MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 2, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None - (Shastid arrived at 4:10 P.M.)
Pledge of allegiance to the Flag
Invocation: Reverend J. Paul Miller, LaLoma Grace Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 10, 11, 12, 13, 14, 15, 16, 17, 25, 26, 27, 28, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41
Robinson/Smith - unan. - Shastid absent

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 Unless some councilman or member of the audience has a question concerning a particular item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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

APPROVAL OF MINUTES

1. Minutes of December 18, 1967.
ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Petition by taxpayers, property owners, business people and residents of West Modesto urging that traffic patterns on G, H and I Streets not be changed.
ACTION: Referred to Downtown Committee for consideration. Staff to continue study of traffic plan. (C/Mgr to handle)

CONSENT
3. Request of The Stanislaus Medical Building Corporation for permission to use well on property for irrigation and cooling purposes. (Resolution needed setting hearing. Suggested date 1/8/68 at 7:50 P.M.)
ACTION: Res. 68-1 adopted setting hearing. (Clerk to handle)

4. Complaint concerning parking at Carmody Funeral Home.
ACTION: Referred to staff for investigation. Staff to contact signers of letter. (Police Chief to handle)

5. Letter from W. T. Spear protesting compulsory garbage collection.
ACTION: Referred to staff for study and disposal. (P/W Director to handle)

6. Recommendation of Modesto Beautification Committee that City re-establish the refuse cans in downtown commercial area.

ACTION: By motion (Mitchell/Simon, unan.) further consideration of anti-litter ordinance deferred for six months. Staff to study success of refuse cans and possibility of mechanical sweeping of sidewalks in downtown area at expense of the merchants. (C/Mgr to handle)

7. Letter from Robert Moon stating that there is not enough support at this time for formation of a special parking district.

ACTION: By motion (Robinson/Mitchell, unan.) staff directed to summarize present position on acquisition of Wherry Building and Penney Annex and to place on agenda for January 8, 1968. (C/Mgr to handle)

8. Petition of West Modesto Opportunity Program and Westside Neighborhood Center for use of Maddux Youth Center.

ACTION: By motion (Robinson/Hughes, unan.) staff authorized to draw up agreement; include (1) repairs to be made by City at expense of Program; (2) termination clause; (3) monthly reports to be made to staff with staff reporting to Council quarterly. (P & R to handle)

9. Claim of Eldridge Eugene Coats, Jr. for $1,651.32 for overtime hours.

ACTION: Res. 68-2 adopted (Mitchell/Simon, unan.) denying claim. (Clerk to handle)

BIDS

CONSENT

10. Consider award of contract for 2-ton truck cab and chassis to Remco GMC Truck Sales, Modesto, the low bidder.
(Memorandum with agenda. Resolution awarding bid needed. Estimated cost $2,963; funds budgeted in Account 7901/212, Sewer Service Fund, Truck mounted hydraulic sewer cleaner, p. 57)

ACTION: Res. 68-3 adopted awarding contract. (Finance to handle)

CONSENT

11. Consider award of bid for the installation of automatic sprinkler system at Del Webb Field.
(Bids were opened on December 19th. The low bid submitted by R. B. Gregory & Associates which is 7.9% below the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $8,752 (contract); funds budgeted in Account 6363-31-321, Del Webb Field Automatic Sprinklers, Stage 1)

ACTION: Res. 68-4 adopted awarding bid to R. B. Gregory & Associates. (P/W and Finance to handle)

CONSENT

12. Consider award of bid for furnishing street lighting fixtures and appurtenances for converting post top lighting to mercury vapor and for additional lights on Briggsmore Avenue.
(Memorandum of explanation with agenda. Resolution awarding bid needed. Estimated cost $10,189.95 (Post top - $9,081.69; Briggsmore, $1,108.26). Funds budgeted in Account 6626-321, Modernize City Lighting, Stage 2; 6630-321, Street Lighting, Briggsmore, Prescott to McHenry, Special Fund for Capital Outlays)

ACTION: Res. 68-5 adopted awarding bid for items 1, 2, 4, 5, & 8 to Consolidated Electrical Distributors, Modesto, for $8,439.00 (P/W and Finance to handle). Res. 68-6 adopted awarding bid for items 3 & 7 to Valley Electric Co., Stockton, for $812.35 (P/W and Finance to handle). Res. 68-7 adopted awarding bid for item 6 to Westinghouse Electric Supply, Sacramento, for $938.40 (P/W and Finance to handle).

CONSENT

13. Consider award of bid for drilling, casing, testing, and development of one deep well for the City of Modesto, Well No. 36.
(Bids were opened December 27th. The low bid was submitted by Osterberg & Stewart and is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $4,500; funds budgeted in Account 6834-50-101, Well at Moose Park)

ACTION: Res. 68-8 adopted awarding bid to Osterberg & Stewart. (P/W to handle)

CONSENT

14. Approve plans and specifications for the furnishing and installation of one deep well water pumping unit with electrical equipment for Pump Station No. 35.
(Bid opening January 16, 1968 at 10:10 A.M. Memorandum with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost $7,250, Overhead Electrical Service; $8,650, Underground Electrical Service. Funds budgeted in Account 6838-50-101, Well No. 35)

ACTION: Res. 68-9 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

15. Accept as complete Western Pump Company contract for the furnishing and installing one deep well water pumping unit with electrical equipment and one auxiliary gas engine for Pump Station No. 33.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work as complete needed. Actual cost $19,617; funds budgeted in Account 6803-50-101, Pump Station No. 33)

ACTION: Res. 68-10 adopted accepting contract. (Clerk to handle)

CONSENT

16. Consider award of bid for installation of electrical wiring and control system for Del Webb lighting.
(Bids were opened December 26. The low bid submitted by Ferrero Electric, Inc., which is 25% under Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost, $12,980 (contract $10,780; Engr. & Cont. $2,200). Funds budgeted in Account 6398-321, Del Webb Lighting Revisions)

ACTION: Res. 68-11 adopted awarding bid to Ferrero Electric, Inc. (P/W to handle)

CONSENT

17. Recommendation that installation of water lines in Coffee Plaza No. 2 subdivision be performed by city forces.
(Bids were opened December 26, 1967. The low bid submitted by E. Foster of Sunnyvale is 20% over the Engineer's Estimate. In the opinion of the City Manager, this work can be performed more economically by city forces. Therefore, he recommends that the work be done accordingly. Resolution authorizing work by city forces needed. Estimated cost $6,000 (Materials $4,100; labor, $1,900). Funds budgeted in Account 6804-50-101 (Water Line Extensions, p. 43)

ACTION: Res. 68-12 adopted authorizing work by City forces. (P/W to handle)

HEARINGS

18. Sidewalk, curb and gutter requirement, South Jefferson at 202 Maple, Lots 15 & 16, Block 419 (Green). 4:15 P.M.

ACTION: Res. 68-13 adopted (Smith/Hughes, unan.) ordering construction. (P/W to handle)

19. Sidewalk requirement, 1438 Roosevelt Drive, portions of Lots 9 and 10, Block 6067 (Stewart). 4:15 P.M.

ACTION: Dropped from agenda as work has been done.

20. Sidewalk, curb & gutter requirement, California Ave., Lots 21 and 22, Block 401 (Carley). 4:15 P.M.

ACTION: Res. 68-14 adopted (Smith/Hughes, unan.) ordering construction. (P/W to handle)

21. Sidewalk requirement, 211 California Ave., Lots 6, 7 and 8, Block 339 (Mrs. Cora Bowman). 4:15 P.M.

ACTION: Res. 68-15 adopted (Smith/Hughes, unan.) ordering construction. (P/W to handle)

22. Sidewalk, curb & gutter requirement, 217 California Ave., Lots 8, 9, and 10, Block 339 (Everett Bowman) 4:15 P.M.

ACTION: Res. 68-16 adopted (Smith/Hughes, unan.) ordering construction. (P/W to handle)

HEARINGS CONTINUED FROM ADJOURNED MEETING OF 12/26/67

23. Sidewalk requirement at 338 Johnson, portions of Lots 43 and 44, Block 571 (Howard DeHart). 4:20 P.M.

ACTION: Res. 68-17 adopted (Smith/Hughes, unan.) ordering construction. (P/W to handle)

24. Hearing on annexation of Dry Creek No. 2 to City of Modesto. 4:25 P.M.

ACTION: Res. 68-18 adopted (Shastid/Simon, unan.) annexing area to City. (City Clerk to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY 4:30 P.M.
(These may be introduced by citizens in the audience)

Frank Andrews commented on the advisability of the City taking over the M.I.D. power facilities and the fact that the M.I.D. did not have a franchise from the City.

Ray Brady, United Airlines Manager, announced that United planned to use larger planes to serve Modesto but would reduce the flights to San Francisco from 3 to 2 and to Los Angeles from 2 to 1 daily. After discussion it was decided to take no action for one week to permit Mr. Brady to furnish the Council with more information on this matter.

By motion (Shastid/Mitchell, unan.) Councilman Robinson granted permission to leave the U.S. from January 18 to January 27, 1968 inclusive.

ORDINANCES

CONSENT

25. Final adoption of Ordinance No. 865-C.S. (amending Section Map 16-3-9).

ACTION: By motion Ordinance No. 865-C.S. adopted. (Clerk to handle)

CONSENT

26. Final adoption of Ordinance No. 866-C.S. (P-D zones in downtown area).

ACTION: By motion Ordinance No. 866-C.S. adopted. (Clerk to handle)

OLD BUSINESS

CONSENT

27. Approval of amendment to agreement between City of Modesto and Willis Kleinenbroich dated August 14, 1967 relating to operation of a passenger bus service in the City of Modesto.
(On October 9, 1967 the City Council approved a recommendation of the Beautification Committee and the Council's Public Projects Committee that no advertising be permitted on the outside of the new buses the City is purchasing. An amendment to the agreement has been prepared according to council instructions and signed by Mr. Kleinenbroich. A copy of the amendment to the agreement is attached hereto for the Council's information. Resolution approving agreement and resolution appropriating $1,200 needed).

ACTION: Res. 68-19 adopted approving agreement. (Clerk to handle)

Res. 68-20 adopted approving appropriation transfer of $1,200.00 (Finance to handle).

NEW BUSINESS

CONSENT

28. A resolution approving the final map of the Highland Manor No. 3 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. Highland Manor No. 3 Subdivision is located east of Rose Avenue between Celeste Drive and M.I.D. Lateral No. 3. It contains 8.465 acres. Resolution approving final map and authorizing execution of agreement needed)

ACTION: Res. 68-21 adopted approving final map and authorizing execution of agreement. (Clerk to handle)

CONSENT

29. A resolution approving the final map of Tradewinds No. 2 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. Tradewinds No. 2 Subdivision is located on the south side of Celeste Drive between Ellison Drive and Oakdale Road. It contains 7.135 acres. Resolution approving final map and authorizing execution of agreement by City needed)

ACTION: Res. 68-22 adopted approving final map and authorizing execution of agreement. (Clerk to handle)

CONSENT

30. Proposed lease agreement with Calcagno Farms for lease of land at the airport for farming purposes.
(Calcagno Farms has signed a lease agreement for lease of certain land at the Modesto City-County Airport to raise grain. The lease is for seven months and rental will be 25% of the revenue from the crops. All expenses connected with growing and harvesting the crop will be borne by the lessee. Resolution approving agreement needed)

ACTION: Res. 68-23 adopted approving agreement. (C/Atty to handle)

31. Consider proposal for lease of Old Corporation Yard.
(Memorandum accompanies agenda. Motion directing staff needed)

ACTION: By motion (Mitchell/Shastid, unan.) staff authorized to prepare documents for lease of Old Corporation Yard to Wilson Lincoln Mercury (Finance and C/Atty to handle).

32. Request that position of Tabulating Equipment Operator be reclassified to Data Processing Supervisor, and that a half-time Key Punch Operator position be authorized.
(Memo sent to City Council on December 15, 1967. Resolution establishing Data Processing Supervisor position and Key Punch Operator position, and approving the addition of a half-time Key Punch Operator in the Finance Department. Estimated cost, approximately $1,443 for one-half of the 1967-68 fiscal year. There are enough savings in the Finance Dept. budget to cover this cost. Funds budgeted in Account 110-15, Salaries & Wages, Regular, p. 23).

ACTION: Res. 68-24 adopted (Shastid/Robinson, unan.) revising Position Classification Plan to delete "Tabulating Equipment Operator" and add "Data Processing Supervisor" and "Key Punch Operator." Res. 68-25 adopted (Shastid/Robinson, unan.) amending Res. 67-603 (Salary Schedules). Res. 68-26 adopted (Shastid/Robinson, unan.) authorizing establishment of ½-time Key Punch Operator in Finance Department. (Personnel to handle)

CONSENT

33. Approval of right of way contracts with Central Valley National Bank and Florence Long for acquisition of rights of way necessary for Yosemite Boulevard widening project.
(Memorandum with agenda. Two resolutions needed)

ACTION: Res. 68-27 adopted approving contract with Central Valley National Bank. (P/W to handle)

Res. 68-28 adopted approving contract with Florence Long. (P/W to handle)

REPORTS

CONSENT

34. Report regarding request by S. O. S. to purchase golf course property for parking.
(Memo with agenda).(Motion to drop any further proceedings needed).

ACTION: By motion further proceedings dropped.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

35. Recommend commencement of proceedings for the annexation to the City of uninhabited territory - Pine Cone Addition.
(On December 19, 1967 the Planning Commission adopted Resolution No. 67-129 recommending to the Council the commencement of proceedings for the annexation to the City of uninhabited territory. (Pine Cone Addition. Resolution setting date for public hearing needed. Suggested date January 15, 1968 at 4:15 P.M.)

ACTION: Res. 68-29 adopted setting hearing. (Clerk to handle)

CONSENT

36. Recommend commencement of proceedings for the annexation to the City of Uninhabited territory (Milo Addition).
(On December 19, 1967 the Planning Commission adopted Resolution No. 67-130 recommending to the council the commencement of proceedings for the annexation to the City of uninhabited territory (Milo Addition). Resolution setting date for public hearing needed. Suggested date February 13, 1968 at 7:45 P.M.)

ACTION: Res. 68-30 adopted setting hearing. (Clerk to handle)

CONSENT

37. Consider amendment to Section 18-3-9 of the zoning map of the City of Modesto (Sherwood Mortgage Company - prezoning application).
(On December 19, 1967 the Planning Commission adopted Resolution No. 67-124 recommending to the City Council an amendment to Section 18-3-9 of the zoning map to prezone to Two-Family residential zone, P-R-2, property located at the southeast corner of Carver Road and Rumble Road (Sherwood Mortgage Company). Resolution setting public hearing needed. Suggested date January 22, 1968 at 7:50 P.M.

ACTION: Res. 68-31 adopted setting hearing. (Clerk to handle)

CONSENT

38. Consider amendments to Chapter 2 of Title X of the Modesto Municipal Code (Zoning Regulations)
(On December 19, 1967 the Planning Commission adopted Resolution No. 67-123, recommending to the Council amendments to Chapter 2 of Title X of the Municipal Code (Zoning regulations - Street Dedication and Improvement). Resolution setting hearing needed. Suggested date January 22, 1968 at 7:45 P.M.

ACTION: Res. 68-32 adopted setting hearing. (Clerk to handle)

CONSENT

39. Robertson No. 5 Addition annexation petition - for referral to Planning Commission.
(Information sheets attached)

ACTION: Res. 68-33 adopted referring to Planning Commission. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

40. Request for appropriation transfer.
(The roof on the restrooms at the Dryden Golf Course between the sixth tee and the fourteenth green is suffering from dry rot due to an excess penetration of moisture. This will provide the funds to make the necessary repairs. Resolution appropriating funds needed. Estimated cost $500)

ACTION: Res. 68-34 adopted authorizing appropriation transfer of $500.00 from General Reserve to Account 224-38-101 (Maintenance and repair, buildings and grounds, Dryden Golf Course). (Finance to handle)

CONSENT

41. Request for appropriation transfer.
(The need for these funds has been caused by a telephone company increase effective January 1968 and the pay telephone in the recently acquired Odd Fellows Hall. Resolution appropriating funds needed - $125)

ACTION: Res. 68-35 adopted authorizing appropriation transfer of $125.00 from General Reserve to Account 204-37 ($50.00), 204-38 ($ 40.00), and 204-39 ($35.00). (Finance to handle)

42. Executive session to consider appointments to Boards and Commissions.

The Council retired to Executive Session at 6:05 P.M. and reconvened in Open Session at 6:25 P.M. (Hughes left the meeting with the permission of the Council.)

APPOINTMENTS

43. Notification that Councilman William Mitchell has been appointed a member of the Committee on International Municipal Cooperation of the National League of Cities.

ACTION: Councilmen Mitchell commended by Council.

Res. 68-36 adopted (Robinson/Shastid, unan. - Hughes absent) appointing the following members of Boards and Commissions for 4-year terms:

Planning Commission - Clyde Dunlap

Personnel Commission - Frank J. Russo
Robert Venn

Library & Culture Commission - Mrs. Peggy Mensinger

Beautification Committee - Mrs. Irene C. Angelo
Dr. John H. Freemyer

Board of Plumbing Examiners - R. M. Goodman (Journeyman)

Board of Electrical Examiners - J. LeRoy Gill

Unsafe Structure Code Board of Appeals - Louis F. (Bud) Gianelli
Rex Higbee

Adjournment at 6:30 P.M.

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

MINUTES AND ACTION
AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 8, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, and Mayor Davies
Absent: Smith

Pledge of allegiance to the Flag
Invocation: Reverend Ronald Hurst, Maze Blvd. Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 13, 14, 15, 16
Robinson/Shastid, unan.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of January 2, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT
2. Request of Glenn Taylor for variance to permit spacing of less than twenty feet between curb cuts.
(Resolution setting hearing needed. Suggested date, January 15, 1968 at 4:20 P.M.)

ACTION: Res. 68-37 adopted setting hearing. (Clerk to handle)

3. Request of Chateau Convalescent Hospital for reconsideration of conditions of encroachment permit.

ACTION: By motion (Mitchell/Shastid,unan.) request for deletion of insurance requirements denied and staff directed to study matter further to see how alley can be made safe and the well used (P/W to handle). C/Atty to contact applicant's insurance agent and explain the City's requirements.

4. Letter from Frank Andrews reviewing 1967 and requesting use of council chambers.

ACTION: No action.

HEARINGS

5. Hearing on annexation of Davis Park No. 2 Addition to Modesto Municipal Sewer District. 7:45 P.M.

ACTION: Res. 68-38 adopted (Hughes/Mitchell, unan.) annexing area. (Clerk to handle)

6. Hearing on request of Stanislaus Medical Building Corporation for permission to use well on property for irrigation and cooling purposes. 7:50 P.M.

ACTION: Res. 68-39 adopted (Shastid/Hughes, unan.) granting request subject to conditions recommended by P/W Department, plus added condition that permittee provide a measuring device to determine the amount of water produced. (P/W and Clerk to handle)

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

Councilman Mitchell announced that eight young adults from Colombia were touring the U.S. and would be in Modesto for about three days beginning January 27 or 28. He requested that whenever possible the Councilmen help to house and entertain the visitors.

Paul La Vine of the Farm-City Committee was introduced.

OLD BUSINESS

CONSENT

7. Adoption of resolution acknowledging receipt of "Notice of Intention to Circulate Petition to Annex Territory know as the Santa Cruz Addition to the City of Modesto" and approving intention of proponents to circulate petitions.
(The notice has been published as required and it is now in order for the Council to adopt this resolution.)

ACTION: Res. 68-40 adopted acknowledging receipt of "Notice" and approving intention to circulate petitions. (C/Atty to handle)

8. Consider acquisition of property on west side of 11th Street south of Beaty Building for parking.
(Copy of February 23, 1967 memo to Director of Parking and Traffic and current real estate offer sent with agenda. Motion directing staff whether or not to proceed with negotiation for acquisition needed. Exact costs not known at this time).

ACTION: By motion (Mitchell/Robinson, majority - Shastid, no) staff authorized to employ appraiser to appraise three separate parcels; securing of appraiser is in no way committing City to buy property. Downtown Action Committee will report on this matter as it ties in with the over-all Downtown Plan. (C/Mgr to handle)

9. Further discussion of United Airlines service to Modesto.

ACTION: Res. 68-41 adopted (Shastid/Mitchell, majority - Hughes & Simon, no) opposing reduction in United Air Lines service and requesting that former service be restored. (C/Atty to handle) (Copies to Civil Aeronautics Board and Congressmen from this District)

REPORTS

10. Report on Claremont Hotel
(A report will be made at the Council meeting. It is expected that the contractor will be finished by that time.)

ACTION: It was reported that the demolition is complete.

11. Report of Committee to review Griffenhagen-Kroeger report.

ACTION: The Committee reported that Griffenhagen-Kroeger, Inc. had done the work for which it was employed and that all local applicants received proper consideration.

REPORTS FROM THE PLANNING COMMISSION

12. Consider amendment to Section 4-4.503 of Article 5 of Chapter 4 of Title IV of the Modesto Municipal Code (Subdivision Regulations). (On January 2, 1968 the Planning Commission adopted Resolution No. 68-5 recommending to the City Council amendments to Section 4-4.503 of Article 5 of Chapter 4 of Title IV of the Modesto Municipal Code (Subdivision Regulations relating to parcel maps). Introduction of ordinance adopting the above changes needed)

ACTION: Ord. 867-C.S. introduced (Hughes/Mitchell, unan.) adopting changes to Subdivision Regulations relating to parcel maps. (Clerk to handle)

CONSENT

13. Consider amendment to Chapter 2 of Title X of the Modesto Municipal Code. (Zoning Regulations)
(On January 2, 1968 the Planning Commission adopted Resolution No. 68-1 recommending to the City Council amendments to Chapter 2 of Title X of the Municipal Code (Zoning regulations - Professional Office Zone). Resolution setting date for public hearing needed. Suggested hearing date January 22, 1968 at 7:55 P.M.)

ACTION: Res. 68-42 adopted setting hearing. (Clerk to handle)

CONSENT

14. Recommend commencement of proceedings for the annexation to the City of uninhabited territory - Robertson No. 5 Addition.
(On January 2, 1968 the Planning Commission adopted Resolution No. 68-6 recommending to the Council the commencement of proceedings for the annexation to the City of uninhabited territory (Robertson No. 5 Addition). Resolution setting hearing needed. Suggested date January 15, 1968 at 4:25 P.M.)

ACTION: Res. 68-43 adopted setting hearing. (Clerk to handle)

CONSENT

15. Consider recommendation of Planning Commission that City acquire and develop a community park site adjacent to the proposed 4th High School site on north side of Sylvan Road east of Coffee Road in the northeast end neighborhood.
(On January 2, 1968 the Planning Commission adopted Resolution No. 68-3 recommending to the Council that a community park be developed adjacent to the proposed high school site on Sylvan Road in the northeast end neighborhood. (Refer to staff report from agenda of January 2, 1968 Planning Commission meeting). Motion authorizing staff to work with the Modesto City Schools for joint acquisition of the park and school site needed)

ACTION: By motion staff authorized to work with staff of Modesto City Schools for joint acquisition of park and school site. (Planning to handle)

CONSENT

16. Carver Addition annexation petition - for referral to Planning Commission.
(Information sheets with agenda)

ACTION: Res. 68-44 adopted referring to Planning Commission. (Planning to handle)

The Council retired to Executive Session to consider appointments to Boards and Commissions at 9:10 P.M. and reconvened in Open Session at 9:25 P.M.

APPOINTMENTS

ACTION: Res. 68-45 adopted (Robinson/Hughes, unan.) appointing the following members of Boards and Commissions:

Personnel Commission
Don Mayol - Term expiring January 1, 1971

Board of Electrical Examiners
Otto Anderson - Term expiring January 1, 1970

Board of Heating and Cooling Examiners
Dwight P. Lang (Reappointment) - Term expiring January 1, 1972

Adjournment at 9:30 P.M. to and until 7:00 A.M. on January 12, 1968. (The January 12, 1968 meeting will be for the purpose of holding an Executive Session to discuss personnel matters.)

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

Modesto City Council
January 12, 1968

The Council of the City of Modesto met in adjourned regular session this date at 7:00 A.M. at Harry's Chuck Wagon, 1608 J Street, Modesto, California, Mayor Davies presiding.

Present: Councilmen: Hughes, Mitchell, Simon, and Mayor Davies

Absent: Councilmen: Robinson, Shastid, and Smith

As Mayor Davies had previously announced that the adjourned meeting was to be for the sole purpose of holding an executive session to discuss personnel matters, no action was taken.

The meeting adjourned at 8:45 A.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 15, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, and Simon
Absent: Smith and Mayor Davies

Pledge of allegiance to the Flag
~~Invocation:--Reverend L. B. Lewis, Bethel Church~~ Moment of silent prayer

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, ~~5~~, 6, 7, 8, 9, 11, 12, 13, 17, 18, ~~19~~, 20, 21a, b, c, d, e, f g, 22a, b, c, d, e, f, 23, 25
Shastid/Simon, unan.
Item 5 removed from consent agenda

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Approval of minutes of January 8, 1968.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Information from League of California Cities re distribution of cigarette tax to cities.

ACTION: By motion (Hughes/Shastid, unan.) the Mayor authorized to write and urge the League to take no action on this matter. Staff directed to report to the Council on the status of this subject in the Legislature. (C/Mgr to handle)

CONSENT

3. Request of the Modesto Sister City Committee for use of council chambers for a meeting to be held at 7:30 P.M. on January 17, 1968. (The meeting is for the purpose of organizing working committees and will be open to the public. Motion granting the request is needed)

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

4. Letter from Clarence W. Dunker offering suggestions for evaluation of applicants for Chief of Police position.

ACTION: By motion (Mitchell/Simon, unan.) C/Mgr authorized to solicit proposals for investigation of top applicants and to employ a firm if he sees fit. Mr. Dunker to be thanked for his help. (C/Mgr to handle)

~~XXXXXXX~~

5. Request of El Casa Verde Corporation for letter of resolution showing that City of Modesto is aware of the need for housing in the West Modesto area.
(Motion referring to staff needed)

ACTION: By motion (Shastid/Mitchell, unan.) referred to staff for investigation and report to Council. (C/Mgr to handle)

6. Letter from Frank Andrews concerning appointment of Police Chief and demolition of Wherry Building.

ACTION: No action.

CONSENT

7. Letter from Downtown Improvement District concerning purchase of one of the old buses.
(Motion referring to staff needed)

ACTION: By motion referred to staff. (Parking & Traffic Director to handle)

CONSENT BIDS

8. Accept as complete George Reed's contract for construction of a parking lot on the Southern Pacific Depot parking area between I and K Streets, and authorize the City Clerk to file notice of completion.
(The work on the above project has been satisfactorily completed. The final contract cost is $5,347.50, $37.50 over the original contract bid price. The additional $37.50 was for the installation of 3 additional parking meter posts. Resolution accepting the work and authorizing the City Clerk to file notice of completion needed. Estimated cost $5347.50; funds budgeted in Account 6224-57-209, Southern Pacific Parking Lot).

ACTION: Res. 68-46 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider award of bid for furnishing and installing hot patch box unit on City Truck No. 230.
(Bid opening, January 3, 1968 at 10:00 A.M. Memorandum with agenda. Resolution awarding bid and resolution approving appropriation transfer needed. Estimated cost $7,764.75. Funds budgeted in Account 5426-48-512, Patch Box with Butane Heater. Amount of appropriation transfer $785.00)

ACTION: Res. 68-47 adopted awarding bid to Nixon-Egli Equipment Co., Inc. (P/W to handle).

Res. 68-48 adopted approving appropriation transfer of $785 from 60-48-512 to 5426-48-512 (Finance to handle).

10. Accept Olson Construction Company's contract for demolition of the Claremont Hotel as complete and authorize the City Clerk to file a notice of completion.
(Demolition was completed January 8. It is recommended that Mr. Olson's $1,000 bond and $500 fee for demolition be used to defray the extra cost to the City caused by Mr. Olson's delay in completion of the demolition. A memo is attached detailing the extra cost. Resolution accepting completion of contract needed)

ACTION: Res. 68-49 adopted (Simon/Hughes, unan.) accepting contract. (Clerk to handle)

By motion (Mitchell/Shastid, unan.) staff authorized to negotiate with Mr. Olson concerning the additional amounts due the City over the $1,500 in possession of the City and to report to the Council. (C/Mgr and P & T to handle)

Res. 68-50 adopted (Hughes/Simon, unan.) declaring $1,000 bond forfeited. (Finance to handle)

CONSENT

11. Accept as complete Ferrero Electric, Inc. contract for the installation of mercury vapor lights at various city parks.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. Resolution accepting work as complete needed. Total cost of work done $13,930; funds budgeted in Account 6626-41-321, Lighting Modernization.)

ACTION: Res. 68-51 adopted accepting contract. (Clerk to handle)

CONSENT

12. Approve plans and specifications and call for bids for the installation of water lines in Cranbrook Colony No. 2.
(Bid opening: January 30, at 10:10 A.M., 1968; Preliminary cost estimates are as follows: Construction Cost $5,100; connection charge $3,500; net revenue per year, $560. Resolution approving plans specifications and call for bids needed. Estimated cost $5,100 (Materials, $3,400; labor $1,700). Funds budgeted in Account 6804-50-101, Water Line Extensions, page 43)

ACTION: Res. 68-52 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

13. Approve plans and specifications and call for bids for construction of Apron Expansion at United Airlines Terminal.
(Will provide needed additional parking facilities for corporation and commercial aircraft. Resolution approving plans, specifications and call for bids needed. Bid opening January 30, 1968 at 10:00 A.M. Estimated cost $14,400 (Contract: $11,540; Engr. & Cont., $2,860). Funds budgeted in Account 6511-306, Aircraft Parking Ramp. This account has only $14,000 budgeted; appropriation transfer will be requested if needed after opening of bids.)

ACTION: Res. 68-53 adopted approving plans and specifications and call for bids. (Clerk to handle)

HEARINGS

14. Hearing on annexation of Pine Cone Addition to the City of Modesto. 4:15 P.M.

ACTION: Res. 68-54 adopted (Mitchell/Shastid, unan.) annexing area to City. (Clerk to handle)

15. Hearing to consider request of Glenn Taylor for variance to permit less than 20 feet between curb cuts on property located at 1706 Yosemite Boulevard. 4:20 P.M.

ACTION: Res. 68-55 adopted (Hughes/Mitchell, unan.) granting request. (P/W to handle)

16. Hearing on annexation of Robertson No. 5 Addition to the City of Modesto. 4:25 P.M.

ACTION: Res. 68-56 adopted (Simon/Shastid, unan.) annexing area to City. (Clerk to handle)

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

Councilman Mitchell gave biographical sketches of the eight students from Colombia who will be in Modesto from January 27 through January 31. He again urged anyone who would care to assist in housing or entertaining the students to contact the Sister-City Committee.

ORDINANCES

CONSENT
17. Final adoption of Ordinance No. 867-C.S. relating to parcel maps.

ACTION: By motion Ord. No. 867-C.S. adopted. (Clerk to handle)

CONSENT
18. Ordinance repealing Chapter 5 of Title 1 of the Modesto Municipal Code relating to citation procedure.
(A memorandum of explanation has been transmitted with the agenda to the Mayor and Council. Introduction of ordinance needed)

ACTION: Ord. No. 868-C.S. introduced repealing Chapter 5 of Title I of Modesto Municipal Code. (Clerk to handle)

OLD BUSINESS

CONSENT
19. Proposed lease agreement with Wilson Lincoln Mercury, Inc., for lease of the City's old corporation yard site.
(A lease agreement has been prepared for Wilson Lincoln Mercury, Inc., leasing the City's old corporation yard site for a monthly rental rate of $350. This lease provides for a six month's termination, provides that if during the first thirty months the City cancels the agreement, the tenant will be reimbursed for unamortized improvements. Maximum term of agreement five (5) years. Resolution approving agreement needed)

ACTION: Removed from agenda.

NEW BUSINESS

CONSENT
20. A resolution determining that the public interest and convenience require that Dry Creek No. 2 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date: February 26, 1968 at 7:45 P.M. Resolution setting hearing needed (2/3 affirmative vote needed).

ACTION: Res. 68-57 adopted setting hearing. (Clerk to handle)

CONSENT
21. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Adoption of resolutions needed. Suggested hearing date February 5, 1968 at 4:15 P.M.)

CONSENT
(a) Sidewalk on Roseburg Avenue and Greenwood Drive, Lot 9 Block 6015 (W. Person).
(Resolution setting hearing needed)
ACTION: Res. 68-58 adopted setting hearing. (P/W to handle)

CONSENT
(b) Sidewalk at 2705 Tully Road, portion of Block 6644 (Zeigler).
(Resolution setting hearing needed)
ACTION: Res. 68-59 adopted setting hearing. (P/W to handle)

CONSENT
(c) Sidewalk on Tully Road at 2811 Tully Road, portion of Block 6644(Ramona Zeigler).
(Resolution setting hearing needed)
ACTION: Res. 68-60 adopted setting hearing. (P/W to handle)

CONSENT
(d) Sidewalk, curb and gutter at 438 Rosedale Avenue, Lots 29 and 30, Block 357 (T.A. Silva).
(Resolution setting hearing needed)
ACTION: Res. 68-61 adopted setting hearing. (P/W to handle)

CONSENT
(e) Sidewalk, curb and gutter at 434 Rosedale Avenue, Lots 31 and 32, Block 357, (T.D. Van Nostrand)
(Resolution setting hearing needed)
ACTION: Res. 68-62 adopted setting hearing. (P/W to handle)

CONSENT
(f) Curb and gutter at 414 Rosedale Avenue, Lots 41 and 42, Block 357, (A. J. Wertz)
(Resolution setting hearing needed)
ACTION: Res. 68-63 adopted setting hearing. (P/W to handle)

CONSENT
(g) Sidewalk at 442 Rosedale Ave., Lots 27 and 28, Block 357, (A. Alfieri).
(Resolution setting hearing needed)
ACTION: Res. 68-64 adopted setting hearing. (P/W to handle)

CONSENT
22. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at the properties listed below. (The amounts assessed against the properties will be included in reports distributed with the agenda for the hearing date. The City Clerk will set the date for the hearing. Resolution setting date for hearing needed. Suggested hearing date February 5, 1968 at 4:20 P.M. Contract cost listed below. Funds budgeted in Account 5302-51-101, Curbs and gutters, special)

CONSENT
(a) Curb and gutter at 121 Spruce Street, Lots 3, 4, and 5, Block 406 (J.B. Thompson).
(Actual cost contract $220.99; incidental expense $10.00. Resolution setting hearing needed)

ACTION: Res. 68-65 adopted setting hearing. (P/W to handle)

CONSENT
(b) Curb and gutter at 301 Ruberto Ave., (on Ruberto) Lots 1 and 2, Block 344 (Jack E. Lewis).
(Actual cost, contract $106.75; incidental expense $10.00. Resolution setting hearing needed)

ACTION: Res. 68-66 adopted setting hearing. (P/W to handle)

CONSENT
(c) Curb and gutter on Uccello at 306 North Conejo Ave., portion of Block 2184-A. (Curtis C. Lemmons).
(Actual cost, contract $298.90, incidental expense $10.00. Resolution setting hearing needed).

