

NONE

19. Appointments.

NONE

20. Matters too late for the agenda.

ACTION: By motion (Elliott/Kullijian, unan.) intnetion declared to meet with City Attorney and City Clerk in the near future for discussion.

By motion (Siefkin/Elliott, unan.) El Concilio permitted to use Mellis Park and King-Kennedy Center for fiesta to be held September 14, 1975. (P & R to handle)

(Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

Adjournment at 8:10 P.M.

ATTEST:


W. T. CHYLOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 15, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation by Reverend Darrell Anderson, LaLoma Grace Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items, 1, 2, 3, 4, 5, 6, 8, 9,
Item 11 removed from consent 12, 13, 14, 15
Kullijian/Newton, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of September 8, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Resignation of Barbara Darpinian from Human Rights Commission.
(Resolution accepting with regret needed)

ACTION: Res. 75-912 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

3. Request of Valley Care Facilities, Inc. for outside city sewer connections to 511F and 541 Emerald Ave.
(Memos with agenda. Resolution approving agreement needed)

ACTION: Res. 75-913 adopted approving agreement with Valley Investors.
(P/W to handle)

CONSENT

4. Petition objecting to Beauty and Barber Shops in residential or non-commercial areas.
(Motion referring to Planning Commission for study needed)

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

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for construction of Havenbrook Park No. 2 waterlines.
(Bid opening September 30, 1975 at 11:00 A.M. Cost and Revenues, Construction \$13,330; Connection charges, \$7,260; New revenue, \$574. Resolution approving bid call needed. Estimated cost \$13,330 (\$7,705, Const.; \$5,625 Engr. & Matls.). Funds are budgeted)

ACTION: Res. 75-914 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

6. Consider acceptance of Joe Martin's contract for construction of waterlines in Coffee Terrace No. 4.
(Original contract \$18,091. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost, contract, \$19,648.97; (Main Ext. \$16,648.97; Services, \$3,000.00)

ACTION: Res. 75-915 adopted accepting contract. (Clerk to handle)

7. Consider approval of plans and specifications and call for bids for construction of Fire Station No. 4.
(Bid opening October 21, 1975 at 4:00 P.M. This project is for the relocation of Fire Station No. 4 to the new fire training site at 1551 Blue Gum Avenue, and includes a new building and related facilities. Memo with agenda. Resolution approving plans, specifications and call for bids needed. Estimated cost \$282,000 (\$272,000 Const.; \$10,000 Engr. & Contingencies). Funds are budgeted)

ACTION: Res. 75-916 adopted (Kullijian/Dunlap, maj. - Siefkin and Mayor Davies, no) approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

8. Consider acceptance of Albert Biehl's contract for irrigation and planting at Rose Avenue Park.
(All work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Final cost, contract, \$28,993.20. Funds are budgeted)

ACTION: Res. 75-917 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider award of contract for construction of waterlines for Park Place No. 1, Sylvan Square, and Wycliffe Heights No. 1.
(Bids were opened September 10, 1975. The low bid of \$26,898.85 submitted by Joe Martin, which is 16% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$26,898.85. Funds are budgeted)

ACTION: Res. 75-918 adopted awarding contract to Joe Martin. (P/W to handle)

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

ACTION: Police Chief Ammerman introduced his wife and Bernadette Thomas and Paolo Nalvarsa of Belgium.

Councilmember Mensinger introduced Mr. M. Lau of Hong Kong.

ORDINANCES

11. Consider amendments to bicycle license provisions of Modesto Municipal Code.
(Memo with agenda. Adoption of urgency ordinance and introduction of regular ordinance needed)

ACTION: By motion (Mensing/Dunlap, unan.) Ord. No. 1469-C.S. adopted.
By motion (Mensing/Dunlap, unan.) Ord. No. 1470-C.S. introduced.
(Clerk to handle)

NEW BUSINESS

CONSENT

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

ACTION: Res. 75-919 adopted approving refund of \$594.25 to Racor Industries, Inc. (Finance to handle)

CONSENT

13. Consider resolution approving final map of Northridge No. 2 subdivision and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the north of Rumble Road and east of Conant Ave. It contains 19.049 acres. Resolution approving final map needed)

ACTION: Res. 75-920 adopted approving final map of Northridge No. 2.
(Clerk to handle)

CONSENT

14. Request to donate pressed plants to the Great Valley Museum.
(Request from staff to donate pressed plant collection to the Great Valley Museum. The Collection is now the property of the City and is stored at the McHenry Museum. Resolution donating collection to Great Valley Museum needed)

ACTION: Res. 75-921 adopted donating pressed plant collection to Great Valley Museum. (P & R to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

15. County referral of open space contract applications.
(Memos with agenda. Four resolutions expression no opposition; three resolutions expressing recommendation of opposition)

ACTION: Res. 75-922 adopted expressing no opposition to application No. 76-2074 (Parodi)

CONSENT

15. County referral of open space contract applications, continued.

- ACTION: Res. 75-923 adopted expressing no opposition to application No. 76-2075 (Alberti).
- Res. 75-924 adopted expressing no opposition to application No. 76-2054 (Porcella).
- Res. 75-925 adopted expressing no opposition to application No. 76-2059 (Orr).
- Res. 75-926 adopted expressing opposition to application No. 76-2043 (Papatone).
- Res. 75-927 adopted expressing opposition to application No. 76-2077 (Bibens).
- Res. 75-928 adopted expressing opposition to application No. 75-2056 (Kenney). (Planning to handle)

MISCELLANEOUS

16. Legislation.

ACTION: By motion (Newton/Mensing, unan.) Senate version of HR 8070 supported. (C/Mgr to handle)

17. Appointments.

NONE

18. Matters too late for the agenda.

ACTION: Res. 75-929 adopted (Kullijian/Newton, unan.) directing Planning Commission to initiate proceedings at the October 21 meeting to rezone P-D(114).

Res. 75-930 adopted (Kullijian/Newton, unan.) directing Planning Commission to initiate proceedings at the October 21 meeting to rezone P-D(115). (Planning to handle)

Councilmember Siefkin reported that three professional dance companies will be at the City schools for lectures, demonstrations and concerts.

The Council retired to executive session to discuss personnel matters at 4:50 P.M. and returned to open meeting at 6:04 P.M.

Res. 75-931 adopted (Kullijian/Dunlap, unan.) amending salary resolution to grant City Attorney an additional \$26 per month and City Clerk an additional \$79 per month, effective June 24, 1975. (Personnel and Finance to handle)

The Council then adjourned to 6:30 P.M. at the Casa La Torre to meet with the Modesto Irrigation District to discuss items of mutual interest.

Adjournment at 9:50 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 22, 1975 AT 7:30 P.M.

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

Absent: None
(Councilmember Newton arrived at 7:35 P.M.)

Pledge of allegiance to the Flag

Invocation by Reverend O. D. Johnson, First Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 5, 6, 7, 8, 9, 10, 11,
Item 19 dropped from agenda 12, 13, 14, 15, 16, 18, 20, 21,
Dunlap/Kullijian, unan. - Newton absent 22, 23, 24, 25, 26, 27, 28, 30

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of September 15, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of residents of Virginia/Columbia area for discussion of problems caused by operations of Tidewater Southern Railway.

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to prepare a strong petition to the PUC requesting elimination of Virginia Avenue boxcar storage and switching. (C/Atty to handle)

3. Request of Robert Bomberger that City Council reaffirm time limits in connection with P-D(21).

ACTION: By Order of the Chair, no action taken.

4. Request of homeowners in vicinity of Twentieth Century Apartments for discussion of complaints involving operation of apartments.

ACTION: By Order of the Chair, staff directed to meet with a committee representing the homeowners to study their problems and possible solutions. (C/Mgr to handle)

CONSENT

5. Resignation of Gerald Lambert from Board of Appeals, Dangerous Building Code and Housing Code, effective September 30, 1975.
(Resolution accepting with regret needed)

ACTION: Res. 75-932 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for renovation of the Downtown Garage.
(Bid opening October 7, 1975 at 11:00 A.M. This project is needed to provide additional air ventilation and to replace the roofing. Resolution approving bid call needed. Estimated cost \$8,500, Const.; \$500 Engr.; total, \$9,000. Funds are budgeted)

ACTION: Res. 75-933 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

7. Consider waiver of formal bid procedures and authorize the purchase of one compound meter from Hersey Products, Inc. for \$5,779.00.
(Memo with agenda. Resolution with five affirmative votes needed. Estimated cost \$5,779.00. Funds are budgeted.)

ACTION: Res. 75-934 adopted waiving formal bid procedure and authorizing purchase from Hersey Products, Inc. (Finance to handle)

CONSENT

8. Consider award of contract for construction of Little John Creek Bridge at Thousand Oaks Park.
(Bids were opened on September 2, 1975. The low bid was submitted by C. T. Brayton & Sons, Inc. They are licensed as a "B" General Building Contractor. The license required as determined by the Contractor's State License Board is an "A" General Engineering Contractors license. The second low bid submitted by Chas. I. Cunningham Co. (who has an "A" license) in the amount of \$12,129, is 30% below the Engineer's Estimate. It is recommended that the contract be awarded to Chas. I. Cunningham Co. Resolution awarding contract to Chas. I. Cunningham needed. Estimated cost \$12,129. Funds are budgeted)

ACTION: Res. 75-935 adopted awarding contract to Chas. I. Cunningham Co. (P/W to handle)

CONSENT

9. Consider acceptance of The Flintkote Company's contract for improvements in Block 308-A at the Municipal Golf Course.
(Original contract \$11,754.55. All work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final contract cost \$14,664.10. Funds are budgeted)

ACTION: Res. 75-936 adopted accepting contract. (Clerk to handle)

CONSENT

10. Consider acceptance of Teichert Construction Company's contract for construction of Briggsmore Ave. from Prescott to McHenry for maintenance.
(Memo with agenda. Environmental Assessment Negative Declaration filed with State Department of Transportation September 1972. Motion approving work for maintenance and motion approving suspension of working days needed)

ACTION: By motion, work accepted for maintenance.
By motion, suspension of working days approved. (P/W to handle)

CONSENT

11. Consider acceptance of Joe Martin's contract for construction of water-lines for Sonoma Plaza No. 1.
(Original contract \$8,669. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost: Contract, \$8,733 (Main, \$6,333; Services, \$2,400) Funds are budgeted)

ACTION: Res. 75-937 adopted accepting contract. (Clerk to handle)

CONSENT

12. Consider approval of specifications and authorized call for bids to be opened October 21, 1975 at 2:00 P.M. for furnishing a closed television system for Fire Station No. 1.
(Memo with agenda. Resolution needed. Estimated cost \$35,000; funds are budgeted)

ACTION: Res. 75-938 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

13. Consider purchase of sewage lift station telemetering equipment.
(It is recommended additional budgeted equipment be purchased before a price increase goes into effect. Memo with agenda. Resolution waiving formal bid procedure and authorizing purchase needed. (Five affirmative votes needed). Funds are budgeted. Estimated cost \$13,875.40)

ACTION: Res. 75-939 adopted waiving formal bid procedure and authorizing purchase from Larse, Inc. (P/W to handle)

CONSENT

14. Consider award of contract for construction of odor control addition to Emerald Avenue lift station.
(Bids were opened September 10, 1975. The low bid of \$8,259 submitted by Tri County Builders, Inc. which is 9% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed; Resolution approving appropriation transfer of \$2,600 needed. Estimated cost \$9,001 (\$8,259, Const.; \$742 Engr. & Contg). Funds partially budgeted)

ACTION: Res. 75-940 adopted awarding contract to Tri County Builders, Inc. (P/W to handle)

Res. 75-941 adopted approving appropriation transfer of \$2,600 from Account 60-212 to Account 6610-212. (Finance to handle)

CONSENT

15. Consider approval of plans and specifications and call for bids for construction of northwest water main extensions and authorize the City Manager to sign revocable permit with Hetch Hetchy Water and Power to allow crossing their water lines.
(Bid opening October 7, 1975 at 11:10 A.M. This project will loop the northwest area water mains and will provide the main connection for the proposed Hahn Development. Water will be provided for areas along portions of Conant Ave., Rumble Road, Dale Road, and Standiford Avenue. Resolution approving bid call needed; resolution authorizing City Manager to sign revocable permit needed. Estimated cost \$156,455. Const., \$131,655; Engr. & Matls., \$24,800). Funds are budgeted)

ACTION: Res. 75-942 adopted approving plans, specifications and bid call.
Res. 75-943 adopted authorizing City Manager to sign revocable permit. (Clerk to handle)

CONSENT

16. Consider approval of plans, specifications and call for bids for construction of waterline extension on Standiford Avenue between Tully Road and Colonial Drive.
(Bid opening October 7, 1975 at 11:20 A.M. This project is to provide water to a proposed Raley's Market on Tully Road. Resolution approving bid call needed. Estimated cost \$12,096 (\$8,908, Constr.; \$3,188 Eng. & Matl.). Funds are budgeted)

ACTION: Res. 75-944 adopted approving plans, specifications and bid call.
(Clerk to handle)

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

ACTION: Mrs. Schwain, 821 - 17th Street, requested that a bus transfer system be used which would allow passengers to make stops along bus lines and then ride a later bus without another fare. This was referred to staff for study and report. (P & T to handle)

ORDINANCES

CONSENT

18. Final adoption of Ordinance No. 1470-C.S. - bicycles.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1470-C.S. adopted. (Clerk to handle)

19. Ordinance and resolution establishing time limit and parking fee for city hall annex parking.
(A three-hour time limit and a 10¢ per hour charge are recommended. Introduction of ordinance amending Section 3-2.1501 of the Code and resolution establishing municipal off-street parking lot, PML-33. Funds are budgeted)

DROPPED FROM AGENDA

UNFINISHED BUSINESS

CONSENT

20. Consider approval of request of Modesto Junior Chamber of Commerce for use of reviewing stand (with set up and take down by city crews) and to use parking spaces near reviewing stand for refreshment booth on October 11, 1975 in connection with marching band competition.
(Memos with agenda. Motion approving request needed)

ACTION: By motion, request approved. (P & R, Police and P & T to handle)

NEW BUSINESS

CONSENT

21. Resolution withdrawing the McHenry-Union Addition from the Riverbank Fire District.
(This addition was annexed to the City effective September 8, 1975. Resolution withdrawing from Riverbank Fire District needed)

ACTION: Res. 75-945 adopted withdrawing McHenry-Union Addition from Riverbank Fire District. (Clerk to handle)

CONSENT

22. Resolution determining that the public interest and convenience require that the McHenry-Union Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (This addition was annexed to the City effective September 8, 1975 and it is now necessary to commence proceedings to annex it to Sewer District No. 1. Suggested hearing date November 10, 1975 at 7:30 P.M. Resolution setting hearing needed (2/3 affirmative vote required).

ACTION: Res. 75-946 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider approval of work order and agreement with Towill, Inc. for updating aerial mapping. (This project has been planned to provide an aerial survey in conjunction with the 1975 census. Memo with agenda. Resolution approving work order and agreement needed. Estimated cost \$15,000. Funds are budgeted)

ACTION: Res. 75-947 adopted approving work order and agreement. (P/W to handle)

CONSENT

24. Consider approval of 3-year lease agreement for property in Dry Creek Park, 660 El Vista Ave., with Mr. and Mrs. Virgil Van Schoonhoven. (Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 75-948 adopted approving lease agreement. (Clerk to handle)

CONSENT

25. Consider resolution approving final map of Strathmore Village No. 1 subdivision and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. This subdivision is located east of Rose Ave. and south of Orangeburg Ave. It contains 8.295 acres. Resolution approving final map needed)

ACTION: Res. 75-949 adopted approving final map of Strathmore Village No. 1. (Clerk to handle)

CONSENT

26. Consider proposal of Mr. M. E. Grover, 2501 E. Hatch Rd., Modesto, California, 95351 to harvest olives in Mellis Park. (He proposes to pay the City \$2.00 per 50 pound box. Mr. Grover harvested the olives in 1973 and paid the City \$250 for the crop and again in 1974 and paid \$130 to City for the crop. Resolution approving needed)

ACTION: Res. 75-950 adopted approving proposal. (P & R to handle)

CONSENT

27. Approval of establishment of Human Rights Commission budget for fiscal year 1975-76, and approving appropriation transfer. (Memo with agenda. Resolution approving appropriation transfer and resolution approving establishment of budget for Human Rights Commission needed. Estimated cost \$300.00)

ACTION: Res. 75-951 adopted establishing budget in the amount of \$300,
Res. 75-952 adopted approving appropriation transfer of \$300 from Account 60-101 to Account 250-17-101. (Finance to handle)

CONSENT

28. Consider abandonment of public utility easement in Lot 25, Block 3067; Town and County Terrace No. 1 Subdivision, City of Modesto. (Memo with agenda. Resolution vacating and abandoning 5' public utilities easement in Lot 25, Block 2067, Town and Country Terrace No. 1 needed)

ACTION: Res. 1315-S.P. adopted abandoning easement. (Clerk to handle)

29. Informal public hearing concerning amendments to garden refuse ordinance.
(A report was submitted and discussed at the August 25, 1975 council meeting. An ordinance amending the garden refuse sections of the Municipal Code in accordance with the recommendations of that report has now been prepared and is ready for consideration. Copies of the proposed ordinance are being distributed with agenda. Resolution setting informal public hearing needed)

ACTION: Res. 75-953 adopted (Dunlap/Mensing, unan.) setting October 14 at 7:35 P.M. for informal public hearing. (Clerk to handle)

CONSENT

30. Consider authorizing Purchasing to sell scrap material to private individuals after clearing with the department involved and approval of the City Manager.
(Memo with agenda. Resolution needed)

ACTION: Res. 75-954 adopted authorizing sale. (Finance to handle)

MISCELLANEOUS

31. Legislation.

NONE

32. Appointments.

See below.