ACTION: Res. 68-67 adopted setting hearing. (P/W to handle)

CONSENT
(d) Curb and gutter on Encina at 432 Camellia, Lot 18, Block 2129 (Anthony Barse).
(Actual cost $325.74; incidental expense $10.00)

ACTION: Res. 68-68 adopted setting hearing. (P/W to handle)

CONSENT
(e) Sidewalk on Ruberto at 202 Ruberto St., Lots 23, 24, 25, 26, 27 and 28, Block 339 (William H. Tye).
(Actual cost, contract $18.00; incidental expenses $10.00)

ACTION: Res. 68-69 adopted setting hearing. (P/W to handle)

CONSENT
(f) Sidewalk on Hudson Lane at 1520 Elsie Street, Lot 11, Block 3087, (H.C.Dean).
(Actual cost, contract $129.60; incidental expense $10.00)

ACTION: Res. 68-70 adopted setting hearing. (P/W to handle)

CONSENT
23. Consider right of way contracts from the following relating to the dedication of property for widening of Yosemite Boulevard for State highway purposes.
(Memo of explanation sent out to Mayor and members of the City Council. Adoption of resolutions approving right of way contracts needed)

CONSENT
(a) Right of way contract signed by Bernice G. and Charles Leon Warner;
ACTION: Res. 68-71 adopted approving contract. (P/W and Finance to handle)

CONSENT
(b) Right of way contract signed by Manuel O. and Elvera G. Souza;
ACTION: Res. 68-72 adopted approving contract. (Finance to handle)

CONSENT
(c) Right of way contract signed by Elliot I. and Sylvia Navon and Harry and Geraldine Kullijian;
ACTION: Res. 68-73 adopted approving contract. (P/W and Finance to handle)

CONSENT
(d) Right of way contract signed by Sebastiano and Erminia Fusco;
ACTION: Res. 68-74 adopted approving contract. (P/W and Finance to handle)

CONSENT
(e) Right of way contract signed by LaLoma Properties, Inc.;
ACTION: Res. 68-75 adopted approving contract. (Finance to handle)

CONSENT
(f) Right of way contract signed by Sam W. and Khanoum Pera.
ACTION: Res. 68-76 adopted approving contract. (Finance to handle)

REPORTS

24. Report on acquisition of roadside rest areas from the State.
(Memo is being sent with agenda)
ACTION: No action required at this time but the C/Mgr was instructed to keep in touch with Assemblyman Veneman and to offer the cooperation of the City in this matter. (C/Mgr to handle)

CONSENT
25. Presentation of financial statement for December, 1967.
(Copies of report submitted with agenda. Motion accepting report needed)
ACTION: By motion report accepted. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

26. Recommendation regarding selection of library site.
(At its regular meeting on December 5, 1967 the Planning Commission unanimously approved a motion that any site in the downtown area selected for a library should conform with the City's ordinance in regard to off-street parking (See letter attached). No council action needed)

ACTION: Referred to the Downtown Committee. (City Clerk to handle)

APPOINTMENTS

ACTION: None

Adjournment at 5:10 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 22, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Shastid, Simon, Smith, and Mayor Davies
Absent: Robinson

Pledge of allegiance to the Flag
Invocation: Reverend Herbert Rasske, Modesto Union Gospel Mission

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 6, 7, 8, 9, 13, 14, XX, XX, 17a, b, c, d, 18, XX, 21a, b, c, 24, 25, 26, 27, 28, 29, 30, 31
Shastid/Simon, unan.
Remove items 8, 15, 16 & 19

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Adjourned meeting of January 12, 1968; regular meeting of January 15, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

2. Letter from Willis M. Kleinenbroich expressing gratitude to Council and staff for their assistance in obtaining new buses.

ACTION: No action needed.

3. Resolution from City of Fresno urging administration of cigarette tax in same manner as Uniform Sales and Use Tax.

ACTION: No action.

4. Invitation from Modesto City Schools to attend dedication ceremonies of the Robertson Road School on Sunday, January 28, 1968 at 2:00 P.M.

ACTION: No action.

5. Letter from Frank Andrews re use of sound truck and other means to furnish information to citizens.

ACTION: No action.

CONSENT

6. Request of Bill McDaniel Pump Service for driveway variance at 1411 Yosemite Blvd.
(Resolution setting hearing needed. Suggested date 2/5/68 at 4:25 P.M.)

ACTION: Res. 68-77 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

7. Consider award of bid for furnishing and installation of street light-int materials at various intersections in the post top area and on Briggsmore Avenue.
(Bids were opened January 16. The low bid of $64,146 submitted by Industrial Electrical Company which is 14% under the Engineer's Estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost, Post Top area - Contract $57,374; Eng. and Insp. $5,500. Funds budgeted in Account 6626-321, Modernize City Lighting; 6630-321 Stage 2, Street Lighting Briggsmore to McHenry Special Fund for Capital Outlay. Estimated cost Briggsmore lighting - Contract $6,772, Eng. and Insp. $500)

ACTION: Res. 68-78 adopted awarding bid to Industrial Electrical Co. (P/W to handle)

XXXXXXXX

8. Consider award of bid for furnishing and installing one deep well water pumping unit with electrical equipment for Pump Station No. 35. (Bid opening January 16, 1968 at 10:10 A.M. Memorandum with agenda. Resolution awarding bid needed. Recommendation is made that bid be awarded Barney Huntington Pump Hardware, Alternate 1, in the amount of $5,800. Funds budgeted in Account 6838-50-101, Well No. 35)

ACTION: Res. 68-79 adopted (Shastid/Hughes, unan.) awarding bid to Barney Huntington Pump Hardware for Alternate 1. (P/W to handle)

CONSENT

9. Consider approval of specifications and call for bids to be opened February 6, 1968 at 2:00 P.M. for two (2) three-wheeled gasoline powered vehicles for parks and for parking meter service use. (Both will be used for maintenance purposes in their respective departments. Estimated cost $3,094; funds budgeted in Accounts 5410 and 5421/48/512, 3-wheel vehicles, pp. 66 and 67). Resolution needed.

ACTION: Res. 68-80 adopted approving specifications and call for bids. (Clerk to handle)

HEARINGS

10. Hearing on amendments to zoning regulations (street dedication & improvements) 7:45 P.M.

ACTION: Ord. 869-C.S. introduced (Hughes/Simon, unan.) (Clerk to handle)

11. Hearing on amendment to Section 18-3-9 of zoning map (Sherwood Mortgage Co.) 7:50 P.M.

ACTION: Ord. 870-C.S. introduced (Mitchell/Shastid, unan.) (Clerk to handle)

12. Hearing on amendment to zoning regulations (Professional Office Zone) 7:55 P.M.

ACTION: Ord. 871-C.S. introduced (Hughes/Shastid, unan.) (Clerk to handle)

Matters for the good of the community
(These may be introduced by citizens in the audience) 8:00 P.M.

Frank Andrews suggested that the base of Dennett Dam be inspected while the water is low. The C/Mgr stated that the over-all plan for the Tuolumne River Park did not call for a dam at that location.

Mr. Del Dotto wanted to know why the name of the police officer who was suspended for shooting at an escaping suspect was published while the name of the suspect was not mentioned. He was assured that the City had no control over the newspaper.

Res. 68-81 adopted (Mitchell/Shastid, unan.) urging residents to vote at the school bond election and also supporting the three bond issues.

By motion (Mitchell/Shastid, unan.) Mayor Davies permitted to leave the U.S. from January 31 to February 16, 1968.

*See below for continuation of matters for the good of the community.

ORDINANCES

CONSENT

13. Final adoption of Ord. 868-C.S. (repealing Chapter 5 of Title I of the Modesto Municipal Code relating to citation procedure).

ACTION: By motion Ord. 868-C.S. adopted. (Clerk to handle)

OLD BUSINESS

CONSENT

14. Consider extension of lease agreement for Silverthorn Library. (Under terms of agreement with Dana Development Association for lease of Silverthorn Library located at 503 Chicago Avenue, the City has the right to extend the lease for a period of one year on the same terms and conditions set forth in agreement dated April 19, 1965 provided that the option is exercised by written notice 90 days prior to date of expiration o the original term as extended ($200 per month rental). Motion authorizing City Manager to exercise option to extend lease to April 1969 needed. Funds budgeted in Account 62-215, Rent of Real Property, p. 55). Estimated cost, $2,400;)

ACTION: By motion C/Mgr authorized to exercise option to extend lease to April 30, 1969. (C/Mgr to handle)

CONSENT

15. Proposed lease agreement with Wilson Lincoln Mercury, Incorporated, for lease of the City's Old Corporation Yard site.
(A lease agreement has been prepared for Wilson Lincoln Mercury, Inc. leasing the City's old corporation yard site for a monthly rental rate of $350. This lease provides for a six months' termination, provides that if during the first thirty months the City cancels the agreement, the tenant will be reimbursed for unamortized improvements. Maximum term of agreement five years. Resolution approving agreement needed).

ACTION: Res. 68-82 adopted (Smith/Hughes, majority - Mitchell & Shastid no) approving lease agreement with Wilson Lincoln Mercury, Inc. (Finance to handle)

*Matters for the good of the community (continued from above)

Mayor Davies announced that forty Sing Out America participants wanted something constructive to do. The staff was instructed to see if something could be done in this area without depriving anyone of employment. (C/Mgr to handle)

CONSENT
16. Request from Heart Association for placement of advertising cards in the new city buses during February.
(The City has reserved the right to approve all advertising placed on the interior and exterior of the new city buses. Motion granting request needed)

ACTION: By motion (Shastid/Simon, unan.) C/Mgr authorized to handle any advertising (paid or otherwise) inside the buses. If space is available, up to one-half of the space can be allocated to charitable advertising. C/Mgr to use his discretion. (C/Mgr and P & T to handle)

CONSENT
17. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Suggested hearing date February 5, 1968 at 4:15 P.M.)
(a) Sidewalk at 228 Pine Street, Lots 27, 28, Block 413, (Ted Wasson)
CONSENT)
(Resolution setting hearing needed)

ACTION: Res. 68-83 adopted setting hearing. (P/W to handle)

CONSENT
(b) Sidewalk at 224 Pine Street, Lots 25 and 26, Block 413, (Lee Whaley)
(Resolution setting hearing needed

ACTION: Res. 68-84 adopted setting hearing. (P/W to handle)

CONSENT
(c) Sidewalk at 220 Pine, Lots 23 and 24, Block 413 (A.G.Boyce, Jr.)
(Resolution setting hearing needed)

ACTION: Res. 68-85 adopted setting hearing. (P/W to handle)

CONSENT
(d) Curb and gutter at 339 Colorado Ave., Lts 24 and 25, Block 349, (Glenn A. Lynch)
(Resolution setting hearing needed)

ACTION: Res. 68-86 adopted setting hearing. (P/W to handle)

CONSENT
18. Approval of agreement with Floyd Thomas Berglund as Executive Secretary of the Downtown Improvement District.
(Report has been submitted with agenda. Resolution approving agreement needed. Resolution appropriating additional funds, $500, needed)

ACTION: Res. 68-87 adopted approving agreement and authorizing C/Mgr to execute same. (Changes in agreement provide for salary increase from $700 to $800 per month effective February 1, 1968 and for Executive Secretary to furnish detailed statements upon request rather than monthly.) (Finance to handle) Res. 68-88 adopted approving appropriation transfer of $500 from 237-218 (Promotion - DID) to 235-218 (Executive - DID). (Finance to handle)

CONSENKX

19. Authorization to negotiate with Ribera and Sue for the development of working drawings for Stage I of Davis Park.
(Memorandum with agenda. Motion authorizing staff to negotiate needed)

ACTION: By motion (Shastid/Hughes, unan.) staff authorized to negotiate with Ribera and Sue. (P & R to handle)

20. Notification that the City has received a Distinguished Service Award from the Institute of International Education and the Reader's Digest Foundation in recognition of the outstanding contribution of the City of Modesto to the development of international understanding. A decision should be made by the City Council as to the disposition of the $1,000 which the City received. Motion directing staff needed)

ACTION: Res. 68-89 adopted (Simon/Smith, unan.) authorizing appropriation transfer of $1,000 from General Reserve to 461 (International Information Council of Modesto) - 61 - (Music and Promotion). (Finance to handle)

CONSENT

21. Consider right of way contracts from the following relating to the dedication of property for widening of Yosemite Boulevard for State highway purposes:

CONSENT

(a) Parcel No. 24 - Mary Prestidge Brame;
(Resolution approving right of way contract needed)

ACTION: Res. 68-90 adopted approving contract. (Finance to handle)

CONSENT

(b) Parcel No. 57 - Atlantic Richfield Company;
(Resolution approving right of way contract needed)

ACTION: Res. 68-91 adopted approving contract. (Finance and P/W to handle)

CONSENT

(c) Parcel No. 77 - William and Barbara Hudson.
(Resolution approving right of way contract needed)
(Memorandum with agenda)

ACTION: Res. 68-92 adopted approving contract. (Finance and P/W to handle)

REPORTS

22. Report on status of Yosemite Boulevard Improvement Project.
(An oral report will be made at the meeting)

ACTION: Deputy C/Mgr Ray reported that the remaining land acquisitions for the Yosemite Project could be approved at the February 5 Council meeting without stopping the project for this year.

23. Report on rent supplement program (El Casa Verde Housing Project)

ACTION: Res. 68-93 adopted (Shastid/Simon, unan.) declaring that there is a need for housing for low-income families in this area. (C/Mgr to handle)

CONSENT

24. Recommend amendment to Sections 7-3-9 and 18-3-9 of the zoning map (George Klemm)
(By Resolution No. 68-10, adopted on January 16, 1968 the Planning Commission recommends an amendment to Sections 7-3-9 and 18-3-9 of the zoning map as requested by George Klemm, to rezone from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, property located on the east side of Carver Road and the north side of Rumble Road. Resolution setting date for public hearing needed. Suggested date February 12, 1968 at 7:50 P.M.)

ACTION: Res. 68-94 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend amendment to Section 17-3-9 of the zoning map (Campbell)
(By Resolution No. 68-9, adopted on January 16, 1968 the Planning Commission recommends an amendment to Section 17-3-9 of the zoning map as requested by Lorne Campbell, to rezone from One-Family Residential ..., to Two-Family Residential Zone, R-2, property located on College Avenue between Parkside Court and West Rumble Road (Lots 1-5 of Block 6741 of Northfield Subdivision. Resolution setting date for public hearing needed. Suggested date February 12, 1968 at 7:55 P.M.)

ACTION: Res. 68-95 adopted setting hearing. (Clerk to handle)

CONSENT

26. Recommend amendment to Section 8-3-9 of the zoning map (Neighborhood Church).
(By Resolution No. 68-14 adopted on January 16, 1968 the Planning Commission recommends an amendment to Section 8-3-9 of the zoning map as requested by the Neighborhood Church, to rezone from Planned Development Zone, P-D (7), to One-Family Residential Zone, R-1, property located on the south side of Woodrow Avenue and east of Tully Road. Resolution setting date for public hearing needed. Suggested hearing date February 12 at 8:00 P.M.)

ACTION: Res. 68-96 adopted setting hearing. (Clerk to handle)

CONSENT

27. Recommend amendment to Section 19-3-9 of the zoning map (Joe B. Smoot).
(By Resolution No. 68-13 adopted on January 16, 1968 the Planning Commission recommends an amendment to Section 19-3-9 of the zoning map as requested by Joe B. Smoot, to rezone from Multiple-Family Residential Zone, R-3 to Highway Frontage Zone, H-1, property located at 2020 West Orangeburg Avenue. Resolution setting date for public hearing needed. Suggested hearing date February 12, 1968 at 8:05 P.M.)

ACTION: Res. 68-97 adopted setting hearing. (Clerk to handle)

CONSENT

28. Recommend amendment to Section 19-3-9 of the zoning map (West Orangeburg Ave. - Commission initiated).
(By Resolution No. 68-12 adopted on January 16, 1968 the Planning Commission recommends an amendment to Section 19-3-9 of the zoning map as requested by the Planning Commission of the City of Modesto to rezone from Highway Frontage Zone, H-1, to Multiple-Family Zone, R-3, property fronting on West Orangeburg Avenue immediately south of 2020 W. Orangeburg AVenue. Resolution setting date for public hearing needed. Suggested hearing date February 12, 1968 at 8:10 P.M.)

ACTION: Res. 68-98 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend amendment to Section 16-3-9 of the zoning map (Centenary Methodist Church).
(By Resolution No. 68-15 adopted on January 16, 1968 the Planning Commission recommends an amendment to Section 16-3-9 of the zoning map as requested by the Centenary Methodist Church, to rezone from One-Family Residential Zone- R-1, to Highway Frontage Zone- H-1, property located on McHenry Avenue between Tokay Avenue and Norwegian Avenue. Resolution setting date for public hearing needed. Suggested hearing date February 12, 1968 at 8:15 P.M.)

ACTION: Res. 68-99 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

30. Consider appropriation transfer to provide funds for rewinding motor and replace bearing on No. 3 deck pump at sewage treatment plant, $1,800.
(Memo with agenda. Resolution approving transfer needed. Estimated cost $1,800)

ACTION: Res. 68-100 adopted approving transfer of $1,800 from General Reserve to Account 223-53-101 (P/W Sewage Disposal - M/R Equipment, Other). (Finance to handle)

CONSENT

31. Consider appropriation transfer to provide funds for right of way acquisitions for Yosemite Boulevard.(Funds are being transferred from the Gas Tax General Reserve and will have to be rebudgeted in the next budget year. Resolution approving appropriation transfer needed. Estimated cost $20,000)

ACTION: Res. 68-101 adopted approving appropriation transfer of $20,000 from Account 60-01-207 (P/W Dept.: Special Gas Tax Street Improvement) to Account 6712-01-207 (P/W Dept.: Special Gas Tax Street Improvement - Yosemite, Las Flores to East City Limits). (Finance to handle)

APPOINTMENTS

ACTION: None.

Adjournment at 10:30 P.M. to executive session to discuss personnel matters. It was announced that the Council would not reconvene in open meeting after the executive session.

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

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 5, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, & Smith
Absent: Mayor Davies Vice Mayor Robinson presided.

Pledge of allegiance to the Flag
Invocation: Reverend Mark DeWitt, Paradise Community Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2,3, 6, 9, 12, 13, 14, ~~15~~, 16, 17, 36, 37, 38, 39, 40, 41, 42, 43, 44, 48, 49, 52, 54a, b, c, d, 57, 58, 59, 60, 63, 64
Shastid/Smith, unan.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of January 22, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT
2. Request of Modesto Camellia Society for Camellia Show tropy to be donated by the City of Modesto.
(Motion granting request needed)

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

CONSENT
3. Letter from Modesto Band of Stanislaus County, Inc. requesting payment of funds budgeted for 1967-68 fiscal year and outlining the past year's activities.
(Motion approving payment needed)

ACTION: By motion payment approved. (Finance to handle)

4. Request of Stanislaus County Community Action Commission for the assistance of the City of Modesto in the development of a Comprehensive Manpower Coordinating Committee.

ACTION: By motion (Mitchell/Simon, unan.) Community Action Commission requested to approach Stanislaus County with this request with the understanding that it may be returned to the Council. (City Clerk to handle)

5. Acknowledgment by Senator Kuchel, Congressman McFall and the Civil Aeronautics Board of receipt of City Council resolution opposing reduction in United Airlines Service.

ACTION: C/Mgr requested to try to learn what U.A.L. intends as to future service (passenger and freight) for Modesto before action is taken on any runway extension. (C/Mgr to handle)

CONSENT
6. Letter from League of Women Voters of Modesto concerning the possibility of setting up a United Nations Association chapter in Modesto.
(Motion referring to budget session needed)

ACTION: By motion referred to budget session. (C/Mgr to handle)

7. Letter from Arnold Jacobson urging use of minibuses.
ACTION: Referred to Downtown Improvement District. (Clerk to handle)

8. Request of Dr. George Valentine for place on February 12th agenda to discuss off-street parking.
ACTION: Clerk directed to place this matter on agenda for February 12. (Clerk to handle)

CONSENT
9. Application of Donald P. LaTourette for permit to operate general aircraft maintenance and repair shop and air ambulance service at Airport. (Suggested hearing date February 19, 1968 at 4:15 P.M. Resolution setting hearing needed)
ACTION: Res. 68-102 adopted setting hearing. (Clerk to handle)

10. Letter from Stanislaus County Taxpayers' Association re cigarette tax income.
ACTION: No action needed.

11. Request of Bureau of Franchises & Public Utilities, Long Beach, requesting support of Long Beach's position on application of Greyhound Lines, Inc., for adjustment of fares.
ACTION: Resolution introduced (Smith/Shastid) supporting position of Long Beach. By motion (Shastid/Simon, unan.) action tabled pending report from staff. (Parking & Traffic to handle)

BIDS

CONSENT
12. Consider approval of specifications and authorize call for bids to be opened February 20, 1968 at 2:00 P.M. for furnishing lamps for one year commencing March 1, 1968.
(This is our annual call for bids for our needs of mercury vapor, incandescent and fluorescent lamps for lighting and signalization. Resolution needed. Estimated cost $4,000; funds budgeted in Account 438/512, Revolving Fund Stores Account; not shown in budget)
ACTION: Res. 68-103 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT
13. Consider acceptance of offer by the City of Oakdale to purchase a surplus pump and allied materials for $600, plus sales tax.
(Memorandum with agenda. Resolution needed)
ACTION: Res. 68-104 adopted accepting offer. (Finance to handle)

CONSENT

14. Approval of plans for the furnishing and installation of a 4-ton hydraulic crane on City of Modesto Truck No. 203 and call for bids. (Bids are being requested for a 4-ton hydraulic crane to be mounted on Modesto Truck No. 203. Resolution approving plans and call for bids needed. Suggested bid opening date, February 27 at 10:10 A.M. Estimated cost, $6,599; funds budgeted in Account 5425-48-512, 4-ton Crane)

ACTION: Res. 68-105 adopted approving plans and call for bids. (Clerk to handle)

15. Consider award of contract for construction of Tenaya Trunk Sewer to the low bidder, Valley Engineers, Inc., of Fresno, California, in the total amount of $630,451.95. (Memorandum with agenda. Resolution awarding contract needed. Estimated contract cost $630,451.95; funds budgeted in Account 65-53-405, Muni. Sewer District Improvements)

ACTION: Action delayed for one week as Federal approval has not been received.

CONSENT

16. Approve plans and specifications and call for bids for the Replacement of Cavil Drain Crossing on Carver Road south of Rumble Road. (Bid opening date: February 20, 1968 at 10:00 A.M. This project is on the City's select street system. Later this year we plan on calling for bids for the improvement of Carver Road between Bay Meadows Drive and Rumble Road. Resolution approving plans and call for bids needed. Estimated cost $3,900 (Contract $3,500 - Engr. $400). Appropriation transfer being requested as separate agenda item)

ACTION: Res. 68-106 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

17. Resolution that installation of water lines in Cranbrook Colony No. 2 Subdivision be performed by city forces. (No bids were received for this project. In the opinion of the City Manager the work can be performed most economically by city forces. Therefore, he recommends that this work be done accordingly. Resolution authorizing work to be done by city forces needed. Estimated cost $5,100 (Materials $3,400; labor, $1,700; funds budgeted in Account 6804-50-101, Water Line Extensions (p. 43)

ACTION: Res. 68-107 adopted authorizing work to be done by City forces. (P/W to handle)

HEARINGS

18. Hearing re sidewalk requirement on Roseburg Ave. & Greenwood Drive, 1202 Greenwood Drive, Lot 9, Block 6015 (W. Person) 4:15 P.M.

ACTION: Res. 68-108 adopted (Mitchell/Simon, unan.) ordering construction. (P/W to handle)

19. Hearing re sidewalk requirement at 2705 Tully Road, portion of Block 6644 (Samuel F. Zeigler) 4:15 P.M.

ACTION: Dropped from agenda as work has been started.

20. Hearing re sidewalk requirement on Tully Road at 2811 Tully Road, portion of Block 6644 (Mrs. Ramona C. Zeigler) 4:15 P.M.

ACTION: Dropped from agenda as work has been started.

21. Hearing re sidewalk, curb & gutter requirement at 438 Rosedale Ave., Lots 29 and 30, Block 357, (Mrs. Theresa A. Silva) 4:15 P.M.

ACTION: Res. 68-109 adopted (Mitchell/Simon, unan.) ordering construction. (P/W to handle)

22. Hearing re sidewalk, curb & gutter requirement at 434 Rosedale Ave., Lots 31 & 32, Block 357 (Mrs. Thelma D. Van Nostrand) 4:15 P.M.

ACTION: Res. 68-110 adopted (Mitchell/Simon, unan.) ordering construction. (P/W to handle)
(Mrs. Van Nostrand stated she could not afford to have this done.)

23. Hearing re curb & gutter requirement at 414 Rosedale Ave., Lots 41 & 42, Block 357 (Mrs. Aurelia J. Wertz) 4:15 P.M.

ACTION: Res. 68-111 adopted (Mitchell/Simon, unan.) ordering construction. (P/W to handle)

24. Hearing re sidewalk requirement at 442 Rosedale Ave., Lots 27 & 28, Block 357 (Mrs. Antoinetta Alfieri) 4:15 P.M.

ACTION: Res. 68-112 adopted (Mitchell/Simon, unan.) ordering construction. (P/W to handle)

25. Hearing re sidewalk requirement, 228 Pine, Lots 27 & 28, Block 413 (Ted Wasson) 4:15 P.M.

ACTION: Res. 68-113 adopted (Mitchell/Simon, unan.) ordering construction. (P/W to handle)

26. Hearing re sidewalk requirement, 224 Pine, Lots 25 & 26, Block 413 (Lee A. Whaley) 4:15 P.M.

ACTION: Res. 68-114 adopted (Mitchell/Simon, unan.) ordering construction. (P/W to handle)

27. Hearing re sidewalk requirement, 220 Pine, Lots 23 & 24, Block 413 (Allen Boyce, Jr.) 4:15 P.M.

ACTION: Res. 68-115 adopted (Mitchell/Simon, unan.) ordering construction. (P/W to handle)

28. Hearing re curb & gutter requirement, 339 Colorado, Lots 24 & 25, Block 349 (Glenn Lynch) 4:15 P.M.

ACTION: Res.68-116 adopted (Mitchell/Simon, unan.) ordering construction. (P/W to handle)

29. Hearing re cost of installation of curb & gutter at 121 Spruce Street, Lots 3, 4 & 5, Block 406 (J. B. Thompson) 4:20 P.M.

ACTION: Res. 68-117 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

30. Hearing re cost of installation of curb & gutter on Ruberto at 301 Ruberto Ave., Lots 1 & 2, Block 344 (Jack E. Lewis) 4:20 P.M.

ACTION: Res. 68-118 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

31. Hearing re cost of installation, curb and gutter on Uccello at 306 North Conejo Ave., portion of Block 2184-A (Curtis C. Lemmons) 4:20 P.M.

ACTION: Res. 68-119 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

32. Hearing re cost of installation of curb & gutter on Encina at 432 Camellia, Lot 18, Block 2129 (Mr. Anthony Barse) 4:20 P.M.

ACTION: Res. 68-120 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

33. Hearing re cost of installation of sidewalk on Ruberto at 202 Ruberto St., Lots 23, 24, 25, 26, 27 & 28, Block 339 (William H. Tye) 4:20 P.M.

ACTION: Res. 68-121 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

34. Hearing re cost of installation of sidewalk on Hudson Lane at 1520 Elsie Street, Lot 11, Block 3087 (Herbert C. Dean) 4:20 P.M.

ACTION: Res. 68-122 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

35. Hearing, request of Bill McDaniel Pump Service for driveway variance at 1411 Yosemite 4:25 P.M.

ACTION: Res. 68-123 adopted (Simon/Smith, unan.) granting request effective only if Yosemite Boulevard is widened and if the property is used as a service station. (P/W to handle)

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

Henry Camps representing the Farm-City Committee was introduced.

The Council was invited to attend ground breaking at Grace A. Covell Scout Service Center at Coffee Plaza on February 13, 1968 at 11:00 A.M.

The operator of the Modesto buses reported that the new buses had been well received and that there was a slight increase in patronage. Mr. Kleinenbroich stated that the cost of operation of mini-buses would be about the same as the new buses.

ORDINANCES

CONSENT
36. Final adoption of Ordinance 869-C.S. (Street dedication)
ACTION: By motion ordinance adopted. (Clerk to handle)

CONSENT
37. Final adoption of Ordinance 870-C.S. (Amendment to 18-3-9 of zoning map)
ACTION: By motion ordinance adopted. (Clerk to handle)

CONSENT
38. Final adoption of Ordinance 871-C.S. (Professional Office Zone)
ACTION: By motion ordinance adopted. (Clerk to handle)

OLD BUSINESS

CONSENT
39. Agreement with Ribera and Sue.
(The agreement provides that Ribera and Sue, Landscape Architects, will develop plans and specifications for Stage I development of Davis Park site for a lump sum figure of $5,000. Resolution authorizing agreement needed. Estimated cost $5,000; funds budgeted in Account 6315-321, Davis Park Development, p. 61)
ACTION: Res. 68-124 adopted approving agreement. (P & R to handle)

NEW BUSINESS

CONSENT
40. Approve agreement between City of Modesto and Modesto Irrigation District.
(Agreement grants to City the right to construct and maintain trunk sewer within the MID Lateral No. 3 right of way in the vicinity of the Modesto State Hospital. The agreement provides for a $10 payment to MID for this privilege. This easement is required for the West Trunk Sewer, Project Unit No. 5. Estimated cost $10; funds budgeted in Account 65-53-405, Muni. Sewer Dist. Improv.)
ACTION: Res. 68-125 adopted approving agreement. (Clerk to handle)

CONSENT
41. A resolution determining that the public interest and convenience require that Pine Cone Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested Hearing date: March 18, 1968 at 4:15 P.M. Resolution setting hearing (2/3 affirmative vote) needed)
ACTION: Res. 68-126 adopted setting hearing. (Clerk to handle)

CONSENT

42. A resolution determining that the public interest and convenience require that Robertson No. 5 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date: March 18, 1968 at 4:20 P.M. Resolution setting hearing (2/3 Affirmative Vote) needed).

ACTION: Res. 68-127 adopted setting hearing. (Clerk to handle)

CONSENT

43. Consider request for sewer service to property at 213 El Vista Avenue located on the west side of El Vista Avenue between Haddon Avenue and Miller Avenue.
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 68-128 adopted approving agreement. (Clerk to handle)

CONSENT

44. Recommendation regarding enforcement of City ordinances in the Timothy Avenue area and adjacent commercial area.
(At its regular meeting on January 16, 1968 the Planning Commission passed a motion that the enforcement problems in the Timothy Avenue area be brought to the Council's attention, with the recommendation that proper enforcement be undertaken to alleviate the conditions faced by the residents on Timothy. Information with agenda. Motion referring to staff needed)

ACTION: By motion referred to staff. (C/Mgr to handle)

45. Consider making alley between McHenry, Timothy, Granger, and Judith one-way northerly in the section directly behind Long's Drug Store.
(This alley is frequently congested and occasionally blocked by the heavy volume of unloading at Long's. There has been some damage to fences on the west side of the alley apparently caused by trucks attempting to pass other trucks. It is recommended that the alley be made one-way to reduce the congestion. Resolution amending Resolution 62-29 needed; estimated cost $60 for signs; funds budgeted in Account 5301-56-101, Traffic Signs)

ACTION: Res. 68-129 adopted (Shastid/Hughes, unan.) amending Res. 62-29 to make this alley one-way. (P & T to handle)

46. Consideration of incinerators in alleys in residential areas.
(Motion directing staff needed)

ACTION: By motion (Hughes/Shastid, unan.) staff directed to prepare ordinance for consideration by Council. Ordinance to provide less restrictive regulations for approved incinerators.
(C/Atty and Fire to handle)

47. Consider resolution approving City-County airport agreement. (Copies of the proposed agreement being distributed with agenda. Resolution approving agreement needed)

ACTION: Res. 68-130 adopted (Smith/Hughes, unan.) approving agreement. (Clerk to handle) City-County committee commended.

CONSENT

48. Consider agreement between City of Modesto and Pifer-Morgan Company for water service to property located opposite Torrid Avenue on Carpenter Road.
(Memorandum with agenda. Resolution approving agreement needed. Estimated cost $1,600 (Materials $1,200; labor, $400; funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43)

ACTION: Res. 68-131 adopted approving agreement. (Clerk to handle)

CONSENT

49. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolution be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Suggested hearing date February 19, 1968 at 4:25 P.M.

CONSENT

(a) Sidewalk on Linwood and Baywood Drives at 1434 Baywood Drive, Lot 12, Block 6115 (Ernest C. Aderholt)
(Resolution setting hearing needed)

ACTION: Res. 68-132 adopted setting hearing. (P/W to handle)

50. Consider right of way contracts from the following relating to the dedication of property for widening of Yosemite Blvd. for State Highway purposes.

(a) Orval D. and Jane F. Fowler - Parcel 7.
(Resolution approving agreement needed)

ACTION: Res. 68-133 adopted (Mitchell/Hughes, unan.) approving agreement. (Finance to handle)

(b) Humble Oil & Refining Company, a corporation - Parcel 14.
(Resolution approving agreement needed)

ACTION: Res. 68-134 adopted (Mitchell/Hughes, unan.) approving agreement. (Finance to handle)

(c) Humble Oil & Refining Company, a corporation - Parcel 16.
(Resolution approving agreement needed)

ACTION: Res. 68-135 adopted (Mitchell/Hughes, unan.) approving agreement. (P/W and Finance to handle)

50. (d) Herbert W. and Hollis M. Ramont - Parcel 22.
(Resolution approving agreement needed)

ACTION: Res. 68-136 adopted (Mitchell/Hughes, unan.) approving agreement. (P/W and Finance to handle)

(e) Earlmond Hathaway - Parcel No. 26.
(Resolution approving agreement needed)

ACTION: Res. 68-137 adopted (Mitchell/Hughes, unan.) approving agreement. (Finance to handle)

(f) Andrew W. and Doreen W. Lepape - Parcel 75.
(Resolution approving agreement needed)

ACTION: Res. 68-138 adopted (Mitchell/Hughes, unan.) approving agreement. (Finance to handle)

(g) Howk Well & Equipment Co., Inc. - Parcel 81.
(Resolution approving agreement needed)

ACTION: Res. 68-139 adopted (Mitchell/Hughes, unan.) approving agreement. (P/W and Finance to handle)

(h) Laura D. and Harry E. Brown, Jr., and Peggy C. Brown - Parcel 85.
(Resolution approving agreement needed.)

ACTION: Res. 68-140 adopted (Mitchell/Hughes, unan.) approving agreement. (Finance to handle)

(i) Albert H. and Alyce H. Dilkian - Parcel No. 8.
(Resolution approving agreement needed)
(Memorandum concerning above 9 items with agenda.)