33. Matters too late for the agenda.

ACTION: Res. 75-955 adopted (Newton/Dunlap, unan.) approving addendum to specifications for 3 buses to make change in air conditioning testing requirements. (P & T to handle)

The Council retired to executive session at 9:30 P.M. to consider an appointment to a commission and returned to open meeting at 9:45 P.M.

Res. 75-956 adopted (Siefkin/Mensing, unan.) appointing Stanley L. Farrow as a member of the Personnel Commission to replace Robert Venn for a term ending January 1, 1976. (Clerk to handle)

Adjournment at 9:47 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

Page 6

9/22/75

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 6, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation by Captain Ronald Bawden, Salvation Army
Members of Boy Scout Troups 76 and 117 were introduced

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 9, 10,
Dunlap/Kullijian, unan. 11, 12, 13, 14, 15, 16, 17, 18,
19, 20, 28, 29, 30, 31, 32, 33,
34, 35, 36, 37, 38, 39, 40, 41

(Information concerning the consent items listed above has been forwarded to each council member 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of September 22, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Recommendation by Greater Modesto Chamber of Commerce that Convention Fund be terminated and balance of \$1,075 be repaid to City of Modesto.
(Resolution terminating program needed)

ACTION: Res. 75-957 adopted terminating Convention Fund. (Finance to handle)

CONSENT

3. Request of Michael A. Dvorak for change in spelling of Octillo Way to Ocotillo Way.
(Staff recommends approval. Resolution needed)

ACTION: Res. 75-958 adopted changing spelling. (Clerk to handle)

CONSENT

4. Appeal by Horn Construction Co. to denials by Planning Commission of request for rezoning from R-2 to P-D for satellite commercial areas, properties located at the southeast corner of Orangeburg and Lakewood and at the northeast corner of Lakewood and Laramie.
(Two resolutions setting October 27, 1975 at 7:35 P.M. for hearings needed)

ACTION: Res. 75-959 adopted setting hearing. (Orangeburg/Lakewood)

Res. 75-960 adopted setting hearing. (Lakewood/Laramie)
(Clerk to handle)

CONSENT

5. Appeal by C & H Development Co. to denial by Planning Commission of request for rezoning from R-1 to P-D for construction of a satellite commercial area and single family home at northwest corner of Emerald and Maze.
(Resolution setting November 10, 1975 at 7:35 P.M. for hearing needed)

ACTION: Res. 75-961 adopted setting hearing. (Clerk to handle)

CONSENT

6. Request of Greater Modesto Community Foundation for reappointment of Lowell Clark to the Board of Governors for a term ending December 31, 1980.
(Resolution needed)

ACTION: Res. 75-962 adopted reappointing Lowell Clark. (Clerk to handle)

7. Report by Sister City Committee on 17th annual Conference of Sister Cities International held in Rochester, N.Y. August 6 - 9, 1975.

ACTION: William Rose requested that a letter be sent by the Mayor to Barrenquilla inviting their Mayor and other representatives to Modesto for next year's 4th of July Celebration and/or the Sister Cities meeting to be held in Mobile.

8. Request of League of California Cities for designation of voting representative and alternate for Annual League Conference.
(Motion appointing voting representative and alternate needed)

ACTION: By motion (Dunlap/Kullijian, unan.) Elliott appointed as voting delegate.

By motion (Mensing/Siefkin, unan.) Newton appointed as alternate voting delegate. (Clerk to handle)

- 8a. Request of Stone Bros. Associates that the City Council authorize the City Clerk to write a letter to Bank of America concerning Council's requirements as to the status of zoning for P-D(21).

ACTION: By motion (Dunlap/Kullijian, unan.) City Clerk authorized to write letter. (Clerk to handle)

BIDS

CONSENT

9. Consider award of contract for construction of waterline extension on McHenry Avenue north of W. Union Avenue.
(Bids were opened September 23, 1975. The low bid of \$2,860 submitted by R & R Construction, which is 1% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$2,860. Funds are budgeted)

ACTION: Res. 75-963 adopted awarding contract to R & R Construction.
(P/W to handle)

CONSENT

10. Consider rejection of bid submitted by Nance Ford and authorize new call for bids to be opened October 20, 1975 at 2:00 P.M. for furnishing one four-wheeled diesel tractor.
(Memo with agenda. Resolution needed. Estimated cost \$8,297. Funds are budgeted)

ACTION: Res. 75-964 adopted rejecting bid and approving new call for bids.
(Clerk to handle)

CONSENT

11. Consider acceptance of Joe Martin's contract for construction of Wyldewood Meadow waterlines.
(Original contract \$7,479.75. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final cost, contract, \$7,743.57 (Main \$6,783.57; Services, \$960). Funds are budgeted)

ACTION: Res. 75-965 adopted accepting contract. (Clerk to handle)

CONSENT

12. Consider acceptance of William Mineni's contract for construction of picnic area at Davis Park.
(Original contract \$50,369. All work has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final cost, contract, \$52,519.50. Funds are budgeted)

ACTION: Res. 75-966 adopted accepting contract. (Clerk to handle)

CONSENT

13. Consider acceptance of Howk Well Equipment Co.'s contract for construction of Pump Station No. 40 and Pump Station No. 41.
(All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and record notice of completion. Resolution needed. Final cost, contract, \$14,326. Funds are budgeted)

ACTION: Res. 75-967 adopted accepting contract. (Clerk to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for construction of airport apron security lighting.
(Suggested bid opening October 21, 1975 at 11:00 A.M. This project will provide security lighting for the General Aviation Tie Down Area. Resolution approving bid call needed. Estimated cost \$5,500 (\$5,200 Const.; \$300 Engr. & Insp.) Funds are budgeted)

ACTION: Res. 75-968 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

15. Consider acceptance of Arons Building Wrecking Company's contract for demolition of buildings for construction of the city hall parking annex.
(All work has been completed to the satisfaction of the Parking and Traffic Department. It is in order to accept the work as complete and record notice of completion. Resolution accepting work needed. Estimated cost \$6,450. Funds are budgeted)

ACTION: Res. 75-969 adopted accepting contract. (Clerk to handle)

CONSENT

16. Call for bids for parking meters.
(Approximately 437 parking meters are needed for replacement and for the city hall annex lot. Memo with agenda. Resolution approving bid call needed. Estimated cost \$18,370. Funds are budgeted)

ACTION: Res. 75-970 adopted approving specifications and bid call on October 28, 1975 at 2:10 P.M. (Clerk to handle)

CONSENT

17. Award contracts for three new buses and three new fare boxes. (GMC was the only bidder for the buses and Keene Corporation was the only bidder for the fare boxes. It is recommended that contracts be awarded to these two companies. Memo with agenda. Resolution awarding contract for buses and resolution awarding contract for fare boxes needed. Estimated cost \$196,462.50; funds are budgeted)

ACTION: Res. 75-971 adopted awarding contract for buses to G.M.C.

Res. 75-972 adopted awarding contract for fare boxes to Keene Corporation. (P & T to handle)

CONSENT

18. Consider award of contract for construction of Havenbrook Park No. 2 waterlines. (Bids were opened September 30, 1975. The low bid of \$7,376.50 submitted by R & R Construction Co., which is 4% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to R & R Construction needed. Estimated cost \$7,376.50. Funds are budgeted)

ACTION: Res. 75-973 adopted awarding contract to R & R Construction. (P/W to handle)

CONSENT

19. Consider approval of specifications and authorize call for bids to be opened November 4, 1975 at 2:00 P.M. for furnishing one (1) 25,500 GVW cab and chassis and one (1) 27,500 GVW cab and chassis. (Items authorized for purchase during the 1975-76 fiscal year. Estimated cost \$21,410. Funds are budgeted)

ACTION: Res. 75-974 adopted approving specifications and bid call. (Clerk to handle)

CONSENT

20. Consider G.M.F. Sales as the lowest responsible bidder and authorize the purchase of two police traffic vehicles and three turf vehicles for the total amount of \$13,500.55. (Memo with agenda. Resolution needed. Estimated cost \$13,500.55. Funds are budgeted)

ACTION: Res. 75-975 adopted accepting bid of G.M.F. Sales. (Finance to handle)

HEARINGS

21. Hearing on abandonment of portion of 20-foot unimproved road right of way north of Floyd approximately 1/2 mile west of Oakdale Road. 4:00 P.M.

ACTION: Res. 1316-S.P. adopted (Elliott/Newton, unan.) vacating and abandoning right of way. (Clerk to handle)

22. Hearing on amendment to Sec. 15-3-9 of zoning map to rezone from R-1 to R-2, property on the north side of Floyd east of Rose extended. (U.S. By-Products) 4:05 P.M.

ACTION: Ord. No. 1471-C.S. introduced (Dunlap/Kullijian, unan.) rezoning portion of area and denying request as to that portion which is east of 1912 Floyd. (Clerk to handle)

Res. 75-976 adopted (Dunlap/Kullijian, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

23. Hearing on amendment to Section 8-3-9 of zoning map to rezone from R-1 to P-D, property at the southwest corner of Union and McHenry. (Rule) 4:10 P.M.

ACTION: Ord. No. 1472-C.S. introduced (Elliott/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 75-977 adopted (Elliott/Kullijian, unan.) approving development plan.

Res. 75-978 adopted (Elliott/Kullijian, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

24. Hearing on amendment to Sec. 7-3-9 of zoning map to rezone from R-1 to R-3, C-2 and P-0, property located on the west side of Tully between Standiford and Hetch Hetchy right of way. (Lance Ellis) 4:20 P.M.

ACTION: Ord. No. 1473-C.S. introduced (Elliott/Newton, unan.) rezoning area. (Clerk to handle)

Res. 75-979 adopted (Elliott/Newton, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

25. Hearing on amendment to Section 7-3-9 of zoning map to rezone from R-1 to P-D to allow C-1 and P-0 zone uses, property at the northwest corner of Standiford and Tully. (Lance Ellis) 4:20 P.M.

ACTION: Ord. No. 1474-C.S. introduced (Elliott/Newton, unan.) rezoning area. (Clerk to handle)

Res. 75-980 adopted (Elliott/Newton, unan.) approving development plan.

Res. 75-981 adopted (Elliott/Newton, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

26. Hearing on amendment to Section 22-3-9 of zoning map to rezone from R-2 to R-1, property on the south side of Wylie Drive east of Rose Avenue. (Wolverine Real Estate) 4:25 P.M.

ACTION: Ord. No. 1475-C.S. introduced (Mensingher/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 75-982 adopted (Mensingher/Kullijian, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

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

NONE

ORDINANCES

CONSENT

28. Consider changing enforcement hours on parking lot in alley between 9th, 10th, I and J from 9:00 A.M. - 10:00 P.M., to 9:00 A.M. - 6:00 P.M.
(Memo with agenda. This 11-space metered parking lot is adjacent to an 89-space attendant lot where parking is free after 6:00 P.M. Introduction of ordinance amending Section 3-2.1501 of Code (Parking Meter Zone Map). Funds budgeted in Account 224-57-209.

ACTION: Ord. No. 1476-C.S. introduced amending the Parking Meter Zoning Map. (Clerk to handle)

NEW BUSINESS

CONSENT

29. Consider approval of City of Modesto's Surplus Property Listing and authorize a public auction to be held October 18, 1975 at the city bus yard.
(Council approval required to sell surplus items of the City of Modesto and items held by the Police Department for six months or longer. Resolution needed)

ACTION: Res. 75-983 adopted approving public auction. (Finance to handle)

CONSENT

30. Consider approval of City-County transit agreement and filing claim for Local Transportation Funds. (STF)
(Memo with agenda. Agreement continues the present agreement to January 1, 1976. The City will receive about \$32,000 for bus service to the unincorporated areas for the period July 1, 1975 through December 31, 1975 inclusive. Resolution approving agreement and resolution filing claim for \$32,000 from LTF needed)

ACTION: Res. 75-984 adopted approving agreement. (Clerk to handle)

Res. 75-985 adopted approving submission of claim. (P & T to handle)

CONSENT

31. Consider consenting to the formation of a storm drain and street improvement district in the Beard Industrial Area.
(The County Board of Supervisors has adopted a resolution requesting the City to consent to the formation of the improvement district. Memo with agenda. Resolution needed. Estimated cost \$2,500. Appropriation transfer to be requested later when costs are determined, after bid opening)

ACTION: Res. 75-986 adopted consenting to formation of Improvement District. (Clerk to handle)

CONSENT

32. Consider approval of quitclaim deed from City of Modesto to State of California.
(The quitclaim deed includes five parcels of right of way for Yosemite Boulevard, "State Highway 132". The State of California has requested the right of way be quitclaimed. The parcels are part of the dedicated right of way. Resolution authorizing execution of quitclaim deed needed)

ACTION: Res. 75-987 adopted authorizing execution of quitclaim deed. (Clerk to handle)

CONSENT

33. Consider acceptance of improvements in Coffee Terrace No. 4 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the north side of Floyd Avenue east of Coffee Road. All improvements have been completed to the satisfaction of the Public Works Department and all fees paid. Resolution accepting improvements needed)

ACTION: Res. 75-988 adopted accepting improvements. (Clerk to handle)

CONSENT

34. Consider acceptance of improvements in Sonoma Plaza No. 1 subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the north side of East Orangeburg Ave. at Sonoma Ave. All improvements have been completed to the satisfaction of the Public Works Department and all fees paid. Resolution accepting improvements needed)

ACTION: Res. 75-989 adopted accepting improvements. (Clerk to handle)

CONSENT

35. Consider approval of license agreement with M.I.D. to construct facility to discharge storm water from El Vista-Encina intersection into M.I.D. Lateral No. 2. Consider appropriation transfer for construction of Phase I.
(Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer of \$3,500 needed. Estimated cost \$3,500)

ACTION: Res. 75-990 adopted approving license agreement. (Clerk to handle)

Res. 75-991 adopted approving appropriation transfer of \$3,500 from Account 60-101 to Account 5302-51-101. (Finance to handle)

CONSENT

36. Consider approval of amended by-laws of Reclamation District No. 2091 which includes the City's approximately 1200 acre sewer ponding site.
(Memo with agenda. Resolution approving amended by-laws needed)

ACTION: Res. 75-992 adopted approving amended by-laws. (C/Atty to handle)

CONSENT

37. Consider approval of final map of Kingswood Estates No. 3 subdivision of the City of Modesto and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Kingswood Estates No. 3 subdivision is located east of Coffee Road and on the south side of Sylvan Ave. It contains 8.788 acres. Resolution approving final map needed)

ACTION: Res. 75-993 adopted approving final map. (Clerk to handle)

CONSENT

38. Consider request for exchange of deeds to clarify description of right of way on McHenry Ave. - Atteberry.
(Memo with agenda. Resolution authorizing Mayor and City Clerk to sign deed needed)

ACTION: Res. 75-994 adopted authorizing execution of deed. (Clerk to handle)

REPORTS

CONSENT

39. Financial statement for August 1975.
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

40. Recommend amendment to Section 23-3-9 of the zoning map - Gregory Development Co.
(On September 16, 1975, the Planning Commission adopted Resolution 75-143 recommending an amendment to Section 23-3-9 of the zoning map to rezone from low density residential zone R-1, to Planned Development Zone, P-D, to allow construction of a professional office complex on property located at the southeast corner of Oakdale Road and E. Orangeburg Ave. Resolution setting October 27, 1975 at 7:30 P.M. for public hearing needed)

ACTION: Res. 75-995 adopted setting hearing. (Clerk to handle)

CONSENT

41. Set date for public hearing for annexation to the City of uninhabited territory (Standiford-Tully No. 2 Addition).
(Approved by LAFC September 19, 1975. Resolution setting December 1, 1975 at 4:00 P.M. for public hearing needed)

ACTION: Res. 75-996 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

42. Legislation.

NONE

43. Appointments.

NONE

44. Matters too late for the agenda.

ACTION: By Order of the Chair, staff directed to study proposal by State to abandon plans for Highway 132 and to report to Council. (P/W to handle)

45. The Council retired to executive session at 5:55 P.M. to consider property acquisition and returned to open meeting at 6:55 P.M.

ACTION: Res. 75-997 adopted (Dunlap/Elliott, unan.) approving agreement for acquisition of property for Dry Creek Park from August E. Sommerfeld, Jr., et ux for \$172,700.

Res. 75-998 adopted (Dunlap/Elliott, unan.) approving letter agreement with August E. Sommerfeld, Jr. et ux for costs of relocation. (Clerk to handle)

Res. 75-999 adopted (Mensingher/Elliott, unan.) approving acquisition of a parking lot site located at the southwest corner of 10th and K Streets from the estate of Sallie Vogelmann for the sum of \$40,000. (Clerk to handle)

45. Executive session returned to open meeting, continued.

ACTION: Res. 75-1000 adopted (Mensingher/Elliott, unan.) approving appropriation transfer of \$41,000 from Account 60-209 to Account 5101-57-209. (Finance to handle)

Adjournment at 6:57 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 14, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.

Invocation by Reverend James Holmes, Baptist Temple

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 6, 7, 8, 12,
Item 5 removed from consent 15, 16, 17, 18, 19
Kullijian/Newton, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of October 6, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider approval of plans and specifications and call for bids for construction of waterlines for Kingswood Estates No. 3 and Northridge No. 2.
(Suggested bid opening October 29, 1975 at 11:00 A.M. Costs and Revenues: Kingswood Estates No. 3, Construction, \$13,722; connection charges, \$8,580, Net Revenue, \$679. Northridge No. 2: Construction, \$31,224; connection charges, \$19,580; Net revenue, \$1,549. Resolution approving bid call needed. Estimated cost \$28,980, const.; \$15,966, Engr. & Matls. Funds are budgeted)

ACTION: Res. 75-1001 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

3. Consider acceptance of William Mineni's contract for construction of street closure barriers on Briggsmore Avenue.
(Original contract \$13,122. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file the notice of completion. Resolution accepting work as complete needed. Contract cost, \$13,122. Funds are budgeted)

ACTION: Res. 75-1002 adopted accepting contract. (Clerk to handle)

CONSENT

4. Consider award of contract for construction of waterline extension on Standiford Avenue between Tully Road and Colonial Drive.
(Bids were opened October 7, 1975. The low bid of \$10,090 submitted by Joe Martin, which is 13% above the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$10,090. Funds are budgeted)

ACTION: Res. 75-1003 adopted awarding contract to Joe Martin. (P/W to handle)

5. Consider award of contract for construction of northwest water main extensions.
(Bids were opened October 7, 1975. The low bid of \$141,579.50 submitted by Joe Martin, 8% above the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$141,579.50. Funds are budgeted)

ACTION: Res. 75-1004 adopted (Kullijian/Siefkin, unan.) awarding contract to Joe Martin. (P/W to handle)

CONSENT

6. Consider award of contract for renovation of downtown garage.
(Bids were opened October 7, 1975. The low bid submitted by Acme Construction Company, which is 18% below the Engineer's Estimate, is considered acceptable. It is recommended that contract be awarded to them. Resolution awarding contract needed. Estimated cost \$6,995. Funds are budgeted)

ACTION: Res. 75-1005 adopted awarding contract to Acme Construction Co. (P/W to handle)

CONSENT

- 7.a. Rejection of bids authorized by Resolution 75-796 for furnishing one 4,000 pound capacity fork lift. b. Consider approval of new specifications and authorize call for bids to be opened November 4, 1975 at 2:15 P.M. for one 4,000 pound capacity fork lift.
(Original specifications re-evaluated in terms of City operation requirements. Resolution rejecting bids and approving new specifications and bid call needed. Estimated cost \$12,356. Funds are budgeted)

ACTION: Res. 75-1006 adopted rejecting bids and approving new specifications and bid call. (Clerk to handle)

CONSENT

8. Consider awarding bid to Watts Equipment Company, Stockton, for furnishing one Wayne Sweeper Model 876 Street Sweeper for \$9,174.00.
(Memo with agenda. Resolution needed. Estimated cost \$9,174.00. Funds are budgeted)

ACTION: Res. 75-1007 adopted accepting bid of Watts Equipment Co. and authorizing sale of used Wayne Sweeper Model 306 in the amount of \$525.00 to Watts Equipment Co. (Finance to handle)

HEARINGS

9. Hearing on amendment to Section 13-3-8 of zoning map to rezone from R-1 to P-D, property at the northwest corner of Rumble and Prescott. (Sanders Construction) 7:30 P.M.

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

By motion (Dunlap/Elliott, unan. - Kullijian, absent) hearing continued to November 10, 1975 at 7:50 P.M., and request referred back to Planning Commission for further study as to present policy and any changes made in present policy. (Planning to handle)

10. Informal hearing on proposed amendments to garden refuse ordinance. 7:35 P.M.

ACTION: By motion (Kullijian/Dunlap, unan.) Ord. No. 1477-C.S. introduced.
(Clerk to handle)

11. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

12. Final adoption of Ord. No. 1476-C.S. - parking meter zone map.
(Motion adopting needed)

ACTION: By motion, Ord. No. 1476-C.S. adopted. (Clerk to handle)

13. An ordinance adding Section 4-2.17 to Chapter 2 of Title IV of the Modesto Municipal Code relating to motorcycles and off-highway motor vehicles.
(Ordinance and memo with agenda. Introduction of ordinance needed)

ACTION: By motion (Mensingher/Elliott, unan.) Ord. No. 1478-C.S. introduced.
(Clerk to handle)

14. Ordinance and resolution establishing time limit and parking fee for city hall annex parking.
(A three-hour time limit and a 10¢ per hour charge are recommended together with the reservation of 15 spaces for all-day parking at \$7.00 per month. Memo with agenda. Introduction of ordinance amending Section 3-2.1501 of the Code and resolution establishing municipal off-street parking lot PML-33. Funds are budgeted)

ACTION: By motion, Ord. No. 1479-C.S. introduced (Elliott/Newton, maj. - Kullijian, Mensinger and Siefkin, no). (Clerk to handle)

Res. 75-1008 adopted (Elliott/Newton, maj. - Kullijian, Mensinger and Siefkin, no) establishing off-street parking lot. (P & T to handle)

NEW BUSINESS

CONSENT

15. Consider acceptance of County Housing Authority's Westview Gardens street lighting system. This would entail payment of energy cost after October 1, 1975. Memo with agenda.
(Resolution needed. Estimated cost \$250 per year. Funds are budgeted)

ACTION: Res. 75-1009 adopted accepting street lighting system. (Finance to handle)

CONSENT

16. Consider request from Youth Commission Chairman that the City of Modesto pay his expenses while attending the Sunday afternoon session on Youth Commissions at the League of California Cities Conference.
(Copies of letter with agenda. Motion approving request needed. Estimated cost \$45. Funds are budgeted)

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

CONSENT

17. Set informal public hearing for Monday, November 10, 1975 at 7:45 P.M. to consider the Solid Waste Management Plan for Stanislaus County. (Memo with agenda. Resolution setting informal public hearing needed)

ACTION: Res. 75-1010 adopted setting hearing. (Clerk to handle)

CONSENT

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

ACTION: Res. 75-1011 adopted approving refund of \$1,686 to the Almanack. (Finance to handle)

REPORTS

CONSENT

19. Presentation of annual financial audit and approval of payment for audit. (The fiscal records of the City of Modesto have been audited by Nattinger, Lowry & Company, Certified Public Accountants. Copies of the audit report are with agenda. Motion accepting audit and authorizing payment needed. Estimated cost \$3,250. Funds are budgeted)

ACTION: By motion, audit report accepted and payment authorized. (Finance to handle)

20. Report by staff concerning application of U. S. By-Products for rezoning of property on north side of Floyd, east of Rose extended. (Memo with agenda)

ACTION: Res. 75-1012 adopted (Kullijian/Siefkin, unan.) waiving one-year limitation for filing of new rezoning request. (Planning to handle)

MISCELLANEOUS

21. Legislation.

NONE

22. Appointments.

NONE

23. Matters too late for the agenda.

ACTION: Res. 75-1013 adopted (Siefkin/Elliott, unan.) calling for public information and discussion concerning nuclear power generation. (Clerk to handle)

By motion (Elliott/Mensing, unan.) Mayor Davies named as voting delegate to the 51st Annual Congress of Cities, Miami Beach, Florida, November 30 - December 4, 1975.

By motion (Elliott/Siefkin, unan.) Councilmember Dunlap named as alternate voting delegate. (Clerk to handle)

Adjournment at 10:10 P.M. to executive session to discuss acquisition of real property. It was announced that the Council would not return to open meeting.

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk
Page 4 10/14/75

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 20, 1975 AT 4:00 P.M.
(Meeting to be adjourned to October 23, 1975 at 4:00 P.M.)

Roll call Present: Kullijian, Mensinger, Siefkin, Vice Mayor Newton
Absent: Dunlap, Elliott, Mayor Davies
(Vice Mayor Newton presided)

Pledge of allegiance to the Flag
Invocation by Reverend Dykstra, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 8, 11, 12,
Items 8e, 9 and 19 removed from consent 13, 14, 15, 16, 18
Kullijian/Mensinger, unan. - Dunlap,
Elliott and Mayor Davies, absent

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

APPROVAL OF MINUTES

CONSENT

1. Minutes of October 14, 1975.
(Motion approving needed)

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

WRITTEN COMMUNICATIONS

CONSENT

2. Resignation of Jan E. Nelson from Downtown Improvement District Advisory Board.
(Resolution accepting with regret needed)

ACTION: Res. 75-1014 adopted accepting resignation with regret. (Clerk to handle)

3. Proposed budget for Bicentennial Committee in the amount of \$3,000.

ACTION: Res. 75-1015 adopted (Kullijian/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) approving appropriation transfer of \$1,000 from Account 60-101 for this purpose. (Finance to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for drilling, casing, testing, and development of one deep well for the City of Modesto, Well No. 42.
(Suggested bid opening November 4, 1975 at 11:00 A.M. Well #42 will be located at the northwest corner of the Vintage Faire Shopping Center near Sisk Road, and will provide additional water for northwest Modesto. Estimated cost \$15,400 (\$14,000 Const.; \$1,400 Engr. and Contingency). Funds are budgeted. Resolution approving bid call needed)

ACTION: Res. 75-1016 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

5. Consider acceptance of Floyd Johnston Construction Co's contract for construction of Scenic-Sonoma-Orangeburg drainage system, south portion.
(Original contract \$86,094. All work on this project has been completed to the satisfaction of the State Board of Reclamation and the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work needed. Final cost \$84,308.25; funds are budgeted)

ACTION: Res. 75-1017 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider approval of plans and specifications and authorize call for bids for installation of area lighting in Garrison, Whitmore, Catherine Everett, Pike, and West Side Parks, and Moose Park.
(Suggested bid opening date November 4, 1975 at 11:10 A.M. This project is proposed to increase the light level in the various parks. Resolution approving plans and specifications and call for bids needed. Estimated cost \$25,273.57 (\$24,273.57 Const.; \$1,000 Eng. & Insp.)

ACTION: Res. 75-1018 adopted approving plans, specifications and bid call.
(Clerk to handle)

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

ACTION: A motion (Mensingers/Siefkin) to grant the request of the United Nations Association for permission to fly the U. N. Flag from the City Hall flag pole on October 24, 1975 failed as Kullijian voted no and Dunlap, Elliott and Mayor Davies were absent.

A resolution introduced by Councilmember Kullijian, directed to the U. N. and concerning the reestablishment of certain purposes for the U. N., died for want of a second.

ORDINANCES

8. Final adoption of the following ordinances:
(Six motions adopting needed)

CONSENT

- (a) Ord. No. 1472-C.S. amending section 8-3-9 of zoning map (Rule).

ACTION: By motion, Ord. No. 1472-C.S. adopted.

CONSENT

- (b) Ord. No. 1473-C.S. amending section 7-3-9 of zoning map (Ellis).

ACTION: By motion, Ord. No. 1473-C.S. adopted.

CONSENT

- (c) Ord. No. 1474-C.S. amending section 7-3-9 of zoning map (Ellis).

ACTION: By motion, Ord. No. 1474-C.S. adopted.

CONSENT

- (d) Ord. No. 1475-C.S. amending section 22-3-9 of zoning map (Wolverine).

ACTION: By motion, Ord. No. 1475-C.S. adopted.

- (e) Ord. No. 1477-C.S. relating to garden refuse collection.

ACTION: A motion (Siefkin/Mensingers) to adopt Ord. No. 1477-C.S. failed as Councilmember Kullijian voted no.

8. Final adoption of the following ordinances, continued

(e) Ord. No. 1477-C.S., continued

ACTION: A motion (Siefkin/Mensinger) directing staff to explore possibility of service clubs or youth groups to assist persons who cannot apply with present regulations due to age or health failed as Councilmember Kullijian voted no.

A motion (Kullijian/Siefkin) was then made to reconsider this action. (This motion will be voted on at the November 3, 1975 Council meeting). (Clerk to handle)

CONSENT

(f) Ord. No. 1478-C.S. relating to motorcycles.

ACTION: By motion, Ord. No. 1478-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

9. Consider increasing the Utility Users' tax refund to low income people. (Memo with agenda. Introduction of ordinance amending the Utility Users' tax provisions of the Code needed)

ACTION: Ord. No. 1480-C.S. introduced (Mensinger/Kullijian, unan. - Dunlap, Elliott and Mayor Davies, absent). (Clerk to handle)

10. Consider staff report on State's plans to abandon State Highway 132 freeway. (Report with agenda. Resolution setting forth Council's response to request from Cal-Trans for comments)

ACTION: By motion (Siefkin/Mensinger, unan.) staff directed to inform State of Council's opposition to abandonment plans. (Clerk to handle)

NEW BUSINESS

CONSENT

11. Consider request for sewer service to property at 605 Brighton Ave., located on the southwest corner of Brighton Ave. and Irons Court. (Owner Willa Mae Chabra has signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 75-1019 adopted approving agreement. (P/W to handle)

CONSENT

12. Consider approval of final map of Sylvan Meadows East No. 2 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. This subdivision agreement has been signed and all fees paid. This subdivision is located north of Sylvan Avenue and East of Coffee Road. It contains 15.165 acres. Resolution approving final map needed)

ACTION: Res. 75-1020 adopted approving final map. (Clerk to handle)

CONSENT

13. Consider acceptance of improvements in Briggsmore Place subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located at the northwest corner of Briggsmore Ave. and Oakdale Road. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 75-1021 adopted accepting improvements. (Clerk to handle)

REPORTS

CONSENT

14. Set hearing on report of Public Projects Committee on urban growth policy review.
(The Committee will only present materials and their recommendations at the meeting with discussion to follow at a public hearing on November 10, 1975, at 7:40 P.M. Resolution setting public hearing needed)

ACTION: Res. 75-1022 adopted setting hearing. (Clerk to handle)

CONSENT

15. Presentation of financial statement for September 1975.
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

16. Amendment to 1975-76 C.I.P.: Traffic signal at the Mitchell Road - Finch Road intersection.
(Memo with agenda. Motion authorizing staff to proceed needed)

ACTION: By motion, staff authorized to proceed. (P & T to handle)

17. Consideration of proposed revision to Satellite Commercial Area Policy.
(On October 7, 1975, the Planning Commission, by Resolution No. 75-154, recommended to the Council adoption of a revised satellite commercial area policy and referred to the Council for review a report titled "Review of Satellite Commercial Area Policy - September 1975."
Resolution approving revised satellite commercial area policy and motion acknowledging receipt of report titled "Review of Satellite Commercial Area Policy - September 1975 needed)

ACTION: Res. 75-1023 adopted (Mensingher/Kullijian, unan. - Dunlap, Elliott and Mayor Davies, absent) approving policy as amended by Council.
(Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

18. Adjustments to budget appropriations including the classification study and other needed adjustments.
(Report with agenda. Seven resolutions approving appropriation transfers and two resolutions making other budget adjustments needed)

ACTION: Res. 75-1024 adopted approving appropriation transfer of \$238,039 from Account 60-101 to various accounts in Fund 101.

CONSENT

18. Adjustments to budget appropriations, continued

- ACTION: Res. 75-1025 adopted approving appropriation transfer of \$1,915 from Account 60-209 to various accounts in Fund 209.
- Res. 75-1026 adopted approving appropriation transfer of \$4,412 from Account 60-230 to various accounts in Fund 230.
- Res. 75-1027 adopted approving appropriation transfer of \$8,413 from Account 60-512 to various accounts in Fund 512.
- Res. 75-1028 adopted approving appropriation transfer of \$2,060 from Account 235-224 to various accounts in Fund 224.
- Res. 75-1029 adopted approving appropriation transfer of \$500 from Account 60-101 to Account 207-18-101.
- Res. 75-1030 adopted approving appropriation transfer of \$9,980 from Account 6317-31-321 to Account 60-321.
- Res. 75-1031 adopted amending budget to adjust appropriations and revenues in C.E.T.A. Fund (Fund 219).
- Res. 75-1032 adopted estimating additional revenue to be received from annual transportation claims and appropriating the total amount to projects within the Transportation Fund. (Finance to handle)

19. Consider deferring the installation of traffic signals at Briggsmore and Rose until 1977-78 and returning the \$60,000 budgeted for the signals this year to the General Reserve.
(Memo with agenda. It is recommended that the installation of traffic signals be deferred until the canal bridge at the intersection is lowered in 1977-78. Resolution approving transfer of funds from the Special Fund from Capital Outlays to the General Reserve needed. Funds are budgeted)

- ACTION: Res. 75-1033 adopted (Siefkin/Kullijian, unan. - Dunlap, Elliott and Mayor Davies, absent) approving appropriation transfer of \$60,000 from Account 6158-56-321 to Account 60-321. (Finance to handle)

By motion (Siefkin/Kullijian, unan.) staff directed to attempt to speed up the construction of Rose Ave. bridge at Briggsmore and the acquisition of property needed for the installation of traffic signals at Rose/Scenie intersection. (P/W to handle)

MISCELLANEOUS

20. Legislation.

NONE.

21. Appointments.

NONE

22. Matters too late for the agenda.

NONE

Adjournment at 7:05 P.M.

ATTEST


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 27, 1975 AT 7:30 P.M.

Roll call Present: Elliott, Kullijian, Siefkin, Vice Mayor Newton
Absent: Dunlap, Mensinger, Mayor Davies
(Vice Mayor Newton presided)

Pledge of allegiance to the Flag
Invocation by Reverend Ben Jennings, Prescott Bible Church
Vice Mayor Newton introduced Mrs. Marsha Speck and her Downey High School class in Government.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 15,
Items 9 and 10 dropped from agenda 16, 17, 18, 19, 20, 21, 23
Elliott/Siefkin, unan. - Dunlap, Mensinger
and Mayor Davies, 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)

WRITTEN COMMUNICATIONS

1. Letter from Richard Brians requesting same benefits for permanently disabled persons as those provided senior citizens.