ACTION: Res. 68-141 adopted (Mitchell/Hughes, unan.) approving agreement. (Finance to handle)

51. Consider right of way agreements and resolutions authorizing eminent domain proceedings for remaining parcels needed for Yosemite Boulevard right of way.
(Resolution appropriating necessary funds and necessary resolutions authorizing eminent domain proceedings or approving right of way agreements needed. Report to be made at council meeting)

ACTION: Res. 68-142 adopted (Hughes/Simon, unan.) approving easement contract with Hugh E. and Katharine S. Wallace. (Finance to handle)

Res. 68-143 adopted (Hughes/Simon, unan.) approving easement contract with Beard Land Improvement Company (Finance to handle)

Res. 68-144 adopted (Hughes/Simon, unan.) approving right of entry contract with W. W. Moser. (P/W to handle)

Res. 68-145 adopted (Hughes/Simon, unan.) approving right of way contract with Harry B. and Lulu Wilkinson. (P/W and Finance to handle)

Res. 68-146 adopted (Hughes/Smith, unan.) authorizing eminent domain action against Elmer A. and Hazel H. Kirkle (right of way). (Attorney to handle)

Res. 68-147 adopted (Hughes/Smith, unan.) authorizing eminent domain action against Norman F. and Verle M. Fletcher (right of way). (Attorney to handle)

Res. 68-148 adopted (Hughes/Smith, unan.) authorizing eminent domain action against F. A. and Bonnadine Johnson (right of way). (Attorney to handle)

Res. 68-149 adopted (Hughes/Smith, unan.) authorizing eminent domain action against V. E. and Mildred E. Barton (easement). (Attorney to handle)

Res. 68-150 adopted (Hughes/Smith, unan.) approving appropriation transfer of $57,345 from 60-01-207 (Special Gas Tax - Street Improvements - General Reserve) to 6712-01-207 (Special Gas Tax - Street Improvements - Yosemite, Las Flores to East City Limits). (Finance to handle)

CONSENT

52. Lease agreement with Nicholas Martino leasing Mancini property. (A report was submitted to the Council. Resolution approving lease agreement needed)

ACTION: Res. 68-151 adopted approving lease agreement. (Finance to handle)

53. Consider design of proposed El Vista Fire Station. (We have completed six elevations of the proposed fire station on El Vista. We are now at the point where the choice of a particular elevation to be used on the fire station is required. Direction of Council is requested. Motion directing staff needed)

ACTION: By motion (Shastid/Smith, unan.) referred to Beautification Committee for study and recommendation. (C/Mgr to handle)

CONSENT

54. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at the properties listed below. (The amounts assessed against the properties will be included in reports distributed with the agenda for the hearing date. The City Clerk will set the date for hearing. Suggested hearing date: February 19, 1968 at 4:30 P.M. Resolution setting date for hearing needed. Funds budgeted in Account 5302-51-101, Curbs and gutters, special)

CONSENT

(a) Sidewalk on Grant Avenue, Portion of Lot 1, Block 567, (Earl Adam) (Cost, $167.65)
(Resolution setting hearing needed)

ACTION: Res. 68-152 adopted setting hearing. (P/W to handle)

CONSENT

(b) Curb and gutter on Miller Avenue, Lot 3, Block 2184 (Glenn Robert Lowe, cost, $189.67)
(Resolution setting hearing needed)

ACTION: Res. 68-153 adopted setting hearing. (P/W to handle)

CONSENT

(c) Sidewalk on Wilson Avenue, Lot 35, Block 2029 (Mrs. Orrin S. Hagen) (cost, $214.00)

ACTION: Res. 68-154 adopted setting hearing. (P/W to handle)

CONSENT

(d) Curb and gutter on S. Franklin, Lot 1, Block 4094, (Mrs. Demetria Pepelis, cost, $343.90)

ACTION: Res. 68-155 adopted setting hearing. (P/W to handle)

55. Traffic flow design for vicinity of LaLoma, 19th, Burney and Downey. (Adoption of a traffic flow plan is needed for the east ends of the G-H Streets one-way couplet so businesses in the area can plan for the change. Three possible plans are included with the agenda. Motion indicating Council's choice of a plan needed)

ACTION: Res. 68-156 adopted (Shastid/Hughes, unan.) setting February 26, 1968 at 8:00 P.M. as time for public hearing on this matter. (Clerk to handle)

Staff to obtain cost estimates for Council. (P & T to handle)

56. Approve the agreement with the State for modernization of traffic signals at McHenry, J., Needham, Downey, and 17th Streets and authorize appropriation transfer of $1,525.
(The modernization consists of replacement of the controller, most of the signal heads, standards and conduits at this location and the installation of pedestrian signals. The estimate is higher than the original because the original estimate is over 1 year old and equipment originally thought to be re-usable cannot be re-used. See attached memo. Resolution approving the agreement and resolution authorizing appropriation transfer needed. Estimated cost $11,525; funds budgeted in Account 6220-56-321, Modernize signals - Needham - Downey - $10,000 budgeted.)

ACTION: Action delayed until February 26, 1968.

CONSENT
57. Application of Jack B. Scanlon and Robert L. Peavler for permit to operate a radio repair facility for general aviation, including sales and service of Avionics equipment, at the City-County Airport.
(Resolution setting informal hearing February 19, 1968 at 4:20 P.M. needed)

ACTION: Res. 68-157 adopted setting informal hearing. (Clerk to handle)

CONSENT
58. Grant deed from American Legion.
(Memo with agenda. No action needed)

ACTION: For information only. No action.

CONSENT
59. Report on City's mandatory curb, gutter and sidewalk program.
(Report with agenda) Motion accepting report needed.

ACTION: By motion report accepted.

CONSENT
60. Quarterly report (Oct., Nov., Dec. 1967) of Greater Modesto Chamber of Commerce.
(Motion accepting report needed)

ACTION: By motion report accepted.

61. Report on application for Urban Beautification Funds.
(On September 25, 1967 it was reported to the Council that our application for Urban Beautification Funds had not been approved but it would be reviewed again shortly after January 1, 1968. This review has taken place, and we have now been informed by the Department of Housing and Urban Development that our application has not been approved. No council action needed)

ACTION: For information only. No action.

62. Report on possible improvement district for sanitary sewers in the Sunrise Addition.
(Report with agenda. Motion directing staff needed)

ACTION: By motion (Shastid/Hughes, unan.) staff directed to proceed as suggested. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

63. Recommend amendment to Section 5-4-9 of the zoning map (Sportsmen of Stanislaus).
(By Resolution No. 68-8 adopted on January 16, 1968 the Planning Commission recommends an amendment to Section 5-4-9 of the zoning map as requested by Sportsmen of Stanislaus, to rezone from Multiple-Family Zone, R-3, and One-Family Zone, R-1, to Planned Development Zone, P-D, and to prezone to Planned Development Zone, P-D, property located north of Dryden Municipal Golf Course and south of Rose Avenue between Neece Drive located north of Dryden Municipal Golf Course and south of Rouse Avenue between Neece Drive and Roselawn Avenue. Resolution setting date for public hearing needed. Suggested hearing date February 26, 1968 at 7:50 P.M.)

ACTION: Res. 68-158 adopted setting hearing. (Clerk to handle)

CONSENT

64. Harte Tract Addition (Inhabited annexation - for referral to Planning Commission.
(Annexation has been requested by residents in the area north of Kavanagh Avenue bounded by the city limits on the east, south, and west, and by Rumble Road on the North. Water service is provided by Del Este Water Company. The area is within the McHenry-Dry Creek Fire District from which it will be withdrawn and in the Sylvan Elementary School District in which it will remain. If referred to the Planning Commission, the Planning staff will gather additional information. Resolution referring to Planning Commission needed)

ACTION: Res. 68-159 adopted referring to Planning Commission. (Planning to handle)

APPROPRIATION TRANSFERS

65. Consider budget for select street construction for fiscal year 1967-68.
(Memo with agenda. Resolution approving budget and resolution approving appropriation transfer. Estimated cost $363,947)

ACTION: Res. 68-160 adopted (Hughes/Mitchell, unan.) approving budget.

Res. 68-161 adopted (Hughes/Mitchell, unan.) authorizing appropriation transfer as follows:

SPECIAL GAS TAX STREET IMPROVEMENTS (207)

FROM:	General Reserve (60-1)	$23,012
	LaLoma - H St. to Santa Rosa (6655-1)	47,000
	Briggsmore/Northern-McHenry to Sunrise 6714-1	98,000
	General Reserve (60-2)	7,000
	Paradise-Franklin to Washington (6648-2)	58,000
TO:	E. Orangeburg - McHenry to East City Limits (6713-1)	12
	Norwegian - McHenry to Coffee (6677-1)	51,000
	Paradise-Franklin to West City Limits (6748-1)	12,000
	Granger-McHenry to East City Limits (6699-1)	25,000
	Floyd - McHenry to Coffee (6673-1)	80,000
	Carver - Bay Meadows to Rumble (6670-2)	65,000

(To provide funds for street construction projects as proposed)

(Finance to handle)

APPOINTMENTS

Res. 68-162 adopted (Mitchell/Shastid, unan.) reappointing Mary L. Johnson to Board of Zoning Adjustment and appointing Frank Muratore to Planning Commission. (Clerk to handle)

(Mary L. Johnson: term expires January 1, 1972;
Frank Muratore: term expires January 1, 1972)

Adjournment at 6:05 P.M.

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

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 12, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith
Absent: Mayor Davies Vice Mayor Robinson presided.

Pledge of allegiance to the Flag
Invocation: Reverend L. B. Lewis, Bethel Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 20, 21, 22, 24, 26, 27a, b, c, d, 28a, b, 29, 30, 31, 32
Shastid/Simon, unan.
Item 9 removed from consent.
Items 11 & 27b removed from agenda.
(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of February 5, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT

2. Request of Modesto City Employees' Association for right to take out life insurance.
(Motion referring to staff for report needed)

ACTION: By motion referred to staff. (Personnel Officer to handle)

3. Petition from residents of Heidi Ave., Tully Manor Subdivision No. 2, for Council to direct staff to provide street trees during current planting season.

ACTION: The Council was informed that the trees will be planted this season. (P & R to handle)

4. Letter from Frank Andrews entitled "Recent school election - deplorable tactics used by small high pressure groups and daily paper."

No action.

5. Request from Modesto City Schools for closure of that portion of Rosedale Avenue where bus loading takes place, between the hours of 3:00 P.M. and 3:45 P.M. each school day.

ACTION: By motion (Smith/Hughes, unan.) Chief of Police directed to issue a permit for the closure as requested. (Police to handle)

CONSENT

6. Receipt of check for $1,136.18 from Commission on Peace Officer Standards and Training.
(This represents 50% reimbursement for training of City Police Officers in 1967. Motion accepting needed)

ACTION: By motion check accepted. (Finance to handle)

CONSENT BIDS

7. Consider approval of specifications and authorize call for bids to be opened February 27, 1968 at 2:00 P.M. for truck mounted hydraulic sewer cleaner.
(Successful bidder is to fabricate cleaner and mount on chassis purchased by City for this purpose. Resolution approving needed. Estimated cost $10,900, funds budgeted in Account 7901-212, Sewer Service Fund, p. 57)

ACTION: Res. 68-163 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

8. Consider award of contract for construction of Tenaya Trunk Sewer to the low bidder, Valley Engineers, Inc., of Fresno, California, in the total amount of $630,451.95.
(Memo with agenda. Resolution awarding contract needed. Contract cost, $630,451.95; funds budgeted in Account 65-53-405, Muni. Sewer District Improvements)

ACTION: Res. 68-164 adopted awarding contract to Valley Engineers, Inc. (Clerk and P/W to handle)

~~XXXXXXX~~

9. Consider approval of specifications and authorize call for bids to be opened February 28, 1968 at 2:00 P.M. for 16 automobiles, one station bus, and 12 trucks. Consider waiver of formal bid requirements for one 4-door sedan and permit informal purchase procedure.
(Memorandum with agenda. Resolution approving specifications and resolution waiving formal bid requirements (5 votes needed). Estimated cost $61,100; funds budgeted in Accounts Nos. 5401 thru 5403; 5405 thru 5409, Service Division Capital Outlay, 48/512, p. 66)

ACTION: Res. 68-165 adopted (Mitchell/Shastid, unan.) approving specifications and call for bids (including the one 4-door sedan which will be included in an addendum to the specifications). (Finance & Clerk to handle)

CONSENT

10. Consider accepting bid of J. M. Lift Trucks, Inc., Modesto, to furnish two Westcoaster three-wheeled vehicles.
(Memo with agenda. Resolution accepting bid and Resolution approving appropriation transfer needed. Estimated cost $3,217; $163 required by appropriation transfer. Balance budgeted in Accounts 5410 & 5421/48/512, Service Div. Capital Outlay, pp. 66-67)

ACTION: Res. 68-166 adopted accepting bid of J. M. Lift Trucks, Inc. (Finance to handle); Res. 68-167 adopted approving appropriation transfer of $163.00 from 60-48-512 (Public Works - Service Div. - Reserve Appropriation) to 5410-48-512 ($71.00) and 5421-48-512 ($92.00). (Finance to handle)

CONSENT

11. Approve plans and specifications and call for bids for the installation of water lines in Block 9011 and Block 6107 and Pearl Street.
(Bid opening February 27, 1968 at 10:20 A.M. This project is required to replace an obsolete portion of the Old Bumgardener system. This line has been patched as much as possible and must be replaced. Resolution approving needed. Estimated cost $7,400 (Materials $3,330, labor $4,070); funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43)

Removed from agenda.

HEARINGS

12. Hearing on annexation of Milo Addition to City of Modesto. 7:45 P.M.

ACTION: Res. 68-168 adopted (Shastid/Smith, unan.) declaring no majority protest made.

Ord. 872-C.S. adopted (Shastid/Smith, unan.) annexing area. (Clerk to handle)

13. Hearing on amendment to Sections 7-3-9 and 18-3-9 of zoning map (Klemm). 7:50 P.M.

ACTION: Ord. 873-C.S. introduced (Hughes/Shastid, unan.) amending Sections 7-3-9 and 18-3-9 of the zoning map. (Clerk to handle)

14. Hearing on amendment to Section 17-3-9 of zoning map (Campbell). 7:55 P.M.

ACTION: Res. 68-169 adopted (Mitchell/Smith, majority - Hughes, no) referring back to Planning Commission because: (1) Land can be used as R-1, (2) land was recently subdivided, (3) there has not been sufficient change in the area, (4) deed restrictions indicate R-1 use, (5) R-2 uses would not tie in with balance of subdivision. (Planning to handle)

15. Hearing on amendment to Section 8-3-9 of zoning map (Neighborhood Church) 8:00 P.M.

ACTION: Ord. 874-C.S. introduced (Smith/Simon, unan.) amending Section 8-3-9 of the zoning map. (Clerk to handle)

16. Hearing on amendment to Section 19-3-9 of zoning map (Smoot) 8:05 P.M.

ACTION: Ord. 875-C.S. introduced (Hughes/Mitchell, unan.) amending Section 19-3-9 of zoning map. (Clerk to handle)

17. Hearing on amendment to Section 19-3-9 of zoning map (W. Orangeburg - commission initiated) 8:10 P.M.

ACTION: Ord. 876-C.S. introduced (Mitchell/Shastid, unan.) amending Section 19-3-9 of zoning map. (Clerk to handle)

18. Hearing on amendment to Section 16-3-9 of zoning map (Centenary Methodist Church) 8:15 P.M.

ACTION: Ord. 877-C.S. introduced (Shastid/Simon, unan.) amending Section 16-3-9 of zoning map. (Clerk to handle)

Matters for the good of the community 8:20 P.M.
(These may be introduced by citizens in the audience)

Frank Andrews discussed newspaper coverage, open irrigation canals, Dennett Dam, power rates, and other matters.

Chief of Police Jerome Ammerman was introduced. Douglas Carmody was thanked and congratulated for his good job as Acting Police Chief. Ken Cruce was thanked and congratulated for his good job as Acting Parking and Traffic Director. John Keefe was thanked for all of his efforts.

Acting Mayor Robinson requested Councilman Simon to meet with the Planning Commission to discuss methods of dealing with deed restrictions in rezoning applications.

OLD BUSINESS

19. Discussion with Dr. Valentine re off-street parking.

ACTION: By motion (Hughes/Mitchell, unan.) staff directed to study request of Dr. Valentine for return of $3,000 paid in lieu of off-street parking. (Parking & Traffic to handle)

CONSENT

20. Resolution amending grant agreement with EDA - Modesto Sewerage Project.
(Memo with agenda. Resolution approving amendment needed.)

ACTION: Res. 68-170 adopted approving amendment to agreement to provide that each official or employee of City having custody of project funds shall be bonded in the amount of $50,000. (Clerk & Manager to handle)

CONSENT

21. Approve two supplements to the lease agreement for the Southern Pacific Depot Parking Lot between I & K Streets (Lot #27) (The supplements amend the original lease agreement to: (1) increase the reimbursable parking lot development costs from $5,000 to $6,000; (2) include in the City leased area a small area in the driveway at the north end of the lot; and (3) delete from the lease the workmen's compensation insurance requirements. Resolution approving supplements needed).

ACTION: Res. 68-171 adopted approving supplements to agreement. (P & T to handle)

NEW BUSINESS

CONSENT

22. Approval of agreements authorizing the City to do the billing and collect money for all garbage companies in the City. (Agreements have now been prepared and signed by Airport Garbage Service, Lombardi Waste Disposal Company, Modesto Garbage Company, and Sanders Salvage Company, providing billing and collection for residential garbage service under the terms previously approved by the City Council. Resolutions approving agreements needed)

ACTION: Res. 68-172 adopted approving agreement with Airport Garbage Co.
Res. 68-173 adopted approving agreement with Lombardi Waste Disposal Co.
Res. 68-174 adopted approving agreement with Modesto Garbage Co.
Res. 68-175 adopted approving agreement with Sanders Salvage Co.
(Finance to handle)

23. Resolution commending the Reserve Police for contributions to the community welfare and safety in 1967.
(Resolution commending needed)

ACTION: Res. 68-176 adopted (Robinson/Mitchell, unan.) commending Reserve Police. (Clerk to handle)

CONSENT

24. Consider request by City Manager to attend the League of California Cities Spring meeting for the City Managers Department, February 28, 1968 to March 1, 1968. (Motion approving request needed. Estimated cost $140.00; funds budgeted in Account 207-8, Conference Expense)

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

25. Consider street lighting project for Yosemite Boulevard. (With construction of the Yosemite Boulevard project now assured, the property owners may be interested in initiating an improvement district for a commercial street lighting system such as was installed on McHenry Avenue. Motion needed authorizing staff to determine if property owners on Yosemite Boulevard are interested)

ACTION: By motion (Hughes/Shastid, unan.) referred to staff for study. (Planning to handle)

CONSENT

26. Consider request for sewer service to property at 928 Paradise Road located on the south side of Paradise Road between Wade Avenue and Mayette.
(The property owner 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. 68-177 adopted approving agreement. (Clerk to handle)

CONSENT

27. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolution needed setting hearing. Suggested date February 26, 1968 at 8:05 P.M.)

CONSENT

(a) Curb and gutter on N. Morton Blvd. at 334 LaLoma, Lot 2, Block 206 (Leland E. Thiel).
(Resolution setting hearing needed)

ACTION: Res. 68-178 adopted setting hearing. (P/W to handle)

CONSENT

(b) Curb and gutter on Walnut at 302 No. Walnut, Lots 15 and 16, Block 403 (Gladys Gardner).
(Resolution setting hearing needed)

Dropped from agenda as work has been started.

CONSENT

(c) Sidewalk, curb and gutter on Las Palmas at 225 Las Palmas, Lots 17 and 18, Block 259 (Buelah B. Thomas).
(Resolution setting hearing needed)

ACTION: Res. 68-179 adopted setting hearing. (P/W to handle)

CONSENT

(d) Sidewalk, curb and gutter on Western Way at 402 Leon Ave., Lots 47 and 48, Block 354 (H. S. Paul)
(Resolution setting hearing needed)

ACTION: Res. 68-180 adopted setting hearing. (P/W to handle)

CONSENT

28. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at the properties listed below. (The amounts assessed against the properties will be included in reports distributed with the agenda for the hearing date. The City Clerk will set the date for hearing. Resolution setting date for hearing needed. Suggested date February 26, 1968 at 8:10 P.M. Funds budgeted in Account 5302-51-101, Curbs and gutters, special)

CONSENT

(a) Sidewalk, curb and gutter at 1006 Virginia Avenue, Lot 10, Block 739 (Mrs. W. I. Crist, $224.29)

ACTION: Res. 68-181 adopted setting hearing. (P/W to handle)

(b) Curb and gutter on LaLoma at 207 N. Santa Cruz Ave, Lots 5 and 6, Block 2061-1 (Mrs. M.D. Davenport- $272.35)

ACTION: Res. 68-182 adopted setting hearing. (P/W to handle)

CONSENT

29. Consider right of way contract from Elmer A. Kirkle and Hazel H. Kirkle relating to the dedication of property for widening of Yosemite Boulevard for State Highway purposes - Parcel No. 6) (A memorandum of explanation has been sent to the Mayor and Councilmen with agenda. Adoption of resolution approving right of way contract needed)

ACTION: Res. 68-183 adopted approving right of way contract. (Finance to handle)

REPORTS

CONSENT

30. Request to Public Utilities Commission by several California rail carriers for 5% passenger fare increase. (Report with agenda. Council has generally taken no action but has asked that these matters be reported. No action needed unless Council wishes to intervene)

No action.

CONSENT

31. Presentation of financial statement for January 1968. (Copies of report submitted with agenda. Motion accepting report needed)

ACTION: By motion report accepted.

REPORTS FROM PLANNING COMMISSION

CONSENT

32. Recommend commencement of annexation proceedings - Harte Tract Addition (inhabited).
(By Resolution No. 68-23 adopted on February 6, 1968 the Planning Commission recommends commencement of proceedings for the annexation of inhabited territory known as the Harte Tract Addition. Resolution consenting to commencement of annexation proceedings needed)

ACTION: Res. 68-184 adopted consenting to commencement of annexation proceedings. (Planning to handle)

MISCELLANEOUS

33. Receipt of telegram from HUD that federal grant of $160,450 has been approved for West Side Neighborhood Center.

No action.

APPOINTMENTS

None.

Adjournment at 9:15 P.M.

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

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 19, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, and Mayor Davies
Absent: Smith

Pledge of allegiance to the Flag
Invocation: Reverend Ben Jennings, Central Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 8, 16, 17, 18, 19, 20, 21, 23, 24, 27, 29
Shastid/Simon, unan.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of February 12, 1968.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

CONSENT
2. Request of Downtown Improvement District for council approval of downtown on-street music program.
(Motion referring to staff for study and report needed)

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

3. Request of Modesto Senior Citizens for permission to build a new kitchen at the Odd Fellows Hall in lieu of rent.

ACTION: Referred to staff to work out agreement with Modesto Senior Citizens, Inc. (P & R to handle)

4. Invitation from Modesto Trailer Dealers Association to attend meeting to be held at the Y.M.C.A. February 20, 1968 at 7:30 P.M.

ACTION: No action.

CONSENT
5. Submission of plan for the proposed Tuolumne River Regional Park.
(Motion fixing March 4 at 4:30 as time for informal hearing needed)
ACTION: By motion March 4, 1968 at 4:30 P.M. fixed as time for informal hearing. (Clerk to handle)

CONSENT
6. Recommendation of Modesto Beautification Committee that the City Dump be opened the first two Saturdays in May for "Free Dumping Days."
(Motion to accept recommendation needed)
ACTION: By motion recommendation accepted and approved. (P/W to handle)

CONSENT

8. Approve plans and specifications and call for bids for the installation of water lines in Block 9011 and Block 6107 and Pearl Street. (Bid opening: March 5, 1968 at 2:00 P.M. This project is required to replace an obsolete portion of the Old Bumgardener system. This line has been patched as much as possible and must be replaced. Resolution approving plans and specifications and call for bids needed. Estimated cost $8,160 (Materials $5,280, Labor $2,880). Funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43)

ACTION: Res. 68-185 adopted approving plans and specifications and call for bids. (Clerk to handle)

HEARINGS

9. Informal hearing on application of Donald P. LaTourette for permit to operate general aircraft maintenance and repair shop and air ambulance at Airport. 4:15 P.M.

ACTION: Res. 68-186 adopted (Robinson/Mitchell, unan.) granting permit for repair shop subject to conditions listed in Res. 67-100. (P/W to handle)

Res. 68-187 adopted (Robinson/Mitchell, unan.) granting permit for air ambulance subject to conditions listed in Res. 67-100. (P/W to handle)

10. Informal hearing on application of Jack B. Scanlon and Robert L. Peavler for permit to operate radio repair shop at Airport. 4:20 P.M.

ACTION: Res. 68-188 adopted (Simon/Shastid, unan.) granting permit for radio repair shop subject to conditions listed in Res. 67-100. (P/W to handle)
Res. 68-188A adopted (Simon/Shastid, unan.) authorizing Donald Montgomery to sublease office and aircraft storage space in Hangar No. 1 to Scanlon & Peavler. (P/W to handle)

11. Sidewalk requirement on Linwood and Baywood Drives, at 1434 Baywood Drive, Lot 12, Block 6115 (Ernest C. Aderholt) 4:25 P.M.

ACTION: Res. 68-189 adopted (Hughes/Robinson, unan.) ordering construction. (P/W to handle)

12. Hearing on cost of installation of sidewalk on Grant Ave., portion of Lot 1, Block 567 (Earl Adam) 4:30 P.M.

ACTION: Res. 68-190 adopted (Mitchell/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

13. Hearing on cost of installation of curb & gutter on Miller Ave., Lot 3, Block 2184 (Glenn Robert Lowe) 4:30 P.M.

ACTION: Res. 68-191 adopted (Mitchell/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

14. Hearing on cost of installation of sidewalk on Wilson Ave., Lot 35, Block 2029 (Mrs. Orrin S. Hagen) 4:30 P.M.

ACTION: Res. 68-192 adopted (Mitchell/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

15. Hearing on cost of installation of curb and gutter on South Franklin, Lot 1, Block 4094 (Mrs. Demetria Pepelis) 4:30 P.M.

ACTION: Res. 68-193 adopted (Mitchell/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

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

Lee Hampson, representing Modesto American Legion Post No. 74, protested the fact that the Modesto City Schools did not plan to have Washington's Birthday and Memorial Day as school holidays due to the late start of school last fall. There was no formal Council action but Councilmen agreed to act as individuals in this matter.

Following a discussion of the specifications for the City Manager's automobile it was ordered by motion (Hughes/Robinson, unan.) that air conditioning be added. (Finance to handle)

OLD BUSINESS

CONSENT

16. Recommendation of Modesto Beautification Committee that the new fire station to be located on El Vista Avenue have the same exterior as Station No. 5 on Briggsmore Avenue.
(Motion to accept recommendation needed)

ACTION: By motion recommendation accepted. (P/W and Fire to handle)

NEW BUSINESS

CONSENT

17. Request of City Clerk for permission to attend City Clerks' Institute in Palo Alto, California, April 24, 25, and 26, 1968. (Funds were not budgeted as the City Clerk was not aware of this Institute at the time the present budget was prepared but have been transferred from savings in Account 110-14-Salaries. Motion granting request needed. Estimated cost $100; funds budgeted in Account 207-14, Conference Expense)

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

CONSENT

18. Consider resolution designating official representatives of the City of Modesto and extending greetings to its Sister City, Barranquilla, Colombia.
(Mr. Robert Corby, secretary to the Sister City Committee, and his wife and Mr. and Mrs. Robert Nickerson plan to leave Modesto on March 5, 1968 to go to Barranquilla for a week, and would appreciate being designated as official representatives of Modesto while visiting out Sister City. A copy of Mr. Corby's letter is submitted with the agenda. Resolution needed)

ACTION: Res. 68-194 adopted appointing Mr. & Mrs. Robert Corby and Mr. & Mrs. Robert Nickerson as official representatives of the City of Modesto to Barranquilla, Colombia while they are visiting there. (Clerk to handle)

CONSENT

19. Request permission for Councilman William Mitchell to attend the National Legislative Conference in Washington, D.C. April 7 - 10, 1968.
(Motion needed. Estimated cost $400 based on last year. Funds budgeted in Account 207-7, Conference Expense)

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

CONSENT

20. Authorizing repairs to be made to water pumping station No. 5..
(Memorandum with agenda. Motion authorizing repairs be made needed. Estimated cost $3,375; funds budgeted in Account 223-50-101, Maintenance and Repair of Equipment, Other)

ACTION: By motion repairs authorized. (P/W to handle)

CONSENT

21. Consider Personnel Commission recommendation to reclassify the clerical position in the Fire Department from Intermediate Stenographer Clerk (range 14.5) to Secretary (range 18.5).
(A letter from the Personnel Commission Chairman is attached. Motion needed. Funds budgeted in Account 110-21-101, Salaries and Wages, Reg., 1967-68 budget, p. 27).

ACTION: By motion reclassification approved. (Personnel and Finance to handle)

22. Consider Personnel Commission recommendation to reaffirm the Personnel Commission's use of the "Council Guideposts" adopted on 11-2-64 and the same 13 comparative cities as used in the past for salary consideration for 1968-69.
(A letter from the Personnel Commission Chairman and the Guideposts and Guidelines mentioned above distributed with agenda. Resolution needed)

ACTION: Res. 68-195 adopted (Robinson/Mitchell, unan.) reaffirming use by Personnel Commission of "Council Guideposts" and the same 13 comparative cities. (Personnel to handle)

CONSENT

23. Accept improvements in Greenwood Estates No. 4 Subdivision and authorize the City Clerk to file notice of completion, release bond upon expiration of the statutory lien period, and accept an Instrument of Credit in the amount of $350 to guaranty the removal of the temporary turn-around at the northerly end of Marigold Lane.
(Memorandum with agenda. Resolution accepting improvements and conditions needed)

ACTION: Res. 68-196 adopted accepting improvements and accepting Instrument of Credit ($350) to guaranty removal of turn-around. (Clerk to handle)

CONSENT

24. Consider right of entry agreement from V. E. Barton and Mildred E. Barton to the City of Modesto and the State of California, relating to construction of a storm drain outfall upon the real property owned by Mr. and Mrs. Barton. The construction of this storm drain outfall is required as a part of the Yosemite Boulevard widening.
(Memo of explanation with agenda. Resolution authorizing City Manager to accept the right of entry agreement needed)

ACTION: Res. 68-197 adopted authorizing acceptance of right of entry agreement. (Clerk to handle)

REPORTS

25. Report from Director of Public Works on mandatory garbage collection.
(Report with agenda)

ACTION: A motion by Councilman Hughes directing staff to prepare amendment to ordinance to permit individuals to dispose of their own garbage died for want of a second. No other action taken.

26. Report on use of city vehicles.
(Report with agenda)

ACTION: Staff commended for report. No other action taken.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

27. Recommend amendment to Section 19-3-9 of the zoning map (Billings and Bradley)
(By Resolution No. 68-16 adopted February 6, 1968, the Planning Commission recommends an amendment to Section 19-3-9 of the zoning map as requested by W. L. Billings and Rex C. and Euleen A. Bradley, to rezone from Highway Frontage Zone, H-1, to Commercial-Industrial Zone, C-M, property located east of North 9th Street, west of the U. S. 99 Freeway and south of Clayton Avenue. Resolution setting date for public hearing needed. Suggested date March 11, 1968 at 7:45 P.M.)

ACTION: Res. 68-198 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

28. Consider request for appropriation transfer to complete project for installation of emergency power at the Emerald Avenue sewage pumping plant.
(Memorandum with agenda. Resolution approving transfer of $2,900 needed. Estimated cost $2,900).

ACTION: Res. 68-199 adopted (Hughes/Shastid, unan.) authorizing appropriation transfer of $2,900 from 6568-41-212 (Sewer Service Fund - 1000 Oaks Park Station, 3rd Pump) to 6570-41-212 (Sewer Service Fund - Emerald Station Emergency Power. (Finance to handle)

CONSENT

29. Request for appropriation transfer of $3,000 from 6307-31-321 (Parks-General Park Improvements) to 6259-31-321 (Dryden Golf Course - General Improvements)

ACTION: Res. 68-200 adopted authorizing appropriation transfer of $3,000 from 6307-31-321 (Parks - General Park Improvements) to 6259-31-321 (Dryden Golf Course - General Improvements). (Finance to handle)

MISCELLANEOUS

30. Legislative matters.

ACTION: By motion (Hughes/Robinson, unan.) support for AB-114 declared. (C/Atty to handle)

31. Executive session to consider appointments to Boards and/or Commissions.

The Council retired to Executive Session at 5:05 P.M. with the announcement that the members would not reconvene in Open Session.

Adjournment at 5:05 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 26, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies

Absent: None

Pledge of allegiance to the Flag.
Invocation: Reverend A. P. Gregory, Church of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items ~~1~~, 4, 5, 6, 7, ~~8~~, 17, 18, 19, 20, 21, ~~22~~, 23, 24, 25, ~~26~~, 28, ~~29~~
Robinson/Hughes, unan.
Remove items 3, 22, 27 & 29 from Consent Agenda and item 8 from agenda.
(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of February 19, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

2. Letter from Modesto Senior Citizens, Inc. expressing thanks and appreciation for the Senior Citizens building.

No action.

~~CONSENT~~

3. Request of Captain Potts, Salvation Army, for permission to represent Modesto at meeting in Sacramento April 22 and 23.
(The meeting is being called by the Governor to plan an all-out campaign against juvenile delinquency. Resolution appointing Captain Potts to represent City needed)

ACTION: Res. 68-201 adopted (Hughes/Robinson, unan.) appointing Captain Potts to represent Modesto at no cost to the City. (Others can also be appointed.) (Clerk to handle)

BIDS

CONSENT

4. Consider authorizing call for sealed bids to be opened April 5, 1968 at 2:00 P.M. for the sale of five used bus
(Sale is a requirement of the Department of Housing and Urban Development, Project No. CAL-UTG-13. Resolution needed)

ACTION: Res. 68-202 adopted authorizing call for bids. (Finance to handle)

CONSENT

5. Consider award of bid for the replacement of Cavil Drain Crossing on Carver Road south of Rumble Road.
(Bids were opened on February 20. The low bid submitted by A. P. Rasmussen which is 20% below the Engineer's Estimate is considered acceptable. Therefore it is recommended by the Public Works Department that the bid be awarded to him. Resolution awarding bid needed. Contract cost $2,800; funds budgeted in Account 6670-207, Carver-Bay Meadow to Rumble Road)

ACTION: Res. 68-203 adopted awarding contract to A. P. Rasmussen. (P/W to handle)

CONSENT

6. Accept as complete Sunkist Pools Inc. contract for the construction of wading pool at Catherine Everett Park.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. (Resolution accepting work needed. Contract cost $10,077; funds budgeted in Account 6299-324, Catherine Everett Wading Pool, Play Area, Lights, p. 63).

ACTION: Res. 68-204 adopted accepting contract. (Clerk to handle)

CONSENT

7. Accept as complete the Osterberg & Stewart contract for the drilling, casing, testing, and development of one deep well for the City of Modesto, Well No. 36.
(All work on this contract has been completed to the satisfaction of the public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. (Resolution accepting work as complete needed. Actual cost $3,907.16; funds budgeted in Account 6834-50-101, Well & Pump Site at Moose Park)

ACTION: Res. 68-205 adopted accepting contract. (Clerk to handle)

~~CONSENT~~

8. Consider award of contract for construction of Airport apron expansion at United Airlines Terminal and acceptance of grant offer with Federal Aviation Administration (FAA).
(Bids were opened January 30, 1968. A low bid of $12,485.50 submitted by George Reed, Inc. which is 8% over Engineer's estimate is considered acceptable. Therefore, it is recommended by Public Works Department and FAA that the bid be awarded. Resolution awarding bid and resolution accepting grant offer needed. Estimated cost $15,600; contract, $12,485.50; Engr. & Cont. $3,115; funds budgeted in Account 6511-306, Aircraft Parking Ramp. If contingency portion of estimated cost is used, an appropriation transfer will be requested later. The Federal Aviation Administration has concurred by letter in the recommendation for the Award and has made a grant offer in the amount of $8,440).

Removed from agenda.

HEARINGS

9. Hearing on annexation of Dry Creek No. 2 Addition to Modesto Municipal Sewer District. 7:45 P.M.
(Information with agenda)

ACTION: Res. 68-206 adopted (Smith/Shastid, unan.) annexing area. (Clerk to handle)

10. Hearing on amendment to Section 5-4-9 of zoning map (Sportsmen of Stanislaus) 7:50 P.M.
(Information with agenda)

ACTION: Ord. 878 C.S. introduced (Shastid/Robinson, unan.) amending Section 5-4-9 of zoning map. (Clerk to handle)

Res. 68-207 adopted (Shastid/Robinson, unan.) approving development plan. (Planning to handle)

11. Hearing on traffic flow design for vicinity of LaLoma, 19th, Burney and Downey. 8:00 P.M.
(Information with agenda)

ACTION: By motion (Shastid/Robinson, unan.) staff directed to proceed with implementation of Modified Plan I. (P & T to handle)

12. Curb and gutter requirement on North Morton at 334 LaLoma, Lot 2, Block 206 (Leland Thiel) 8:05 P.M.

ACTION: Res. 68-208 adopted (Smith/Mitchell, unan.) ordering work done. (P/W to handle)

13. Sidewalk, curb and gutter requirement on Las Palmas at 225 Las Palmas, Lots 17 and 18, Block 259 (Beulah Thomas) 8:05 P.M.

ACTION: Res. 68-209 adopted (Smith/Mitchell, unan.) ordering work done. (P/W to handle)

14. Sidewalk, curb and gutter requirement on Western Way at 402 Leon, Lots 47 and 48, Block 354 (Harry Paul) 8:05 P.M.

ACTION: Res. 68-210 adopted (Smith/Mitchell, unan.) ordering work done. (P/W to handle)

15. Cost of installation of sidewalk, curb and gutter, 1006 Virginia, Lot 10, Block 739 (Mrs. Wallace Crist) 8:10 P.M.
(Information with agenda)

ACTION: Res. 68-211 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

16. Cost of installation of curb and gutter on LaLoma at 207 North Santa Cruz, Lots 5 and 6, Block 206l-1 (Mrs. Melva Davenport) 8:10 P.M.
(Information with agenda)

ACTION: Res. 68-212 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

Matters for the good of the community
(These may be introduced by citizens in the audience) 8:15 P.M.

The Council was reminded of the Employees' Retirement Dinner to be held Friday, March 1.

The staff was directed to prepare a report on the scheduling of lighting improvements in the City. Councilman Shastid expressed especial interest in the unlighted or poorly lighted areas on the west side of Modesto. (P/W to handle)

ORDINANCES

CONSENT
17. Final adoption of Ordinance 873-C.S. (amending Section Maps 7-3-9 and 18-3-9 of zoning map - Klemm).

ACTION: By motion Ord. 873-C.S. adopted. (Clerk to handle)

CONSENT
18. Final adoption of Ord. 874-C.S. (Amending Section Map 8-3-9 - Modesto Neighborhood Church).

ACTION: By motion Ord. 874-C.S. adopted. (Clerk to handle)

CONSENT
19. Final adoption of Ord. 875-C.S. (Amending Section Map 19-3-9 (Smoot).

ACTION: By motion Ord. 875-C.S. adopted. (Clerk to handle)

CONSENT
20. Final adoption of Ord. 876-C.S. (Amending Section Map 19-3-9 - Commission initiated).

ACTION: By motion Ord. 876-C.S. adopted. (Clerk to handle)

CONSENT
21. Final adoption of Ord. 877-C.S. (Amending Section Map 16-3-9 - Centenary Methodist Church).

ACTION: By motion Ord. 877-C.S. adopted. (Clerk to handle)

CONSENT

OLD BUSINESS

22. Approve federal grant contract for bus purchase and modification of contract with Modesto Motor Bus Service.
(The federal grant contract has been received from HUD. The federal grant will provide $41,050 upon completion of the bus purchase and an additional grant of $13,683, if planning requirements of the Urban Mass Transportation Act are met in three years. A minor modification of the contract with Modesto Motor Bus Service to add equal employment opportunity, prohibited interest and interest of congressional members will have to be made. Resolution approving contract modification with Modesto Motor Bus and resolution approving contract with HUD needed)

ACTION: Res. 68-213 adopted (Shastid/Simon, majority - Hughes, no) approving modification of contract with Modesto Motor Bus Service. (Clerk to handle)

Res. 68-214 adopted (Shastid/Simon, majority - Hughes, no) approving Federal Grant Contract. (P & T to handle)

NEW BUSINESS

CONSENT

23. A resolution determining that the public interest and convenience require that Milo Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date April 8, 1968 at 7:45 P.M. Resolution setting hearing needed (2/3 affirmative vote).

ACTION: Res. 68-215 adopted fixing hearing. (Clerk to handle)

CONSENT

24. Consider eight sewer easement contracts together with the accompanying easement deeds for Parcels 1, 2, 3, 4, 5, 6, 7 & 8 for Sewer Line Project No. Unit 7.
(The acquisition of these easements is needed for the construction of the North Trunk Sewer Line. Memo with agenda. Adoption of eight resolutions accepting easements needed)

ACTION: Res. 68-216 adopted approving contract with John R. Trickey. (Finance to handle)
Res. 68-217 adopted approving contract with Robert I. and Marjorie J. Bradley. (Finance to handle)
Res. 68-218 adopted approving contract with Donald E. and Leola M. Landes. (Finance to handle)
Res. 68-219 adopted approving contract with David V. and Sarah Lee Switzer. (Finance to handle)
Res. 68-220 adopted approving contract with John and George Klemm. (Clerk to handle)
Res. 68-221 adopted approving contract with Samuel Vaughn Dragoo. (Finance to handle)
Res. 68-222 adopted approving contract with The Protestant Episcopal Bishop of San Joaquin. (Finance to handle)
Res. 68-223 adopted approving contract with Modesto Irrigation District. (Finance to handle)

CONSENT

25. Letter from Muir Trail Girl Scout Council requesting use of city parks for day camp programs.
(Motion granting request needed)

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

26. Announcement of United States Conference of Mayors annual conference in Chicago, June 12-15, 1968.
(Copies of the announcement with agenda)

No action.

27. Consider settlements in lieu of condemnation relating to remaining parcels of property required for the Yosemite Boulevard widening project.
(Memo with agenda. If authorized, adoption of a resolution for each parcel needed)

ACTION: Res. 68-224 adopted (Shastid/Robinson, unan.) approving right of way contract with Norman F. Fletcher and Verle M. Fletcher. (Finance and P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

28. Recommend amendment to Section 15-3-9 of the zoning map (Bomberger). (On February 9, 1968 the Planning Commission adopted Resolution No. 68-24, recommending amendment to Section 15-3-9 of the zoning map to prezone to Planned Development Zone, P-P-D(38), property for a mobile home park, and denying prezoning of a portion of the request. All of said property is located at the northeast corner of Coffee Road and Floyd Avenue, south and east of Sylvan School. (Bomberger). Resolution setting date for public hearing needed. Suggested date March 18, 1968 at 4:25 P.M.)

ACTION: Res. 68-225 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend abandonment of excess street right-of-way created by the realignment of Tuolumne Boulevard west of 7th Street. (By Resolution 67-55 adopted on June 6, 1967 the Planning Commission recommends to the Council the abandonment of excess street right-of-way created by the realignment of Tuolumne Boulevard west of 7th Street. Resolution of Intention to vacate and abandon needed)

ACTION: Resolution of Intention 304 (1045-S.P.) adopted (Mitchell/Shastid, unan.) setting March 25, 1968 at 7:45 P.M. as time for hearing. (Clerk and P/W to handle)

MISCELLANEOUS

30. Legislative matters.

None.

31. Authorize staff to negotiate for park site adjacent to Sylvan School.
(Information with agenda).

ACTION: By motion (Shastid/Smith, unan.) staff authorized to enter into negotiations. (C/Mgr. to handle)

32. Appointments

ACTION: Res. 68-226 adopted (Hughes/Robinson, unan.) appointing Clifton Rooker as a member of the Board of Zoning Adjustment for the unexpired term of Frank Muratore (expires January 1, 1971). (Clerk to handle)

Adjournment at 9:10 P.M. to Executive Session to discuss pending litigation. It was announced that the Council would not reconvene in open meeting.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 4, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Shastid, Simon, Smith, and Mayor Davies
Absent: Robinson
Pledge of allegiance to the Flag
Invocation: Reverend Don Weston, St. John's Chapel of the Valley

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 4, 6, 8, 9, 10, 13, 14, 15, 18, 19, 20, 21, 25, 26, 27, 28
Shastid/Simon, unan.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of February 26, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

2. Presentation of check to Council for settlement for damage to Fire Pumper #11.
(Total damages to Fire Pumper #11 will be paid by California State Automotible Association. We would like to report the excellent cooperation of the adjusters representing California State Automobile Association and commend them for their assistance in keeping the out-of-service time of Fire Pumper #11 to a minimum. The city staff has always found the California State Automobile Association to be most cooperative in settling damage claims)

ACTION: Check for $2,103.93 received. California State Automobile Association commended by Fire Chief Everett.

3. Request of Modesto Beautification Committee for appointment of an additional member to the Committee who would also accept the chairmanship.

No action at this time.

CONSENT
4. Request of Greater Modesto Chamber of Commerce for appropriation of $15,000 for fiscal year 1968-69.
(Motion referring to appropriate budget session needed)

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

5. Two letters from Frank Andrews.

No action.

CONSENT

6. Consider award to low bidder, Pacific Pipe Tool, Sacramento, which proposes to furnish a hydraulic sewer cleaner in accordance with specification D-68 for $9,302.00.
(Memorandum and tabulation with agenda. Resolution needed. Estimated cost $9,302; funds budgeted in Account 7901/212, Truck Mounted Hydraulic Sewer Cleaner, p. 57, budget)

ACTION: Res. 68-227 adopted awarding contract to Pacific Pipe Tool. (Finance to handle)

7. Approve plans and specifications and call for bids for construction of North Trunk Sewer, Project Unit No. 7 of the Sewerage Works Improvement Program.
(This trunk sewer will provide service to the developing north residential area of the community from Conant Ave. on the west to Old Oakdale Road on the east. Bid opening, 2:00 P.M. Tuesday, April 9, 1968. Resolution approving plans and authorizing call for bids needed. Estimated cost $573,000, including engineering; funds budgeted in Account 65-53-405, Muni. Sewer District Improvements)

ACTION: Res. 68-228 adopted (Shastid/Hughes, unan.) approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

8. Consider approval of specifications and authorize call for bids to be opened March 14, 1968 at 2:00 P.M. for miscellaneous Fire Department material needed and planned for use on the new Snorkel truck being completed.
(Memorandum with agenda. Resolution approving call for bids needed. Estimated cost $6,000; funds budgeted in Account 6104/41/321, Aerial Boom Truck, p. 61). Appropriation transfer from Fund 321 will be requested later when amount needed is determined)

ACTION: Res. 68-229 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

9. Consider award of bid for the furnishing and installation of a 4-ton hydraulic crane on City of Modesto Truck No. 203.
(Memo with agenda. Resolution awarding bid needed. Estimated cost $6,246.24; funds budgeted in Account 5425-48-512, 4-Ton Crane)

ACTION: Res. 68-230 adopted awarding bid to Utility Body Company. Crane to include removable steel headboard, tension roller, derrick rest and start-kill switch. (P/W & Finance to handle)

CONSENT

10. Accept as complete Lee White's contract for construction of a parking lot at the southeast corner of 9th and I Streets (Claremont Hotel) and authorize the City Clerk to file notice of completion.
(The work on the above project has been satisfactorily completed. The final contract is $21,249.50, $350 over the original contract bid price. The additional $350 was for replacement of a 3' wide concrete apron (area adjoining gutter) on 9th Street as was required by the State (9th St. at I is part of State Highway 132). Resolution accepting the work and authorizing the City Clerk to file notice of completion needed. Estimated cost $21,249.50; funds budgeted in Account 6222-57-209, Claremont Parking Lot)

ACTION: Res. 68-231 adopted accepting contract. (Clerk to handle)

HEARINGS

11. Final hearing on plan for proposed Tuolumne River Regional Park. 4:30 P.M.

ACTION: Res. 68-232 adopted (Shastid/Smith, unan.) approving the Land Use Study for the proposed long range development of the Tuolumne River Regional Park. (City Clerk and P & R to handle)

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

Lowell Clark, representing the Greater Modesto Chamber of Commerce, read a letter requesting the Council to designate a site for an auditorium and to take other steps towards placing a bond issue for the auditorium before the public at the earliest practicable time. No action was taken by the Council.

OLD BUSINESS

12. Councilmember request for Downtown Music Program Motion
(Memorandum of explanation with agenda. ~~Resolution~~ approving or denying request needed)

ACTION: By motion (Hughes/Shastid, unan.) staff directed to draw up agreement for Downtown Music Program. (C/Atty to handle)

CONSENT

13. Resolution of Intention to call special election for annexation of Santa Cruz Addition to the City of Modesto.
(A petition containing 100 valid signatures and requesting that the Santa Cruz Addition be annexed to the City of Modesto has been filed with the City Clerk. This represents 35.46% of the registered voters. Resolution setting time and place for hearing protests needed. Suggested date, April 1, 1968 at 4:45 P.M.)

ACTION: Res. 68-233 adopted setting April 1, 1968 at 4:45 P.M. as time for hearing protests. (Clerk to handle)

CONSENT

14. Consider joint powers agreement between the Modesto High School District of Stanislaus County and the City of Modesto whereby district and city will unify their efforts to acquire parcels of real property for district to construct a public high school, and the city to develop and maintain a community park immediately adjacent thereto. The city and school district will share equally in the cost of acquisition in proportion to the areas being acquired.
(This matter was presented to the City Council at its meetings of November 27, 1967 and January 8, 1968 at which times the Council, by motion, authorized the staff to work with the Modesto City Schools for the joint acquisition of the park and school site. Resolution authorizing execution of agreement needed)

ACTION: Res. 68-234 adopted approving agreement. (Clerk to handle)

CONSENT

15. Adoption of resolution acknowledging receipt of "Notice of Intention to Circulate Petition to Annex Territory Known as the Strathmore Addition to the City of Modesto" and approving intention of proponents to circulate petitions.
The notice has been published as required and it is now in order for the Council to adopt this resolution)

ACTION: Res. 68-235 adopted acknowledging receipt of "Notice" and approving circulation of petitions. (C/Atty to handle)

16. Report on Dr. Valentine's Off-Street parking questions.
(At the February 12 council meeting, the staff was requested to study Dr. Valentine's questions concerning in-lieu parking payments A report is being sent with the agenda. No council action needed)

ACTION: By motion (Shastid/Simon - carried) present City policy on this matter reaffirmed.

NEW BUSINESS

17. Discussion with Dr. Valentine concerning type of construction permitted in certain zones.

ACTION: As Dr. Valentine did not appear this item was dropped.

CONSENT

18. Consider request for sewer service to property at 1523 Paulette Avenue, located on the west side of Paulette Avenue between East Coolidge Avenue and M.I.D.Lateral No. 3.
(The property owner 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. 68-236 adopted approving agreement. (Clerk to handle)

19. Consider formation of Improvement District on Westside for construction of curb, gutter and sidewalk.
(Memorandum of explanation with agenda. Motion directing staff needed)

ACTION: By motion (Shastid/Mitchell, unan.) staff directed to proceed with formation of District. (P/W to handle)

CONSENT

20. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at the properties listed below. (The amounts assessed against the properties will be included in reports distributed with the agenda for the hearing date. The City Clerk will set the date for the hearing. Resolution setting hearing date needed. Suggested date March 18, 1968 at 4:30 P.M.

(a) Sidewalk, curb and gutter, 302 Ruberto St., Lots 27 and 28, Block 345 (Lozada) ($602.18). (Resolution setting hearing needed)

ACTION: Res. 68-237 adopted setting hearing. (P/W to handle)

(b) Sidewalk, 1410 Tuolumne Blvd., Lots 1 to 4, Block 353 (L. Summers) ($180.10). (Resolution setting hearing needed)

ACTION: Res. 68-238 adopted setting hearing. (P/W to handle)

CONSENT

21. Lease agreement
(Leasing a portion of the Downey Park site, containing peach orchard, to Mr. Nicholas Angelo Martino, for 7% of the gross proceeds of the crop. Memorandum with agenda. Resolution approving agreement needed)

ACTION: Res. 68-239 adopted approving lease agreement. (Finance to handle)

22. Consider resolution approving lease agreement between the City and Velmar Gene Sullivan leasing the house at 1415 Sutter, adjacent to the northern boundary of the City Sewage Plant property for $50.00 per month, on a month-to-month basis beginning March 4, 1968. (Memo with agenda. Resolution approving lease needed)

ACTION: Res. 68-240 adopted (Hughes/Mitchell, unan.) approving lease agreement. (Finance to handle)

REPORTS

23. Report on upper McHenry Avenue widening concerning American Transit Mix Company property.
(Copies of a letter from the attorney for American Transit Mix Co. are being distributed with agenda)

ACTION: By motion (Shastid/Hughes, unan.) Mayor authorized to appoint two Councilmen to join the Mayor and meet with the owners of this property at any convenient time for further negotiations. (C/Mgr to handle)

24. Report on Street Lighting Modernization Projects.
(Report distributed with agenda. No council action needed)

ACTION: A map was shown to the Council outlining the type of lighting now in use in the various parts of the City. The Dept. of P/W was directed to furnish copies of this map to each member of the Council. (P/W to handle)

REPORTS FROM PLANNING COMMISSION

CONSENT

25. Consider amendments to Chapter 2 of Title X of the Modesto Municipal Code (zoning regulations)
(On February 20, 1968 the Planning Commission adopted Resolution No. 68-25 recommending to the Council amendments to Chapter 2 of Title X of the municipal code, and adding Article 31 thereto, and repealing Section 10-2.2903.2 (zoning regulations). This proposed ordinance covers the changes in the Code made necessary by the recent adoption of the P.O. Zone. Resolution setting date for public hearing needed. Suggested date March 25, 1968 at 7:50 P.M.)

ACTION: Res. 68-241 adopted setting March 25, 1968 at 7:50 P.M. as time for hearing. (Clerk to handle)

CONSENT

26. Greenwood Estates No. 3 Annexation petition - for referral to Planning Commission. (Information sheets attached)

ACTION: Res. 68-242 adopted referring to Planning Commission. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

27. Resolution authorizing appropriation transfer to remodel electrical service at Fire Station #1.
(Memorandum with agenda. Resolution approving appropriation transfer needed. Estimated cost $6,500)

ACTION: Res. 68-243 adopted approving appropriation transfer of $6,500 from 60-321 (General Reserve) to 6110-41-321 (Remodel Fire Station No. 1). (Finance to handle)

CONSENT

28. Proposed budget for 7 months, Senior Citizens Center (39-101). (Memorandum attached. Resolution approving appropriations needed. From funds 101 and 321)

ACTION: Res. 68-244 adopted approving appropriation transfers as follows: $3,000 from 60-321 (Special Fund for Capital Outlay - General Reserve) to 6399-39-321 (Special Fund for Capital Outlay - Senior Citizens Center).

$4,597 from 60-101 (General Fund - General Reserve) and $1,000 from 324-31-101 (Parks & Recreation - Senior Citizens Center) to Dept. 39 - Fund 101 (Senior Citizens Center) as follows:

Amount	Account	Title
$1,520	110	Salaries & Wages, Regular
10	204	Communications
893	210	Utilities
21	216	Rent of Equipment
375	218	Equipment Rental Charges
200	223	M & R, Equipment Other
1,583	224	M & R, Bldgs. & Grounds
25	226	Laundry & Cleaning
470	304	Custodial Supplies
50	308	Tools, Shop, Field Supplies
300	5401	Floor Polisher
150	5402	Vacuum

(Finance to handle)

MISCELLANEOUS

29. Legislative Matters

None.

Adjournment at 5:24 P.M.

ATTEST: W. T. Grymouth
W. T. GRYNOUTH, CITY CLERK

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 11, 1968 AT 7:30 P.M.

Roll Call Present: Mitchell, Robinson, Shastid, Simon, and Smith
Absent: Hughes and Mayor Davies (Vice Mayor Robinson presided)

Pledge of allegiance to the Flag
Invocation: ~~Reverend Charles Lindberg, First Christian Church~~
A moment of silent prayer was observed.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8A, 10, 11, 18, 19a, 19b, 20, 21, 22, 23, 24, 25, 26, 27
Items 4 & 15 removed from consent
(Shastid/Simon, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items)

APPROVAL OF MINUTES

1. Minutes of March 4, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT

2. Request of the Modesto Symphony Orchestra for payment of $1,200 budget for 1967-68 and inclusion of $1,500 in 1968-69 budget. (Motion authorizing payment of $1,200 and referring request for $1,500 to proper budget session needed)

ACTION: By motion payment of $1,200 for 1967-68 authorized and request for $1,500 for 1968-69 referred to proper budget session. (Finance to handle)

3. Letter from Frank Andrews.

No action.

BIDS

~~CONSENT~~

4. Consider award of contract for construction of Airport apron expansion at United Airlines Terminal and acceptance of grant offer with Federal Aviation Administration (FAA).
(Bids were opened January 30, 1968. A low bid of $12,485.50 submitted by George Reed, Inc. which is 8% over Engineer's estimate is considered acceptable. Therefore, it is recommended by Public Works and FAA that the bid be awarded. Resolution awarding bid and resolution accepting grant offer needed. Estimated cost $15,600 (Contract $12,485.50; Engr. & Cont. $3,115). Funds budgeted in Account 6511-306, Aircraft Parking Ramp. An appropriation transfer will be requested later if needed. The Federal Aviation Administration has concurred by letter in the recommendation for the award and has made a grant offer in the amount of $8,440)

ACTION: Res. 68-245 adopted (Shastid/Smith, unan.) awarding contract to George Reed, Inc. subject to County approval. (P/W to handle)
Res. 68-246 adopted (Shastid/Smith, unan.) accepting Grant Offer. (P/W to handle)

CONSENT

5. Accept new city buses, authorize payment and authorize Clerk to file notice of completion.
(The buses meet specifications and it would now be in order to accept the contract with GMC as complete, authorize payment of $82,236.88 to GMC, and authorize Clerk to file notice of completion of the contract. Resolution needed. Actual cost $82,236,88; funds budgeted in Account 6219-56-321, New buses)

ACTION: Res. 68-247 adopted accepting buses and authorizing payment to General Motors Corporation. (Clerk to handle)

CONSENT

6. Consider awards for automotive equipment in accordance with memorandum to City Manager dated March 1, 1968.
(Frontier Dodge, 22 units, $37,549; Griswold & Wight, 4 units, $7,799; Helm Chevrolet Co., 4 units, $11,910. Estimated cost $57,256; funds budgeted in various accounts in 48/512, Service Div.,Public Works, Capital Outlay. Three resolutions awarding bids needed)

ACTION: Res. 68-248 adopted awarding bid for items 1, 3, 4, 6 & 9 (22 units - cost $37,548.31) to Frontier Dodge; Res. 68-249 adopted awarding bid for items 2 & 5 (4 units - cost $7,798.17) to Griswold & Wight; Res. 68-250 adopted awarding bid for items 7 & 8 (4 units - cost $11,909.40) to Helm Chevrolet. (Finance to handle)

CONSENT

7. Accept as complete R. B. Gregory & Associates contract for the installation of automatic sprinkler system at Del Webb Field.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize City Clerk to file notice of completion. Resolution needed. Estimated cost Contract, $8,752. Funds budgeted in Account 6363-31-321, Del Webb Field Automatic Sprinkler, Stage 1)

ACTION: Res. 68-251 adopted accepting contract. (Clerk to handle)

8. Resolution rejecting all bids for supplying lamps for municipal purposes for one year beginning March 1, 1968 and resolution authorizing call for new bids to be opened April 9, 1968 at 1:30 P.M.
(Memo with agenda. Resolution rejecting all bids needed and resolution calling for new bids needed. Estimated cost $4,000; funds budgeted in Account 438/512, Revolving Fund Stores Account. Not shown in budget)

ACTION: Res. 68-252 adopted (Mitchell/Simon, unan.) rejecting all bids for supplying lamps for municipal purposes.

Res. 68-253 adopted (Mitchell/Simon, unan.) approving specifications and call for bids.
(Clerk to handle)

CONSENT

8A. Recommend that installation of water lines in Pearl Street, Block 9011 and 6107 be performed by city forces.
(Bids were opened on March 5, 1968 and the low bid submitted by E. Foster Company is 120% over the Engineer's estimate. In the opinion of the City Manager, this work can be performed more economically by city forces. Therefore, he recommends that the work be done accordingly. Resolution authorizing work to be done by city forces needed. Estimated cost $8,160; materials, $5,280; labor, $2,880. Funds budgeted in Account 6804-50-101, Water Line Extension, p. 43)

ACTION: Res. 68-254 adopted authorizing work to be done by City forces. (P/W to handle)

HEARINGS

9. Hearing on amendment to Section 19-3-9 of zoning map. (Billings-Bradley) 7:45 P.M.

ACTION: Ord. 879-C.S. introduced (Smith/Shastid, unan.) (Clerk to handle)

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

Mrs. Paula Cowings, President of a West Side Improvement Club, presented a petition for the fencing of M.I.D. Lateral 5. While she was told that this was a M.I.D. problem, the Council and Manager offered to assist in this matter and a meeting with the Manager was to be arranged.

By motion (Shastid/Simon, unan.) staff directed to proceed with the Yosemite Blvd. lighting project. (P/W to handle)

Res. 68-255 adopted (Shastid/Smith, unan.) rescinding Res. 68-225 and setting March 25, 1968 at 8:05 P.M. as time for hearing on amendment to Sec. 15-3-9 of zoning map (Bomberger). (Clerk to handle)

Joe Hart, Farm-City Committee; and Janice Everett and Marie Mundelius, Modesto Junior College journalism students, were introduced.

ORDINANCES

CONSENT

10. Final adoption of Ord. 878-C.S. (amending Section 5-4-9 of zoning map - Sportsmen of Stanislaus).

ACTION: By motion Ord. 878-C.S. adopted (Clerk to handle).

CONSENT

11. Designate 25 MPH speed limit on Leveland Lane.
(Due to increasing development along Leveland Lane, a 25 MPH speed limit is recommended between College and the TSRR tracks. Ordinance amending Section 3-2-1401 of the Municipal Code needed. Estimated cost $30; funds budgeted in Account 5301-56-101, Traffic signs)

ACTION: By motion Ord. 880-C.S. introduced. (Clerk to handle)

12. Consider ordinance establishing procedure for granting community antenna television franchises.
(A copy of the proposed ordinance has been transmitted with the agenda)

ACTION: By motion (Shastid/Mitchell, unan.) staff directed to prepare ordinance, with minor revisions, in final form for presentation to Council on March 18, 1968. (C/Atty to handle)

OLD BUSINESS

13. Modesto Motor Bus Service insurance.
(An oral report will be made at the meeting)

ACTION: By motion (Shastid/Mitchell, unan.) staff authorized to permit a change in maximum insurance coverage provided that the two pairs of buses are parked as far apart as possible. Staff to determine where buses can be parked. (C/Atty and P & T to handle)

NEW BUSINESS

14. Review of O.E.O. directive concerning Community Action Commission programs.
(Memo with agenda. Motion indicating Council's wishes needed)

ACTION: By motion (Shastid/Smith, unan.) Mayor authorized to write to National League of Cities stating that Modesto is able to sponsor the local Community Action Commission program. (C/Mgr to handle)

XXXXXXX

15. Consider extending group insurance policy with Continental Casualty Company for 15 months from April 1, 1968 through June 30, 1969 at the existing premium rate, and increasing hospital room and board benefit from $18.00 per day to $21.00 per day at no increase in costs.
(Copies of a letter from Continental Casualty Company and a memo from the City Employees Insurance Committee are being distributed with the agenda. Resolution extending policy and increasing hospital room and board benefits needed)

ACTION: Hold for one week so that experience factors can be obtained. (Personnel to handle)

16. Consider approval of "Statement of Intent" for the construction and operation of the proposed new library.
(Copies of the statement with agenda. Motion approving statement needed)

ACTION: By motion (Simon/Smith, unan.) statement approved. (City Clerk to handle)

17. Discussion with Dr. Valentine regarding type of construction required in certain zones.

ACTION: Matter dropped as Dr. Valentine did not appear.

CONSENT

18. Resolutions instructing the Superintendent of Streets to give notice requiring construction of curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of curbs and gutters. Resolution setting date of hearing needed. Suggested date March 25, 1968 at 7:55 P.M.

CONSENT

(a) Curb and gutter at 2012 Haddon Avenue, Lot 10, Block 2226. (Paul Sanford)

ACTION: Res. 68-256 adopted setting hearing. (P/W to handle)

CONSENT

19. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at the properties listed below. (The amounts assessed against the properties will be included in reports distributed with the agenda for the hearing date. The City Clerk will set date for hearing. Resolution setting date for hearing needed. Suggested hearing date March 25, 1968 at 8:00 P.M.)

CONSENT

(a) Curb and gutter on South Franklin Street at 403 Oak Street, Lot 1, Block 4093 (Ira Kinchion) $368.60).
(Resolution setting hearing needed)

ACTION: Res. 68-257 adopted setting hearing. (P/W to handle)

CONSENT

(b) Curb and gutter on South Franklin Street at 325 Oak Street, Lots 1 and 2, Block 414 (James E. Shappard) ($354.25)
(Resolution setting hearing needed).

ACTION: Res. 68-258 adopted setting hearing. (P/W to handle)

CONSENT

20. A resolution accepting a Director's Deed from the State of California, acting by and through its Director of Public Works, conveying an easement for relocation of public utilities, and authorizing recordation of said deed.
(The easement conveyed to the City by the Director's deed of easement is required by City. The easement covers property upon which the City has constructed water and sewer lines in connection with the U.S. 99 freeway. This conveyance is being made to the City in accordance with a previous agreement between the City and State. The Director's deed of Easement will be recorded by the State after which it will be returned to the City. Resolution needed)

ACTION: Res. 68-259 adopted accepting deed. (Clerk to handle)

CONSENT

21. Consideration of bidding on used parking meters.
(It is requested that the City Council give authorization to bid for 70 Miller used parking meters from the City of Porterville to replace the old Mico meters on the street. I would proposed that we offer $10/meter. Motion authorizing Director of Parking and Traffic to submit bid needed. Estimated cost $700; funds to be requested later from Fund 60-101, General Reserve, to determine if bid is successful)

ACTION: By motion Director of Parking & Traffic authorized to submit bid in amount not to exceed $10.00 per meter. (P & T to handle)

CONSENT

22. Approve request for aid to California Aeronautics Division for Airport assistance.
(The State of California, through its California Aeronautics Division, has available funds in the Airport Assistance Revolving Fund for airport improvements. We are submitting an application for these funds on the projects under consideration at the City-County Airport during the next budget year. Resolution approving request for aid, and authorizing the City Manager to sign application on behalf of the City needed)

ACTION: Res. 68-260 adopted approving request for aid. (P/W to handle)

CONSENT

23. Consider lease agreement between the City and Joe V. Lorenzo.
(A lease agreement has been prepared leasing to Joe V. Lorenzo 7.5 acres of almonds located adjacent to Robertson Road School. The lease commences March 12, 1968 and ends December 31, 1968, with option to renew. Rental is 20% of the gross proceeds from the crop produced on this property. Resolution needed)

ACTION: Res. 68-261 adopted approving lease agreement. (Finance to handle)

CONSENT

24. Report on delay in establishing G & H one-way couplet.
(A letter from the Southern Pacific Company is attached indicating that it may take 7 - 9 months to relocate the crossing gates at G, H & I Streets in conjunction with the downtown traffic plan. motion accepting report needed)

ACTION: By motion report accepted. (P & T to handle)

CONSENT

25. Presentation of annual financial report for fiscal year ended June 30, 1967.
(Copies of report with agenda.. Motion accepting report needed)

ACTION: By motion report accepted. (Finance to handle)

CONSENT

26. A resolution annexing uninhabited territory to the City of Modesto known as Carver Addition.
(The Planning Commission has reviewed and recommends annexation of uninhabited territory known as Carver Addition to the City of Modesto and the Local Agency Formation Commission has authorized the annexation without notice or public hearing. Resolution annexing area to City of Modesto needed)

ACTION: Res. 68-262 adopted annexing Carver Addition to City. (Clerk to handle)

CONSENT

27. A resolution annexing uninhabited territory to the City of Modesto known as Greenwood Estates No. 3 Addition.
(The Planning Commission has reviewed and recommends annexation of uninhabited territory known as Greenwood Estates No. 3 Addition to the City of Modesto and the Local Agency Formation Commission has authorized the annexation without notice or public hearing. Resolution annexing area to City needed)

ACTION: Res. 68-263 adopted annexing Greenwood Estates Addition No. 3 to City. (Clerk to handle)

MISCELLANEOUS

28. Legislative matters.

None.

29. Appointments

None.

Adjournment at 9:55 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 18, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Shastid, Simon, Smith, and Mayor Davies
Absent: Robinson

Pledge of allegiance to the Flag
Invocation: Reverend Ronald Hurst, Maze Blvd. Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 5, 6, 7, 12, 13, 17, 19, ~~XXXX~~, 20b, ~~21~~, 22
Shastid/Simon, unan.
Drop item 20A from agenda - Item 21 removed from consent.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

PRESENTATION OF SUGGESTION AWARDS

1. Suggestion award - $25 award to Donald R. Slape for recommending that a device to remove a portion of the odorous scum be built and installed on the primary clarifier at the Sewage Treatment Plant.
(Mayor to present award. Funds budgeted in Account 236-17, Suggestion Awards)

2. $50 award to Robert Lane for recommending mounting of Low Blo wind machine on Toro Tryplex Mower.
(Mayor to present award. Funds budgeted in Account 236-17, Suggestion Awards)

ACTION: Awards presented by Mayor Davies.

APPROVAL OF MINUTES

3. Minutes of March 11, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

4. Letter from Glenn Cantrell, M.D., supporting bridle trail in proposed Tuolumne River Park.

ACTION: Referred to staff. (P & R to handle)

CONSENT

5. Request of Sonoma-Marin Dairymen's Association for 100 guest parking stickers for autos of persons attending annual meeting in Modesto on Thursday, April 18.
(Motion granting request needed)

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

CONSENT

6. Letter from Modesto Beautification Committee recommending that free dumping days at sanitary landfill be changed from May 4 and 11 to May 4 and 25.
(Motion approving change in days needed)

ACTION: By motion change in free dumping days approved. (P/W to handle)

BIDS

CONSENT

7. Approve plans and specifications and call for bids for the installation of water lines in Carver Terrace No. 1 subdivision.
(Bid opening April 2, 1968 at 10:00 A.M. Preliminary cost estimate is as follows: Construction cost, $15,150; connection charge, $6,500; net revenue per year $1,040. Resolution approving plans and specifications and call for bids needed. Estimated cost $15,150 (Materials $10,550, labor, $4,600). Funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43).