ACTION: By motion (Elliott/Siefkin, unan.) action on request delayed pending receipt of staff report on golf course fees and other issues raised by Mr. Brians (around December 1). (C/Mgr to handle)

CONSENT

2. Letter from Asbill's requesting abandonment of 20' alley lying between Block P and Lots 5 - 14 inclusive, Block 215 of City of Modesto. (Resolution referring to Planning Commission for report and recommendation needed)

ACTION: Res. 75-1034 adopted referring to Planning Commission for recommendation. (Planning to handle)

CONSENT

3. Letter from William E. Hawley submitting resignation as Director of Downtown Improvement District Board. (Resolution accepting with regret needed)

ACTION: Res. 75-1035 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

4. Request of McGuire Drive residents that their street not be extended. (Resolution referring to Planning Commission for recommendation needed)

ACTION: Res. 75-1036 adopted referring to Planning Commission for recommendation. (Planning to handle)

BIDS

CONSENT

5. Consider award of contract for construction of Airport apron security lighting.
(Bids were opened October 21, 1975. The low bid of \$5,275 submitted by William O. May, dba May Electric Company, which is 1% above the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$5,275. Funds are budgeted)

ACTION: Res. 75-1037 adopted awarding contract to May Electric Co.
(P/W to handle)

CONSENT

6. Consider acceptance of Associated Fire Protection's contract for construction of automatic fire sprinkler system in the basement of the Senior Citizens building.
(Original contract \$5,750. All work on this project has been completed to the satisfaction of the Fire, Parks and Public Works Departments. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Contract cost \$5,750. Funds are budgeted)

ACTION: Res. 75-1038 adopted accepting contract. (Clerk to handle)

CONSENT

7. Consider acceptance of R & R Construction Co.'s contract for construction of waterlines in Wesson Estates No. 2.
(Original contract \$12,315. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Final cost, contract: \$11,624.29; Main, \$10,094.29; service, \$1,530. Funds are budgeted. Resolution accepting work as complete needed)

ACTION: Res. 75-1039 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for construction of picnic area at Downey Park.
(Suggested bid opening date: November 18, 1975 at 11:00 A.M. This project has been budgeted to provide picnic facilities at Downey Park. Resolution approving plans, specifications and bid call needed. Estimated cost \$52,000 (\$50,000, contract; \$2,000 Eng. & Insp.). Funds are budgeted)

ACTION: Res. 75-1040 adopted approving plans, specifications and bid call. (Clerk to handle)

9. Consider waiver of formal bid procedures and authorize purchase of playground equipment from:
(a) Miracle Recreation Equipment Co. for \$7,872. (b) Game Time of California for \$12,486.79. Memo with agenda. Two resolutions needed. Estimated cost \$20,358.79. Funds are budgeted)

DROPPED FROM AGENDA

10. Consider bids received for automotive equipment October 7, 1975.
(1) Reject bid submitted by Snider Motors (Item 1.) (2) Reject bids submitted by Bill Hughes on Items 10 and 11. (3) a. Award bid to Bill Hughes for 11 vehicles, \$53,357.09. b. Award bid to Griswold-Wight for 7 vehicles, \$33,145.97; c. Award to Dow-Hammond for five vehicles, \$71,236.12. Four resolutions needed. Estimated cost \$157,739.18. d. Resolution approving appropriation transfer of \$1,124 needed. Remainder of funds are budgeted)

DROPPED FROM AGENDA

HEARINGS

11. Hearing on proposed amendment to Section 23-3-9 of zoning map to rezone from R-1 to P-D to permit construction of a professional office complex, at the southeast corner of East Orangeburg and Oakdale Road. 7:30 P.M.
(Gregory Development Co.)

ACTION: By motion (Elliott/Siefkin, unan.) hearing continued to November 3, 1975 at 4:00 P.M.

12. Hearing, appeal of Horn Construction to decision of Planning Commission denying request for rezoning from R-2 to P-D, property located at the southeast corner of East Orangeburg and Lakewood Avenues. 7:35 P.M.

ACTION: After the public hearing was closed, a resolution (Elliott/Kullijian) to deny the appeal failed as Councilmember Siefkin voted no.

By motion (Kullijian/Elliott, unan.) further consideration by Council continued to November 24, 1975 at 7:30 P.M. (Clerk to handle)

13. Hearing, appeal of Horn Construction to decision of Planning Commission denying request for rezoning from R-2 to P-D, property located at the northeast corner of Lakewood and Laramie. 7:35 P.M.

ACTION: After the public hearing was closed, a resolution (Elliott/Kullijian) to deny the appeal failed as Councilmember Siefkin voted no.

By motion (Kullijian/Elliott, unan.) further consideration by Council continued to November 24, 1975 at 7:30 P.M. (Clerk to handle)

14. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

15. Final adoption of Ordinance No. 1471-C.S. amending Section 15-3-9 of zoning map. (U.S. By-Products).
(Motion approving needed)

ACTION: By motion, Ord. No. 1471-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

16. Set public hearing on applications for \$420,520 in federal funds for transit capital and operations.
(Applications for funds to purchase dial-a-ride buses and for transit operation expenses have been completed. It is recommended that concurrent public hearings be set for 7:30 P.M. on December 8, 1975. Resolution setting a concurrent hearing on the two applications needed. Estimated cost \$638,300. City' share of total costs are budgeted)

ACTION: Res. 75-1041 adopted setting hearings. (Clerk to handle)

CONSENT

17. Amendment to 1975-76 operating budget to provide money for Junior Golf Program.
(Memo with agenda. Resolution amending budget needed)

ACTION: Res. 75-1042 adopted amending budget. (Finance to handle)

CONSENT

18. Consider proposal of Mr. William Monaco to harvest English walnuts on City property.
(A letter has been received from Mr. William Monaco offering to harvest English walnuts from city-owned property located at Dryden Park Municipal Golf Course, Roosevelt Park, City Pump Station No. 14 on Virginia Ave., the City pump station on Emerald Ave., in the small parcel purchased by the City from the State on the south side of Tuolumne River near 9th St. bridge approach, and the Mancini Park property at 1204 River Road. He proposes to complete the harvest and pay to the City by December 15, 1975, 35% of the gross revenue for the crop. Resolution approving needed)

ACTION: Res. 75-1043 adopted approving letter agreement. (P & R to handle)

CONSENT

19. Request of William F. Baker, 841½ Spencer Ave. to harvest black walnuts on City of Modesto property along the Tuolumne River between Conejo Ave. and Mitchell Road in the Tuolumne River Regional Park, in Whitmore Park on College and Bowen Avenues, in Beard Brook Park on Morton Blvd., and Mancini Park river bottom off River Road.
(We have had someone harvest the black walnuts on city property each year. There is little market for black walnuts; therefore, if we permit Mr. Baker to harvest the black walnuts, it will eliminate the necessity of city staff having to clean them up. Motion granting request needed)

ACTION: Res. 75-1044 adopted approving letter agreement. (P & R to handle)

CONSENT

20. Consider approval of final map of Wyldewood Grove No. 1 subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Wyldewood Grove No. 1 subdivision is located on the north side of Wylie Drive west of Oakdale Road. It contains 7.187 acres. Resolution needed)

ACTION: Res. 75-1045 adopted approving final map. (Clerk to handle)

REPORTS

CONSENT

21. Presentation of annual financial report for 1974-75 fiscal year.
(Copies of the report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

23. Recommend vacation and abandonment of the portion of N Street between 8th Street and Southern Pacific Railroad right of way.
(On September 16, 1975, the Planning Commission adopted Resolution No. 75-145 recommending to the City Council the vacation and abandonment of the portion of N Street between 8th Street and the Southern Pacific Railroad right of way in Block 38 and Block F of the City of Modesto. Resolution of intent to vacate and abandon, and setting public hearing for November 17, 1975 at 4:00 P.M. needed)

ACTION: Res. of Int. 358 (1317-S.P.) adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

24. Legislation.

NONE

25. Appointments.

NONE

26. Matters too late for the agenda.

NONE

The Council retired to executive session at 9:45 P.M. to discuss a personnel matter and returned to open meeting at 10:08 P.M.

ACTION: Res. 75-1046 adopted (Siefkin/Kullijian, unan. - Dunlap, Mensinger and Mayor Davies, absent) authorizing retaining E. Dean Price as Special Counsel to handle the John Miller personnel appeal.
(C/Atty to handle)

Sam Stewart stated that due to his work schedule he was unable to attend the Council meeting when the garden refuse ordinance was considered but wished to express his opposition to the requirement which prevents placing the refuse in the street more than 24 hours before the scheduled pickup.

Adjournment at 10:12 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 3, 1975 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.

Invocation by Reverend Harold Knowles, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 12,
Item 6 removed from consent 16, 18, 19, 20, 21, 22, 23, 24,
Siefkin/Kullijian, unan. 25, 26, 29

(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 council member has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving consent items is set forth in the explanation of the individual items)

PRESENTATION OF AWARDS

1. Suggestion awards.
(Mayor to present awards)
 - (a) \$120 to Richard Perow (Public Works) for suggestions on rewinding spool for "Weedeater" and straightening bent axles on fairway type mowers.
 - (b) \$10 to Jerome Jacobson (Public Works) for suggestion on painting black stripes on dead-end street barricades uniformly.
 - (c) \$15 to Joan Weaver (Public Works) for suggestion on using Duo-Tang folders instead of card stock folders for specification booklets.
 - (d) \$50 to Willie Jones (Public Works) for suggestion to put the gates on hinges on the garden refuse trucks.

ACTION: Mayor Davies presented the awards to all but Mr. Jacobson who was unable to attend.

APPROVAL OF MINUTES

CONSENT

2. Minutes of October 23 and 27, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Request of Richard G. David II for change in code relating to home occupations.
(Resolution referring to Planning Commission for recommendation needed)

ACTION: Res. 75-1047 adopted referring request to Planning Commission for recommendation. (Planning to handle)

4. Progress report on activities of Easter Seal Society.

ACTION: Mrs. Athena Moran reported on past and proposed programs of the Society.

5. Request of Ecology Action Educational Institute for an informational flyer to be mailed out with a city mailing.

ACTION: By motion (Mensingher/Siefkin, maj. - Elliott and Mayor Davies, no) permission granted to mail flyer as an enclosure with a city mailing with the wording and size to be approved by staff.
(P/W to handle)

BIDS

6. Waive formal bid procedure and award printing of 28,000 crime prevention pamphlets to the Ink Spot, 1214 J Street, for \$4,000.86. (Memo with agenda. Resolution needed. (Five affirmative votes required). Funds are budgeted)

ACTION: A motion (Kullijian/Newton) to refer back to staff for further study failed.

Res. 75-1048 adopted (Dunlap/Mensingher, maj. - Kullijian and Newton, no) waiving formal bid procedure and authorizing award for printing to The Ink Spot. (Finance to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of additional rip rap on oxidation pond levees. (Suggested bid opening November 18, 1975 at 11:10 A.M. This project will provide rip rap embankment protection the west levee of pond No. 4. Resolution needed. Estimated cost \$20,000 (\$18,000 Const.; \$2,000 Engr. & Contingencies). Funds are budgeted)

ACTION: Res. 75-1049 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

8. Consider award of contract for construction of waterlines for Kingswood Estates No. 3 and Northridge No. 2. (Bids were opened October 29, 1975. The low bid of \$27,293.50 submitted by Joe Martin, which is 6% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract to Joe Martin needed. Funds are budgeted)

ACTION: Res. 75-1050 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

9. Award contract to provide rebuilt parking meters. (Traffic Appliance Corporation was low bidder at \$37.29 per meter with trade-in. Memo with agenda. Resolution awarding contract needed for 484 parking meters. Funds are budgeted. Estimated cost \$18,048.36)

ACTION: Res. 75-1051 adopted awarding contract to Traffic Appliance Corporation. (P/T to handle)

CONSENT

10. Consider rejection of low bid submitted by Valley Tractor and authorize the purchase of one four-wheeled diesel tractor from Reed Equipment Co. for \$7,280.93.
(Memo with agenda. Funds are budgeted. Resolution needed)

ACTION: Res. 75-1052 adopted rejecting bid of Valley Tractor and awarding contract to Reed Equipment Co. (Finance to handle)

CONSENT

11. Consider bids received for automotive equipment October 7, 1975.
(Memo with agenda. Three resolutions needed. Estimated cost \$157,264.30. Funds are budgeted)

- (a) Reject bid submitted by Snider Motors (Item 1)
- (b) Reject bid submitted by Bill Hughes (Item II)
- (c) Award bid to Griswold-Wight for six vehicles, \$27,774.37.

ACTION: Res. 75-1053 adopted rejecting bid of Snider Motors for Item 1, rejecting bid of Bill Hughes Dodge for Item 11 and awarding contract for Items 1, 2, 5c, 5d, 9 and 11 to Griswold & Wight.

- (d) Award bid to Bill Hughes for 12 vehicles, \$58,253.81.

ACTION: Res. 75-1054 adopted awarding contract for Items 3, 4, 5a, 5b, 6, 7, 8, 10 and 13 to Bill Hughes Dodge.

- (e) Award bid to Dow-Hammond for 5 vehicles, \$71,236.12.

ACTION: Res. 75-1055 adopted awarding contract for Items 12 and 13 to Dow Hammond. (Finance to handle)

CONSENT

12. Consider waiver of formal bid procedures and authorize purchase of playground equipment from (a) Miracle Recreation Equipment Company for \$7,872.00 (b) Game Time of California for \$12,486.79. Memo with agenda. Two Resolutions needed. (Five affirmative votes required). Estimated cost \$20,358.79. Funds are budgeted)

ACTION: Res. 75-1056 adopted waiving formal bid procedure and authorizing purchase from Miracle Recreation Equipment Co.

Res. 75-1057 adopted waiving formal bid procedure and authorizing purchase from Game Time of California. (Finance to handle)

HEARINGS

13. Continued hearing on amendment to Section 23-3-9 of zoning map to rezone from R-1 to P-D to permit construction of a professional office complex at the southeast corner of Oakdale Road and East Orangeburg. (Gregory Development Co.) 4:00 P.M.

ACTION: Ord. No. 1481-C.S. introduced (Elliott/Newton, unan.) rezoning area. (Clerk to handle)

Res. 75-1058 adopted (Elliott/Newton, unan.) approving development plan P-D(134).

Res. 75-1059 adopted (Elliott/Newton, una.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

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

ACTION: John Mitchell requested that consideration be given to changing the code provision dealing with restrictions on applicants for taxi drivers permits.

ORDINANCES

15. Final adoption of Ord. No. 1479-C.S. - parking meter zoning map.
(Motion with roll call vote needed)

ACTION: By motion (Elliott/Kullijian, unan.) Ord. No. 1479-C.S. adopted.
(Clerk to handle)

CONSENT

16. Final adoption of Ord. No. 1480-C.S. - utility users' tax refund.
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1480-C.S. adopted. (Clerk to handle)

17. Vote on motion (Kullijian/Siefkin) to reconsider final adoption of Ord. No. 1477-C.S. relating to collection of garden refuse.
(Motion with roll call vote needed)

ACTION: This motion passed by unanimous vote.

By motion (Kullijian/Elliott, maj. - Siefkin, no) staff directed to carry out an educational program to disseminate information as to the present ordinance on an area by area basis, city wide, and to make a report to Council by October 1, 1976 and periodically thereafter with problems which arise to be evaluated and no citations to be issued. (P/W to handle)

A motion (Siefkin) to adopt Ord. No. 1477-C.S. failed for want of a second.

By motion (Elliott/Kullijian, unan.) Ord. No. 1477-C.S. not adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

18. Consider resolution authorizing City Manager to sign agreements between City of Modesto and Yosemite Junior College District for employment of students who participate on Modesto Junior College Work-Study Program.
(Memo with agenda. Resolution authorizing City Manager to sign agreements needed)

ACTION: Res. 75-1060 adopted authorizing City Manager to sign agreements.
(Personnel to handle)

CONSENT

19. Resolution revising position classification plan and resolution amending salary schedules and establishing compensation for new classifications effective 11-4-75.
(The two classifications being created will staff the Housing Program Office under the direction of the Housing Program Officer. Three class specifications and alphabetical listing attached. Two resolutions needed. Estimated cost \$14,206. Funds are budgeted)

ACTION: Res. 75-1061 adopted revising position classification plan.
Res. 75-1062 adopted amending salary schedule and establishing compensations for new classifications. (Personnel to handle)

CONSENT

20.a. Resolution authorizing execution of applications and documents to obtain financial assistance under the Federal Civil Defense Act of 1950 as amended.

ACTION: Res. 75-1063 adopted authorizing execution of applications.

b. Resolution establishing the eligibility of the City of Modesto for a combination of surplus property over and under \$2,500. (In order to take advantage of purchasing military surplus material as the City has in the past years, through Civil Defense, it is necessary that the City Council adopt the two resolutions submitted. (Two resolutions needed)

ACTION: Res. 75-1064 adopted establishing eligibility of City. (Fire to handle)

CONSENT

21. Agreements between the City and the Modesto City School District of Stanislaus County whereby City agrees to operate playgrounds on an afterschool basis to commence on or about September 29, 1975 and extending to on or about May 13, 1976.