ACTION: Res. 68-264 adopted approving plans and specifications and call for bids. (Clerk to handle)

HEARINGS

8. Hearing on annexation of Pine Cone Addition to Modesto Municipal Sewer District 4:15 P.M.

ACTION: Res. 68-265 adopted (Smith/Hughes, unan.) annexing Pine Cone Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

9. Hearing on annexation of Robertson No. 5 Addition to Modesto Municipal Sewer District. 4:20 P.M.

ACTION: Res. 68-266 adopted (Smith/Hughes, unan.) annexing Robertson No. 5 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

10. Hearing on cost of installation of sidewalk, curb and gutter at 302 Ruberto, Lots 27 and 28, Block 345 (Frank M. Lozada) 4:30 P.M.

ACTION: Res. 68-267 adopted (Simon/Mitchell, unan.) approving report, assessing costs and directing method of collection. (Finance to handle)

11. Hearing on cost of installation of sidewalk at 1410 Tuolumne Boulevard, Lots 1 to 4, Block 353 (Mrs. Lulubelle Summers) 4:30 P.M.

ACTION: Res. 68-268 adopted (Simon/Mitchell, unan.) approving report, assessing costs and directing method of collection. (Finance to handle)

Matters for the good of the Community
(These may be presented by citizens in the audience) 4:35 P.M.

A discussion was held concerning recent news stories about Urban Renewal in the downtown area. No Council action was taken.

By motion (Hughes/Shastid, unan.) a vote of confidence was extended to the staff for the manner in which the sewerage improvement project was being handled.

ORDINANCES

CONSENT

12. Final adoption of Ordinance No. 880-C.S. (Leveland Lane speed limit).

ACTION: By motion Ordinance No. 880-C.S. adopted. (Clerk to handle)

CONSENT

13. Ordinance amending Section 5-6.02 of Chapter 6 of Title V of Municipal Code relating to sewer service charges.
(This change is required to clarify the original intent of this section, and to eliminate confusion which has arisen. Copies of the ordinance distributed with agenda.) Council action needed: introduction of ordinance.

ACTION: By motion Ord. 881-C.S. introduced. (Clerk to handle)

OLD BUSINESS

14. Consider advertising on inside of buses.
(The Council directed the staff to see about selling advertising space on the inside of buses. A report on progress by the Director of Parking and Traffic has been sent with the agenda.
(Motion directing staff as Council wishes, or resolution calling for bids needed)

ACTION: Staff authorized to solicit bids for 5-year franchise (receive bids April 3, 1968 at 2:00 P.M.) for 12 spaces per bus. Other three spaces to be reserved for "good will" advertising.
(P & T to handle)

15. (a) Resolution approving agreement between City of Modesto and the Westside Neighborhood Center, Inc., for the operation of the proposed Neighborhood Facility.
(The resolution approves and provides for the execution of an agreement between the City of Modesto and the Westside Neighborhood Center, Inc., a non-profit corporation in which the non-profit corporation agrees to operate the Center for a period of 20 years in conformance with the City of Modesto's lease with the U. S. Government.
Resolution approving agreement needed)

ACTION: Held for one week. Staff directed to prepare a report for Council; report to contain the following: summary of what City is agreeing to; terms of the agreement; liability of the City; uses of the center; City's commitments; type of reports City will receive from Westside Neighborhood Center. (P & R to handle)

15. (b) Resolution approving and providing for the execution of a proposed Neighborhood Facilities Grant Contract.
(The resolution approves and provides for the execution of an agreement between the City of Modesto and the U. S. Government to operate the Neighborhood Facility as proposed in the application for a period of 20 years. Resolution approving agreement needed)

ACTION: Same as 15 (a).

16. Letter from B. Bartoni and Ray E. Houghton confirming intention to sell property to City of Modesto for arcade between 9th and 10th Streets.

ACTION: With the consent of Mr. Bartoni and Mr. Houghton this matter was continued for two weeks to permit further investigation by staff. (P & T to handle)

NEW BUSINESS

CONSENT

17. Request by County Librarian for authorization to prepare documents required to go with the application for federal funds for constructing a new library building.
(Copies of a memo from the City Manager along with the memo from the Librarian are being distributed with the agenda. Motion needed)

ACTION: By motion County Librarian granted authorization. (City Clerk to handle)

18. Request for approval of two additional firemen for fiscal year 1968-69.
(This request is being made at this time so that the firemen may be hired as of July 1, if Council approves. A memo is being distributed with the agenda. Motion approving needed.Estimated cost $12,984 (if approved, funds will be included in 1968-69 budget)

ACTION: By motion (Hughes/Mitchell, unan.) C/Mgr authorized to proceed with inclusion of two additional firemen in preliminary budget - authorization given on tentative basis only. (C/Mgr to handle)

CONSENT

19. A resolution approving the final map of Carver Terrace 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. Carver Terrace No. 1 is located on the east side of Carver Road, between Rumble Road and Mount Vernon Drive and contains 13.51 acres. Resolution approving final map and authorizing execution of agreement by City needed)

ACTION: Res. 68-269 adopted approving final map and authorizing execution of agreement. (Clerk to handle)

CONSENT

20. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolution needed. Suggested hearing date April 1, 1968 at 4:30 P.M.)

CONSENT

(a) Sidewalk at 438 Leon Avenue, Lots 29 and 30, Block 354, Harold A. Parker.
(Resolution setting hearing needed)

ACTION: Dropped from agenda.

CONSENT

(b) Sidewalk on Alturas and sidewalk, curb and gutter on Western Way at 345 Alturas, Lot 27 and a portion of Lot 26, Block 352 (Virgil L. Medlin)
(Resolution setting hearing needed)

ACTION: Res. 68-270 adopted setting hearing. (P/W to handle)

~~CONSENT~~

21. Request for permission to assign lease of Del Webb Field, facilities and parking lots.
(Copies of a letter from the attorney for the Modesto Reds Baseball Club, Inc., are being distributed with the agenda. The staff recommends that permission be granted. Resolution needed)

ACTION: Res. 68-271 adopted (Smith/Shastid, unan.) approving assignment of agreement for use of Del Webb Field from Modesto Baseball Club, Inc. to Modesto Reds Baseball Club, Inc. (Clerk to handle)

REPORTS

CONSENT

22. Presentation of finacial statement for February 1968.
(Copies of report with agenda. Motion accepting report needed)

ACTION: By motion report accepted. (Finance to handle)

MISCELLANEOUS

23. Legislative matters.

ACTION: By motion (Shastid/Hughes; majority; - Mitchell, no) AB 684 (cigarette tax) opposed.

By motion (Hughes/Shastid, unan.) AB 299 opposed as invasion of home rule, and staff directed to inform legislators at proper time.

By motion (Shastid/Smith, majority; Simon, no) ACA 33 opposed.

(C/Mgr to handle)

Staff directed to study City Charter to see if amendments appear desirable at this time and report to Council. (C/Mgr to handle)

24. Appointments.

(a) Appointment or reappointment of council members to Tuolumne River Park Committee.

ACTION: By motion (Shastid/Smith, unan.) Councilmen Hughes & Mitchell reappointed to represent City of Modesto on Tuolumne River Park Committee.

Adjournment at 5:40 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 25, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Simon, Smith, and Mayor Davies
Absent: Shastid

Pledge of allegiance to the Flag
Invocation: Reverend Mark Randy, Church of Jesus Christ

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 4, 10, 11, XX, 14, 16, 17, 18, 19, 21a, b, c, 22, 25, 26
Item 12 removed from consent.
Robinson/Mitchell, unan.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of March 18, 1968.

ACTION: Approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

2. Letter from Shackelford School P.T.A. concerning an alleged attractive nuisance created by a city-owned pipe which parallels a footbridge crossing the T.I.D. canal in the vicinity of Hatch Road and Crystal Street.

ACTION: Staff will correct problem. (P/W to handle)

3. Letter from Frank Andrews.

ACTION: No action.

BIDS

CONSENT
4. Approve specifications for the furnishing of one horizontal type desanding unit for Pump Station No. 36.
(Bids will be opened at 10:00 a.m. on April 9, 1968. Resolution approving the specifications and call for bids needed. Estimated cost $3,500; funds budgeted in Account 6834-50-101, Well at Moose Park).

ACTION: Res. 68-272 adopted approving specifications and call for bids. (Clerk to handle)

HEARINGS

5. Hearing on abandonment of excess right of way (Tuolumne Boulevard). 7:45 P.M.

ACTION: Res. 1046 S.P. adopted (Smith/Simon, unan.) abandoning excess right of way caused by the realignment of Tuolumne Blvd. west of 7th Street. (Clerk to handle)

6. Hearing on amendments to Chapter 2 of Title X of Modesto Municipal Code. 7:50 P.M.

ACTION: Ord. 882-C.S. introduced (Mitchell/Robinson, unan.)

7. Hearing on cost of installation of curb and gutter, Lot 1, Block 4093, 403 Oak (Ira Kinchion). 8:00 P.M.

ACTION: Res. 68-273 adopted (Robinson/Hughes, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

8. Hearing on cost of installation of curb and gutter, Lots 1 and 2, Block 414, 325 Oak (James Sheppard). 8:00 P.M.

ACTION: Res. 68-274 adopted (Robinson/Hughes, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

9. Hearing on amendment to Sec. 15-3-9 of zoning map (Bomberger). 8:05 P.M.

ACTION: Ord. No. 883-C.S. introduced (Smith/Mitchell, unan.) prezoning unincorporated territory at NE corner of Coffee and Floyd to PPD (38) for development of mobile home park. (Clerk to handle)

Res. No. 68-275 adopted (Smith/Mitchell, unan.) approving development plan as recommended by P/C but, by motion (Hughes/Robinson, unan.) reasons 2a, b and c given in P/C resolution No. 68-24 omitted. (Planning to handle)

By motion (Smith/Robinson, unan.) Planning Commission and Planning Staff requested to make a study, as soon as possible, of 4-corner zoning to determine what types of enterprises can be established on four corners of an intersection to comply with whatever policy the Council sets forth. (Planning to handle)

Matters for the good of the Community
(These may be presented by citizens in the audience) 8:10 P.M.

Res. 68-276 adopted (Smith/Robinson, unan.) accepting with regret, resignation of John Hoge from D.I.D. and Modesto Action Committee. (Clerk to handle)

By motion (Hughes/Robinson, unan.) payment of $163.50 from Account 442-61-101, Misc. Promotions, Music and Promotions, for purchase of 10,000 litterbags approved. (Finance to handle)

John Del Dotto, 1804 Idalou, spoke about poor police public relations and suggested that a Police Commissioner was needed. He also complained of having to come to the City Hall for information instead of having it compiled and mailed to him. Costs of attending conventions was brought up along with salaries of some city officials.

John Funnell, representing the Farm-City Committee, was introduced.

ORDINANCES

CONSENT
10. Final adoption of Ord. No. 879-C.S. (amending Section Map 19-3-9).

ACTION: By motion Ord. 879-C.S. adopted. (Clerk to handle)

CONSENT
11. Final adoption of Ord. No. 881-C.S. (Sewer service charges).

ACTION: By motion Ord. 881-C.S. adopted. (Clerk to handle)

~~CONSENT~~
12. Ordinance establishing procedure for granting CATV franchises which is entitled "An Ordinance Adding Chapter 4 Entitled 'Procedure for Granting Community Antenna Television Franchises' to Title XI of the Modesto Municipal Code."
(A memorandum of explanation has been sent to the Mayor and City Council with the agenda. Introduction of ordinance needed)

ACTION: By motion Ord. No. 884-C.S. introduced (Hughes/Robinson, unan.) (Clerk to handle)

13. Consider extending group insurance policy with Continental Casualty Company for 15 months, from April 1, 1968 through June 30, 1969, at the existing premium rate, and increasing hospital room and board benefit from $18.00 per day to $21.00 per day at no increase in costs.
(Copies of a letter from Continental Casualty Company and a memo from the City Employees' Insurance Committee were distributed previously. Memo with agenda. Oral report to be made at meeting. Resolution extending policy and increasing hospital room and board benefits needed)

ACTION: Res. 68-277 adopted (Robinson/Simon, unan.) extending policy to 6/30/69 and increasing benefits. (Personnel to handle)

CONSENT

14. (a) Resolution approving agreement between City of Modesto and the Westside Neighborhood Center, Inc., for the operation of the proposed Neighborhood Facility.
(The resolution approves and provides for the execution of an agreement between the City of Modesto and the Westside Neighborhood Center, Inc., a non-profit corporation in which the non-profit corporation agrees to operate the Center for a period of 20 years in conformance with the City of Modesto's lease with the U. S. Government. Resolution approving agreement needed)

ACTION: Res. 68-278 adopted approving agreement between City and Westside Neighborhood Center, Inc. (P & R and Clerk to handle)

CONSENT

(b) Resolution approving and providing for the execution of a proposed Neighborhood Facilities Grant Contract.
(The resolution approves and provides for the execution of an agreement between the City of Modesto and the U. S. Government to operate the Neighborhood Facility as proposed in the application for a period of 20 years. Resolution approving agreement needed)

ACTION: Res. 68-279 adopted approving Neighborhood Facilities Grant Contract. (P & R and Clerk to handle)

15. The County's public hearing relative to the possible take-over of the C.A.C. is to be held on March 26.
(The City Staff would like to have direction from the City Council as to whether it is to make a statement at that hearing. Motion directing staff needed)

ACTION: By motion (Smith/Robinson, unan.) staff authorized to appear at County hearing and urge County to take over program. (C/Mgr to handle)

CONSENT

16. Consider sewer easement contract together with the accompanying easement deed for Parcel No. 2 for sewer line Project No. Unit 8.
(Memorandum of explanation sent with agenda. Resolution accepting easement needed. Funds budgeted in Account 6553-405, Municipal Sewer District).

ACTION: Res. 68-280 adopted accepting easement deed from Goodwill School, a California corporation. (Clerk to handle)

CONSENT
17. Request by City Attorney for permission to attend League of California Cities Spring meeting, City Attorneys' Department and for vacation during the period commencing April 29, 1968 through May 3, 1968.
(The League of California Cities Spring meeting, City Attorneys' Department will be held in Santa Barbara May 1 - 3, 1968. Funds for this conference have been budgeted in the City Attorney's office budget for the fiscal year 1967-68. The dates of April 29 and 30, 1968 are requested as vacation days. Motion granting request needed. Estimated cost $195.00. Funds budgeted in Account 207-13, Conference Expense, p. 21, League of California Cities Spring Conference).

ACTION: By motion C/Atty granted permission to attend Conference and take April 29 & 30 as vacation days. (C/Atty to handle)

CONSENT
18. A resolution determining that the public interest and convenience require that Carver Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date: May 6, 1968 at 4:15 P.M. Resolution setting hearing (2/3 affirmative vote) needed).

ACTION: Res. 68-281 adopted setting hearing. (Clerk to handle)

CONSENT
19. A resolution determining that the public interest and convenience require that Greenwood Estates No. 3 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date: May 6, 1968 at 4:20 P.M. Resolution setting hearing (2/3 affirmative vote) needed).

ACTION: Res. 68-282 adopted setting hearing. (Clerk to handle)

NEW BUSINESS

20. Consider approval of by-laws for the Stanislaus Area Advisory Planning Association.
(Copies of the proposed by-laws previously sent to the Council. Motion needed)

ACTION: By motion (Mitchell/Robinson, unan.) proposed by-laws approved with suggestion that three minor changes be made, to wit:

1. eliminate "elected" from Article II, Paragraph 2
2. eliminate "elected" from Article III, Paragraph 2
3. change "regular" to "special" in introductory sentence of Article IV

(City Clerk to handle)

21. (Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolution needed. Suggested hearing date April 8, 1968 at 7:50 P.M.)

CONSENT

(a) Curb and gutter at 210-212 California Avenue, Lots 19 and 20, Block 401 (Carley).
(Resolution setting hearing needed)

ACTION: Res. 68-283 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalk on LaLoma at 334 LaLoma, Lot 2, Block 206, (Thiel).
(Resolution setting hearing needed)

ACTION: Res. 68-284 adopted setting hearing. (P/W to handle)

CONSENT

(c) Sidewalk, curb and gutter at 441 Alturas Ave., Lots 21 and 22, Block 354, (Harris).
(Resolution setting hearing needed)

ACTION: Res. 68-285 adopted setting hearing. (P/W to handle)

CONSENT

22. Consider agreement between the City of Modesto and Sherwood Mortgage Company concerning the installation of water mains in Carver Terrace No. 2 Subdivision.
(Memo of explanation with agenda. Resolution approving agreement and authorizing City Manager to execute agreement on behalf of City needed. Estimated cost $630; funds budgeted in Account 6804-50-101, Water Line Extension, p. 43)

ACTION: Res. 68-286 adopted approving agreement. (Clerk to handle)

REPORTS

23. Consider report on the limits of construction for South Trunk Sewer.
(Memorandum of explanation with agenda. Motion directing staff needed)

ACTION: By Order of the Mayor April 8, 1968 at 8:00 P.M. set as time for informal hearing. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

24. Further report by Planning Commission on rezoning application - College Avenue between Parkside Court and West Rumble Road (Campbell).
(The City Council referred back to the Planning Commission the application for rezoning from one-family residential zone, R-1, to two-family residential zone, R-2, property located on College Avenue, between Parkside Court and West Rumble Road, requested by Lorne Campbell. On March 5, 1968 the Planning Commission reconsidered the application and adopted Resolution No. 68-28 to recommend denial of the application by a vote of 5 to 1. Resolution needed)

ACTION: Res. 68-287 adopted (Simon/Mitchell, maj. - Hughes, no) denying application for rezoning. (Clerk to handle)

CONSENT

25. Rouse Addition annexation petition - for referral to Planning Commission.
(Information sheets attached. Resolution referring to Planning Commission needed)

ACTION: Res. 68-288 adopted referring to Planning Commission. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

26. Appropriation transfer from Account No. 60-21-101, General Reserve, to Account No. 235-21-101, Services, Professional and Other.
(This transfer is needed to provide additional funds for the contracting of weed abatement services to accomplish the removal of weeds from vacant properties for the balance of fiscal year 1967-68. (See memo to City Manager, dated March 7, 1968 for detailed information.) Resolution approving transfer needed. Estimated cost $2,000).

ACTION: Res. 68-289 adopted authorizing transfer. (Finance to handle)

MISCELLANEOUS

27. Legislative matters.
(a) Information re formation of Committee for Retention of 1967 Cigarette Tax Law.

No action on this item.

Discussion of AB 202 (Brown Act) delayed for one week.

By motion (Mitchell/Hughes, unan.) SB 425 (Preemption) supported.

By motion (Mitchell/Robinson, unan.) SB 411 (Preference for Calif. made goods) opposed.

(C/Mgr to handle)

28. Appointments - None.

Clerk directed to schedule executive session for April 1 meeting.

Adjournment at 10:22 P.M.

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

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 1, 1968 AT 8:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation: Reverend Robert Kliewer, Greenwood Grace Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 5, 7, 9, 12, 13, XX, 16, XX, 18, 19
Items 15 & 17 removed from Consent.
Shastid/Simon, unan.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

1. Presentation to the City of a gift from the City of Barranquilla to be hung in the Mayor's office.
(Mr. Robert Corby will be present to make the presentation)

ACTION: As Mr. Corby was unable to be present the presentation was delayed until he can appear before the Council.

APPROVAL OF MINUTES

2. Minutes of March 25, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT

3. Request of Modesto Band of Stanislaus County, Inc., for the inclusion of the following amounts in the 1968-69 budget:

(a) $350 for appearance at State Exposition in Sacramento;

(b) $1,200 for 1968 series of municipal concerts.
(Motion referring to appropriate budget session needed).

ACTION: By motion above requests referred to appropriate budget session. (Finance to handle)

4. Letter of appreciation from Camellia Society of Modesto.

ACTION: Letter ordered filed.

CONSENT

5. Letter from Division of Highways concerning development of freeway and expressway systems.
(Motion referring to staff needed)

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

6. Letter from Wilbur Grant concerning Yosemite Boulevard project.
ACTION: By motion (Shastid/Robinson, unan.) staff directed to make engineering data available to Mr. Grant if he wishes to study same. No other action taken as this problem is in the unincorporated area of the County. (P/W to handle)

CONSENT

7. Letter from Frank Andrews.
(Motion ordering letter filed needed)

ACTION: By motion letter ordered filed.

BIDS

8. Approve plans and specifications and call for bids for construction of East Trunk Sewer, Project Unit No. 8 of the Sewerage Works Improvement Program.
(This trunk sewer will serve the east side of the community. It connects to the Tenaya Trunk Sewer at Beard Avenue and extends north on Beard to Yosemite, east on Yosemite to Lincoln, and north on Lincoln Avenue to a point just south of Dry Creek. Later this summer there will be another trunk sewer project which will extend this trunk north across Dry Creek to serve the area east of Old Oakdale Road between Scenic and MID Lateral No. 3. Date for bid opening will be given to Council at meeting. Resolution approving plans and specifications and authorizing call for bids needed. Project Cost, $300,000; funds budgeted in Account 6553-405, Muni Sewer District Improvements).

ACTION: Res. 68-290 adopted (Shastid/Mitchell, unan.) approving plans and specifications and setting May 8, 1968 at 2:00 P.M. as time for receiving bids. (Clerk to handle)

CONSENT

9. Accept as complete A. P. Rasmussen's contract for the replacement of Cavil Drain Crossing on Carver Road south of Rumble Road.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. Resolution accepting work as complete and authorizing the City Clerk to file notice of completion needed. Contract cost, $2,800; funds budgeted in Account 6359-321, Spec. Fund for Capital Outlay p. 61)

ACTION: Res. 68-291 adopted accepting contract. (Clerk to handle)

HEARINGS

10. Hearing on sidewalk requirement on Alturas and sidewalk, curb and gutter on Western Way at 345 Alturas, Lot 27, and portion of Lot 26, Block 352 (Virgil Medlin) 4:30 P.M.

ACTION: Res. 68-292 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

11. Hearing on proposed annexation of Santa Cruz Addition to the City of Modesto. 4:45 P.M.

ACTION: Res. 68-293 adopted (Hughes/Simon, unan.) declaring that no majority protest has been made. (Clerk to handle)

Matters for the good of the community
(These may be presented by citizens in the audience) 4:50 P.M.

By motion (Robinson/Simon, unan.) representative of Human Rights Commission permitted to attend at City expense Governor's Conference of Human Relations to be held in Sacramento, April 25 and 26, 1968.

Councilman Mitchell urged members of Council to attend Law Day luncheon and announced that a member of the 5th District Court of Appeals will be the speaker. (May 1, 1968)

ORDINANCES

CONSENT
12. Final adoption of Ordinance No. 882-C.S. (amending Title X of Municipal Code due to PO Zone.

ACTION: By motion Ord. No. 882-C.S. adopted. (Clerk to handle)

CONSENT
13. Final adoption of Ordinance No. 884-C.S. (CATV Franchise).

ACTION: By motion Ord. No. 884-C.S. adopted. (Clerk to handle)

OLD BUSINESS

14. Further consideration of purchase of land for downtown arcade.

ACTION: As the owners of the property and the City Council were unable to reach an agreement on the purchase price, no action was taken.

15. Lease agreement between the City and Central California Musicals, Inc., for a Downtown Music Program.
(This matter was considered by the City Council at its meeting of March 4, 1968 at which time the Council directed the City Attorney to prepare an agreement. Copies of the agreement have been transmitted to the Mayor and the Councilmen with the agenda. Adoption of a resolution approving the agreement needed)

ACTION: Res. 68-294 adopted (Shastid/Robinson, unan.) approving agreement as amended. (Clerk to handle)

CONSENT

16. Further consideration of Long Beach request that Modesto support increasing of commute fares for Greyhound in San Francisco Bay Area.
(A report by the Director of Parking and Traffic recommending City take no action has been sent with the agenda. Motion to accept report needed)

ACTION: By motion report accepted.

NEW BUSINESS

17. Resolution approving and providing for the execution of a contract for grant to acquire and/or develop Open-Space Land: Project No. Calif. OSA-229-Contract No. Calif. OSA-229(G) - - - (Bellenita Neighborhood Park)
(The resolution approves and provides for the execution of a contract for grant to acquire and/or develop land for open-space purposes No. Calif. OSA-229(G) by and between the City of Modesto and the United States of America, and will permit the City to undertake, carry out, and complete the acquisition of fee simple title to a park site known as "Bellenita Neighborhood Park. The U. S. government agrees to make a grant in an amount equal to 50 per cent of the actual cost of the project, or $7,187, whichever is less. Adoption of resolution approving agreement needed)

ACTION: Res. 68-295 adopted (Mitchell/Shastid, majority - Hughes, no) approving contract. (Clerk and Finance to handle)

CONSENT

18. A resolution approving the final map of the Skylane Park Unit No. 4 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. Skylane Park Unit No. 4 subdivision is located west of Carver Road between Mount Vernon Drive and Rumble Road. It contains 10.32 acres. Adoption of resolution approving final map and authorizing execution of agreement by City needed).

ACTION: Res. 68-296 adopted approving final map of Skylane Park Unit No. 4 and authorizing execution of agreement. (Clerk to handle)

CONSENT

19. Consider easement contract and easement deed from V. E. and Mildred E. Barton whereby the Bartons grant the City of Modesto an easement on, over and through the real property described in the deed signed by them for the city to construct, operate and maintain storm drain pipelines and appurtenances necessary for the Yosemite Boulevard widening project.
(All of the terms and conditions applying to this acquisition are those usually imposed in such acquisitions, and in addition, the City agrees to pay the grantors the sum of $525 within 30 days after acceptance of the agreement. Adoption of resolution approving easement contract needed. Estimated cost $525; funds budgeted in Account 6712-207, Yosemite - Las Flores to East City Limits, Special Gas Tax Street Improvement)

ACTION: Res. 68-297 adopted approving easement contract. (Clerk and Finance to handle)

REPORTS

20. Report on Sewerage Works Improvement projects.
(Oral report will be given at the council meeting. No action needed)

ACTION: Report received. Staff commended for excellent report.

21. Progress report by Citizens Crime Stop Committee.
(Copies of the report being distributed with the agenda. Motion accepting report needed. No cost to City)

ACTION: By motion (Shastid/Robinson, unan.) report accepted.

22. Report by Council committee appointed to study final report of Committee to Study Crime.
(Copies of the report will be distributed. Motion accepting report)

ACTION: By motion (Shastid/Robinson, unan.) report accepted and staff directed to begin implementation of recommendations as soon as possible. (C/Mgr to handle)

MISCELLANEOUS

23. Legislative matters.
(a) AB-202 (Brown Act)
(Continued from March 25th meeting)

ACTION: By motion (Hughes, Smith, - majority - Robinson & Simon, no) AB-202 opposed. (C/Mgr to handle)

24. Executive session to consider appointments to Boards and Commissions:

(Into Executive session at 6:03 P.M. - Return at 6:50 P.M.)

25. Appointments.

ACTION: Res. 68-298 adopted (Shastid/Smith, unan.) accepting, with regret, resignation of Roland Gum from Board of Zoning Adjustment. (Clerk to handle)

Res. 68-299 adopted (Shastid/Smith, unan.) accepting, with regret, resignation of Perry Reel from Modesto Human Rights Commission. (Clerk to handle)

Res. 68-300 adopted (Robinson/Simon, unan.) naming Robert Gallo as Chairman of Modesto Human Rights Commission, reappointing Dr. William I. Holloway as a member of the Commission, and appointing Don Winsby as a new member of the Commission to replace Perry Reel, effective May 1, 1968. (City Clerk to handle)

Res. 68-301 adopted (Mitchell/Shastid, unan.) naming William E. Rudhman as Chairman of the Beautification Committee and naming Mrs. Inez Peterson and Mrs. Jean Purvis as additional members of the Committee. (Clerk to handle)

The staff was directed to write a letter to Mrs. Irene Angelo expressing the appreciation of the City of Modesto for her efforts as Chairman of the Beautification Committee. (Clerk to handle)

Adjournment at 7:00 P.M.

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

MODESTO CITY COUNCIL
AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 8, 1968 AT 7:30 P.M.

Roll call Present: Hughes, Mitchell, Robinson, Shastid, Simon & Smith.
Absent: None. Mayor Davies arrived at 9:35 P.M.
Vice Mayor Robinson presided.

Pledge of allegiance to the Flag

Invocation: ~~Reverend Glen Moore, Free Methodist Church~~
Dr. Ben Jennings, Central Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 7, 8, 9, 10, 11, 17, 18, 19, 20, 21, 22, 23, ~~XXX~~, ~~X~~, ~~X~~, ~~X~~, 25a, b, c, d, e, f, 27, 28, 30
Shastid/Smith, unan.
Items 24a, b, c, and d removed from agenda.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

1. Presentation to the City of a gift from the City of Barranquilla.
(Mr. Robert Corby will be present to make the presentation)

This matter was dropped from the agenda as Mr. Corby was unable to attend.

APPROVAL OF MINUTES

2. Minutes of April 1, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT

3. Request of Superintendent of Modesto City Schools for adoption of proclamation declaring April 22 - 28, 1968 as Public Schools Week in Modesto.
(Motion approving request needed)

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

4. Announcement from League of California Cities that 10th Biennial Institute for Mayors and Councilmen will be held May 19 - 21 in Anaheim.

ACTION: Councilmen requested to notify C/Mgr if they plan to attend. If necessary budget hearing will be changed from presently scheduled May 20 hearing. (C/Mgr to handle)

5. Resolution of California Highway Commission pertaining to parks.

ACTION: By motion (Mitchell/Shastid, unan.) C/Mgr directed to write to Highway Commission and express appreciation of Council for the consideration the Commission is giving to saving parks. (C/Mgr to handle)

6. Request of Paul Birmingham that the developer of Coleman Acres Unit No. 2 Subdivision be exempt from the requirement, at this time, of constructing a full 60' street with improvements on northwest side of Claremont Avenue.

ACTION: Referred to staff. (C/Atty to handle)

CONSENT

7. Letter from Frank Andrews.
(Motion ordering filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

BIDS

CONSENT

8. Accept as complete the work on the contract with Nixon-Egli Equipment Co., Inc. for furnishing and installing a hot patch box unit on City of Modesto Truck No. 230.
(All work has been completed to the satisfaction of the Public Works Department and it would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. Resolution accepting work needed. Actual cost $7,764.75; funds budgeted in Account 5426-48-512, Patch Box with Butane Heater).

ACTION: Res. 68-302 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider award of bid for construction of water lines in Carver Terrace No. 1 Subdivision.
(Bids were opened April 2, 1968. The low bid submitted by Industrial Electric Co. is 5% over the Engineer's Estimate of $4,600 and is considered acceptable. Therefore it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $15,428 (Materials $10,550; labor, $4,878; funds budgeted in Account 6804-50-101, Water Line Extensions.

ACTION: Res. 68-303 adopted awarding bid to Industrial Electric Co. (Clerk to handle)

CONSENT

10. Approve plans and specifications and call for bids for the installation of water lines in Skylane Park Unit No. 4 Subdivision.
(Bid opening April 23, 1968 at 10:00 A.M. Preliminary cost estimates are as follows: Construction cost $9,000; connection charge, $4,100; net revenue per year $656. Resolution approving plans and specifications and call for bids needed. Funds budgeted in Account 6804-50-101, Water line extensions, p. 43). Estimated cost $9,000 (Materials, $5,500; labor $3,500).

ACTION: Res. 68-304 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

11. Consider bid for advertising rights inside city buses. (Only one bid was received although six transit advertising companies in California were solicited. Report by the Director of Parking and Traffic has been sent with agenda. Motion directing staff to prepare agreement needed)

ACTION: By motion staff directed to prepare agreement with Pacific Transit Advertising of Stockton. (P & T and C/Atty to handle)

HEARINGS

12. Hearing on annexation of Milo Addition to Modesto Municipal Sewer District 7:45 P.M.

ACTION: Res. 68-305 adopted (Simon/Hughes, unan.) annexing Milo Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

13. Hearing on curb and gutter requirement at 210-212 California Avenue, Lots 19 and 20, Block 401 (Rue Carley) 7:50 P.M.

ACTION: Res. 68-306 adopted (Smith/Mitchell, unan.) ordering work done. (P/W to handle)

14. Hearing on sidewalk requirement at 334 LaLoma, Lot 2, Block 206 (Leland Thiel) 7:50 P.M.

ACTION: Res. 68-307 adopted (Smith/Mitchell, unan.) ordering work done. (P/W to handle)

15. Hearing on sidewalk, curb and gutter requirement at 441 Alturas, Lots 21 and 22, Block 354 (George Harris) 7:50 P.M.

ACTION: Res. 68-308 adopted (Smith/Mitchell, unan.) ordering work not to be done. (P/W to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY 7:55 P.M.
(These may be presented by citizens in the audience)

William Moorad, representing the California Relays, requested that the City donation to the California Relays be increased to $3,000 for 1968-69 fiscal year. By motion (Shastid/Smith, unan.) request referred to proper budget session. (Finance to handle)

Res. 68-309 adopted (Mitchell/Hughes, unan.) approving by-laws of Stanislaus Area Advisory Planning Association. (Clerk to handle)

Res. 68-310 adopted (Hughes/Smith, unan.) setting June 11, 1968 as date for election to determine whether or not the Santa Cruz Addition will annex to the City of Modesto. (Clerk to handle)

By motion (Smith/Shastid, unan.) request for $200 from Account 235-33-101 authorized to pay for free dance at Maddux Youth Center for all teenagers regardless of color. (P & R to handle)

Councilman Mitchell made an interesting report of the riots in Washington, D. C. and the methods used in coping with them.

Larry Carter of the Farm-City Committee was introduced.

The recommendations of the Modesto City Council's Downtown Study Committee were presented to the Council and by motion (Hughes/Shastid, unan.) April 22, 1968 at 8:00 P.M. set as time for informal hearing on the first five items with the library location as the first item. (Clerk to handle)

16. Informal hearing on limits of construction for south trunk sewer. 8:00 P.M.

ACTION: Following a discussion of the advisability of constructing the south trunk sewer (lines I-1, 2, 3, 4 & 5) a motion to cut off construction at the end of I-2 at the planned size failed (Shastid/Smith) - (Hughes, Mitchell, Simon & Davies voted no). A motion (Hughes/Simon) to proceed with the I lines as originally planned carried by majority vote with Shastid voting no. (P/W to handle)

ORDINANCES

CONSENT

17. Final adoption of Ordinance No. 883-C.S. (amending Section 15-3-9 of the zoning map - Bomberger).

ACTION: By motion Ord. No. 883-C.S. adopted. (Clerk to handle)

OLD BUSINESS

CONSENT

18. Renewal of food concession at Beard Brook Park.
(Mr. Charles Wright has requested the renewal of a contract to operate a food concession at Beard Brook Park. The City's relationship with Mr. Wright regarding this concession has been most satisfactory, and it is recommended that the contract be renewed for one year. Resolution needed)

ACTION: Res. 68-311 adopted approving renewal of agreement with Charles Wright for one year ending April 30, 1969. (Clerk to handle)

NEW BUSINESS

CONSENT

19. Resolution petitioning the Board of Supervisors of the County of Stanislaus to exclude all property within the incorporated limits of the City of Modesto from county tax levy for fiscal year 1968-69 for support of fire protection in the County pursuant to the provisions of Government Code Section 25643.
(Resolution needed)

ACTION: Res. 68-312 adopted petitioning Stanislaus County Board of Supervisors to exclude all property within Modesto City limits from County tax levy for 1968-69 for support of fire protection in the County. (Clerk to handle)

CONSENT

20. Adoption of resolution acknowledging receipt of "Notice of Intention to Circulate Petition to Annex Territory known as the Harte Tract Addition to the City of Modesto" and approving intention of proponents to circulate petitions.
(The notice has been published as required and it is now in order for the Council to adopt this resolution. Cost to city, none)

ACTION: Res. 68-313 adopted approving intention of proponents to circulate petitions for the annexation of the Harte Tract Addition to the City of Modesto. (Clerk to handle)

Consent
21. Resolution authorizing payment to Save Mart for relocation of sign - Yosemite Boulevard.
(Memo with agenda)

ACTION: Res. 68-314 adopted authorizing payment of $738 to Save Mart for relocation of sign due to Yosemite Blvd. widening. (Right of way has been dedicated.) (Finance to handle)

CONSENT
22. Consider request for sewer service to property at 806 El Vecino Avenue located on the east side of El Vecino Ave. between Blair Avenue and East Fairmont Avenue.
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 68-315 adopted approving agreement with Fred and Alice E. Mastagni for sewer service at 806 El Vecino Ave. (Clerk to handle)

CONSENT
23. Consider cooperative agreement between City and County of Stanislaus for improvement of Norwegian Avenue between McHenry Avenue and Coffee Road.
(County will consider agreement and call for bids April 9. City prepared the plans and County will administer the contract. Agreement provides for each agency to share costs on the basis of that portion of the project under its jurisdiction. Total estimated cost, $90,000. (City - 56%, County 44%). City share of cost, $50,400; funds budgeted in Account 6677-207, Norwegian Avenue Improvement. Special Gas Tax Fund)

ACTION: Res. 68-316 adopted approving agreement with County of Stanislaus for improvement of Norwegian Avenue between McHenry and Coffee. (Clerk to handle)

CONSENT
24. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below:
(Informal requests were sent over 30 days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Adoption of resolutions needed. Suggested hearing date April 22, 1968 at 7:45 P.M.)