(a) This agreement is similar to the usual agreement which has been entered into previously with the Modesto City Schools whereby City agrees to operate the playgrounds on an after school basis and the District is to pay City \$9,298 for the services. (Resolution approving agreement needed)

ACTION: Res. 75-1065 adopted approving agreement. (Clerk to handle)

(b) This agreement is similar to the usual agreement which has been entered into previously with the Sylvan Union School District whereby City agrees to operate the playgrounds on an afterschool basis and the district is to pay City \$1,693. (Resolution approving agreement needed)

ACTION: Res. 75-1066 adopted approving agreement. (Clerk to handle)

CONSENT

22. Consider approval of final map of Oakridge No. 1 Subdivision. (All fees have been paid for approval of the final map of Oakridge No. 1 Subdivision. All public improvements have been constructed prior to approval of the final map by the City Council. The improvements have been completed to the satisfaction of the Public Works Department. A standard subdivision agreement and improvement bond deposit is not required to approve this final map. Oakridge No. 1 is located south of Dry Creek and west of Phoenix Avenue. It contains 4.594 acres. Resolution approving final map needed)

ACTION: Res. 75-1067 adopted approving final map. (Clerk to handle)

CONSENT

23. Consider approval of final map of Oakmont No. 1 Subdivision. (All fees have been paid for approval of the final map of Oakmont No. 1 Subdivision. All Public Improvements have been constructed prior to approval of the final map by the City Council. The improvements have been completed to the satisfaction of the Public Works Department. A standard subdivision agreement and improvement bond deposit is not required to approve this final map. Oakmont No. 1 is located south of Dry Creek and west of Phoenix Avenue. It contains 4.036 acres. Resolution approving final map needed)

ACTION: Res. 75-1068 adopted approving final map. (Clerk to handle)

CONSENT

24. Adoption of resolution acknowledging receipt of "Notice of Intention to Circulate Petition to Annex Territory known as the Roble-Haddon Addition to the City of Modesto" and approving circulation of petitions by proponents.

(The notice was published on October 19, 1975 and filed with the City Clerk on October 21, 1975. Resolution needed)

ACTION: Res. 75-1069 adopted acknowledging receipt of Notice of Intention. (Clerk to handle)

REPORTS

CONSENT

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

ACTION: By motion, report accepted.

CONSENT

26. P. G. & E. request for 10.5% gas rate increase. (Memo with agenda. Request has been made to California Public Utility Commission. No action required)

NO ACTION

27. Report on amusement machine centers. (Report with agenda. Motion directing staff needed)

ACTION: By motion (Dunlap/Mensing, unan.) matter of amusement machine centers referred to Planning Commission to develop an ordinance which would contain conditions as to where and how such centers could be developed with the understanding that the possibility of increasing the number of machines which might be permitted to be considered when the proposed ordinance is presented to Council. (Planning to handle)

28. Progress report by CATV Committee and recommendation to hire a CATV consultant. (Memo with agenda. Resolution approving agreement and resolution approving transfer of \$4,990 from the General Reserve of the General Fund to Account 235/01/65-101, CATV Consultant)

ACTION: Res. 75-1070 adopted (Dunlap/Mensing, unan.) approving agreement with Alta California Systems, Inc. (Clerk to handle)

Res. 75-1071 adopted (Dunlap/Mensing, unan.) approving appropriation transfer of \$4,990 from Account 60-101 to Account 235-01-65-101. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

29. Uninhabited annexation to the City of Modesto - Sheldon Addition. (The LAF Commission has authorized this annexation without notice of public hearing - October 17, 1975. Resolution approving annexation needed).

ACTION: Res. 75-1072 adopted annexing Sheldon Addition to City of Modesto. (Clerk to handle)

MISCELLANEOUS

30. Legislation.

NONE

31. Appointments.

NONE

32. Matters too late for the agenda.

ACTION: Res. 75-1073 adopted (Kullijian/Elliott, unan.) accepting improvements in Oakridge No. 1 subdivision.

Res. 75-1074 adopted (Kullijian/Elliott, unan.) accepting improvements in Oakmont No. 1 subdivision. (Clerk to handle)

Adjournment at 7:30 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 10, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None and Councilmember Kullijian
(Mayor Davies/were excused at 10:20 P.M. and Vice Mayor
Newton presided)

Pledge of allegiance to the Flag
Invocation by Reverend Ben Jennings, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 8, 15,
Items 22 and 25 removed from consent 16, 17, 18, 19, 20, 21, 23, 24,
Dunlap/Siefkin, unan. 27

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of November 3, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal by World Savings and Loan Association to action of BZA in upholding ruling by Chief Building Official disallowing a proposed projecting roof sign on Golden West Savings Building at 2509 McHenry.
(Resolution setting December 1 at 4:05 P.M. for hearing needed)

ACTION: Res. 75-1075 adopted setting hearing. (Clerk to handle)

CONSENT

3. Appeal by Charles Fenley to Planning Commission denial of request for rezoning from R-1 to P-D to permit construction of a car wash and office building complex at the northwest corner of Oakdale Road and Wylie Drive.
(Resolution setting December 8, 1975 at 7:35 P.M. for hearing needed)

ACTION: Res. 75-1076 adopted setting hearing. (Clerk to handle)

CONSENT

4. Appeal by Frank Fontana to Planning Commission denial of request for rezoning to P-D to allow development of a satellite commercial shopping center at the northwest corner of Scenic Drive and Lakewood Ave.
(Resolution setting December 8, 1975 at 7:30 P.M. for hearing needed)

ACTION: Res. 75-1077 adopted setting hearing with the understanding that the hearing will be continued to January 12, 1976 at 7:30 P.M.
(Clerk to handle)

BIDS

CONSENT

5. Consider award of contract for installation of lights in Garrison, Whitmore, Catherine Everett, Pike, West Side, and Moose Parks. (Bids were opened November 4, 1975. The low bid of \$22,672 submitted by Ferrero Electric, Inc., which is 7% below the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$22,672. Funds are budgeted)

ACTION: Res. 75-1078 adopted awarding contract to Ferrero Electric, Inc. (P/W to handle)

CONSENT

6. Consider award of contract for drilling, casing, testing and development of one deep well for the City of Modesto - Well No. 42. (Bids were opened November 4, 1975. The low bid submitted by Osterberg & Stewart is less than 1% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Estimated cost \$14,025.60. Funds are budgeted)

ACTION: Res. 75-1079 adopted awarding contract to Osterberg & Stewart. (P/W to handle)

7. Consider award of contract for construction of Fire Station No. 4. (Bids were opened October 21, 1975. The low bid of \$299,890 submitted by J. L. Bray & Sons, Inc., which is 6% above the Architect's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Memo with agenda. Resolution awarding contract needed. Estimated cost \$355,190 (\$299,890 contract; \$41,500 Engr. and Contg.; \$6,000 Architect fee; \$7,800, landscaping)

DROPPED FROM AGENDA

CONSENT

8. Consider acceptance of Joe Martin's contract for construction of waterlines in Briggsmore Place. (Original contract \$16,592.50. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Final cost: Contract, \$16,397.13 (Main \$14,747.13; Services \$1,650.00. Funds are budgeted)

ACTION: Res. 75-1080 adopted accepting contract. (Clerk to handle)

HEARINGS

9. Hearing, annexation of McHenry-Union Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 75-1081 adopted (Elliott/Kullijian, unan.) annexing McHenry-Union Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

10. Hearing on appeal by C & H Development Co. to denial by Planning Commission of request to rezone from R-1 to P-D to permit construction of a satellite commercial area and single family home at northwest corner of Emerald and Maze. 7:35 P.M.

ACTION: Res. 75-1082 adopted (Elliott/Mensing, unan.) denying appeal. (Clerk to handle)
Res. 75-1083 adopted (Kullijian/Dunlap, unan.) declaring a moratorium on application of Satellite Commercial Area Policy until policy has been reviewed. (Planning to handle)

11. Hearing on Urban Growth policy.

7:40 P.M.

ACTION: By motion (Dunlap/Siefkin, maj. - Newton, no) report and recommendation of Public Projects Committee approved. (Planning and P/W to handle)

12. Informal hearing on Solid Waste Management Plan for Stanislaus County.

7:45 P.M.

ACTION: Res. 75-1084 adopted (Mensingher/Elliott, unan. - Kullijian and Mayor Davies, absent) concurring in County Plan. (Clerk to handle)

13. Continued hearing on amendment to Section 13-3-8 of zoning map to rezone from R-1 to P-D, property at the northwest corner of Rumble and Prescott. (Sanders Construction) 7:50 P.M.

ACTION: After the failure of motions to deny or approve the rezoning, by motion (Siefkin/Dunlap, unan.) further consideration was continued to November 24, 1975. (Clerk to handle)

14. Matters for the good of the community.

7:55 P.M.

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

ACTION: Carmen Sabatino spoke concerning an Assembly Committee hearing in Merced County re the Delhi overpass on Highway 99.

Robert L. Smith asked that the Council adopt an ordinance which would add certain requirements locally to the requirements of Proposition 9. By motion (Siefkin/Mensingher, unan.) he was requested to submit his recommendations in writing and staff was requested to make a report on this after study of his recommendations. In addition, the City Attorney was requested to report to Council on the present procedure and requirements. (C/Clerk and C/Atty to handle)

ORDINANCES

CONSENT

15. Final adoption of Ord. No. 1481-C.S. - amendment to Section 23-3-9 of zoning map - Gregory Development Co. (Motion needed)

ACTION: By motion, Ord. No. 1481-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

16. Supplemental lease agreement with Southern Pacific Company for operation of the Southern Pacific Depot parking lot. (Southern Pacific wants to take 29 spaces from the lot and lease them to a new restaurant at 9th and K and take seven spaces for their own use. Approval recommended. Memo with agenda. Resolution approving supplemental lease agreement needed)

ACTION: Res. 75-1085 adopted approving supplemental lease agreement. (P & T to handle)

CONSENT

17. Consider agreement with Thomas P. Gasper for sale of vacant house at Pump Station No. 2.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-1086 adopted approving agreement. (P/W to handle)

CONSENT

18. Consider agreement with Ken Mustoe for sale of vacant houses located in Tuolumne River Regional Park.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-1087 adopted approving agreement. (P/W to handle)

CONSENT

19. Consider lease agreement with Henry Goni for lease of a portion of Dry Creek Park property.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-1088 adopted approving agreement. (P/W to handle)

CONSENT

20. Consider authorization of payment of City's share of public improvements in Coffee Terrace No. 4 Subdivision.
(Memo with agenda. Resolution authorizing payment of City's share needed. Estimated cost: \$1,324.00, Misc. right of way and Improvements; \$2,483.75, Sewer Service; \$3,807.75, Total. Funds are budgeted)

ACTION: Res. 75-1089 adopted authorizing payment. (Finance to handle)

CONSENT

21. Recommendation that City participate in amicus curiae brief in Eldridge vs. Palo Alto case.
(Memo with agenda. Motion approving participation needed)

ACTION: By motion, approval given to participation. (C/Atty to handle)

22. Consider installation of plaque at site of Grollman Building property.
(1) Motion approving installation of plaque needed; (2) Resolution approving appropriation transfer needed. Estimated cost \$400. Funds are budgeted)

ACTION: By motion, (Siefkin/Mensing, unan. - Kullijian and Mayor Davies, absent) installation approved. (P/W to handle)

Res. 75-1090 adopted (Siefkin/Mensing, unan. - Kullijian and Mayor Davies, absent) approving appropriation transfer of \$400 from Account 60-101 to Account 5301-41-101. (Finance to handle)

CONSENT

23. Resolution withdrawing the Sheldon Addition from the Woodland Fire Protection District.

(This addition was recently annexed to the City. Resolution withdrawing the Addition from the Woodland Fire District needed)

ACTION: Res. 75-1091 adopted withdrawing Sheldon Addition from Woodland Fire Protection District. (Clerk to handle)

CONSENT

- 24. A resolution determining that the public interest and convenience require that the Sheldon Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(It is now necessary to annex the Sheldon Addition to the Sewer District. (Two-thirds affirmative vote required)).

ACTION: Res. 75-1092 adopted setting hearing for December 22, 1975 at 7:30 P.M. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

- 25. Set date for public hearing for annexation to the City of uninhabited territory (Veneman Addition)
(Approved by LAFCO October 17, 1975. Resolution setting January 5, 1976 at 4:00 P.M. for public hearing needed)
(Siefkin/Elliott, unan. - Kullijian & Davies, absent)
- ACTION: Res. 75-1093 adopted/setting hearing. (Clerk to handle)

- 26. Report from the Planning Commission and Downtown Improvement District - Downtown Plan.
(Both bodies are submitting their recommendations for a downtown plan to the Council. Motion fixing schedule for considering downtown plan needed)

ACTION: It was agreed that the schedule would be discussed on November 17, 1975.

CONSENT

- 27. Proposed amendment to Chapter 2 of Title X of the Municipal Code.
(On October 28, 1975, the Planning Commission adopted Resolution No. 75-169 recommending to the Council amendments to Section 10-2.1612 of Article 16 of Chapter 2 of Title X of the Municipal Code which pertains to walls, fences, and hedges, and the heights and locations thereof. Resolution setting November 24, 1975 at 7:35 P.M. for public hearing needed)

ACTION: Res. 75-1094 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

- 28. Legislation.
NONE
- 29. Appointments.
NONE
- 30. Matters too late for the agenda.
NONE

Adjournment at 12:05 A.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 17, 1975 AT 4:00 P.M.

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

Absent: Dunlap
(Councilmember Newton was excused at 5:50 P.M.)

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 7, 8, 10, 15, 16,
Item 19 removed from consent 17, 18, 20
Item 6 dropped from agenda
Kullijian/Newton, unan. - Dunlap, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of November 10, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Downtown Improvement District for the following:

- (a) Use of two High Ranger trucks and personnel to operate to install Christmas Decorations on November 23, 1975 and remove on January 4, 1976. The use of the trucks and personnel to be charged to funds budgeted in D.I.D. Account 5398-218)
- (b) Use of the first two parking spaces on the 10th Street parking lot next to the Hughson Hotel to place Santa's House from November 20, 1975 to January 4, 1976.
- (c) Use of two parking spaces on the southwest corner of 10th and K Streets on November 28, 29 and December 6, 13, and 20, from the hours of 10:00 A.M. to 6:00 P.M. for the purpose of parking the Forty and Eight locomotive to be used during the Christmas Season to give free rides to children.
(Resolution granting request needed)

ACTION: Res. 75-1095 adopted granting request. (P & R to handle (a) and P & T to handle (b) & (c).

3. Request of Retired City Employees Association for recognition and for assurance by Council that study of cost of living increase will proceed as rapidly as possible.

ACTION: By motion (Elliott/Kullijian, unan.) formation of association acknowledged.

CONSENT

4. Appeal of Edward G. Wylie to Planning Commission denial of approval of a new tentative map for Wyldewood Estates No. 6 and 7.
(Resolution setting December 1, 1975 at 4:10 P.M. for hearing needed)

ACTION: Res. 75-1096 adopted setting hearing. (Clerk to handle)

5. Request that Sonoma Trunk Sewer be extended to Sylvan Avenue rather than Floyd Avenue.

ACTION: A motion (Kullijian/Newton) to extend the Sonoma Trunk Sewer to Sylvan lost as Councilmembers Elliott, Mensinger, and Siefkin voted no and Councilmember Dunlap was absent.

By motion (Kullijian/Mensinger, unan.) City-County Liaison Committee requested to ask Stanislaus and Merced Counties to study the possibility of a new city in the foothills. (C/Mgr to handle)

By motion (Kullijian/Newton, unan.) City-County Liaison Committee requested to ask for a report on the method of assessing farm property which is adjacent to Modesto's sewer lines and the effect that City policies have on assessments. (C/Mgr to handle)

6. Appeal by Allen Grant to decision of Chief Building Official requiring parapet walls on property lines in Park Place No. 1.
(Resolution setting December 1, 1975 at 4:10 P.M. for hearing needed)

DROPPED FROM AGENDA

BIDS

CONSENT

7. Approve specifications and call for bids for paper cutter.
(A new power operated paper cutter is needed to replace a 20-year old hand operated model. Resolution approving specifications and call for bids to be received on December 16, 1975 at 2:00 P.M. Estimated cost \$5,500. Funds are budgeted)

ACTION: Res. 75-1097 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

8. Consider Watts Equipment Co. as the lowest responsible bidder and authorize the purchase of one 4,000 pound capacity gas-powered fork lift for \$9,752.20.
(Memo with agenda. Estimated cost \$9,752.20. Funds are budgeted)

ACTION: Res. 75-1098 adopted accepting bid of Watts Equipment Co.
(Finance to handle)

9. Consider award of contract for construction of Fire Station No. 4.
(Bids were opened October 21, 1975. The low bid of \$299,890 submitted by J. L. Bray & Sons, Inc., which is 6% above the Architect's Estimate is considered acceptable. It is recommended that the contract be awarded to them. Memo with agenda. Resolution awarding contract needed. Estimated cost \$355,190 (\$299,890 contract; \$41,500 Engr. & Contg., \$6,000 Arch. Fee; Landscaping, \$7,800. Funds are budgeted)

ACTION: Res. 75-1099 adopted (Newton/Elliott, unan.) awarding contract.
(P/W to handle)

CONSENT

10. Consider awarding bids to: (a) Griswold-Wight for one 25,500 GVW cab and chassis for \$10,621.30. (b) Dow Hammond for one 27,500 GVW cab and chassis for \$11,545.
(Memo with agenda. Two resolutions needed. Estimated cost \$22,166.30. Funds are budgeted)

ACTION: Res. 75-1100 adopted accepting bid of Griswold & Wight.

Res. 75-1101 adopted accepting bid of Dow Hammond. (Finance to handle)

HEARINGS

11. Hearing, vacation and abandonment of the portion of N Street between 8th Street and Southern Pacific Railroad right of way in Block 38 and Block F of the City of Modesto. 4:00 P.M.

ACTION: Res. 1318-S.P. adopted (Elliott/Kullijian, unan.) vacating and abandoning portion of N Street. (Clerk to handle)

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

ACTION: It was agreed that staff would meet with Carmen Sabatino to discuss sewer line extensions.

City employees who took part in the clean-up of the Citizens' Cemetery were commended.

UNFINISHED BUSINESS

13. Fix schedule for review of Downtown Plan.

ACTION: It was agreed that a schedule would be prepared for Council consideration with meetings to start in January. (C/Mgr to handle)

14. Discussion concerning 4th floor addition to City Hall.

DROPPED FROM AGENDA (To be discussed 11/24/75)

NEW BUSINESS

CONSENT

15. Request of City Manager for vacation for December 26, 29, 30, 31 and January 2.
(Motion granting request needed)

ACTION: By motion, request granted.