CONSENT
(a) Sidewalk at 319 Sutter Ave., Lots 13 and 14, Block 353 (Ford).
(Resolution setting hearing needed)
DROPPED FROM AGENDA.

CONSENT
(b) Sidewalk on Sutter Avenue at Lots 17 and 18, Block 353 (Bielke)
(Resolution setting hearing needed)
DROPPED FROM AGENDA.

CONSENT
(c) Sidewalk on Sutter Avenue at Lots 23 and 24, Block 353, (Laudenslayer).
(Resolution setting hearing needed)
DROPPED FROM AGENDA.

CONSENT
(d) Sidewalk on Sutter Avenue and Western Way at 1421 Western Way Lots 25, 26, 27, Block 353 (Simms).
(Resolution setting hearing needed)
DROPPED FROM AGENDA.

CONSENT
25. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at the properties listed below. (The amounts assessed against the properties will be included in reports distributed with the agenda for the hearing date. The City Clerk will set the date for the hearing. Resolution setting date for hearing needed. Suggested date, April 22, 1968 at 7:50 P.M. Contract costs are listed below with properties. Funds budgeted in Account 5302-51-101, Curbs and Gutters, Special)

CONSENT
(a) Sidewalk on Colorado Ave. at 310 Colorado Ave., lots 1 and 2, Block 350 ($273.50 - Hall)
(Resolution setting hearing needed)
ACTION: Res. 68-317 adopted setting hearing. (P/W to handle)

CONSENT
(b) Curb and gutter at 101 Spruce St., Lots 13 and 14, Block 406 ($141.75) (Bassard).
(Resolution setting hearing needed)
ACTION: Res. 68-318 adopted setting hearing. (P/W to handle)

CONSENT
(c) Curb and gutter on Granger Ave. at 1562 Tully Road, Lot 20, Block 6117, (614.80 - Francek).
Resolution setting hearing needed)
ACTION: Res. 68-319 adopted setting hearing. (P/W to handle)

CONSENT
(d)Sidewalk, curb and gutter at 214 California Ave., Lots 21 and 22, Block 401 (256.75 - Carley).
(Resolution setting hearing needed)

ACTION: Res. 68-320 adopted setting hearing. (P/W to handle)

CONSENT
(e) Sidewalk, curb and gutter on Oak and Jefferson Sts. at 208 Oak St., Lots 15 and 16, Block 416 (743.15 - Lockard). (Resolution setting hearing needed)

ACTION: Res. 68-321 adopted setting hearing. (P/W to handle)

CONSENT
(f) Sidewalk, curb and gutter on Jefferson Street at 202 Maple St., Lots 15 and 16, Block 419 ($668.90 - Green) (Resolution setting hearing needed)

ACTION: Res. 68-322 adopted setting hearing. (P/W to handle)

26. Consider approval of documents for property acquisition and easements.
(These acquisitions are necessary to allow construction of trunk sewer and sewage lift station as part of Project Unit No. 5, West Trunk Sewer, Sewerage Works Improvement. Parcels will be identified at Council meeting since receipt of documents for several parcels is anticipated just prior to council meeting. Separate resolution approving agreement for each parcel needed. Maximum total estimated cost $9,000; funds budgeted in Account 6553-405, Muni. Sewer District Improvements)

DROPPED FROM AGENDA.

CONSENT
27. Letter agreement with Mr. Harry R. Cedergren to perform consulting engineering services to the City of Modesto in conjunction with the City's eminent domain action to acquire a remote sewer ponding site.
(A memorandum of explanation has been transmitted with the agenda to the Mayor and Councilmen. Resolution approving agreement needed. Funds budgeted in Account 6553-405, Municipal Sewer District Improvements)

ACTION: Res. 68-323 adopted approving agreement with Harry R. Cedergren. (Clerk to handle)

REPORTS FROM PLANNING COMMISSION

CONSENT
28. Recommended commencement of proceedings for the annexation to the City of Uninhabited Territory (Rouse Addition).
(On April 2, 1968 the Planning Commission adopted Resolution No. 68-38, recommending to the City Council the commencement of proceedings for the annexation to the City of Uninhabited Territory (Rouse Addition). Resoluting setting public hearing date needed. Suggested date May 27, 1968 at 7:45 P.M.)

ACTION: Res. 68-324 adopted setting hearing. (Clerk to handle)

29. Request that five Planning Commissioners be authorized to attend the annual conference of the American Society of Planning Officials to be held in San Francisco from May 4 through 8, 1968. (Funds have been budgeted in the Planning Department budget to cover expenses for attendance of the Planning Commissioners requested. Motion authorizing attendance needed)

ACTION: By motion (Hughes/Simon, unan.) attendance authorized. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

30. Appropriation transfer of $735 for purchase of parking meters. (The City Council authorized submission of a bid of $10 each to the City of Porterville for 70 used parking meters. The bid was accepted by Porterville. A transfer of $700 plus $35 sales tax is needed. Resolution needed. Estimated cost $735).

ACTION: Res. 68-325 adopted approving appropriation transfer of $735 from Account 110-56-101 (Parking & Traffic - Salaries & Wages, Regular) to Account 5307-56 (Parking Meters). (Finance to handle)

31. Appropriation transfers. (Appropriation transfers are being submitted by the Finance, Fire, Police, Parks and Recreation, and Public Works Departments. A memo of explanation is being transmitted with agenda. Resolutions approving transfers needed)

ACTION: Res. 68-326 adopted (Shastid/Mitchell, unan.) approving appropriation transfer as follows:

FINANCE DEPARTMENT	GENERAL FUND (101)	
FROM:	Salaries & Wages - Regular (110-15)	$1,418
TO:	Salaries & Wages - Overtime (130-15)	150
	Counter revision (5301-15)	500
	3-Drawer File (5502-15)	153
	6-Drawer File (5503-15)	120
	8-Drawer File (Check Voucher size) (5504-15)	165
	Steno Chair (5505-15)	80
	Adding machine (5506-15)	250

(Finance to handle)

Res. 68-327 adopted (Shastid/Mitchell, unan.) approving appropriation transfer as follows:

FIRE DEPARTMENT	GENERAL FUND (101)	
FROM:	Salaries and Wages, regular (110-21)	$4,798
TO:	GENERAL FUND - CAPITAL OUTLAY (101)	
	Resuscitator (5405-21)	473
	Battery Conditioners (8) (5406-21)	1,134
	Nozzles (6)	504
	Folding bed (5505-21)	170
	File Cabinets (4) (5506-21)	552
	Space Heaters (2) (5507-21)	945
	Long Arbor Motor and Base (5408-21)	169
	Chairs (10) (5508-21)	173
	Restroom (5202-21)	678

(Finance to handle)

29. Request that five Planning Commissioners be authorized to attend the annual conference of the American Society of Planning Officials to be held in San Francisco from May 4 through 8, 1968. (Funds have been budgeted in the Planning Department budget to cover expenses for attendance of the Planning Commissioners requested. Motion authorizing attendance needed)

ACTION: By motion (Hughes/Simon, unan.) attendance authorized. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

30. Appropriation transfer of $735 for purchase of parking meters. (The City Council authorized submission of a bid of $10 each to the City of Porterville for 70 used parking meters. The bid was accepted by Porterville. A transfer of $700 plus $35 sales tax is needed. Resolution needed. Estimated cost $735).

ACTION: Res. 68-325 adopted approving appropriation transfer of $735 from Account 110-56-101 (Parking & Traffic - Salaries & Wages, Regular) to Account 5307-56 (Parking Meters). (Finance to handle)

31. Appropriation transfers. (Appropriation transfers are being submitted by the Finance, Fire, Police, Parks and Recreation, and Public Works Departments. A memo of explanation is being transmitted with agenda. Resolutions approving transfers needed)

ACTION: Res. 68-326 adopted (Shastid/Mitchell, unan.) approving appropriation transfer as follows:

FINANCE DEPARTMENT	GENERAL FUND (101)	
FROM:	Salaries & Wages - Regular (110-15)	$1,418
TO:	Salaries & Wages - Overtime (130-15)	150
	Counter revision (5301-15)	500
	3-Drawer File (5502-15)	153
	6-Drawer File (5503-15)	120
	8-Drawer File (Check Voucher size) (5504-15)	165
	Steno Chair (5505-15)	80
	Adding machine (5506-15)	250

(Finance to handle)

Res. 68-327 adopted (Shastid/Mitchell, unan.) approving appropriation transfer as follows:

FIRE DEPARTMENT	GENERAL FUND (101)	
FROM:	Salaries and Wages, regular (110-21)	$4,798
TO:	GENERAL FUND - CAPITAL OUTLAY (101)	
	Resuscitator (5405-21)	473
	Battery Conditioners (8) (5406-21)	1,134
	Nozzles (6)	504
	Folding bed (5505-21)	170
	File Cabinets (4) (5506-21)	552
	Space Heaters (2) (5507-21)	945
	Long Arbor Motor and Base (5408-21)	169
	Chairs (10) (5508-21)	173
	Restroom (5202-21)	678

(Finance to handle)

Res. 68-328 adopted (Shastid/Mitchell, unan.) approving appropriation transfer as follows:

POLICE DEPARTMENT	GENERAL FUND (101)	
FROM:	Salaries and Wages, regular (110-22)	$1,853
TO:	Shotguns (10) (5403-22)	430
	Camera (5404-22)	53
	Bulletin Board (5504-22)	67
	FM Radio & Tape Recorder (5404-22)	137
	Microscope (5406-22)	55
	Window Washer (5407-22)	98
	Movie Projector (5408-22)	584
	Overhead Projector (5409-22)	236
	Office Supplies (Typing Stand, Coat Rack, Flash Cubes, Film (301-22)	193

(Finance to handle)

Res. 68-329 adopted (Shastid/Mitchell, unan.) approving appropriation transfers as follows:

PARKS AND RECREATION DEPARTMENT	SPECIAL FUND FOR CAPITAL OUTLAY (321)	
FROM:	Ashby Park (6297-31)	$ 600
	General Park Improvements (6307-31)	4,000
TO:	New Hardwood Floor, Maddux Youth Center (7902-31)	$4,600
	GENERAL FUND (101)	
FROM:	Salaries & Wages, Part-time (120-32)	$2,500
	Equipment Rental Charges (218-35)	1,000
	M & R Bldgs. & Grounds (224-35)	800
	Equipment Rental Charges (218-36)	1,000
	Gardening Supplies (310-36)	365
TO:	Ping pong tables (5402-32)	1,000
	Public Address system (5403-32)	210
	Draperies (5401-34)	400
	Sign machine (5403-35)	1,283
	10" Circular Saw (5404-35)	710
	Warning Light (5402-36)	50
	Piano (5403-39)	375
	18 tables (5404-39)	690
	144 Chairs (5405-39)	750
	2 table trucks (5406-39)	83
	3 chair trucks (5407-39)	114

(Finance to handle)

Res. 68-330 adopted (Shastid/Mitchell, unan.) approving appropriation transfers as follows:

PUBLIC WORKS DEPARTMENT	GENERAL FUND (101)	
FROM:	P/W Engr. - Admin., Salaries, Wages, Regular (110-41)	$1,237
TO:	Layout Room Cabinets (5502-19)	725
	Reconstruct Drafting Room storage cabinets (5503-19)	70
	Drafting Room Electrical revisions (5301-41)	100
	Drafting Machine with scales (5505-41)	205
	Cameras (2) (5506-41)	42
	Transit tripod (5507-41)	95

(Finance to handle)

FROM: P/W Garden Refuse - Salaries & Wages, Regular (110-54) $2,610

TO:		
	Welding & Cutting Outfit (5414-50)	149
	Tools, Shop, Field Supplies (308-50)	34
	Self-Priming Centrifugal Pump (5415-50)	395
	Skilsaw (5416-50)	126
	Disc Sander (5417-50)	94
	Multi-Vane Air Power Unit (5418-50)	966
	Two Handi Clams (5419-50)	100
	90# Pavement Breaker (5420-50)	746

(Finance to handle)

MISCELLANEOUS

32. Legislative matters.

ACTION: By motion (Hughes/Smith, unan.) AB 730 (Retirement - local police and firemen) opposed. (C/Mgr to handle)

Action delayed on other legislative matters.

33. Executive session to consider acquisition of land for park site, parking lot site, and arcade.

Adjourned to executive session at 10:30 P.M. and returned to open session at 11:00 P.M.

ACTION: By motion (Mitchell/Hughes, unan.) staff authorized to continue negotiations for purchase of land for arcade. (P & T to handle)

By motion (Hughes/Mitchell, unan.) off-street parking portion of Recommendations of the Modesto City Council's Downtown Study Committee to be discussed at informal hearing at 4:15 P.M. on April 15. (Clerk to handle)

Adjournment: By motion (Mitchell/Smith, unan.) meeting adjourned at 11:05 P.M. in memory, reverence, and honor of Martin Luther King, Jr.

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

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 15, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None - Councilman Shastid arrived at 4:07 P.M.
Pledge of allegiance to the Flag
Invocation: Reverend Glen Moore, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, ~~6~~, 7, 10, 11a, b, ~~12~~, 13, 14a, b, c, 16
Items 6 & 12 removed from consent.
Robinson/Hughes, unan. - Shastid absent.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items)

APPROVAL OF MINUTES

1. Minutes of April 8, 1968.

ACTION: Minutes approved.

BIDS

CONSENT

2. Consider award of bid for the furnishing of one horizontal type desanding unit for Pump Station No. 36.
(Bids were opened on April 9, 1968 at 10:00 a.m., and one bid was submitted by Krebs Engineers which is 1.3% over the Engineer's estimate and is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $3,547; funds budgeted in Account 6834-50-101, Well at Moose Park).

ACTION: Res. 68-331 adopted awarding bid to Krebs Engineers. (Clerk to handle)

CONSENT

3. Traffic signal modernization and modification on 10th at D, G, H, I, J, K, L, and Needham; on 11th at G, H, I, J, K, L, and Needham; and at 7th and G Streets.
(Funds for this project have been budgeted in accounts 6211 and 6204. The modification consists of changing the signals along 10th and 11th for permanent operation of two-way traffic. The modernization will be at 10th and G, 11th and L, and 7th and G, and consist of replacing several existing 10' standards with overhead standards, mast arms, and larger signal indications. Resolution calling for bids needed. Estimated cost $40,000; funds budgeted in Accounts Nos. 6211-56-321 and 6204-56-321, Modernize Downtown and Modernize 11th & L, 10th & G, and 7th & G.. Bid opening date May 15, 1968 at 2:00 P.M.)

ACTION: Res. 68-332 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

4. Consider approval of specifications and authorization to call for bids for annual supply of chlorine. (Estimate 280 tons; bids to be opened at 2:00 P.M. on April 30, 1968. Resolution needed. Estimated cost $39,000; funds budgeted in Account 312/53/101, Chemical, Drug & Lab Supplies, p. 46)

ACTION: Res. 68-333 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

5. Consider approval of specifications and authorization to call for bids for annual supply of liquid anhydrous ammonia. (Estimate 115 tons; bids to be opened at 2:15 P.M. on April 30, 1968. Resolution needed. Estimated cost $11,000; funds budgeted in Account 312/53/101, p. 46, Chemical, Drug & Lab Supplies).

ACTION: Res. 68-334 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

6. Consider acceptance of high bids for the sale of 5 used transit buses as shown on attached tabulation. ($1,261 revenue resulting from the sale will be applied in accordance with Housing and Urban Development Project No. CAL-UTG-13. Memo with agenda. Resolution needed)

ACTION: Res. 68-335 adopted (Mitchell/Simon, unan. - Shastid & Smith absent) Smith disqualified himself on this item) awarding bid for buses as follows: A-1 Auto Wreckers, Item 1 @ $125, Item 4 @ $125, and Item 5 @ $90; H. G. Shurtliff, Item 2 @ $606; J. S. West Co., Item 3 @ $315. (Finance to handle)

CONSENT

7. Approve plans and specifications and call for bids for the improvement of Carver Road between Bay Meadows Drive and Rumble Road. (Bid opening date April 30, 1968 at 10:00 A.M. Carver Road is part of the Select Street System and will be financed from State gas tax funds and others. Resolution approving plans and specifications and call for bids needed. Estimated cost $53,256 (Contract $46,310, Eng. $6,946). Funds budgeted in Account 6670-207, Carver, Bay Meadows to Rumble Road)

ACTION: Res. 68-336 adopted approving plans and specifications and call for bids. (Clerk to handle)

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

Ex-Mayor Harry Marks was welcomed.

Mrs. Jennie Smith, 412 Morris Ave., complained of the condition of the house she rents at that address. It was reported that the owner plans to demolish the building. The staff was directed to order the landowner to make necessary repairs. (P/W to handle)

Robert Corby reported that Barranquilla, Colombia would like information on methods used for transplanting of trees and is also interested in a machine used to ball tree roots. He presented a plaque from the Mayor of Barranquilla. The Clerk was requested to arrange for a picture of Mr. Corby and Mr. Nickerson presenting the plaque to Mayor Davies.

Frank Andrews spoke on various matters.

Henry B. George spoke on his difficulties in starting a Traveling Auto Laundry. At the request of Mayor Davies the City Attorney and the Director of Planning met with Mr. George outside the Council Chambers to discuss his problems.

HEARINGS

9. Informal hearing on off-street parking portion of Downtown Study Committee's recommendations. 4:15 P.M.

ACTION: By motion (Shastid/Hughes, unan.) staff directed to prepare agreement for purchase of arcade on west side of 10th Street between I & J Streets. Agreement to be as stated in memorandum from Director of Parking & Traffic dated April 12, 1968 with Item 6 eliminated and Item 5 also eliminated except that present owners will have first right of refusal to repurchase property. (P & T to handle)

By motion (Mitchell/Smith, majority - Hughes & Shastid voting no) staff instructed to return to Council on May 6, 1968 with the results of its negotiations for the Penney Annex, Wherry Building and Smith Furniture Building together with a report and recommendation re possibility of acquiring the part width adjacent lot occupied by Tif's Restaurant. (P & T to handle)

ORDINANCES

CONSENT

10. Consider four ordinances relating to Moving of Buildings and adopting 1967 editions of the Uniform Building Code, Uniform Mechanical Code and Uniform Plumbing Code.
(Memo distributed with agenda. Motions introducing four ordinances and a resolution approving appropriation transfer of $700 needed. Funds budgeted in Account 337-65, Resale Supplies).

ACTION: By motion Ord. No. 885-C.S. (Moving of buildings) introduced. (Clerk to handle)

By motion Ord. No. 886-C.S. (Adopting Uniform Building Code) introduced. (Clerk to handle)

By motion Ord. No. 887-C.S. (Adopting Uniform Mechanical Code) introduced. (Clerk to handle)

By motion Ord. No. 888-C.S. (Adopting Uniform Plumbing Code) introduced. (Clerk to handle)

Res. 68-337 adopted approving appropriation transfer of $700.00 from Account 110-42-101 (Public Works: Inspection - Salaries & Wages, Regular) to Account 337-65-101 (Miscellaneous Unclassified, Resale Supplies). (Finance to handle)

NEW BUSINESS

CONSENT

11. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolution needed. Suggested hearing date, May 6, 1968 at 4:25 P.M.)

CONSENT

(a) Curb and gutter at 413 Leon Avenue, Lots 7 & 8, Block 355, Mrs. Katie Keck).
(Resolution setting hearing needed).

ACTION: Res. 68-338 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalk at 438 Leon Avenue, Lots 29 and 30, Block 354 (Parker).
(Resolution setting hearing needed).

ACTION: Res. 68-339 adopted setting hearing. (P/W to handle)

CONSENT

12. Consider agreement between the City and J. Haydn Andrew regarding construction of a sanitary sewer on East Fairmont Avenue to serve property approximately 400 feet east of McHenry Avenue.
(Mr. Andrew will construct the sanitary sewer at his own expense and the agreement provides that the City will act as agent for Mr. Andrew in refunding a share of the cost when other properties connect to the sewer extension. Resolution approving agreement needed).

ACTION: Res. 68-340 (Hughes/Robinson, unan. - Shastid absent) adopted approving agreement. (Clerk to handle)

CONSENT

13. Consider sewer easement agreement between the City of Modesto and State of California for an easement across State Hospital property.
(The agreement provides for the State to grant to the City of Modesto a permanent easement containing .0551 acres and a temporary construction easement containing .0436 acres. The City agrees to pay the State $18.50 for these easements. The easement will also contain the usual terms and conditions required by the State of California for the granting of an easement across State property. Because it is the State which is granting the easement, the City is being asked to execute it prior to processing by the State. Resolution approving agreement and authorizing City Manager to execute it on behalf of City needed. Estimated cost $18.50; funds budgeted in Account 6553-405, Muni Sewer District Improvements).

ACTION: Res. 68-341 adopted approving agreement. (Clerk to handle)

CONSENT

14. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at the properties listed below.
(The amounts assessed against the properties will be included in reports distributed with the agenda for the hearing date. The City Clerk will set the hearing date. Resolution setting hearing date needed. Suggested date May 6, 1968 at 4:30 P.M.)

CONSENT

(a) Curb and gutter on Rhien and Fusco Avenues at 1833 Rhien Avenue, Lot 1, Block 2184-A ($351.05 - Davis)
(Resolution setting hearing needed)

ACTION: Res. 68-342 adopted setting hearing. (P/W to handle)

CONSENT
(b) Sidewalk at 338 Johnson Street, Lot 43 and portions of 42 and 44, Block 571 ($220.00 - DeHart).
(Resolution setting hearing needed)

ACTION: Res. 68-343 adopted setting hearing. (P/W to handle)

CONSENT
(c) Curb and gutter on Ramona and Lucern Avenues at 602 Ramona Ave., Lot 5, Block 607 ($517.75 - Meyer)
(Resolution setting hearing needed)

ACTION: Res. 68-344 adopted setting hearing. (P/W to handle)

15. Consider termination of lease of Modesto Flying Service for failure to comply with terms of Resolution No. 67-8 relating to payment of rental for west one-half of Hangar No. 5 located at Modesto City-County Airport.
(A personal check in the amount of $105.00 as payment of hangar rental for the month of March, 1968, has been returned by the bank. Item 3, Resolution No. 67-8 reads as follows: "Failure to comply with the conditions set forth above will result in immediate staff referral of the breach to the Council for action to terminate the lease." If Council decides to terminate the lease, a resolution is necessary).

DROPPED FROM AGENDA.

REPORTS

CONSENT
16. Report on crime statistics.
(Motion accepting report needed)

ACTION: By motion report accepted.

MISCELLANEOUS

17. Legislative matters.

None.

The Council retired to executive session at 4:08 P.M. to consider appointments and reconvened in open session at 4:18 P.M. At 5:46 P.M. the Council again retired to executive session to consider acquisition of property for an arcade and also for off-street parking and reconvened in open session at 6:43 P.M.

18. Appointments

ACTION: Res. 68-345 adopted (Robinson/Smith, unan.) accepting, with regret, resignation of John Mensinger as member of AB-103 Advisory Board (D.I.D.). (Clerk to handle)

Res. 68-346 adopted (Robinson/Smith, unan.) appointing Larry Meeker to replace John Mensinger as member of AB-103 Advisory Board, and naming Francis R. Ruggieri as Chairman of same. (Clerk to handle)

Adjournment at 7:10 P.M.

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

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 22, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Simon, Smith, and Mayor Davies
Absent: Robinson and Shastid

Pledge of allegiance to the Flag
Invocation: Reverend Gary Christopherson, Orangeburg Ave. Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 4, 13, 14, 15, 16, 18, 19, 20, 21, ~~23a~~, b, 25a, b, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39
Smith/Simon, unan.
Nos. 23(a), 23(b), and 25(b) removed from consent.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of April 15, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

2. Invitation from Mayor Joseph Doll of Stockton to visit Senior Citizens Center at 730 East Fulton Street, Stockton.

ACTION: Letter ordered filed.

BIDS

CONSENT

3. Approve plans and specifications and call for bids for the improvement of Scenic Drive from Bodem Avenue to east city limits.
(Bid opening May 14, 1968, 10:00 A.M. Scenic Drive is part of the select Street System and will be financed from State Gas Tax funds. Resolution approving plans and specifications and call for bids needed. Estimated cost $15,136 (Contract $13,162 - Engr. $1,974). Funds budgeted in Account 6641-207, Scenic-Bodem to E. City Limits)

ACTION: Res. 68-347 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

4. Consider award of contract for construction of North Trunk Sewer, Project Unit No. 7, to the low bidder, Stockton Construction Co. of Stockton, in the amount of $464,780.60.
(Memorandum with agenda. Resolution awarding contract needed. Estimated cost $464,780.60 (contract cost). Funds budgeted in Account 6553-405, Muni Sewer District Improvements)

ACTION: Res. 68-348 adopted awarding contract to Stockton Construction Co. (P/W to handle)

HEARINGS

5. Hearing, cost of installation of sidewalk at 310 Colorado Avenue, Lots 1 and 2, Block 350 (Mrs. Elzie Hall) 7:50 P.M.

ACTION: Res. 68-349 adopted (Smith/Mitchell, unan.) confirming report, assessing costs and directing method of collection (installments spread over a six-year period). (Finance to handle)

6. Hearing, cost of installation of curb and gutter at 101 Spruce Street, Lots 13 and 14, Block 406 (Arthur C. Bassard) 7:50 P.M.

ACTION: Res. 68-350 adopted (Smith/Mitchell, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

7. Hearing, cost of installation of curb and gutter on Granger Avenue at 1562 Tully Road, Lot 20, Block 6117 (Frank Francek). 7:50 P.M.

ACTION: Res. 68-351 adopted (Smith/Mitchell, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

8. Hearing, cost of installation of sidewalk, curb and gutter at 214 California Ave., Lots 21 and 22, Block 401 (Rue Carley). 7:50 P.M.

ACTION: Res. 68-352 adopted (Smith/Mitchell, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

9. Hearing, cost of installation of sidewalk, curb and gutter on Oak and Jefferson Streets at 208 Oak St., Lots 15 and 16, Block 416 (Lex Lockard). 7:50 P.M.

ACTION: Res. 68-353 adopted (Smith/Mitchell, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearing, cost of installation of sidewalk, curb and gutter on Jefferson Street at 202 Maple Street, Lots 15 and 16, Block 419 (Silas Green). 7:50 P.M.

ACTION: Res. 68-354 adopted (Smith/Mitchell, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

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

Res. 68-355 adopted (Hughes/Mitchell, unan.) approving agreement with Sherwood Mortgage Co. for the joint improvement of Carver Road between Bonanza Way and Rumble Road. (Clerk to handle)

Res. 68-356 adopted (Simon/Mitchell, unan.) supporting efforts of Modesto Junior College forensic squad to raise the $2,500 needed to permit all eligible members to compete in those events which are scheduled for later this school year. (Clerk to handle)

Res. 68-357 adopted (Simon/Mitchell, unan.) accepting, with regret, resignation of Hy Youngheim as a member of the AB-103 Advisory Board (D.I.D.). (Clerk to handle)

Donald R. Swanson, D.D.S., wrote and commended staff for excellent cooperation in development of Downey Park Professional Center.

12. Informal hearing on recommendations of Downtown Study Committee on Items 1 through 5 (Item 5 to be considered first). 8:00 P.M.

ACTION: By motion (Simon/Smith, unan.) Public Projects Committee authorized to proceed with selection of architect for library building. (C/Mgr to handle)

By motion (Smith/Simon, unan.) Items 1 - 5 inclusive of recommendations approved with the understanding that City is to furnish matching funds only for the beautification as defined in Item 4. (C/Mgr to handle)

By motion (Hughes/Mitchell, unan.) May 27, 1968 at 8:05 P.M. set for informal hearing on Item 6 of recommendations. (Clerk to handle)

ORDINANCES

CONSENT
13. Final adoption of Ordinance No. 885-C.S. (Moving of buildings).

ACTION: By motion Ord. No. 885-C.S. adopted. (Clerk to handle)

CONSENT
14. Final adoption of Ordinance No. 886-C.S. (Building Code).

ACTION: By motion Ord. No. 886-C.S. adopted. (Clerk to handle)

CONSENT
15. Final adoption of Ordinance No. 887-C.S. (Mechanical Code).

ACTION: By motion Ord. No. 887-C.S. adopted. (Clerk to handle)

CONSENT
16. Final adoption of Ordinance No. 888-C.S. (Plumbing Code).

ACTION: By motion Ord. No. 888-C.S. adopted. (Clerk to handle)

OLD BUSINESS

17. Accept offer, approve lease agreement and authorize $9,800 transfer for purchase and development of Bartoni Arcade on 10th Street between I and J Streets.
(As Council authorized, the agreements have been prepared and will likely be signed by council meeting time. Resolutions by City Clerk approving agreement and transfer of $9,800 from the Parking Fund Reserve needed. Estimated cost $9,800).

DROPPED FROM AGENDA.

CONSENT

18. Request for authorization to proceed with printing and distributing the annual "Report to the People."
(The report has been drafted and the staff would like permission to proceed with printing and mailing it. Plans are to mail the reports with the next water bills, as was done last year. Motion needed. Estimated cost $500; funds budgeted in Account 427-65; Annual Report, p. 52 of final budget).

ACTION: By motion staff authorized to print and distribute annual "Report to the People." (C/Mgr and Finance to handle)

CONSENT

19. The annual recreation agreement between County of Stanislaus and City of Modesto.
(This agreement is similar to agreements entered into between the County and the City in previous years. The agreement provides that the County will allocate and transfer to the City $16,064.17 for expenditures by the City on community recreation for the fiscal year 1967-68. Resolution authorizing agreement needed).

ACTION: Res. 68-358 adopted approving agreement. (Clerk to handle)

CONSENT

20. Consider agreement with Wainwright Realty for the improvement of a portion of Norwegian Avenue between Gordon Avenue and Coffee Road.
(The City and County have a cooperative project for the improvement of Norwegian Avenue. Wainwright Realty is responsible for a section as a result of a parcel split and has agreed to participate with the City to the extent of an estimated $2,315.45 as its share of the cost. The actual cost will be determined when construction is complete. Resolution approving agreement needed).

ACTION: Res. 68-359 adopted approving agreement. (Clerk to handle)

CONSENT

21. Consider Pipe Line License from the Modesto and Empire Traction Co. to the City of Modesto for the construction of a trunk sewer under the M & ET track on Beard Avenue at Yosemite Boulevard.
(Contents of license are similar to licenses previously obtained for various purposes. Resolution approving pipe line license and authorizing the City Manager to execute on behalf of the City needed. No cost to city involved)

ACTION: Res. 68-360 adopted approving license. (Clerk to handle)

22. Consider relocating sanitary landfill operation from its present location on Carpenter Road to a location at the Airport with access off of Conejo Avenue.
(Memorandum of explanation distributed with agenda, along with letter from Ribera and Sue and map showing location. Resolution approving relocation of sanitary landfill needed)

ACTION: By Order of the Mayor May 6, 1968 at 4:35 P.M. set for informal hearing. (Clerk to handle)

~~EXHIBIT~~

23. Consider approval of documents for property acquisition and easements to allow construction of trunk sewer and sewage lift station as part of West Trunk Sewer, Project Unit No. 5 of the Sewerage Works Improvements.
(Parcels and cost to City are as follows: Parcel No. 1, Ruth Kidd and Arthur W. Brink, $4,000; Parcel No. 2, Ruth Kidd and Arthur W. Brink, $2,135; Parcel No. 6, Harold B. and Theresa Woolsey, $22; Parcel No. 7, Jesse E. and Mary Lou Wagoner, $5; Southern Pacific, no cost.)

~~EXHIBIT~~

(a) Consider approval of documents for property acquisition, etc., Project Unit No. 5.
(Resolutions approving agreement for each parcel needed. Estimated cost $6,162; funds budgeted in Account 6553-405, Muni Sewer District Improvements).

ACTION: (Simon/Smith, unan.):
Res. 68-361 adopted approving agreement re Parcel No. 1;
Res. 68-362 adopted approving agreement re Parcel No. 2;
Res. 68-363 adopted approving agreement re Parcel No. 6;
Res. 68-364 adopted approving agreement re Parcel No. 7;
Res. 68-365 adopted approving agreement with Southern Pacific Co.;
Res. 68-366 adopted approving agreement re Parcel No. 5, $680 Derk Van Konynenburg. (Clerk & Finance to handle)

~~EXHIBIT~~

(b) Approve condemnation proceedings for acquisition of easements required for construction of West Trunk Sewer, Project Unit No. 5.
(Parcel numbers and names of property owners are: Parcel No. 3, Department of Veterans Affairs of the State of California and Eugene R. Abel and Doris M. Abel, husband and wife, joint tenants; Parcel No. 5: Derk Van Konynenburg. Resolutions authorizing condemnation proceedings needed).

ACTION: Res. 68-367 adopted (Simon/Smith, unan.) authorizing condemnation proceedings against Dept. of Veterans Affairs and Eugene R. and Doris M. Abel, joint tenants. (C/Atty to handle)

24. Special census by State Department of Finance.
(Memorandum with agenda. Resolution requesting State to make census needed, and resolution approving appropriation transfer of $11,700 from General Reserve to Miscellaneous Unclassified (Special Surveys) needed).

ACTION: Res. 68-368 adopted (Mitchell/Simon, unan.) requesting State to make census. (Clerk to handle)

Res. 68-369 adopted (Mitchell/Simon, unan.) approving appropriation transfer of $11,700 from General Reserve to Account 421-65-101, Miscellaneous Unclassified - Special Surveys. (Finance to handle)

CONSENT

25. (a) Resolution approving a six-year Urban Beautification and Development Program.
(A copy of the proposed six-year Beautification Program is included with the agenda. The six-year program was approved by the Planning Commission on April 16, 1968. Resolution approving needed).