CONSENT

16. Consider agricultural lease agreement with Mr. and Mrs. Arnold C. Dickens for a portion of Dry Creek Park property.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 75-1102 adopted approving agreement. (Clerk to handle)

CONSENT

17. Consider lease agreement with C. J. Rumble & Sons, Inc. for 5 acres Northeast End Park Site.
(Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 75-1103 adopted approving agreement. (Clerk to handle)

CONSENT

18. Consider request for sewer service to property at 920 Turner Street, located on the south side of Turner Street between Harris Avenue and Mayette Avenue.
(Owner Annie L. Thurman has signed an agreement to annex when requested to do so by City. The property is not contiguous to the City; however, a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 75-1104 adopted approving agreement. (P/W to handle)

19. Consider agreements for purchase of two parcels of property from C. J. Rumble & Sons, Inc., needed for the realignment of Standiford Avenue.
(Memo with agenda. Resolution approving agreements and accepting grant deeds and resolution approving appropriation transfer of \$55,182 needed. Estimated cost \$103,890, plus \$1,000 for Title Company charges. \$49,708 is budgeted)

ACTION: Res. 75-1105 adopted (Elliott/Siefkin, maj. - Mensinger, no - Dunlap and Newton, absent) approving agreement and accepting grant deed for Parcel No. 13530-1.

Res. 75-1106 adopted (Elliott/Siefkin, maj. - Mensinger, no - Dunlap and Newton, absent) approving agreement and accepting grant deed for Parcel No. 13530-3. (P/W to handle)

Res. 75-1107 adopted (Elliott/Siefkin, maj. - Mensinger, no - Dunlap and Newton, absent) approving appropriation transfer of \$55,182 from Account 60-207 to Account 6751-01-207. (Finance to handle)

REPORTS

CONSENT

20. Presentation of financial statement for October 1975.
(Copies of report will be presented at meeting. Motion accepting report needed)

ACTION: By motion, report accepted.

21. Report on preliminary master plan for Sylvan Neighborhood Park.
(Oral report on preliminary master plan will be made at meeting. Motion approving preliminary master plan for Sylvan Neighborhood Park needed)

ACTION: By motion (Kullijian/Mensing, unan.) preliminary master plan approved. (P & R to handle)

MISCELLANEOUS

22. Legislation.

NONE

23. Appointments.


NONE

24. Matters too late for the agenda.

ACTION: Councilmember Kullijian commended the committees working on Housing and Community Development for their attendance at meetings.

Adjournment at 6:15 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 24, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Siefkin,
Mayor Davies

Absent: Newton

Pledge of allegiance to the Flag

Invocation by Reverend Herbert Raaske, Modesto Gospel Mission

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9,
Items 2 & 16 removed from consent 15, 17, 18, 19, 20, 21, 22, 23
Mensinger/Dunlap, unan. - Newton, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of November 17, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Appeal by Yosemite Junior College District for variance in connection with improvements adjacent to Coldwell Avenue.
(Resolution setting December 1 at 4:15 P.M. for hearing needed)

ACTION: Res. 75-1108 adopted (Kullijian/Elliott, unan. - Newton and Siefkin, absent) setting hearing. (Clerk to handle)

(Councilmember Siefkin was excused from consideration of this item due to a conflict of interest)

BIDS

CONSENT

3. Approval of plans and specifications and call for bids for construction of walks, terrace and pool at Woodrow Park.
(Resolution approving bid call needed. Estimated cost \$70,000 (\$67,500 Const.; \$2,500 Engr. & Insp.) Funds are budgeted) (Bid opening December 9, 1975 at 11:00 A.M.)

ACTION: Res. 75-1109 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

4. Acceptance of R & R Construction's contract for construction of waterline extension on McHenry Ave. north of W. Union Ave.
(Original contract \$2,860. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$2,786.85. Funds are budgeted)

ACTION: Res. 75-1110 adopted accepting contract. (Clerk to handle)

CONSENT

5. Acceptance of The Flintkote Company's contract for asphalt concrete surfacing, various residential alleys, Project No. 4.
(Original contract \$14,659. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and record notice of completion. Resolution accepting work as complete needed. Funds are budgeted)

ACTION: Res. 75-1111 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider award to Videomedia Systems Engineering and Development for furnishing one closed circuit television system for Fire Station #1, for \$33,920, and other Fire Stations.
(Memo with agenda. Resolution needed. Funds are budgeted)

ACTION: Res. 75-1112 adopted awarding contract to Videomedia Systems Engineering & Development. (Finance to handle)

CONSENT

7. Acceptance of George Reed, Inc.'s contract for asphalt concrete resurfacing various residential alleys, Project No. 3.
(Original contract \$29,264. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final contract cost, \$24,994.12. Funds are budgeted)

ACTION: Res. 75-1113 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider award to Bill Hughes for furnishing twenty-two police four-door sedans and two police four-door pursuit wagons for a total sum of \$107,515.26; Consider award to Central Valley Chrysler-Plymouth for furnishing two police four-door sedans for a total sum of \$10,214.64.
(Memo with agenda. Two resolutions needed. Estimated cost \$117,729.90. Funds are budgeted)

ACTION: Res. 75-1114 adopted awarding contract to Bill Hughes Dodge.

Res. 75-1115 adopted awarding contract to Central Valley Chrysler-Plymouth. (Finance to handle)

CONSENT

9. Award of contract for construction of additional rip rap on oxidation pond levees.
(Bids were opened November 18, 1975. The low bid of \$16,200 submitted by Modesto Sand and Gravel, Inc., which is 10% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution needed. Estimated cost \$16,200. Funds are budgeted)

ACTION: Res. 75-1116 adopted awarding contract to Modesto Sand & Gravel Co. (P/W to handle)

HEARINGS

10. Further consideration by Council of two appeals to Planning Commission denial of requests for rezoning from R-2 to P-D, properties located at the southeast corner of E. Orangeburg and Lakewood and at the northeast corner of Lakewood and Laramie. 7:30 P.M.
(NOTE: The public hearing has been closed)
(Horn Construction)

ACTION: Res. 75-1117 adopted (Kullijian/Elliott, unan. - Newton, absent) denying appeal (E. Orangeburg/Lakewood).

Res. 75-1118 adopted (Kullijian/Elliott, unan. - Newton, absent) denying appeal (Laramie/Lakewood).

It was agreed that possible changes in the Satellite Commercial Area Policy will be discussed at the December 1 Council meeting.

11. Hearing on proposed amendments to Chapter 2 of Title X of Code pertaining to walls, fences and hedges and their heights and locations. 7:35 P.M.

ACTION: Ord. No. 1482-C.S. introduced (Kullijian/Elliott, unan. - Newton, absent) amending code. (Clerk to handle)

12. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

NONE

UNFINISHED BUSINESS

13. Further consideration of requested amendment to Section 13-3-8 of zoning map to rezone from R-1 to P-D, property at the northwest corner of Rumble and Prescott. (Sanders Construction Co.)
(NOTE: the public hearing has been closed)

ACTION: A resolution (Dunlap/Davies) to deny the appeal and waive the one-year limitation for a new application failed as Elliott, Mensinger and Siefkin voted no.

A motion (Mensinger/Siefkin) to introduce an ordinance granting the requested rezoning subject to the additional conditions of 7:00 A.M. to 10:00 P.M. hours of operation; off-sale of beer and wine to be permitted; and uses limited to C-1 uses failed as Dunlap, Elliott and Mayor Davies voted no.

Res. 75-1119 adopted (Elliott/Dunlap, unan. - Newton, absent) denying the requested rezoning without prejudice. (Planning to handle)

14. Discussion concerning 4th floor addition to City Hall.

ACTION: Held over to December 1, 1975.

CONSENT

15. Resolution establishing flat rate charges for water service to Sylvan Union School District.
(The District has added Stockard Coffee School on Mable Ave. to its School System. Since Stockard Coffee is connected to the City's water system, the proposed resolution includes this school with the other schools in this district which use water from the City of Modesto water system. Resolution needed)

ACTION: Res. 75-1120 adopted establishing flat rate water charges to Sylvan School District. (Finance to handle)

16. Consider agreement with C. J. Rumble and Sons, Inc. for the purchase of property for Fire Station No. 6.
(Memo with agenda. Resolution approving agreement needed. Estimated cost \$11,350 plus \$1,500 for estimated Title and engineering fees. Funds are budgeted)

ACTION: Res. 75-1121 adopted (Kullijian/Elliott, unan. - Newton, absent) approving agreement. (Clerk to handle)

CONSENT

17. Consider agricultural lease agreement with Mr. and Mrs. Arnold C. Dickens for lease of city-owned property known as Riverside Park site.
(Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 75-1122 adopted approving agreement. (Clerk to handle)

CONSENT

18. Consider approval of lease with Avis Rent-A-Car Systems at the Modesto City County Airport.
(A new lease has been negotiated and is now ready for approval. Memo with agenda. Resolution approving lease needed)

ACTION: Res. 75-1123 adopted approving lease. (Clerk to handle)

CONSENT

19. Consider agricultural lease agreement with Mrs. Dominic DePalma for a portion of Dry Creek Park property.
(Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 75-1124 adopted approving lease agreement. (Clerk to handle)

CONSENT

20. Consider request for sewer service to property at 521 Meta Court located on the west side of Meta Court south of Ada Street.
(Owners Rudy L. and Margaret D. Orozco have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 75-1125 adopted approving agreement. (P/W to handle)

CONSENT

21. Request by City Attorney for one day's vacation on Friday, November 28, 1975.
(Motion authorizing needed)

ACTION: By motion, request granted.

CONSENT

22. Consider acceptance of improvements in Lakewood Gardens No. 1 subdivision.
(This subdivision is located on the east side of Lakewood Avenue south of East Orangeburg Ave. All improvements have been completed to the satisfaction of the Public Works Department and all fees paid. Resolution accepting improvements needed)

ACTION: Res. 75-1126 adopted accepting improvements. (Clerk to handle)

CONSENT

23. Consider acceptance of improvements in Wyldewood Meadows subdivision. This subdivision is located on the north side of Scenic Drive, east of Lakewood Avenue. All Improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 75-1127 adopted accepting improvements. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

24. Recommend that the Home Occupation Permit procedure for barber shops and beauty parlors not be modified. (On October 7, 1975, the Planning Commission held an informal public hearing pertaining to a petition requesting that no permits be issued for barber and beauty shops in residential areas and adopted Res. No. 75-155 recommending that the home occupation permit procedure not be modified. Motion accepting Planning Commission recommendation and directing that no changes be made to the home occupation permit procedure at this time, needed)

ACTION: By motion (Elliott/Kullijian, unan.) recommendation of Planning Commission accepted.

25. Recommend to Council that McGuire Drive be extended to Orangeburg Avenue. (On November 18, 1975, the Planning Commission adopted Resolution No. 75-182 recommending to the City Council that McGuire Drive be extended to Orangeburg Avenue. Motion needed)

ACTION: By motion (Mensinger/Kullijian, unan.) staff was directed to develop various alternatives to prevent through traffic on McGuire Drive but to include the alternative providing for the extension of McGuire Drive to E. Orangeburg Ave. and to report to Council on December 8. (Planning to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

ACTION: Res. 75-1128 adopted (Siefkin/Mensinger, unan. - Newton, absent) appointing Tom Harris, Sr., Don Bernard, Mrs. Dorothy Berry, Paul Green, Mrs. Leopold Prescott and Mrs. Polly Cowings to the Users Committee of the HCDA Program. (Clerk to handle)

28. Matters too late for the agenda.

NONE

Adjournment: The Council retired to executive session at 10:20 P.M. to discuss acquisition of property. It was announced that the Council would not return to open meeting.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 1, 1975 AT 4:00 P.M.

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

Absent: Mayor Davies
(Vice Mayor Newton presided)

Pledge of allegiance to the Flag

Invocation by Reverend Jack Fix, United Brethren in Christ Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 17, 18,
Item 16 removed from consent 19, 20, 21, 22, 23, 24, 25, 26,
Elliott/Dunlap, unan. - Mayor Davies, 27, 28
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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of November 24, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider approval of specifications and authorize call for bids to be opened December 30 at 2:15 P.M. for furnishing one steel 1,500 gallon water tank.
(Item authorized for purchase in 1975-76 fiscal year and will be mounted on city owned 27,500 GVW cab and chassis. Resolution needed. Estimated cost \$6,334.10. Funds are budgeted)

ACTION: Res. 75-1129 adopted approving specifications and bid call.
(Clerk to handle)

CONSENT

3. Consider acceptance of the Flintkote Company's contract for improvement of Rose Avenue from Briggsmore to Floyd.
(Original contract \$105,976.40. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work needed. Final cost \$109,226.27. Funds are budgeted)

ACTION: Res. 75-1130 adopted accepting contract. (Clerk to handle)

CONSENT

4. Consider acceptance of Industrial Electrical Co.'s contract for street light modernization Phase VI 1974-75. (Original contract \$106,076. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final contract cost \$110,499. Funds are budgeted)

ACTION: Res. 75-1131 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider acceptance of George Reed, Inc.'s contract for asphalt concrete resurfacing various city streets 1975-76. (Original contract \$169,721.25. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$178,374.57. Funds are budgeted)

ACTION: Res. 75-1132 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider approval of specifications and authorize call for bids to be opened December 30, 1975 at 2:00 P.M. for furnishing three general governmental sedans for detective use and one standard size sedan to be assigned to the City Manager. (Memo with agenda. Resolution needed. Estimated cost \$16,300. Funds are budgeted)

ACTION: Res. 75-1133 adopted approving specifications and bid call. (Clerk to handle)

HEARINGS

7. Hearing on annexation of Standiford-Tully No. 2 Addition to City of Modesto. 4:00 P.M.

ACTION: Ord. No. 1483-C.S. adopted (Dunlap/Elliott, unan. - Mayor Davies, absent) annexing Standiford-Tully No. 2 Addition to City of Modesto.

Res. 75-1134 adopted (Dunlap/Elliott, unan. - Mayor Davies, absent) declaring majority protest not made. (Clerk to handle)

8. Hearing on appeal of World Savings & Loan Association to action of Board of Zoning Adjustment in upholding ruling by Chief Building Official disallowing a proposed projecting roof sign on Golden West Savings Building at 2509 McHenry. 4:05 P.M.
(It is recommended that this hearing be continued to December 15, 1975 at 4:00 P.M.)

ACTION: By motion (Kullijian/Siefkin, unan.) hearing continued to December 15, 1975 at 4:00 P.M. (Clerk to handle)

9. Hearing on appeal of Edward G. Wylie to Planning Commission denial of approval of a new tentative map for Wyldewood Estates No. 6 and 7. 4:10 P.M.

ACTION: Res. 75-1135 adopted (Elliott/Dunlap, maj. - Mensinger and Siefkin, no - Mayor Davies, absent) denying appeal

10. Hearing on request of Yosemite Junior College District for variance in connection with improvements adjacent to Coldwell Avenue. 4:15 P.M.

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

Res. 75-1136 adopted (Kullijian/Dunlap, unan. - Siefkin and Mayor Davies, absent) approving development plan for Coldwell Avenue subject to conditions recommended by staff. (P/W to handle)

11. Matters for the good of the community. 4:20 P.M.
(These may be presented by interested persons in the audience)

NONE

UNFINISHED BUSINESS

13. Discussion concerning Downtown Plan Review schedule.

ACTION: It was agreed that staff would attempt to develop a new schedule. (C/Mgr to handle)

14. Discussion concerning possible changes in Satellite Commercial Area policy.

ACTION: By motion (Mensingher/Elliott, unan.) this matter was referred to the Public Projects Committee for study. (C/Mgr to handle)

15. Discussion concerning 4th floor addition to City Hall.

ACTION: By motion (Dunlap/Kullijian, unan.) design concept for exterior approved.

NEW BUSINESS

16. Consider authorizing plans for reconstruction of alley behind City Hall.

(This alley is deteriorating and should be rebuilt. The cost is estimated at \$10,300. The cost is to be shared with Crocker Bank. The City's share would be about \$5,800 and Crocker's share about \$4,500. Memo with agenda. Motion authorizing preparation of plans, specifications and agreement with Crocker National Bank for rebuilding alley behind City Hall needed. Estimated cost \$10,300. Appropriation transfer to be requested when amount of the low bid is known)

ACTION: By motion (Elliott/Dunlap, unan.) preparation of plans and agreement authorized. (P/W to handle)

CONSENT

17. Consider authorizing negotiations for cooperative agreement with Stanislaus County and negotiations for consulting engineering services for design of Briggsmore/Rose intersection.

(Memo with agenda. Motion approving recommended actions needed)

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

CONSENT

18. Letter from Salvation Army.
(The Salvation Army has requested permission to pick the oranges from trees located in city parks. They plan to use the oranges in their Christmas baskets. The Council approved this request last year. Motion granting request needed)

ACTION: By motion, request granted.

CONSENT

19. Expansion of computer capacity.
(Memo with agenda. Resolution appropriating \$12,991 for purchase of 65KB memory unit from interest earnings on revenue sharing money needed. Estimated cost \$12,991)

ACTION: Res. 75-1137 adopted appropriating \$12,991. (Finance to handle)

CONSENT

20. Authorize revised application to P.U.C. on TSRR crossings.
(Memo with agenda. The application is for flashing lights and gates at the TSRR crossings of Granger, Bowen, Roseburg, Standiford and College. The latter two are additional and the reason for the revision. Resolution authorizing the revised application needed. Estimated cost \$18,000. Funds are budgeted)

ACTION: Res. 75-1138 adopted authorizing revised application to PUC.
(P & T to handle)

CONSENT

21. Distribution of applications for federal grants for transit.
(Memo and applications for capital grant for Dial-A-Ride and operational grant for transit expenses with agenda. They are being distributed at this time for study by the Council prior to the hearing set for December 8, 1975. No council action necessary at this time. Estimated cost - see applications)

NO ACTION

CONSENT

22. Consider three agricultural lease agreements with Mr. and Mrs. Donald H. Scott for lease of city property acquired for Dry Creek Park.
(Memo with agenda. Three resolutions approving lease agreements needed)

ACTION: Res. 75-1139 adopted approving lease agreement, property formerly owned by the Maxwells.

Res. 75-1140 adopted approving lease agreement, property formerly owned by the Simms.

Res. 75-1141 adopted approving lease agreement, property formerly owned by Eula Scott. (Clerk to handle)

CONSENT

23. Consider approving lease agreement with Pubs Unlimited for operation of a 29-space parking lot at 9th and K Streets.
(Memo with agenda. This is part of the Southern Pacific parking area recently split from the main parking area so that Pubs Unlimited could meet its off-street parking requirement. Pubs Unlimited now wants us to run it for them. We'll pay no rent and take all meter revenues. Resolution approving lease agreement needed)

ACTION: Res. 75-1142 adopted approving lease agreement. (Clerk to handle)

CONSENT

24. Consider approval of agreement between Tom and Edna Mellis and the City of Modesto for donation of property to the City for Dry Creek Park.
(Memo with agenda. Resolution approving agreement accepting grant deed, and motion authorizing a letter thanking the Mellis' for the donation. Funds are budgeted)

ACTION: Res. 75-1143 adopted approving agreement and accepting grant deed.

By motion, letter of thanks authorized. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

25. Recommend that Elmhurst not be closed at its intersection with Briggsmore Ave. and that Council consider traffic control measures at this intersection.
(On November 18, 1975, the Planning Commission adopted Resolution No. 75-180 recommending that this street not be closed and that report by Director of Parking and Traffic be received and considered. Motion referring consideration of recommendation to Council meeting of January 12 be considered along with related street closures)

ACTION: By motion, consideration scheduled for January 12, 1976.
(Clerk to handle)

CONSENT

26. Recommend permanent closure of Winning Avenue at Briggsmore.
(On November 18, 1975, the Planning Commission adopted Resolution No. 75-178 recommending this closure to Council. Resolution setting January 12, 1976 at 7:35 P.M. for public hearing needed)

ACTION: Res. of Intention 359 (1319-S.P.) adopted setting hearing.
(Clerk to handle)

CONSENT

27. Recommend permanent closure of three alley openings onto Briggsmore Avenue between Elmhurst Drive and Winning Avenue.
(On November 18, 1975, the Planning Commission adopted Resolution No. 75-179 recommending these closures to City Council. Resolution setting January 12, 1976 at 7:35 P.M. for public hearing needed)

ACTION: Res. of Intention 360 (1320-S.P.) adopted setting hearing.
(Clerk to handle)

CONSENT

28. Recommend amendment to Section 24-3-9 of zoning map - Horn Construction.
(On November 18, 1975, the Planning Commission adopted Resolution No. 75-177 to reclassify P-D(99) to P-D(135) to allow construction of a neighborhood shopping center at the southeast corner of Briggsmore and Lakewood Avenues. Resolution setting January 12, 1976 at 7:40 P.M. for public hearing needed)

ACTION: Res. 75-1144 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

29. Legislation.

(a) Letter from Paul Zagaris re postal service.

ACTION: Staff directed to inform Mr. Zagaris of action previously taken by Council. (Clerk to handle)

29. Legislation, continued

(b) Other.

NONE

30. Appointments.

NONE

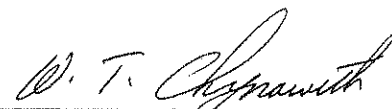
31. Matters too late for the agenda.

ACTION: Res. 75-1145 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting improvements in Smoke Tree No. 2 Subdivision. (Clerk to handle)

The City Manager announced that a Mercedes-Benz bus equipped with a wheel chair lift would be on display at City Hall at 2:00 P.M. on December 2, 1975.

Adjournment at 6:10 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 8, 1975 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Siefkin,
Mayor Davies

Absent: Newton

Pledge of allegiance to the Flag.

Invocation by Eddie Evans, Herald Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8,
Item 19 removed from consent 13, 14, 16, 17, 18
Dunlap/Elliott, unan. - Newton, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of December 1, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal by Land Resource Development Corporation to Planning Commission denial of request for rezoning from R-1 to P-D to allow development of an office park and incidental commercial at the northeast corner of Dale Road and Veneman Avenue.
(Resolution setting January 5, 1976 at 4:05 P.M. for hearing needed)

ACTION: Res. 75-1146 adopted setting hearing. (Clerk to handle)

CONSENT

3. Appeal to Board of Zoning Adjustment denial of request for use permit for a pole sign in an H-1 zone for a Shortstop Market at 150 North Riverside Avenue.
(Resolution setting January 5, 1976 at 4:10 P.M. for hearing needed)

ACTION: Res. 75-1147 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

4. Consider acceptance of Acme Construction Company's contract for renovation of downtown garage.
(Original contract \$6,995. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final cost \$6,995. Funds are budgeted)

ACTION: Res. 75-1148 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider allowing Opinski Construction Inc. to withdraw their bid and rejecting all remaining bids and approve revision of plans and specifications and authorize readvertising for bids for construction of picnic area at Downey Park.
(Bid opening date December 23, 1975 at 11:00 A.M. Memo with agenda. Resolution allowing Opinski Construction Inc. to withdraw their bid and rejecting all other bids, and resolution approving revised plans and specifications and call for bids needed. Estimated cost \$59,238 (\$1,500 Engr; \$57,738, Const.) Funds are budgeted)

ACTION: Res. 75-1149 adopted allowing withdrawal of bid by Opinski Construction Inc. and rejecting all other bids.

Res. 75-1150 adopted approving revised plans, specifications and new bid call. (Clerk to handle)

CONSENT

6. Consider acceptance of Joe Martin's contract for construction of waterline extension on Standiford Avenue between Tully Road and Colonial Drive.
(Original contract \$10,090. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final cost \$9,741.20. Funds are budgeted)

ACTION: Res. 75-1151 adopted accepting contract. (Clerk to handle)

CONSENT

7. Accept traffic signal installation at Coffee Road and Floyd Avenue.
(All work has been completed to the satisfaction of the Parking and Traffic and Public Works Departments. It would be in order to accept this work as complete and to record notice of completion. Memo with agenda. Resolution needed. Final cost \$17,915. Funds are budgeted)

ACTION: Res. 75-1152 adopted accepting contract. (Clerk to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for construction of waterlines in Wyldewood Grove No. 1.
(Suggested bid opening December 23, 1975 at 11:10 A.M. Cost and revenues: Construction, \$11,390. Connection charges, \$7,920. Net revenue, \$626. Resolution needed. Estimated cost \$11,390 (\$6,445, Const.; \$4,945, Engr. & Matls. Funds are budgeted)

ACTION: Res. 75-1153 adopted approving plans, specifications and bid call.
(Clerk to handle)

HEARINGS

9. Hearing on appeal by Frank Fontana to Planning Commission denial of request for rezoning to P-D to allow development of a satellite commercial shopping center at the northwest corner of Scenic Drive and Lakewood Avenue. 7:30 P.M.
(To be continued to January 12, 1976 at 7:30 P.M.)

ACTION: By motion (Dunlap/Mensing, unan.) hearing continued to January 12, 1976 at 7:30 P.M. (Clerk to handle)

10. Hearing on applications for federal funds for Dial-A-Ride equipment and for transit operations for fiscal 1975-76. 7:30 P.M.

(Applications were distributed to the Council with agenda of December 1, 1975. Memo and City Attorney opinion with agenda. Resolution approving submission of application for capital grant and resolution setting fares for elderly and handicapped needed. Funds are budgeted)

ACTION: After the public was given an opportunity to be heard, the hearing was closed.

By motion (Kullijian/Mensing, unan.) action postponed to December 22, 1975 for further study. (P & T to handle)

11. Hearing on appeal by Charles Fenley to Planning Commission denial of request for rezoning from R-1 to P-D to permit construction of a car wash and office building complex at the northwest corner of Oakdale Road and Wylie Drive. 7:35 P.M.

ACTION: After the public hearing was closed, a motion (Kullijian/Mensing) to introduce an ordinance to grant the requested rezoning failed as Dunlap, Siefkin and Mayor Davies voted no.

By motion (Kullijian/Elliott, unan.) further consideration continued to January 5, 1976. (Clerk to handle)

12. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

ACTION: John Funnell, member of the Farm-City Advisory Committee, was introduced.

The Council took a recess at 10:25 P.M. and returned at 10:30 P.M.

ORDINANCES

CONSENT

13. Final adoption of Ordinance No. 1482-C.S. - walls, fences and hedges. (Motion adopting needed)

ACTION: By motion, Ord. No. 1482-C.S. adopted. (Clerk to handle)

CONSENT

14. Adoption of 1975 Electrical Code.
(It is recommended that the City Council consider adoption of the 1975 National Electrical Code. Memo explaining changes prepared by Chief Building Official with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1484-C.S. introduced. (Clerk to handle)

UNFINISHED BUSINESS

15. Further consideration of proposed extension of McGuire Drive.

ACTION: A resolution (Elliott/Dunlap) directing staff to proceed with Alternate 5 (extend McGuire through to Orangeburg) failed as Kullijian, Mensinger and Siefkin voted no.

By motion (Elliott/Kullijian, unan.) further consideration continued to January 26, 1976 with direction to staff to furnish Council with more information concerning comparable deadend streets with barricades. (Planning to handle)

NEW BUSINESS

CONSENT

16. Input-Output and Cost-Revenue Studies.
(Memo with agenda. Motion directing letter to SAAG requesting funding needed)

ACTION: By motion, staff authorized to direct letter to SAAG requesting funding. (Clerk to handle)

CONSENT

17. Approval of agreement with State covering expenditures for gates and signals at Railroad crossings, pavement markings and minor safety improvements.
(The agreement is a formality to qualify the City to be eligible to receive federal funds. Memo with agenda. Resolution needed)

ACTION: Res. 75-1154 adopted approving agreement. (Clerk to handle)

REPORTS

CONSENT

18. Quarterly report, July-September 1975, on Ecology Action curbside recycling program.
(The salvageable waste license issued to Ecology Action requires periodic reports on their activities. Their report for the third quarter of 1975 is submitted to Council indicating tonnages and income generated for that period. Motion accepting report needed)

ACTION: By motion, report accepted.

APPROPRIATION TRANSFERS

19. Consider approval of appropriation transfer for 12.1% rate increase in premium for employee health insurance coverage (Blue Shield) to be effective December 9, 1975.
(Memo with agenda. Resolution approving appropriation transfer needed. Estimated cost \$11,168.00)

ACTION: Res. 75-1155 adopted (Kullijian/Dunlap, unan. - Newton, absent) approving appropriation transfer from Accounts 60-101 (\$10,779); 60-209 (\$58); 60-230 (\$79); 60-512 (\$252) to Accounts 426-64-101 (\$10,747); 426-29-101 (\$32); 426-57-209 (\$58); 426-46-230 (\$79) and 426-48-512 (\$252). (Finance to handle)

MISCELLANEOUS

20. Legislation.

NONE

21. Appointments.

ACTION: Res. 75-1156 adopted (Mensingher/Siefkin, unan. - Newton, absent) appointing Ugo Lea as a member of the Farm-City Advisory Committee, replacing Warren F. Wegis, for a term ending May 1, 1979. (Clerk to handle)

Res. 75-1157 adopted (Elliott/Mensingher, unan. - Newton, absent) appointing the following members to the Users Committee of the Citizens Housing and Community Development Committee:

Cleveland Horn, 218½ Spruce Street -	term ending 6/30/77
Willie Berry, 210 Oak Street -	term ending 6/30/79
Mrs. Marian Turner, 318 Pine Street-	term ending 6/30/77

(Clerk to handle)

22. Matters too late for the agenda.

NONE

Adjournment at 11:20 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

Modesto City Council
Special Meeting
December 13, 1975

The Council of the City of Modesto met in special meeting this date at 9:30 A.M. in the Multi-Purpose Room, Court Floor, 801 - 11th Street, Modesto, California, for a Policy Development Workshop in connection with the Capacity Building Project.

Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

Absent: Councilmembers: Newton

After a discussion of what are policies, goals and objectives, the current policy development process in Modesto was discussed.

The League staff then presented proposals for establishment of procedures for improvement in this process.

It was informally agreed that a policy calendar for Modesto should be developed which would take into consideration our present budget calendar and the dates when new members of the Council would take office.

No formal action was taken.

Tom Fletcher, formerly City Manager of San Jose and San Diego and Deputy Mayor of Washington, D.C., and now a Professor at Golden Gate University spoke on "Management of Change."

The meeting adjourned at 3:10 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 15, 1975 AT 4:00 P.M.

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

Absent: None

(Mayor Davies was excused at 5:35 P.M. and Vice Mayor
Newton presided)

Pledge of allegiance to the Flag.

Invocation by Reverend Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 8, 10, 11,
Dunlap/Newton, unan. 12, 13, 14, 15, 16, 18, 20, 21

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of December 8, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider approval of plans and specifications and call for bids for construction of picnic shelter in Beard Brook Park.
(Bid opening date January 6, 1976 at 11:00 A.M. This project has been planned to provide some sheltered area for group picnics.
(Resolution approving plans, specifications and bid call needed. Estimated cost \$21,000 (\$20,000 Const.; \$1,000 Engr.) Funds are partially budgeted. Appropriation transfer will be requested later when exact amount is known after bid opening)

ACTION: Res. 75-1158 adopted approving plans, specifications and bid call.
(Clerk to handle)

CONSENT

3. Consider award of contract to Wolverine Building Service for construction of walks, terrace and pool at Woodrow Park.
(Bids were opened December 9, 1975. The low bid of \$65,580, 3% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to Wolverine Building Service. Resolution awarding needed. Estimated cost \$65,580. Funds are budgeted)

ACTION: Res. 75-1159 adopted awarding contract to Wolverine Building Service. (P/W to handle)

CONSENT

4. Reconsider award of bids for automotive equipment.
(Memo with agenda. Two resolutions needed)

ACTION: Res. 75-1160 adopted superseding Resolution 75-1053; rejecting Snider Motors bid on Item 1; rejecting Bill Hughes Dodge bid on Item 11 and accepting bid of Griswold & Wight for Items 1, 2, 5c, 5d and 11. (Finance to handle)

CONSENT

4. Reconsider award of bids for automotive equipment, continued.

ACTION: Res. 75-1161 adopted superseding Resolution 75-1054; rejecting Griswold & Wight bid on Item 9 and accepting bid of Bill Hughes Dodge for Items 3, 4, 5a, 5b, 6, 7, 8, 9, 10 and 13. (Finance to handle)

5. Consider authorizing the purchase of one 100' aerial ladder truck from Van Pelt of Oakdale for \$187,767.34. Consider authorizing acceleration of \$107,768 from the 1976-77 C.I.P. Project 109 to 8121-210-321 to cover all phases of purchasing for this project. (Memo with agenda. Two resolutions needed: (1) Resolution authorizing purchase of one 100' aerial ladder truck from Van Pelt for \$187,767.34. (2) Resolution authorizing transfer of funds.)

ACTION: Res. 75-1162 adopted (Dunlap/Elliott, unan.) authorizing purchase. Res. 75-1163 adopted (Dunlap/Elliott, unan.) accelerating \$107,768 from C.I.P. (Project 109) to Capital Outlay Account 8121-210-321. (Finance to handle)

HEARINGS

6. Continued hearing on appeal by World Savings & Loan Association to decision of Board of Zoning Adjustment upholding ruling by Chief Building Official disallowing a proposed projecting roof sign on Golden West Savings & Loan building at 2509 McHenry. (Continued from December 1, 1975 meeting) 4:00 P.M.