ACTION: Res. 68-370 adopted approving program. (P & R to handle)

CONSENT

(b) Resolution authorizing the filing of an application for an Urban Beautification Grant.
(It is necessary to have a Council resolution approving the filing of an application for the Beautification Grant).

ACTION: Res. 68-371 adopted (Mitchell/Smith, majority - Hughes, no) authorizing filing of an application for Urban Beautification Grant. (P & R to handle)

CONSENT

26. Agreement between City and West Modesto Opportunity Program for the use of the Maddux Youth Center for a pre-school program.
(This matter was discussed with the Council at its meeting of January 2, 1968 at which time the staff was authorized to prepare the necessary agreements. Since that time we have been working with the West Modesto Opportunity Program on clearing regulations which would necessitate renovation of the building. The agreement is now ready for council action. Resolution authorizing agreement needed)

ACTION: Res. 68-372 adopted approving agreement. (Clerk to handle)

CONSENT

27. Approval of a report on the streets and roads needs of the City of Modesto and authorize its transmittal to the State of California, Department of Public Works.
(Section 2156 of the Streets and Highways Code states that each county and city shall transmit to the Department of Public Works a report setting forth the progress which has been made in its road or street system and estimates of the road or streets needs for the next five years and the next ten years. This report has been prepared and is ready to send to the State. Resolution approving the Deficiency Report and authorizing its transmittal to State needed)

ACTION: Res. 68-373 adopted approving deficiency report and authorizing transmittal to State Department of Public Works. (P/W to handle)

CONSENT
28. Consider agreement with Tully Manor Enterprises for temporary sewer service to certain lots in Tully Manor No. 3 subdivision. (Memorandum with agenda. Resolution approving agreement needed)

ACTION: Res. 68-374 adopted approving agreement. (Clerk to handle)

CONSENT
29. Proposed Improvement District No. 11.
(The Council previously instructed the staff to negotiate for engineering and legal services for the formation of proposed Improvement District No. 11, which will include installation of sewers in the Sunrise Addition and a small area in the vicinity of North 9th St. and Clayton Avenue, and possibly the improvement of Corson Avenue. Copies of the proposed letter agreements with Modesto Engineers for engineering services and Orrick, Herrington, Rowley & Sutcliffe for legal services have been transmitted with the agenda to the Mayor and Councilmen. Adoption of two resolutions approving letter agreements needed. Appropriation transfer to be requested later by Public Works Department).

ACTION: Res. 68-375 adopted approving agreement with Orrick, et al for legal services.

Res. 68-376 adopted approving agreement with Modesto Engineers, Inc. for engineering services.

(Clerk to handle)

CONSENT
30. Proposed Improvement District No. 12.
(The Council previously instructed the staff to negotiate for legal services for the formation of proposed Improvement District No. 12. The engineering services are to be performed by the city staff. This will cover commercial street lighting on Yosemite Boulevard. Copies of the proposed letter agreement with Orrick, Herrington, Rowley and Sutcliffe for legal services have been transmitted with the agenda to the Mayor and Councilmen. Resolution approving letter agreement needed. Appropriation transfer to be requested later by Public Works Department).

ACTION: Res. 68-377 adopted approving agreement with Orrick, et al for legal services. (Clerk to handle)

CONSENT
31. Right of way contract relating to widening of Yosemite Boulevard for State highway purposes.
(A memorandum of explanation has been transmitted to the Mayor and Councilmen with the agenda. Resolution approving right of way contract needed).

ACTION: Res. 68-378 adopted approving right of way contract with Standard Oil Company of California for Parcel No. 53. (Clerk to handle)

CONSENT

32. Accept financial statement for month of March 1968. (Motion accepting report needed).

ACTION: By motion report accepted.

CONSENT

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

ACTION: By motion report accepted.

CONSENT

34. Report from Modesto Motor Bus Service on passenger traffic for first three months use of new buses.
(A copy of the report showing a nice increase in passenger traffic has been sent with the agenda. Motion accepting report needed).

ACTION: By motion report accepted.

35. Report on the request by Paul V. Birmingham submitted by letter of April 3, 1968 concerning development of Claremont Avenue in Coleman Acres Unit No. 1.
(Oral recommendation will be made at council meeting. Motion directing staff needed)

ACTION: By motion (Mitchell/Hughes, unan.) staff directed to allow request as far as curb, gutter and sidewalk is concerned but to require paving of street to within 6" or 1' of curb. These conditions are to be included in agreement prepared with Final Map of subdivision. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

36. Recommend amendment to Section 15 of the zoning map (Bomberger). (By Resolution 68-40 adopted on April 16, 1968 the Planning Commission recommends an amendment to Section 15 of the zoning map as requested by Robert P. Bomberger, to rezone from one-family residential zone, R-1, to Professional Office Zone, P-O, property located at the south-east corner of Coffee Road and Celeste Drive. Resolution setting date for public hearing needed. Suggested date, May 13, 1968 at 7:45 P.M.)

ACTION: Res. 68-379 adopted setting hearing. (Clerk to handle)

CONSENT

37. Recommend amendment to Section 9-3-9 of the zoning map (H. T. Kullijian).
(By Resolution 68-39 adopted on April 16, 1968 the Planning Commission recommends an amendment to Section 9-3-9 of the zoning map as requested by H. T. Kullijian, to rezone from one-family residential zone, R-1, to two-family Residential zone, R-2, property located on the west side of Coffee Road, opposite Thorsen Avenue. Resolution setting date for public hearing needed. Suggested date May 13, 1968 at 7:50 P.M.).

ACTION: Res. 68-380 adopted setting hearing. (Clerk to handle)

CONSENT

38. Recommend amendment to Section 28-3-9 of the zoning map (E. D. Thompson).
(By Resolution 68-42 adopted April 16, 1968 the Planning Commission recommends an amendment to Section 28-3-9 of the zoning map as requested by E. D. Thompson, to rezone from two-family residential zone R-2, to muntiple-family residential zone, R-3, property located east of McHenry Avenue and south of Jones (mid-block). Resolution setting date for hearing needed. Suggested date May 13, 1968 at 7:55 P.M.)

ACTION: Res. 68-381 adopted setting hearing. (Clerk to handle)

CONSENT

39. Recommendation that the staff be authorized to contact the owner of land adjacent, to the north, of the Coleman Acres Subdivision regarding the possibility of obtaining the dedication of land necessary to provide a 40' part-width street for access into the subdivision. (See attached letter. Motion authorizing staff needed).

ACTION: By motion staff authorized to contact land owner as recommended. (Planning to handle)

MISCELLANEOUS

40. Legislative matters.

The Mayor reported on a trip to Sacramento.

41. Appointments

None.

42. Executive session to discuss land acquisition for sanitary landfill.

Adjourned to Executive Session at 9:35 P.M. with the announcement that the Council would not reconvene in open session.

Adjournment at 9:35 P.M.

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

CITY OF MODESTO MINUTES AND AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 6, 1968 AT 7:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation: Reverend R. Truman Northup, Church of the Brethren

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, ~~10~~, 11, 12, ~~13~~, 14, 15, 16, 17, 18, 19, 20, 21, ~~22~~, 23, ~~24~~, 35, 39a, b, c, d, e, ~~f~~, 40, 41, 45, 46, 47, 50, 51, 52, 53, 54, 55, 56, 57, 58
Items 13 and 34 removed from agenda.
Items 10, 22 and 39f removed from consent.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of April 22, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT

2. Letter from Lieutenant Governor Finch regarding California Bicentennial Celebration.
(Motion referring to Library and Cultural Commission, and to Beautification Committee for report needed).

ACTION: By motion referred to Library & Cultural Commission and Beautification Committee for report. (Clerk to handle)

3. (a) Letter from City of Ceres regarding extension of trunk sewer lines I-4 and I-5.

(b) Letter from C. Ernest Rushing, Ceres City Attorney, regarding extension of trunk sewer lines I-4 and I-5.

*ACTION: See below.

4. Letter from Earl Adam requesting one year extension of time for installation of curb and gutter at 347 Yosemite.
(Staff has no objection to extension requested).

ACTION: By motion, (Hughes/Shastid, unan.) one-year extension of time for installation of curb and gutter approved. (P/W to handle)

3. (a) & (b)

*ACTION: By motion (Mitchell/Smith) request of Ernest Rushing that Council adopt resolution rescinding decision to extend sewer district trunk (I-4 and I-5 portion) into the Ceres area referred to staff for report. (City Attorney to handle)

CONSENT
5. Letter from Norvin Spence, Neighborhood Youth Corps Project Director, enclosing brochure on program.
(Motion accepting report needed)

ACTION: By motion (Mitchell/Robinson, unan.) report accepted.

CONSENT
6. Letter from Commanding Officer, The Salvation Army, requesting use of Westside Park for Sunday evening services.
(Motion approving request needed).

ACTION: By motion (Mitchell/Robinson, unan.) Salvation Army permitted use of Westside Park for Sunday evening services from June 16 - August 25, 1968 inclusive. (P & R to handle)

CONSENT
7. Letter from East Side Mosquito Abatement District, Stanislaus County, requesting that the period of July 14, 1968 through July 20, 1968 be proclaimed California Mosquito Control Week.
(Motion approving request needed).

ACTION: By motion July 14-20, 1968 proclaimed California Mosquito Control Week. (C/Mgr to handle)

CONSENT
8. Letter from Krane Cablevision Associates regarding procedures and time limits to submit formal application for CATV franchise.
(Motion referring to staff needed).

ACTION: By motion referred to staff. (C/Mgr to handle)

CONSENT
9. Letter from Frank Andrews regarding protection of taxpayers' interests.
(Motion ordering filed needed).

ACTION: By motion letter ordered filed. (Clerk to handle)

~~CONSENT~~ BIDS
10. Consider accepting Wille Electric Supply Co., Inc. as low bidder for annual supply of municipal lamps and authorizing purchases as needed.
(Memorandum with agenda. Resolution accepting bid needed. Estimated cost $4,000; funds budgeted in Account 438-512, Revolving Fund Stores Account).

ACTION: Res. 68-382 adopted accepting bid of Wille Electric Supply Co. (Hughes/Smith, unan. - Robinson absent). (Finance to handle)

CONSENT

11. Consider award of bid for installation of water line in Skylane Park Unit No. 4.
(Bids were opened April 23. The low bid submitted by Industrial Electrical Co. which is 12% under the Engineer's Estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost: Materials, $5,500; labor $3,065; funds budgeted in Account 6804-50-101, Water Line Extensions).

ACTION: Res. 68-383 adopted awarding bid to Industrial Electrical Co. (P/W to handle)

CONSENT

12. Approve plans and specifications and call for bids for Subdivision-Type Lighting Modernization, Stage I.
(Provides for the conversion of 478 intersection lights to mercury vapor and the installation of extensions to provide better light distribution. Bid opening date, June 4, 1968 at 10:00 A.M. Resolution approving plans and specifications needed. Estimated cost, contract, $110,000; Eng. & Insp. $11,000; funds budgeted in Account 6626-321, Lighting Modernization Special Fund for Capital Outlays).

ACTION: Res. 68-384 adopted approving plans and specifications and call for bids. (Clerk to handle)

~~CONSENT~~

13. Approve plans and specifications and call for bids for construction of West Trunk Sewer, Project Unit No. 5 of the Sewerage Works Improvement Program.
(This project, along with Project Unit No. 7 for which the Council has already awarded the contract, provides the trunk sewers to the northern area of the community. Bid opening 2:00 P.M., Tuesday, June 11, 1968. Resolution approving plans and specifications and authorizing call for bids needed. Estimated project cost, $840,000; funds budgeted in Account 6553-405, Muni. Sewer District Improvements).

DROPPED FROM AGENDA.

CONSENT

14. Accept as complete the contract with Barney-Huntington Pump and Hardware, Inc., for the furnishing and installation of one deep well water pumping unit with electrical equipment for Pump Station No. 35.
(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 authorize the City Clerk to file a notice of completion. Resolution accepting work as complete and authorizing City Clerk to file notice of completion needed. Actual cost $5,619.04; funds budgeted in Account 6838-50-101, Well No. 35).

ACTION: Res. 68-385 adopted accepting contract. (Clerk to handle)

CONSENT

15. Approve specifications for the furnishing and installing of the electrical equipment at Fire Station No. 1.
(Memo distributed with agenda. Bid opening date, May 28, 1968 at 10:00 A.M. Resolution approving specifications and call for bids needed. Estimated cost $6,500; funds budgeted in Account 6110-41-321; Remodel Fire Station #1)

ACTION: Res. 68-386 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

16. Approve plans and specifications for the furnishing and installation of one deep well water pumping unit with electrical equipment for Pump Station No. 36.
(Bid opening date: May 21, 1968 at 10:00 A.M. Resolution approving plans and specifications and call for bids needed. Estimated cost $9,000; funds budgeted in Account 6834-50-101, Well at Moose Park).

ACTION: Res. 68-387 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

17. Approve plans and specifications and call for bids for installation of water line in Carpenter Road between Kansas and Blue Gum Avenues.
(Bid opening May 21, 1968 at 10:10 A.M. Resolution approving plans and specifications and authorizing call for bids needed. Estimated cost $14,000; materials, $8,873; labor, $5,127; funds budgeted in Account 6804-50-101, Water Line Extensions p. 43).

ACTION: Res. 68-388 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

18. Approve plans and specifications and call for bids for the installation of water lines in North Morton Blvd. between LaLoma and Downey Avenue.
(This extension is needed to tie in the new pump station No. 36 with our main distribution system. Bid opening May 21, 1968 at 10:20 A.M. Resolution approving plans and specifications and authorizing call for bids needed. Estimated cost $4,260, materials, $2,930; labor, $1,330. Funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43)

ACTION: Res. 68-389 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

19. Consider award of bid for the improvement of Carver Road from Bay Meadows Drive to Rumble Road.
(Bids were opened on April 30, 1968. The low bid submitted by Standard Materials Company is 0.8% under the Engineer's Estimate and is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost: Contract $45,932.60. Funds budgeted in Account 6670-207, Carver, Bay Meadows to Rumble Road).

ACTION: Res. 68-390 adopted awarding bid to Standard Materials Co. (Clerk to handle)

CONSENT

20. Consider accepting low bid for furnishing liquid chlorine for one year from Tops Chemical Company.
(Memo and bid tabulation with agenda. Resolution needed. Estimated cost $25,000; funds budgeted in Account 312/53/101, Chemical, Drug & Lab Supplies, p. 46).

ACTION: Res. 68-391 adopted awarding bid to Tops Chemical Company. (Finance to handle)

CONSENT

21. Consider accepting low bid for furnishing liquid anhydrous ammonia for one year from M. E. Willson Company.
(Memo and bid tabulation with agenda. Resolution needed. Estimated cost $8,500; funds budgeted in Account 312/53/101, Chemical, Drug & Lab. Supplies, p. 46).

ACTION: Res. 68-392 adopted awarding bid to M. E. Willson Company. (Finance to handle)

CONSENT

22. Consider authorizing a 90 per cent progress payment to P. E. Van Pelt, Inc., Oakdale.
(The aerial boom truck (Snorkel) was delivered to the City March 21, 1968. The truck is complete with the exception of minor adjustments and certain details yet to be finalized. 90% progress payment totals $60,537.85. Funds budgeted in Account 6104/41/321, Aerial Boom Truck, p. 61).

ACTION: By motion (Mitchell/Shastid, unan.) held over for one week for report as to cost of needed repairs involved, and opinion of City Attorney if any amount has to be paid before truck is accepted by Council. (C/Atty and Finance to handle)

CONSENT

23. Consider accepting low bids for furnishing miscellaneous fire equipment as detailed on bid tabulation.

(a) Jorgenson & Co., $3,675;

(b) Western Fire Equipment Co., $957;

CONSENT

23. (c) L. N. Curtis & Sons, $751;

(d) Albro Fire Equipment Co., $100.

(Resolutions awarding bids needed. Resolution approving appropriation transfer of $4,700 needed to enable the purchase. Balance of funds budgeted in Account 6104/41/321, Aerial Boom Truck, p. 61).

ACTION: Res. 68-393 adopted awarding bid to Jorgenson & Co.;
Res. 68-394 " " " " Western Fire Equipment Co.;
Res. 68-395 " " " " L. N. Curtis & Sons;
Res. 68-396 " " " " Albro Fire Equipment Co.;
Res. 68-397 " approving appropriation transfer of $4,700 from Account 60-321 (Gen. Reserve) to Account 6104-41-321 (Capital Outlay - Snorkel Truck). (Finance to handle)

HEARINGS

24. Hearing on annexation of Carver Addition to Modesto Municipal Sewer District. 4:15 P.M.

ACTION: Res. 68-398 adopted (Mitchell/Robinson, unan.) annexing area to District. (Clerk to handle)

25. Hearing on annexation of Greenwood Estates No. 3 Addition to Modesto Municipal Sewer District. 4:20 P.M.

ACTION: Res. 68-399 adopted (Shastid/Robinson, unan.) annexing area to District. (Clerk to handle)

26. Curb & gutter requirement at 413 Leon Ave., Lots 7 and 8, Block 355 (Mrs. Katie Keck). 4:25 P.M.

ACTION: Res. 68-400 adopted (Robinson/Smith, unan.) ordering work done. (P/W to handle)

27. Sidewalk requirement at 438 Leon Ave., Lots 29 and 30, Block 354 (Harold Parker) 4:25 P.M.

ACTION: Res. 68-401 adopted (Robinson/Smith, unan.) ordering work done. (P/W to handle)

28. Cost of installation of curb & gutter on Rhien & Fusco Avenues at 1833 Rhien, Lot 1, Block 2184A (Maurice Davis). 4:30 P.M.

ACTION: Res. 68-402 adopted (Mitchell/Shastid, unan.) assessing costs. (Clerk and Finance to handle)

29. Cost of installation of sidewalk, 338 Johnson, Lot 43 and portions of Lots 42 and 44, Block 571 (H. DeHart). 4:30 P.M.

ACTION: Res. 68-403 adopted (Mitchell/Shastid, unan.) assessing costs. (Clerk and Finance to handle)

30. Cost of installation of curb and gutter on Ramona and Lucern at 602 Ramona, Lot 5, Block 607 (Henry Meyer). 4:30 P.M.

ACTION: Res. 68-404 adopted (Mitchell/Shastid, unan.) assessing costs. (Clerk and Finance to handle)

31. Informal hearing on locating sanitary landfill operation at Airport. 4:35 P.M.

ACTION: By motion, recommendation of staff and Ribera & Sue contained in letter to Director of Parks & Recreation, dated April 5, 1968, temporary landfill site located adjacent to the general aviation area west of the 4,000 foot runway approved (Mitchell/Robinson, unan.). (P/W to handle)

32. Matters for the good of the Community. 4:40 P.M.
(These may be presented by citizens in the audience)

(a) Report made by City Manager on free dumping operation May 4.

(b) John Del Dotto announced television program on Channel 19 on May 7, 1968 at 7:00 P.M. to discuss city matters.

(c) Frank Andrews spoke on M.I.D. electrical rates and procedures.

(d) Police Chief Ammerman furnished Council with report entitled "Felony Crimes Reported State of California."

(e) Councilman Simon commended staff for smooth operation of free dumping operation on May 4.

OLD BUSINESS

33. Consider agreement with Pacific Transit Advertising for advertising inside the City's four new buses and authorize transfer if agreement is approved.
(This agreement is for a five-year franchise for the advertising on the four new buses and any additional buses the City might obtain in the future. The City is to be paid $25 per bus per month for three regular buses (the fourth bus is a spare). A transfer of $200 from traffic signal savings together with $286 left in the new buses account will provide the funds for the advertising card holders. A report by the Director of Parking and Traffic recommends against approval of the agreement on the basis that the proposed large displays will mar the buses. Staff direction needed).

ACTION: Res. 68-405 adopted (Shastid/Simon - majority - Robinson "no") approving agreement with Section 4 amended to delete all reference to "Full-Vue" cineramic sign displays. (P & T to handle)

CONSENT

34. Accept offer, approve lease agreement, and authorize $10,200 transfer for purchase and development of Bartoni Arcade on 10th Street between I and J Streets.
(As Council authorized, the agreements have been prepared and will likely be signed by Council meeting time. A report by the Director of Parking and Traffic describing the terms has been sent with the agenda. The purchase price is $9,600, plus $200 for proration of the taxes and $400 for a land survey. Resolutions approving agreement and transfer of $10,200 from the Parking Fund Reserve needed).

REMOVED FROM AGENDA.

CONSENT

35. Consider authorizing payment to Stanislaus County of balance due on cooperative project, improvement of Coffee Road at Floyd Avenue.
(Memorandum with agenda. Resolution approving payment needed. Actual cost $11,746.15; funds budgeted in Account 6647-321, Misc. Right of Way and Improvements).

ACTION: Res. 68-406 adopted authorizing payment of $11,746.15 to Stanislaus County as balance due. (Finance to handle)

36. 1967 Report to the People mailed to all residents of the City with Water-Sewer-Garbage bills.

ACTION: Staff commended for fine report.

37. Further consideration of developing additional parking on 11th Street between I and J Streets.
(A report by the Director of Parking and Traffic has been sent with the agenda. Motion directing staff to proceed with acquisition of all or part, or to drop the project needed. Estimated cost, up to $315,000. Funds to be requested later from Fund No. 209, Parking Fund, when scope of project is determined).

ACTION: By motion (Mitchell/Robinson - majority - Hughes, Shastid, Simon: "no") staff instructed to take necessary action to acquire Wherry Furniture, Smith Furniture, and Penney Annex buildings. (P & T to handle)

38. Report concerning proposed kitchen addition at Modesto Senior Citizens' Center.
(Oral report will be made at council meeting).

ACTION: Res. 68-407 adopted (Robinson/Smith, unan.) approving appropriation transfer of $2,000. (P & R to handle)
(From Account 60-321 (General Reserve) to 6399-31-321 (Senior Citizens' Center)

CONSENT

39. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below:
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Adoption of resolutions needed. Suggested hearing date May 20, 1968 at 4:20 P.M.)

CONSENT

(a) Sidewalk at 318 Roselawn, Lots 41 and 42, Block 331, (Mrs. C.A. Switzer).
(Resolution setting hearing needed)

ACTION: Res. 68-408 adopted setting hearing. (P/W to handle)

CONSENT

(b) Curb and gutter at 329 Yosemite Ave., Lots 19 and 20, Block 350, (W. W. Want).
(Resolution setting hearing needed)

ACTION: Res. 68-409 adopted setting hearing. (P/W to handle)

CONSENT

(c) Sidewalk, curb and gutter on Madison at 227 Maple Ave., portions of Lots 1 and 2, Block 416 (Hugh Leslie)
(Resolution setting hearing needed)

ACTION: Res. 68-410 adopted setting hearing. (P/W to handle)

CONSENT

(d) Curb and gutter on Third St., south of 905 Third St., Lots 15 and 16, Block 6 (Mr. A. Ecker).
(Resolution setting hearing needed).

ACTION: Res. 68-411 adopted setting hearing. (P/W to handle)

CONSENT

(e) Curb and gutter at 325 Yosemite Avenue, Lots 17 and 18, Block 350, (Mrs. L. A. Ayala).
(Resolution setting hearing needed).

ACTION: Res. 68-412 adopted setting hearing. (P/W to handle)

~~CONSENT~~

(f) Curb and gutter on Yosemite Avenue and Western Way at 347 Yosemite Avenue, Lot 27 and half of 26, Block 350 (Mr. E. Adam).

NO ACTION TAKEN: (one-year extension granted by motion - see Item 4.)

CONSENT

40. Report of Superintendent of Streets on cost of installation of sidewalk on Roseburg Ave. and Greenwood Drive, Lot 9, Block 6015 ($285.00). (Person)
(The amount assessed against the property will be included in a report distributed with the agenda for the hearing date. Resolution setting date for hearing needed. Suggested date, May 20, 1968 at 4:25 P.M.)

ACTION: Res. 68-413 adopted setting hearing. (P/W to handle)

CONSENT

41. Consider agreement with County of Stanislaus for the improvement of Floyd Avenue between McHenry Avenue and Coffee Road.
(County approved agreement April 23. Agreement provides that City and County will share cost based upon the amount of the project within each jurisdiction. Estimated city share, $88,501; estimated county cost, $5,092. Resolution approving agreement needed. Estimated cost, $93,593; funds budgeted in Account 6673-207, Floyd, McHenry to Coffee - Special Gas Tax. If actual bids exceed amount budgeted, an appropriation transfer will be requested later from Contingency Reserve Fund No. 207).

ACTION: Res. 68-414 adopted approving agreement. (Clerk to handle)

42. Recommendation that the Modesto City Council appoint a committee to be called the "Mayor's Council on Youth Opportunity," to try to expand opportunities for the young people of this community in meaningful work experiences.
(Memorandum with agenda. Resolution establishing committee needed).

ACTION: Res. 68-415 adopted (Hughes/Shastid, unan.) establishing committee. (C/Mgr to handle)

43. Presentation of the 1968-69 preliminary budget.
(Budgets will be distributed at the Council meeting)

(a) Establish schedule for its consideration. (Last year the Council met in special session on Tuesdays and Thursdays from 4:00 P.M. to 5:30 P.M. to review budget recommendations. Motion scheduling budget hearings needed.

ACTION: By motion (Hughes/Robinson, unan.) special budget sessions scheduled for Tuesdays and Thursdays from 4:00 P.M. to 5:30 P.M., first session to be held May 14, 1968 at 4:00 P.M.

(b) Set date for the public hearing as provided in the city charter. (Suggested date May 20, 1968 at 4:15 P.M. Resolution setting public hearing needed).

ACTION: Res. 68-416 adopted (Shastid/Hughes, unan.) setting public hearing. (Clerk to handle)

44. Planning Commission recommendation - Capital Improvement Program 1968-69 through 1973-74.
(See IBM listing and letter of transmittal. Motion accepting needed).

ACTION: By motion (Smith/Simon, unan.) to be considered by Council upon completion of budget sessions. (Finance to handle)

CONSENT

45. Suggested ordinance regulating bonfires, open fires, and incinerators.
(Ordinance establishing minimum standards for construction, location and use of incinerators and for control of open burning, introduction of, needed)

ACTION: By motion Ord. No. 889-C.S. introduced. (Clerk to handle)

CONSENT

46. Appointment of League of Women Voters of Modesto as the coordinating organization for Modesto's United Nations Day observance in October 1968.
(The United Nations Association of the United States has requested that the City of Modesto appoint a U.N. Day chairman. United Nations Day has been set for October 24 this year. The League of Women Voters has taken charge of the observance of U.N. Day for the last three years and has expressed a willingness to do so again this year. Motion needed. Estimated cost $100; will be included in the preliminary 1968-69 budget when presented to Council).

ACTION: By motion League of Women Voters of Modesto appointed. (C/Mgr to handle)

CONSENT

47. Consider agreement with Pacific Gas & Electric Co. for water service to company's new corporation yard on Carpenter Road between Woodland and Blue Gum Avenues.
(Total estimated cost of the main extension is $14,000. P. G. & E. agrees to pay all but $3787 of the cost. The latter amount represents the increased main size to provide adequate distribution to the general area. P. G. & E. will be reimbursed as other properties connect to the main extension. Resolution approving agreement needed. Estimated cost $14,000; funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43).

ACTION: Res. 68-417 adopted approving agreement. (Clerk to handle)

48. Report on United Airlines' future operations at the airport, and report of approval of FAA of runway extension and taxiway lighting.
(Memos with agenda. Copies of a letter to Thomas Bright, Stanislaus County's Chief Administrative Officer, is being distributed with the agenda).

ACTION: By motion (Hughes/Robinson, unan.) staff authorized to proceed with plans and specifications for runway. (P/W to handle)

Mayor Davies made public apology to Board of Supervisors. Through oversight, Board not invited because City was unaware of subject of meeting.

49. P.U.C. application to provide bus service from Modesto to Tracy and Sharpe Defense Depots.
(The application is to provide a car-pool type of bus service for workers at the depots. A report by the Director of Parking and Traffic has been sent with the agenda. Motion or resolution indicating the Council's position needed).

NO ACTION TAKEN.

CONSENT

50. Consider designating Martin between Clayton and Orangeburg, and Orangeburg between Martin and Prescott as truck routes.
(This action is recommended so that the large amount of trucks coming from the businesses on Clayton and Carver will have a designated route to the existing truck routes on Briggsmore, Tully and 9th Streets. Often trucks are filtering through the surrounding residential streets to get to the existing truck routes. A report by the Director of Parking and Traffic has been sent with agenda. Resolution needed).

ACTION: Res. 68-418 adopted rescinding Res. 66-608 and adding portions of Martin and Orangeburg to existing truck routes. (P & T to handle)

CONSENT

51. Consider request for sewer service to 700 Tokay Avenue, located on the south side of Tokay Avenue between Sunrise Avenue and Potter Avenue.
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. Resolution approving agreement needed).

ACTION: Res. 68-419 adopted approving agreement with Lloyd W. and Iva M. Cambron. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

52. A resolution annexing uninhabited territory to the City of Modesto known as the Roselawn Addition.
(The Planning Commission has reviewed and recommends annexation of uninhabited territory known as Roselawn Addition to the City of Modesto and the Local Agency Formation Commission has authorized the annexation without notice or public hearing. Resolution needed)

ACTION: Res. 68-420 adopted annexing Roselawn Addition to City of Modesto. (Clerk to handle)

CONSENT

53. Proposed initiation of proceedings to annex to the City that portion of the jointly owned City-County Airport not now within the city limits (Airport Addition No. 2).
(By annexing the remaining airport property, the City will no longer be responsible for property taxes, which in the fiscal year 1967-68 amounted to $2,857. Resolution of Intention to initiate on its own motion, proceedings to annex the Airport #2 Addition and authorize the City Manager to sign all required forms and petitions and authorizing the City Clerk to file such proposal with the Stanislaus County Local Agency Formation Commission needed).

ACTION: Res. 68-421 adopted initiating proceedings to annex Airport Addition No. 2 to City of Modesto. (Clerk to handle)

CONSENT

54. Recommend amendment to Section 17-3-9 of the zoning map (Mineni, Galas, Gargotto).
(By Resolution 68-46 adopted on April 30, 1968 the Planning Commission recommends an amendment to Section 17-3-9 of the zoning map as requested by Joe Mineni, Jr., Emanuel C. Galas, and Charles M. Gargotto, et al, to rezone from One-Family Zone, R-1, to Planned Development Zone, P-D, to accommodate development of a gasoline service station on property located at the northeast corner of Tully Road and Briggsmore Avenue. Resolution setting date for public hearing needed. Suggested hearing date, May 27, 1968 at 7:45 P.M.)

ACTION: Res. 68-422 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

55. Request for appropriation transfer, $1,000.
(This account is the revolving section to construct curb and gutters that the City handles for property owners and the general fund is reimbursed through the tax rolls. It is estimated that an additional $1,000 is needed for the balance of the fiscal year. Request for transfer from General Reserve to Account No. 5302-51, Curbs and Gutters, Special, needed. Resolution authorizing transfer needed).

ACTION: Res. 68-423 adopted authorizing appropriation transfer of $1,000 from Fund 101 (General Reserve) to Account 5302-51-101 (Public Works: Streets - Curbs & Gutters, Special). (Finance to handle)

CONSENT

56. Request for appropriation transfer - Improvement District No. 12 - Yosemite Boulevard Lighting.
(Funds are needed to take care of incidental expenses for the lighting district. Includes engineering, legal, secretarial, publication and printing expenses, all of which will be refunded by district. Resolution approving appropriation transfer of $10,000 needed).

ACTION: Res. 68-424 adopted authorizing appropriation transfer of $10,000 from Account 60-321 (General Reserve) to Account 6621-41-321 (Special Fund for Capital Outlay - Improvement District No. 12, Yosemite Blvd. Lighting, Las Flores to East City Limits). (Finance to handle)

CONSENT

57. Request for appropriation transfer - Improvement District No. 11 - Sunrise Addition and North 9th Street sewers. (Funds are needed to take care of incidental expenses for the sewer district. Includes engineering, legal, secretarial, publication and printing expenses, all of which will be refunded by district. Resolution approving appropriation transfer of $30,000 needed).

ACTION: Res. 68-425 adopted authorizing appropriation transfer of $30,000 from Account 60-212 (Sewer Service Fund, General Reserve) to Account 6589-212 (Sewer Service Fund, Improvement Dist. No. 11, Sunrise Addition and No. 9th St. Sewers). (Finance to handle)

CONSENT

58. Appropriation transfer, $3,500. (The budgeted amount for utilities in the Parks Division (210-35-101) is insufficient for current year expenditures. Resolution approving transfer needed, from General Fund, General Reserve 60-101, to Utilities, 210-35-101, Parks).

ACTION: Res. 68-426 adopted authorizing appropriation transfer of $3,500 from Account 60-101 (General Fund, General Reserve) to Account 210-35-101 (Parks, Utilities). (Finance to handle)

MISCELLANEOUS

59. Legislative matters

SB-426 - prohibiting cities and counties from granting CATV franchises, by motion (Robinson/Mitchell, unan.) staff authorized to write letter to Committee and Senator opposing. (C/Mgr to handle)

SB-513 - eliminating publication of prevailing wage rates, by motion (Robinson/Hughes, unan.) staff authorized to write supporting bill. (C/Mgr to handle)

SB-499 - Separate Employer-Employee Relations Act. By motion (Hughes/Robinson, unan.) staff authorized to write letter opposing. (C/Mgr to handle)

AB-299 - Firefighters, Collective Negotiation. No further action taken.

AB-1381 - pertaining to public records. City Attorney reported that League opposes many provisions of the bill, but does not oppose it in principle. City Attorney and City Clerk to review bill and report to Council. (C/Atty to handle)

60. Appointments: None

61. Executive session to consider acquisition of sanitary landfill property.

Council adjourned to executive session at 7:55 P.M.

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

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 13, 1968 AT 7:30 P.M.

Roll Call Present: Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: Hughes

Pledge of allegiance to the Flag
Invocation: Reverend Wendell Gibbs, Baptist Temple Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 3A, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, 30
Smith/Mitchell, unan.
Item 6 removed from consent.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of May 6, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT
2. Letter from The Modesto Optimist Club requesting permission for the Club to sponsor the 30-mile bicycle race around Graceada Park course.
(Motion approving request needed)

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

CONSENT
3. Letter from Rowland H. Gum resigning from Board of Zoning Adjustment.
(Resolution accepting resignation with regret needed)

ACTION: Res. 68-427 adopted accepting resignation with regret.
(Clerk to handle)

CONSENT
3A. Letter from Everett Jolliff resigning from Farm-City Advisory Committee.
(Resolution accepting resignation with regret needed)

ACTION: Res. 68-428 adopted accepting resignation with regret.
(Clerk to handle)

CONSENT

4. Letter from Wendel J. Kiser resigning from Human Rights Commission.
(Resolution accepting resignation with regret needed)

ACTION: Res. 68-429 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

5. Letter from Lang Enterprises requesting driveway variance at 110 Linden Street.
(Resolution setting hearing needed. Suggested hearing date May 20, 1968 at 4:35 P.M.)