ACTION: Res. 75-1164 adopted (Dunlap/Siefkin, unan.) denying appeal, and decision of Board of Zoning Adjustment upheld. (Planning to handle)

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

ACTION: After a presentation by Henry George, the Mayor directed staff to report to Council concerning his allegations of property and money being stolen and of extra taxi fare for his seeing eye dog. (C/Mgr to handle)

ORDINANCES

CONSENT

8. Final adoption of Ordinance No. 1484-C.S. relating to electrical code. (Motion adopting needed)

ACTION: By motion, Ord. No. 1484-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

10. Agreement for preparation of Phase II master plan for Tuolumne River Regional Park. (Agreement provides that John Sue and Associates will prepare a master plan for Phase II of the Tuolumne River Regional Park for a lump sum figure of \$22,000. The area included in the plan extends from Conejo Avenue to Santa Cruz Avenue and the plan will be ready March 6, 1976. Resolution approving agreement needed. Estimated cost \$22,000. Funds are budgeted)

ACTION: Res. 75-1165 adopted approving agreement. (Clerk to handle)

CONSENT

11. Consider submission of amended preapplication for federal funds assistance for Modesto City-County Airport Capital Improvement program.
(Memo with agenda. Resolution authorizing submission of preapplication needed. Appropriation transfer to be requested later.
Reason for delay: to obtain FAA grant offer)

ACTION: Res. 75-1166 adopted authorizing submission of amended pre-application. (P/W to handle)

CONSENT

12. Consider approval of 1980 Functional Usage of City Streets.
(This is a procedural requirement to maintain the City's eligibility for receipt of Federal Highway Funds. Memo with agenda. Motion needed)

ACTION: By motion, scale map of Modesto-Ceres Area which depicts the 1980 Functional Classification approved. (P/W to handle)

CONSENT

13. Consider acceptance of improvements in Old Orchard No. 3 Subdivision and authorize City Clerk to record notice of completion.
(Memo with agenda. Resolution accepting improvements needed)

ACTION: Res. 75-1167 adopted accepting improvements in Old Orchard No. 3. (Clerk to handle)

CONSENT

14. Consider acceptance of improvements in Jeffery Park Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.
(This subdivision is located on the north side of Floyd Ave. west of Coffee Road. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 75-1168 adopted accepting improvements. (Clerk to handle)

CONSENT

15. Approve agreement with State for installation of crossing gates and flashing lights at four Tidewater Southern crossings.
(A federal program will pay 90 percent of the cost of gates and lights at Bowen, Granger, Roseburg and College crossings. Memo with agenda. Resolution approving Program Supplement No. 1 to Local Agency-State Agreement No. 3 needed. Estimated cost \$12,200. Funds are budgeted)

ACTION: Res. 75-1169 adopted approving Program Supplement No. 1 to Local Agency-State Agreement No. 3 (Federal Aid Improvement Projects). (Clerk to handle)

CONSENT

16. Requirement for construction of curbs and/or sidewalks at the locations listed on the attached sheet. (74/04/12 - 75/14/05)
(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 7:30 P.M. January 26, 1976 for hearings needed)

(a) Sidewalk at 2505 Strivens Ave., Lot 7 of Block 6349. (Charles L. Hopkins)

CONSENT

16. Requirement for construction of curbs and/or sidewalks, continued.
- (b) Sidewalk along College Ave. at 1046 Yale Ave., Lot 10 and north 40 feet of Block 812. (Berdina Watson)
 - (c) Sidewalk along College Ave. at 1047 Harvard Ave., Lot 8 and south 30 feet of Lot 9, Block 812. (Lillian Cunningham)
 - (d) Sidewalk at 405 Wilson Ave., the south 45 feet of Lot 5 and the north 15 feet of Lot 6, Block 2027. (Jean J. Brill)
 - (e) Curb and sidewalk at 408 Wilson Ave., a portion of Lot 36 of Block 2028. (Alfred A. Dunson)
 - (f) Sidewalk along Wilson Ave. at 401 Wilson Ave., the south 70 feet of Lot 7, Block 2027. (Helen L. Lindgren).
 - (g) Curb and sidewalk at 413 Wilson Ave., the north 60 feet of Lot 2, Block 2027. (Clarenda Nunes)
 - (h) Sidewalk along Wilson Ave. at 1005 Roble Ave., a portion of Lot 36, Block 2028. (Michael J. Rose)
 - (i) Curb along Las Palmas Ave. at 905 Roble Ave., the south 60 feet of Lot 8 of Block 2. (Dennis C. Thompson)
 - (j) Sidewalk along Paradise Ave. at 213 Paradise Ave., Lot 13 and 14 of Block 340. (Luther Damir)
 - (k) Sidewalk along Paradise Ave. at 315 Paradise Ave., Lot 6, Block 343. (Tommy Evartt)
 - (l) Sidewalk along College Ave. at 1040 Hawthorn Ave., Lot 19, Block 6711. (James H. Dandy)
 - (m) Sidewalk along College Ave. at 1101 Woodman Way, Lot 1 of Block 6182. (Erman Pilotti)
 - (n) Curb and sidewalk along College Ave. at 1100 Bowen Ave., all of Block 6721. (Levoy and Lamon Wright)
 - (o) Curb at 411 Sutter Ave., Lot 42 and 43 of Block 336. (Charles D. Bell)
 - (p) Curb at 331 Sutter Ave., Lot 19 and 20, Block 353. (Paul G. Beilke)
 - (q) Curb at 335 Sutter Ave., Lot 21 and 22, Block 353. (Thelma N. Billerman)
 - (r) Curb at 323 Sutter Ave., Lot 15 and 16, Block 353. (Thelma N. Billerman)
 - (s) Curb and sidewalk at 319 Sutter Ave., Lot 13 and 14, Block 353. (Edna Ford)
 - (t) Curb at 445 Sutter Ave., Lot 25, 26, 27, Block 336. (Ardythe B. Harms)
 - (u) Curb along Sutter Ave. at 1416 Western Way, Lots 44, 45, 46, 47 and 48 of Block 336. (Shirley Hendrix)
 - (v) Curb along Sutter Ave. and Tuolumne Blvd. at 1418 Tuolumne Blvd., Lot 10, Block 353. (Robert C. Holloway)
 - (w) Curb and sidewalk along Sutter Ave. at 400 Paradise Road, portion of Block 3094. (Harold A. Knowles)
 - (x) Curb and sidewalk at 327 Sutter Ave., Lots 17 and 18, Block 353. (Ellen E. Sprague)

CONSENT

16. Requirement for construction of curbs and/or sidewalks, continued.

(y) Curb at 311 Sutter Ave., Lot 9, Block 353. (Peter Zimzores)

ACTION: Res. 75-1170 adopted setting hearings. (P/W to handle)

REPORTS

17. Progress report (oral) from Council Committee on Senior Citizen Service Center.
(Motion accepting report needed)

ACTION: The Council was shown renderings of a proposed Center which could be located at the old Lincoln School site and possible uses were outlined. By motion (Elliott/Siefkin, unan.) receipt of report acknowledged.

CONSENT

18. Presentation of financial statement for November 1975.
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

19. Consider amendment to the Municipal Code regarding garage and patio sales.
(Memo with agenda. Motion referring No. 2 to Planning Commission for public hearing and recommendation back to the City Council)

ACTION: By motion (Siefkin/Dunlap, maj. - Kullijian, no) Draft No. 2 referred to Planning Commission for hearing and recommendation to Council. (Planning to handle)

CONSENT

20. Recommend vacation and abandonment of the 20-foot public alley between Block P and Block 215 of the City of Modesto.
(On November 18, 1975 the Planning Commission adopted Resolution No. 74-181 recommending to the City Council the vacation and abandonment of the 20-foot public alley between Block P and Block 215 of the City of Modesto. Resolution of intention to vacate and abandon, and setting January 5, 1976 at 4:15 P.M. for public hearing needed)

ACTION: Res. of Intention 361 (1321-S.P.) adopted setting hearing.
(Clerk to handle)

APPROPRIATION TRANSFER

CONSENT

21. Approve transfer of \$1,676.39 to pay bill from State for traffic signals on McHenry at Standiford and at Woodrow.
(The bill is for signal work budgeted originally in the 1972-73 fiscal year. The work was completed about August 1974 and the bill has just now been received. Funds were carried over, but not long enough. Memo with agenda. Resolution approving transfer needed)

ACTION: Res. 75-1171 adopted approving appropriation transfer of \$1,677 from Account 60-321 to Account 6066-56-321. (Finance to handle)

MISCELLANEOUS

22. Legislation.

NONE

23. Appointments.

ACTION: Res. 75-1172 adopted (Newton/Kullijian, unan.) appointing Cleveland Horn and Don Bernard as members of Housing Maintenance and Counseling Subcommittee and Paul Green as member of the Rehabilitation Loan Pool Subcommittee of the Citizens Housing and Community Development Committee for terms ending June 30, 1977.

Res. 75-1173 adopted (Mensingher/Newton, unan.) appointing J. D. Grothe (replacing Gordon Hart) and J. E. Brady (replacing Gerald E. Lambert) as members of Board of Appeals, Dangerous Building Code and Housing Code for terms ending January 1, 1977.


Res. 75-1174 adopted (Dunlap/Elliott, unan.) reappointing Frank Muratore as a member of the Planning Commission for a term ending January 1, 1980. (Clerk to handle)

24. Matters too late for the agenda.

ACTION: The City Manager requested Council reaction to the latest Downtown Plan review schedule.

The meeting adjourned at 6:45 P.M. to 12:00 noon on December 19 in the Law Library for the purpose of considering the Transportation Study.

ATTEST:



W. T. CHYNOWETH, City Clerk

Modesto City Council
Adjourned Regular Meeting
December 19, 1975

The Council of the City of Modesto met pursuant to adjournment at 12:00 o'clock noon in the Law Library, Third Floor, City Hall.

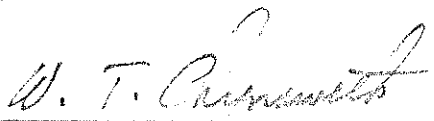
Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

Absent: Councilmembers: Newton

The Council and staff discussed the Transportation Plan as it is related to Council consideration of applications for federal funds for acquisition of buses and for operational funds.

The meeting adjourned at 2:10 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 22, 1975 at 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,
Siefkin, Mayor Davies
Absent: None
(Councilmember Newton was excused at 10:50 P.M.)

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 12, 14, 15, 16,
Items 5 and 20 removed from consent 17, 19
Newton/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)

PRESENTATIONS

1. Presentation of replica of the Liberty Bell by Fresno Guarantee Savings and Loan Association.

ACTION: Richard Gery, Vice President of the Association, presented the replica to Mayor Davies.

APPROVAL OF MINUTES

CONSENT

2. Minutes of December 13 and 15, 1975.
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

3. Request of Tri-Ed Associates for sewer service to property located at 530 Coffee Road.

ACTION: By motion (Dunlap/Siefkin, unan.) request approved subject to commencement of proceedings for annexation which would include a strip of Coffee Road. (Planning and P/W to handle)

4. Request of Stone Brothers and Associates for time extension for construction of a masonry wall along south boundary of development in connection with P-D(21).

ACTION: Res. 75-1176 adopted (Elliott/Kullijian, unan.) granting time extension to December 1, 1976. (Planning to handle)

5. Request of Dennis McDonald for transfer of Red Top Taxi to him.
(Motion referring to staff for report on January 5, 1976 needed)

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

By motion (Dunlap/Newton, unan.) referred to staff for report on January 5, 1976. (P & T to handle)

6. Request of Downtown Modesto Association that free Saturday downtown parking be continued on a permanent basis.

ACTION: By motion (Elliott/Kullijian, maj. - Davies, no) extension granted / Saturday downtown parking for one year. (Police and P & T to handle) for free

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for drilling, casing, testing and development of one deep well for the City of Modesto - Well No. 16 relocation.
(Bid opening January 6, 1976 at 11:10 A.M. This project will relocate Well No 16 approximately 150 feet east of its present location on Briggsmore Avenue at College Avenue. The existing Pump Station is scheduled to be replaced. Resolution approving bid call needed. Estimated cost \$17,300 (\$15,000 contract; \$2,300 Engr. & Contingency). Funds are budgeted)

ACTION: Res. 75-1177 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

8. Acceptance of Knapp Excavators, Inc., contract for filling basements and constructing City Hall parking annex.
(All work under this contract has been completed to the Parking and Traffic Department's satisfaction. It is in order to accept the work as complete and record a notice of completion. Memo with agenda. Resolution accepting contract needed. Final cost \$53,613. Funds are budgeted)

ACTION: Res. 75-1178 adopted accepting contract. (Clerk to handle)

CONSENT

9. Award contract for electric paper cutter.
(Acceptance of the low bid of \$4,528.30 by Griffin Brothers-Western is recommended. The electric cutter will replace a hand operated cutter. Memo with agenda. Resolution awarding contract needed. Estimated cost \$4,528.30. Funds are budgeted)

ACTION: Res. 75-1179 adopted awarding contract to Griffin Brothers-Western. (P & T to handle)

HEARINGS

10. Hearing on annexation of Sheldon Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 75-1180 adopted (Dunlap/Newton, unan.) annexing Sheldon Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

11. Matters for the good of the community. 7:35 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

12. Amend municipal code to clarify conditions describing required location of sidewalks in residential zones.
(Memo with agenda. Introduction of ordinance needed)

ACTION: By motion, Ord. No. 1485-C.S. introduced. (Clerk to handle)

UNFINISHED BUSINESS

13. Action on applications for federal funds for the purchase of Dial-A-Ride buses and for operation of bus system for 1975-76.

ACTION: Res. 75-1181 adopted (Dunlap/Kullijian, unan.) setting 65 as age for persons to be considered "seniors"; and fixing 10 cents as regular bus fare for seniors and handicapped. (P & T to handle)

By motion (Dunlap/Elliott, unan.) staff directed to prepare specs for furnishing bus service for handicapped persons who are unable to ride regular buses. (P & T to handle)

By motion (Dunlap/Siefkin, maj. - Kullijian and Davies, no) staff directed to prepare application for federal funds for 5 Superior-type buses (about 27 passenger) and for 3 additional medium size GMC buses (33 to 35 passenger) for delivery in 1977 or 78. (P & T to handle)

By motion (Kullijian/Mensing, unan.) staff directed to report on the possibility of subsidizing taxi service for elderly.
(P & T to handle)

It was agreed that staff would report to Council on proposals to promote bus ridership. (P & T to handle)

NEW BUSINESS

CONSENT

14. Report of Superintendent of Streets on cost of installation of curbs and gutters and/or sidewalks at the locations listed below.
(Resolution setting 4:00 P.M. January 19, 1976 for hearing needed)
- (a) Curb along LaLoma Ave. at 215 LaLoma Ave., Block 204 (Richard W. and Carol E. Beall - \$1,390.00)
 - (b) Curb and sidewalk at 1227 Melrose Ave., a portion of Block 1126. (Mike and Ila Cannizzaro - \$770.00)
 - (c) Sidewalk along Strivens Ave. at 2826 Brenner Way, Lot 1 of Block 7158. (Frank D. and Kathleen R. Fields - \$145.00)
 - (d) Sidewalk along Strivens Ave. at 2820 Brenner Way, Lot 12 of Block 7159. (Mary D. Fitz - \$201.00)
 - (e) Curb along Las Palmas Ave., at 402 Las Palmas Ave., a portion of Block 2027. (Agnes G. Long and Donaldean L. Cutler - \$260.00)
 - (f) Curb and sidewalk at 2712 McAdoo Ave., Lot 16 of Block 7252. (Ernest J. Pombo - \$385.00)
 - (g) Curb and sidewalk at 2413 Coffee Road, a portion of Block 12937. (Arlie and Hope Ralls - \$810.00)

CONSENT

14. Report of Superintendent of Streets on costs, curbs and gutters and/or sidewalks, continued.
- (h) Sidewalk along Strivens Avenue at 2805 Earl St., Lot 14 of Block 6349. (Richard J. and Shirley A. Shanahan - \$357.00)
- (i) Curb and sidewalk along Miller Ave. at 147 Phoenix Ave., Lot 9 of Block 2196. (Maggie A. Walker - \$1,108.70)
- (j) Curb at 404 Las Palmas Ave., a portion of Block 2027. (Alta E. Williford - \$360.00)
- (k) Curb and sidewalk at 2616 McAdoo Avenue Lot 12 of Block 7252. (Grady Lee and Jane Estelle Wilson - \$385.00)

ACTION: Res. 75-1182 adopted setting hearings. (P/W to handle)

CONSENT

15. Consider agreements with Claude Williams, et al, for the purchase of property for the new police parking lot, and the relocation of the business now located there.
(Memo with agenda. Two resolutions needed: (1) Accepting purchase agreement and grant deed; (2) Accepting relocation agreement. Estimated cost \$37,365.18, plus \$500.00 for estimated title costs. Funds are budgeted)

ACTION: Res. 75-1183 adopted approving purchase agreement and accepting grant deed.

Res. 75-1184 adopted approving relocation agreement. (Clerk to handle)

CONSENT

16. Consider request for sewer service to property at 1506 Paulette Avenue, located on the northeast corner of Paulette Avenue and Coolidge Avenue.
(Property owners E. Paul Fulfer and Doris A. Fulfer have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City; however, a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 75-1185 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider approval of submission of preapplication for federal grant funds under Municipal Solid Waste Resource Recovery Implementation Grant Program.
(Memo with agenda. Resolution authorizing staff to make preapplication for federal grant funds under Municipal Solid Waste Resource Recovery Implementation Grant Program needed)

ACTION: Res. 75-1175 adopted authorizing staff to make preapplication. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

18. Consider renewal of the Transadttise Company's Bus Bench Franchise.
(Memo with agenda. Introduction of ordinance granting renewal of franchise from January 20, 1976 to December 31, 1976 needed)

ACTION: Ord. No. 1486-C.S. introduced (Elliott/Dunlap, maj. - Kullijian and Newton, no) granting new franchise to expire December 31, 1976. (Clerk to handle)

CONSENT

19. County referral of open space contract applications:
(Memos with agenda. Three resolutions expressing recommendation of opposition needed)

- (a) No. 76-2107, Hoatson-Trombetta, west side of Roselle, 1/2 mile north of Sylvan.

ACTION: Res. 75-1186 adopted expressing recommendation of opposition. (Planning to handle)

- (b) No. 76-2109, Luchessa, north side of Bangs, 640 feet west of Tidewater Southern R.R.

ACTION: Res. 75-1187 adopted expressing recommendation of opposition. (Planning to handle)

- (c) No. 76-2108, Luchessa, northwest corner Bangs/Tidewater Southern R.R. and south side Bangs, west of Tidewater Southern R.R.

ACTION: Res. 75-1188 adopted expressing recommendation of opposition. (Planning to handle)

APPROPRIATION TRANSFERS

20. Consider approval of appropriation transfer to the Waterline Extensions Account (6804-50-101) in amount of \$150,000.
(Memo with agenda. Resolution approving appropriation transfer needed from General Reserve)

ACTION: Res. 75-1189 adopted (Mensing/Siefkin, unan. - Newton, absent) approving appropriation transfer of \$150,000 from Account 60-101 to Account 6804-50-101). (Finance to handle)

MISCELLANEOUS

21. Legislation.

NONE

22. Appointments.

NONE

23. Matters too late for the agenda.

NONE

Adjournment at 10:52 P.M.

ATTEST:


W. T. CHYNOWETH, City Clerk