ACTION: Res. 68-430 adopted setting hearing. (Clerk to handle)

CONSENT

6. Letter from Frank Andrews regarding Dennett Dam.
Motion ordering letter filed needed)

ACTION: Letter ordered filed. (Clerk to handle)

CONSENT

7. Letter from Myrne Madonna resigning from Downtown Improvement District Board.
(Resolution accepting resignation with regret needed)

ACTION: Res. 68-431 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

8. Letter from Shell Oil Company requesting that hearing for consideration of rezoning of property located at the corner of Tully and Briggsmore be reset at a later date.
(Resolution rescinding Resolution No. 68-422 and resetting hearing on June 10, 1968 at 7:45 P.M. needed)

ACTION: Res. 68-432 adopted rescinding Res. 68-422 and resetting hearing. (Clerk to handle)

BIDS

CONSENT

9. Approve plans and specifications and call for bids for modification of city hall heating plant.
(Memorandum with agenda. Bid opening date May 28, 1968 at 10:20 A.M. Resolution approving plans and specifications and call for bids needed. Resolution approving appropriation transfer of $4,500 needed)

ACTION: Res. 68-433 adopted approving plans and specifications and call for bids. (Clerk to handle)

Res. 68-434 adopted approving appropriation transfer of $4,500 from Account 60-101 (General Fund, General Reserve) to Account 5203-19-101 (City Hall, Modification of Heating Plant). (Finance to handle)

CONSENT

10. Approve plans and specifications and call for bids for the improvement of Floyd Avenue between McHenry Avenue and Coffee Road. (Bid opening date May 28, 1968 at 10:10 A.M. Floyd Avenue is part of the Select Street System and will be financed from State Gas Tax Funds and Stanislaus County Funds. Resolution approving plans, specifications and call for bids needed. Estimated cost $93,593 (Contract $83,593; Engr. $10,000). Funds budgeted in Account 6673-01-207, Floyd, McHenry to Coffee. If actual bids exceed amount budgeted, an appropriation transfer will be requested later from Contingency Reserve Fund No. 207)

ACTION: Res. 68-435 adopted approving plans and specifications and call for bids. (Clerk to handle)

11. Approve plans and specifications and call for bids for construction of West Trunk Sewer, Project Unit No. 5 of the Sewerage Works Improvement Program.
(This project, along with Project Unit No. 7 for which the Council has already awarded the contract, provides the trunk sewers to the northern area of the community. Bid opening: 2:00 P.M., Tuesday, June 18, 1968. Resolution approving plans and specifications and call for bids needed. Project cost, $840,000; funds budgeted in Account 6553-405, Muni. Sewer District Improvements)

DROPPED FROM AGENDA.

HEARINGS

12. Hearing on proposed amendment to Section 15-3-9 of the zoning map (Bomberger) 7:45 P.M.
(Information with agenda)

ACTION: By motion (Robinson/Smith, unan.) Ord. No. 890-C.S. introduced. (Clerk to handle)

13. Hearing on proposed amendment to Section 9-3-9 of the zoning map (Kullijian) 7:50 P.M.

ACTION: By motion (Smith/Simon, unan.) Ord. No. 891-C.S. introduced. (Clerk to handle)

14. Hearing on amendment to Section 28-3-9 of the zoning map (Thompson) 7:55 P.M.

ACTION: By motion (Mitchell/Shastid, unan.) Ord. No. 892-C.S. introduced. (Clerk to handle)

15. Matters for the good of the community. 8:00 P.M.
(These may be presented by citizens in the audience)

Res. 68-436 adopted (Shastid/Robinson, unan.) endorsing "Light the Night" Program. (Clerk to handle)

Ray Brady, local United Airlines Manager, informed the Council that jet service to Modesto would start February 15, 1969. He thanked the Council for the patience shown during the period when this decision was being considered.

Rae Condi requested that the Council delay for one month any action concerning the acquisition of land for a sanitary land fill. (See Item 36 for more information)

ORDINANCES

CONSENT
16. Adoption of Ordinance No. 889-C.S. relating to fire prevention.
(Published as required by the Charter)

ACTION: By motion Ord. No. 889-C.S. adopted. (Clerk to handle)

OLD BUSINESS

CONSENT
17. Accept as complete the contract with Industrial Electrical Co. for installation of water lines in Carver Terrace No. 1.
(All work on the project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution needed. Actual cost $4,878; funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-437 adopted accepting contract. (Clerk to handle)

CONSENT
18. Consider authorizing 100 per cent final payment to P. E. Van Pelt, Inc., Oakdale.
(The aerial boom truck (Snorkel) was delivered to the City March 21, 1968. The truck is now complete in all respects. Resolution accepting truck and authorizing payment needed. Actual cost $67,264.28; funds budgeted in Account 6104/41/321, p. 61, Aerial Boom Truck)

ACTION: Res. 68-438 adopted accepting truck and authorizing final payment. (Finance to handle)

CONSENT

19. Accept offer, approve lease agreement, and authorize $10,200 transfer for purchase and development of Bartoni Arcade on 10th Street between I and J Streets.
(As council authorized, the agreements have been prepared and will likely be signed by Council meeting time. A report by the Director of Parking and Traffic describing the terms has been previously sent to Council. Purchase price is $9,600, plus $200 for proration of taxes and $400 for a land survey. Resolutions approving agreement and transfer from the Parking Fund Reserve needed - $10,200)

ACTION: Res. 68-439 adopted accepting offer of Ray Houghton and Bart Bartoni (C/Atty to handle);

Res. 68-440 adopted approving lease agreement (Clerk to handle);

Res. 68-441 adopted approving appropriation transfer of $10,200 from Account 60-57-209 (Parking & Traffic, General Reserve) to Account 6152-57-209 (Parking & Traffic, 9th Street Parking Lot Arcade). (Finance to handle)

CONSENT

20a. Accept as complete George Reed, Inc. contract for construction of aircraft apron at United Airlines Terminal.

b. Consider approval of appropriation transfer in amount of $282.

(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. Resolution accepting work needed. Resolution approving appropriation transfer of $282 needed. Estimated cost $14,281.53; funds budgeted in Account 6511-306, Aircraft Parking Ramp. Engr. costs, $1,533.43. This is a City-Federal project with costs to be distributed as follows: City 46.37%; Federal 53.63%)

ACTION: Res. 68-442 adopted accepting contract. (Clerk to handle)

Res. 68-443 adopted approving appropriation transfer of $282 from Account 60-306 (Special Aviation Fund, General Reserve) to Account 6511-41-306 (Special Aviation Fund, Aircraft Parking Ramp). (Finance to handle)

CONSENT

21. Accept as complete Ferrero Electric contract for installation of Del Webb Field lighting revisions.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. Resolution accepting work needed. Actual cost, contract, $11,465; Engr. & Cont. $1,535. Funds budgeted in Account 6398-31-321, Del Webb Field Lighting)

ACTION: Res. 68-444 adopted accepting contract. (Clerk to handle)

22. Report by staff regarding the I-4 and I-5 trunk sewer line south of the Tuolumne River.
(A memorandum of explanation is being transmitted to the Mayor and the Councilmen with the agenda.)

ACTION: Following a lengthy discussion by both proponents and opponents of the extension of I-4 and I-5 trunk sewer lines, the Council took no action to change the present plans.

NEW BUSINESS

CONSENT

23. A resolution approving the final map of the Carver Terrace 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. Carver Terrace No. 2 Subdivision is located on the south side of Rumble Road between Carver Road and Dwight Lane. It contains 2.044 acres. Resolution approving final map and authorizing execution of agreement by City needed)

ACTION: Res. 68-445 adopted approving final map. (Clerk to handle)

CONSENT

24. Application for transfer of license to collect garbage from Lombardi Waste Disposal to Lombardi Waste Disposal, a Co-partnership composed of Ronald T. Driscoll and Diane M. Driscoll, his wife.
(Motion referring to City Manager for investigation and report, and Res. setting date for hearing needed. Suggested hearing date June 3, 1968 at 4:15 P.M.)

ACTION: By motion application referred to C/Mgr for investigation and report. (C/Mgr to handle)

Res. 68-446 adopted setting hearing. (Clerk to handle)

25. Youth in Government Day - Tuesday, May 14.
(About 60 Key Club members - 20 from each of the three local high schools - will participate.)

ACTION: The City Manager gave a brief explanation of the manner in which this day will be observed.

CONSENT

26. Consider changing date of first budget session from May 14 to May 16, 1968 at 4:00 P.M.
(Motion approving change needed.

ACTION: By motion first budget session changed to May 16, 1968 at 4:00 P.M. (Clerk to handle)

CONSENT

27. Consider submission of request for aid from the State Aeronautics Division Airport Assistance Revolving Funds for construction of security lighting and a taxiway, apron, and tiedown overlay at the airport.
(The projects are in the Capital Improvement Program and are eligible for aid if funds are available. Resolution authorizing the City Manager to sign and submit a request for aid on behalf of the City needed).

ACTION: Res. 68-447 adopted authorizing C/Mgr to submit request. (P/W to handle)

CONSENT

28. Authorization to hire the law firm of Jensen and Underwood to represent the City in the legal actions involving the City in the acquisition of easements for the City's sewer outfall line and the various trunk lines.
(Resolution needed)

ACTION: Res. 68-448 adopted approving letter agreement with Jensen & Underwood and authorizing C/Mgr to sign on behalf of City. (Clerk to handle)

CONSENT

29. Agreement between City and Harry F. MacDonald, whereby Mr. MacDonald agrees to sell to City certain real property for the Sylvan School park site, together with a grant deed executed by Mr. MacDonald in favor of the City.
(Memorandum of explanation with agenda. Resolution authorizing agreement and resolution approving appropriation transfer of $4,250 needed. Estimated cost $28,756 plus escrow costs; funds budgeted in Accounts 6395-321, Special Fund for Capital Outlay, $13,750; 6395-325, Parks and Recreation Facilities $11,000)

ACTION: Res. 68-449 adopted approving agreement for purchase of Sylvan School park site. (Clerk to handle)

Res. 68-450 adopted approving appropriation transfer of $4,250 from Account 60-325 (General Reserve) to Account 6395-325 (Land Acquisition, Coffee, Sylvan #1). (Finance to handle)

REPORTS

CONSENT

30. Presentation of financial statement for April 1968.
(Motion accepting report needed)

ACTION: By motion report accepted. (Finance to handle)

31. Oral report on Tuolumne River Regional Park by Councilmen Mitchell and Hughes.
(Council members of the Committee are making oral report regarding progress to date)

ACTION: Report made on progress of plans and possible problems. No Council action taken.

MISCELLANEOUS

32. Legislative matters.

None.

33. Consider appointments to various City Boards and Committees and Establishment of a permanent Committee to Study Crime. (Appointments to be made to the Committee to Study Crime, which was recommended by the original committee, to the Mayor's Council on Youth Opportunity, and to fill vacancies on various boards and committees. Resolutions needed)

ACTION: Res. 68-451 adopted (Mitchell/Shastid, unan.) appointing members of Mayor's Council on Youth Opportunity (2½-year terms) as follows:

Councilman Raymond Simon, Chairman
Jesse Aguilar
Jerome P. Ammerman
Rev. Howard Clark
Bert Corona, Ed. D.
Bob Dalzell
Mary E. Grogan
William Hoffman
Councilman William B. Hughes
Harold McKee
Kathleen Mundschau
Rev. Truman Northup
Marvin Ray
Rev. William Yeager

Davis High School:
Gary Bridges
Tanna Conway

Downey High School:
Doug Ludlow
Elizabeth Stone

Modesto High School:
Bill Genasci
Phil Joiner

Res. 68-452 adopted (Smith/Shastid, unan.) establishing Committee to Study Crime and appointing members (3-year terms):

Frank C. Damrell, Jr., Chairman
John Carey
James Clarke
Pat Conway
Richard B. Eaton
Mrs. Helen Horner
John F. Jennings
Thomas A. Lacey
Rev. Malcolm McClenaghan
Larry McCormick
Phil Newton
Rob Roy Phillips
Capt. John F. Potts
Mrs. Jeanette Roddy
W. Ed Russell
Willard J. (Bill) Thomas
Delwin (Del) Thompson
Paul Whitmore
Mel Williams
Charles J. Winton

Res. 68-453 adopted (Robinson/Shastid, unan.) appointing members to AB-103 Advisory Board (D.I.D., as follows:

Dr. John S. Rice, to replace Hy Youngheim, for a term to expire March 28, 1971;

Jerrold G. Bair, to replace Myrne Madonna, for a term to expire March 28, 1971.

Res. 68-454 adopted (Simon/Smith, unan.) appointing members to Human Rights Commission, as follows:

Jesse Aguilar, to replace Charles Aguilar, for a term to expire May 1, 1971;

Jerry M. Turner, to replace Wendel J. Kiser, for a term to expire May 1, 1969.

Res. 68-455 adopted (Robinson/Simon, unan.) appointing member to Farm-City Advisory Committee, as follows:

Bob Young, to replace Everett Jolliff, for a term to expire May 1, 1972.

(Clerk to handle)

34. Executive session to consider acquisition of park site in Woodrow area.

ACTION: See below

35. Executive session regarding remote sewer ponding site condemnation suit.

ACTION: See below

36. Executive session to consider acquisition of sanitary landfill property.

ACTION: Considered in open session rather than executive session. Residents of the area under consideration requested that action be delayed to permit the residents of Empire to become better informed of the City's plans.

By motion (Simon/Robinson, unan.) further consideration of an agreement for acquisition of property to be used as a sanitary landfill site was postponed for one week. (Clerk to handle)

The Council retired to executive session at 10:22 P.M. to consider Items 34 and 35. It was announced that the Council would not reconvene in open meeting after the executive session.

Adjournment at 10:22 P.M.

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

The Council of the City of Modesto met in special session this date at 4:00 P.M., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, as provided by Section 2-1.02 of the Modesto Municipal Code, Mayor Davies presiding, to consider the preliminary budget for fiscal year 1968-69.

Present: Councilmen: Hughes, Mitchell, Simon, Smith, Mayor Davies

Absent: Councilmen: Robinson, Shastid

BUDGET MESSAGE

The budget message for the 1968-69 budget was reviewed by the City Manager.

By unanimous consent, the Council agreed to consider supplemental requests separately after review of the preliminary budget.

CITY COUNCIL - 7 (P.21)

By motion (Simon/Smith, unan.) budget tentatively approved.

It was then decided by unanimous vote that unless a member of the Council moved to make a change in any of the budgets, the budget would be considered tentatively approved.

CITY MANAGER - 8 (P. 22)

Tentatively approved.

PLANNING - 18 (P. 28)

Tentatively approved with the addition of $15.00 to Account 401.

MUSIC & PROMOTION - 61 (P. 52)

Tentatively approved. City Manager requested to ascertain present status of monies that remain in Account 448.

MISCELLANEOUS UNCLASSIFIED - 65 (P. 54)

A motion (Smith/Hughes) to reduce Account 207 to $5,000 failed as Councilmen Mitchell and Simon and Mayor Davies voted no.

TYPING POOL - 9 (P. 23)

Tentatively approved.

CITY ATTORNEY - 13 (P. 24)

Tentatively approved.

CLERK - AUDITOR - 14 (P. 25)

Tentatively approved.

FINANCE - 15 (P. 26)

Tentatively approved.

PERSONNEL - 17 (P. 27)

Tentatively approved.

CITY HALL - 19 (P. 29)

Tentatively approved.

FIRE DEPARTMENT - 21 (P. 30)

Held over for later meeting.

DISASTER AND CIVIL DEFENSE - 26 (P. 32)

Tentatively approved.

INSURANCE AND RETIREMENT - 64 (P. 53)

Tentatively approved.

POLICE - 22 (P. 54)

Tentatively approved.

ADJOURNMENT

The meeting was adjourned to May 21, 1968 at 4:00 P.M.

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH
City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 20, 1968 at 4:00 P.M.
As no members of the Council were present the clerk recessed the meeting until 4:45 P.M.
Roll Call: Present: Hughes, Mitchell, Shastid, and Smith
Absent: Robinson, Simon, and Mayor Davies
By motion (Shastid/Smith, unan.) Councilman Mitchell was named Mayor Pro-Tem
Pledge of allegiance to the Flag.
~~Invocation: --Reverend Lawrence Duncan, Memorial Baptist Church~~
A moment of silent prayer was observed.
CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 4, 6, 9, 10, 11, 12, 13, 14, 15, 30, 31
Shastid/Smith, unan.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of May 13, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

2. Request of Retired Employees Committee for City Manager to be granted authorization to request State for actuarial survey re cost of living increase in retirement benefits.

ACTION: By motion (Smith/Shastid, unan.) C/Mgr authorized to obtain the cost of a survey. (C/Mgr to handle)

CONSENT
3. Request of 4th of July Celebration Committee for various services in connection with annual celebration.
(Resolution granting request needed)
ACTION: Res. 68-456 adopted granting request. (P & R, P/W, Police, and Fire to handle)

CONSENT
4. Request for $750 for 4th of July Celebration.
(Motion granting request needed)

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

5. Request that two members of City Council be appointed as members of the Community Action Agency governing board.

ACTION: Res. 68-457 adopted (Shastid/Hughes, unan.) appointing Councilmen Mitchell and Smith as representatives of Council on Community Action Agency Governing Board. (Clerk to handle)

CONSENT

6. Request of Michael M. Brown for encroachment permit to allow wooden platform in public right of way.
(Resolution setting May 27, 1968 at 7:50 P.M. for public hearing needed).

ACTION: Res. 68-458 adopted setting hearing. (Clerk to handle)

7. Request of Town House Lodge for waiver of penalty and interest charged on transient occupancy tax.

ACTION: Res. 68-459 adopted (Hughes/Smith, unan.) setting June 3, 1968 at 4:30 P.M. as time for hearing on request. (Clerk to handle)

8. Request of Housing Authority of Stanislaus County that City of Modesto adopt a resolution of consent allowing Housing Authority to lease dwellings within City.
(Resolution needed).

ACTION: By Order of the Chair this matter was held over to June 3, 1968.

BIDS

CONSENT

9. Construction of traffic signals and street lighting at Tully and Coldwell and 14th and K Streets.
(Funds for this project have been budgeted in accounts 6174-56 and 6194-56. The construction consists of upgrading safety lighting, installing new traffic signals, controllers and loop detectors. Estimated cost is $17,000. Resolution approving call for bids needed. Bid opening date June 18, 1968 at 2:30 P.M. Funds budgeted in Accounts 6194-56-321, 14th and K; 6174-56-321, Tully and Coldwell.)

ACTION: Res. 68-460 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

10. Approve plans and specifications and call for bids for the installation of water lines in McHenry Avenue from Rumble Road to 910 feet North and in Leveland Lane from McHenry Avenue to 510 feet West.
(Bid opening June 4, 1968 at 10:10 A.M. This project is required to strengthen the city water system in this area. Resolution approving plans and specifications and call for bids needed. Estimated cost $11,050 (materials $4,800; labor, $5,250). Funds budgeted in Account No. 6804-50-101, Water Line Extensions, p. 43)

ACTION: Res. 68-461 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

11. Approve plans and specifications and call for bids for modernization of lighting on Ninth Street bridge.
(Four of the 18 lights involved are under the jurisdiction of the County of Stanislaus. We have requested the County's participation and the Board of Supervisors will consider the matter May 21. Suggested bid opening June 18 at 10:15 A.M. Resolution approving plans and specifications and call for bids needed. Estimated cost, contract $9,540; Engr. & Insp. $760; funds budgeted in Account 6626-321, Modernize City Lighting, Stage 2, Special Fund for Capital Outlay)

ACTION: Res. 68-462 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

12. Approve plans and specifications and call for bids for the construction of Fire Station No. 3 on El Vista Avenue.
(Bid opening June 18, 1968 at 10:10 A.M. The proposed fire station on El Vista Avenue will replace the old existing fire station No. 3 located on Downey Avenue. Resolution approving plans, specifications and call for bids needed. Estimated cost $80,000; contract $76,000; Engr. $4,000. Funds budgeted in Account 6107-321, Relocate Fire Station No. 3. Additional funds needed due to increased construction costs will be requested after review of bids received)

ACTION: Res. 68-463 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

13. Accept as complete Ferrero Electric's contract for the furnishing and installing of standby power units at Emerald Ave. and Thousand Oaks Sewage Lift Stations.
(All the work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work needed. Actual cost $18,266. Funds budgeted in Account 6569-212, Thousand Oaks Park Station and 6570-212, Emerald Station Emergency Power)

ACTION: Res. 68-464 adopted accepting contract. (Clerk to handle)

CONSENT

14. Consider award of bid for the improvement of Scenic Drive from Bodem Street to east city limits.
(Bids were opened on May 14th. The low bid submitted by B. G. Construction Company, which is 5.4% under the Engineer's Estimate is considered acceptable. Therefore it is the recommendation of the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost - contract $12,447.45. Funds budgeted in Account 6641-207, Scenic-Bodem to E. City Limits)

ACTION: Res. 68-465 adopted awarding bid to B. G. Construction Co. (P/W to handle)

CONSENT

15. Award contract for traffic signal modernization and modification on 10th at D, G, H, I, J, K, L, and Needham; on 11th at G, H, I, J, K, L, and Needham; and at 7th and G.
(Ferrero Electric, Inc., is low bidder at $59,700. Explanation and and bid tabulation sent with agenda. Resolution awarding contract to Ferrero Electric, Inc. needed. Estimated cost $59,700; funds budgeted in Accounts 6211 and 6204, Modernize Downtown and Modernize 11th & L, 10th & G, and 7th & G)

ACTION: Res. 68-466 adopted awarding contract to Ferrero Electric, Inc. (P & T to handle)

HEARINGS

16. Public budget hearing 4:15 P.M.

ACTION: Frank Andrews objected to the Conference Expense item. By motion (Hughes/Shastid, unan.) hearing continued to June 10, 1968 at 7:50 P.M. with the understanding that there may be a further continuance. (Clerk to handle)

17. Sidewalk requirement at 318 Roselawn, Lots 41 and 42, Block 331 (Mrs. Carolyn A. Switzer) 4:20 P.M.

ACTION: Res. 68-467 adopted (Smith/Hughes, unan.) ordering work done. (P/W to handle)

18. Curb and gutter requirement at 329 Yosemite Ave., Lots 19 & 20, Block 350 (Wayne W. Want) 4:20 P.M.

ACTION: Res. 68-468 adopted (Smith/Hughes, unan.) ordering work done. (P/W to handle)

19. Sidewalk, curb and gutter requirement on Madison at 227 Maple Ave., portions of Lots 1 and 2, Block 416 (Hugh Leslie) 4:20 P.M.

ACTION: Res. 68-469 adopted (Smith/Hughes, unan.) ordering work done. (P/W to handle)

20. Curb and gutter requirement on Third Street, south of 905 Third Street, Lots 15 & 16, Block 6 (Andrew Ecker) 4:20 P.M.

DROPPED FROM AGENDA.

21. Curb and gutter requirement at 325 Yosemite Avenue, Lots 17 and 18, Block 350 (Mrs. Lucas Alberto Ayala) 4:20 P.M.

ACTION: Res. 68-470 adopted (Smith/Hughes, unan.) ordering work done. (P/W to handle)

22. Cost of installation, sidewalk, Roseburg Avenue and Greenwood Drive, Lot 9, Block 6015 (Person). 4:25 P.M.

ACTION: Res. 68-471 adopted (Smith/Shastid, unan.) approving report, assessing costs and directing method of collection. (Finance to handle)

23. Request for driveway variance, Lang's Enterprises, 110 Linden Streets. 4:35 P.M.

ACTION: Res. 68-472 adopted (Shastid/Hughes, unan.) granting Lang's Enterprises request for variance to permit 50 ft. curb cut at 110 Linden Street. (P/W to handle)

24. Matters for the good of the community. 4:40 P.M.
(These may be presented by citizens in the audience)

ACTION: Frank Andrews complained that the M.I.D. reports were inadequate. He was informed that the Council had no jurisdiction over the M.I.D.

The Council decided that the budget hearing set for May 21, 1968 at 4:00 P.M. should be continued to May 23, 1968 to permit more Councilmen to be present. (Clerk to handle)

OLD BUSINESS

25. Further consideration of arcade on east side of 10th Street between I and J Streets (Tucker Estate).
(A report by the Director of Parking and Traffic has been sent with the agenda. The owners of the property are not willing to sell the property necessary for this arcade. Estimated cost $15,000. Funds to be requested later from Parking Fund Reserve. Motion is needed indicating Council's intention to acquire, or not acquire the property for this arcade)

ACTION: Dropped from agenda until staff wishes to have it considered by Council.

26. Further consideration of agreement offering to sell property to City from Joseph A. and Mildred Damas.

ACTION: Continued to May 27, 1968 at 7:40 P.M.

NEW BUSINESS

27. Consider proposal of Mr. Thomas Fontana to harvest walnuts on city property.
(A letter has been received from Mr. Thomas Fontana offering to harvest walnuts from city-owned trees located at Dryden Park Municipal Golf Course, Roosevelt Park, at City Pump Station No.14 on Virginia Ave., the City Pump Station on Emerald Ave., Mancini property at 1204 River Road, and on the small parcel purchased by the City from the State on the south side of Tuolumne River near 9th Street bridge approach. He proposes to complete the harvest and pay to the City by November 20, 1968 35% of the gross revenue for the crop. Mr. Fontana harvested the walnuts in 1967 and paid the City $140.87. Resolution approving needed)

ACTION: Res. 68-473 adopted (Shastid/Hughes, unan.) accepting proposal. (P & R and Finance to handle)

28. Recommendation from the Personnel Commission concerning revision of Personnel Rule on sick leave.
(A letter from the Chairman of the Personnel Commission is being distributed with the agenda. Resolution amending Personnel Rule 13.5 - Sick leave - needed)

ACTION: Held over for one week. (Clerk to handle)

29. Request for refund of business license tax and D.I.D. tax.
(A request for refund of business license tax and D.I.D. tax has been submitted by Bee's in the amount of $2,682.71 for the period beginning April 1, 1967 through March 31, 1968. This firm calculated its gross receipts in error at 1% instead of 1 mill (on business license tax) and at .5% instead of 1/2 mill (on D.I.D. tax). The request for refund has been audited by the Finance Department and we recommend that it be approved. Refunds of $100 or more require council approval. Resolution needed. Estimated cost $2,682.71 - Refund of current business license revenue and D.I.D. revenue received. Funds budgeted in Accounts 302, 305, 101, 218)

ACTION: Res. 68-474 adopted (Hughes/Smith, unan.) authorizing refund. (Finance to handle)

CONSENT

30. Consider authorizing sale of surplus cast iron light standards when available and when there is a market; or sell as scrap metal. (Memo with agenda).

ACTION: Res. 68-475 adopted authorizing sale. (Finance to handle)

REPORTS

CONSENT

31. Report by the Housing Authority of Stanislaus County for 1967. (Motion accepting report needed)

ACTION: By motion report accepted.

MISCELLANEOUS

32. Legislative matters.

None.

33. Executive session to discuss acquisition of property - Tuolumne River regional park.

ACTION: It was announced that this matter would not be discussed during the executive session.

At the request of the City Attorney an executive session was held to discuss pending litigation. The Council returned to open session at 5:55 P.M.

ACTION: Res. 68-476 adopted (Shastid/Smith, unan.) approving letter agreement whereby the law firm of Jensen & Underwood will appear on behalf of the City of Modesto in the court action whereby the City of Ceres is seeking to prevent Modesto from extending sewer trunk lines I-4 and I-5. (C/Atty to handle)

Res. 68-477 adopted (Shastid/Smith, unan.) approving letter agreement whereby the law firm of Jensen & Underwood will appear on behalf of the City of Modesto in future litigation which cannot be handled by the City Attorney. (C/Atty to handle)

Adjournment at 6:00 P.M.

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

Modesto City Council
May 21, 1968

Minutes of Adjourned Special Meeting, Budget Consideration, May 21, 1968, 4:00 P.M.

There being no members of the Modesto City Council present, the meeting is adjourned to May 23, 1967 at 4:00 P.M.

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

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 27, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Shastid, Simon, Smith, and Mayor Davies
Absent: Robinson
Pledge of allegiance to the Flag
Invocation: Reverend George Telle, Trinity Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 7, 8, 9, 10, 11, ~~12~~, 18, 19, 20, 22, 23, 25, 27, 29, 31, 32, 33
Item 12 removed from consent.
(Simon/Smith, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of May 16, 20 and 21, 1968

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT
2. Resignation of Elaine D. Grinage from Beautification Committee. (Resolution accepting with regret needed)

ACTION: Res. 68-478 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
3. Request of Mathew A. Bruno (LaLoma Liquors) for driveway variance on Burney Street.
(Resolution setting June 3, 1968 at 4:35 for hearing needed)

ACTION: Res. 68-479 adopted setting hearing. (Clerk to handle)

CONSENT
4. Resignation of John H. Freemyer from Beautification Committee (Resolution accepting with regret needed)

ACTION: Res. 68-480 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
5. Letter from Frank Andrews re improvements to new fire truck. (Motion order letter filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

6. Report on Sewer Project.
(Report being distributed with agenda. It is recommended that we make a loan of $1,000,000 from the Special Fund for Capital Outlays to the 1967 Sewer Bond Fund. The $1,000,000 would consist of $450,000 of the funds being held in Contingency Reserve for the Library Building Construction and the $550,000 being held in Contingency Reserve for Sewer Improvements. Resolution authorizing loan needed)

ACTION: Res. 68-481 adopted (Shastid/Mitchell, unan.) authorizing loan. (Finance to handle)

BIDS

6A. Consider award of contract for construction of East Trunk Sewer to the low bidder, Robert G. Castongia, Inc., of Downey, Calif., in the amount of $264,401.81.
(Memorandum of explanation with agenda. Resolution awarding contract needed. Estimated contract cost $264,401.81; funds budgeted in Account 6553-405, $264,401.81, Muni Sewer District Improvements)

ACTION: Res. 68-482 adopted (Shastid/Mitchell, unan.) awarding contract. (P/W to handle)

CONSENT

7. Consider award of bid for furnishing and installing one deep well water pumping unit with electrical equipment for Pump Station No. 36.
(Bids were opened May 21, 1968 at 10:00 a.m. The low bid was submitted by Johnston Pump Company which is 11.8% under the engineer's estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $6,394; funds budgeted in Account 6834-50-101, Well at Moose Park)

ACTION: Res. 68-483 adopted awarding bid to Johnston Pump Co. (P/W to handle)

CONSENT

8. Approve plans and specifications for the asphalt concrete resurfacing of various city streets.
(Call for bids to be on June 11, 1968, 10:00 a.m. Memo with agenda. Resolution approving plans, specifications and call for bids needed. Estimated cost $18,775; funds budgeted in Account No. 321-51-101, Construction materials)

ACTION: Res. 68-484 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

9. Recommendation that water lines in Morton Boulevard between LaLoma and Downey Ave. be performed by city forces.
(Bids were opened May 21, 1968. The low bid submitted by Industrial Electric was 111% over the Engineer's Estimate. In the opinion of the City Manager this work can be done more economically by city forces. Therefore, he recommends that the work be done accordingly. Estimated cost $4,260 (Materials $2,930, labor $1,330). Funds budgeted in Account 6804-50-101, Water Lines Ext. p. 43)

ACTION: Res. 68-485 adopted directing that work be done by City forces. (P/W to handle)

CONSENT

10. Recommendation that installation of water lines in Carpenter Road between Kansas Ave. and Bluegum Ave. be performed by city forces. (Bids were opened May 21, 1968. The low bid submitted by Industrial Electrical Co. was 21% over the Engineer's Estimate. In the opinion of the City Manager, this work can be performed more economically by city forces. Therefore, he recommends that the work be done accordingly. Resolution authorizing work to be done by city forces needed. Estimated cost $14,000 (Materials, $9,080; labor, $4,920). Funds budgeted in Account 6804-50-101, Water Line Ext. p. 43)

ACTION: Res. 68-486 adopted directing that work be done by City forces. (P/W to handle)

CONSENT

11. Approve plans and specifications and call for bids for construction of comfort station at Beard Brook Park.
(Bid opening, June 18, 1968 at 10:20 A.M. This comfort station is part of the Beard Brook Park Development Plan and is the same as those constructed at various other City Parks. Resolution approving plans and specifications and call for bids needed. Estimated cost $8,400 (Contract $7,900, Engr. $500) Funds budgeted in Account 6306-321, Beard Brook Restroom #2)

ACTION: Res. 68-487 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

12. Modernization of vehicular parking lot on the southeast corner of 12th and I Streets.
(Funds for this project have been budgeted in Account 5301-57-209. The modification consists of repaving the lot and widening the stalls; replacing sidewalks, curbs, gutters, and driveway; removing cement islands and curbs; and installing planters, sprinkling system and meter posts. Resolution calling for bids needed. Suggested opening date June 18, 1968 at 2:00 P.M. Estimated cost $5,400; funds budgeted in Account 5301-57-209, Present Lot Development, $4,323). Balance of funds to be requested later from Fund 57-209, 8th Street Lot Lighting)

ACTION: Res. 68-488 adopted (Shastid/Mitchell, unan.) approving plans and specifications and call for bids. (Clerk to handle)

HEARINGS

13. Further consideration of agreement offering to sell property to City from Joseph A. and Mildred Damas. 7:40 P.M.

ACTION: By motion (Shastid/Simon, unan.) offer of site for sanitary landfill rejected. By Order of the Chair, C/Mgr directed to request County Board of Supervisors for assistance in locating suitable site. C/Mgr to also ascertain "ground rules" on matters such as population and distance. (C/Mgr to handle)

14. Hearing on annexation of Rouse Addition to City of Modesto 7:45 P.M.

ACTION: Res. 68-489 adopted (Simon/Smith, unan.) declaring no majority protest made.
Ord. No. 893-C.S. adopted annexing area. (Clerk to handle)

15. Hearing on request of Michael Brown for encroachment permit. 7:50 P.M.

ACTION: Res. 68-490 adopted (Shastid/Hughes, unan.) granting encroachment permit to Michael Brown to allow a small wooden platform to remain in public right of way between Lots 4 & 5 of College Center Subdivision - subject to applicant furnishing suitable insurance. (Clerk to handle)

HEARINGS (Continued)

16. Informal hearing on Item 6 of recommendations of Downtown Study Committee (Auditorium). 8:00 P.M.

ACTION: By motion (Shastid/Mitchell, unan.) Downtown Study Committee authorized to contact architects to discuss details of a possible contract and to report to Council. (C/Mgr to handle)

17. Matters for the good of the community. 8:05 P.M.
(These may be presented by citizens in the audience)
Herbert Baum remarked that San Francisco seemed to have the financial ability to assist merchants when they are forced to relocate their businesse:

By motion (Shastid/Smith, unan.) staff directed to prepare emergency ordinance to provide greater restrictions for pole signs. (C/Atty and P/W to handle)

P & T to study possibility of sign on H Street to direct traffic to McHenry Ave.

Staff to request State and railroad companies to improve condition of D Street. (P/W to handle)

Report made on May 25 free dump operation.

State Compensation Insurance Fund refunds received ($15,859.81 for 1963-64; $9,994.10 for 1964-65; $21,051.84 for 1966-67).

ORDINANCES

CONSENT
18. Final adoption of Ord. No. 890-C.S. amending Section 15-3-9 of zoning map - Bomberger.

ACTION: By motion Ord. No. 890-C.S. adopted. (Clerk to handle)

CONSENT
19. Final adoption of Ord. 891-C.S. amending Section 9-3-9 of zoning map - Kullijian.

ACTION: By motion Ord. No. 891-C.S. adopted. (Clerk to handle)

CONSENT
20. Final adoption of Ord. 892-C.S. amending Section 28-3-9 of zoning map - Thompson).

ACTION: By motion Ord. No. 892-C.S. adopted. (Clerk to handle)

OLD BUSINESS

21. Recommendation from the Personnel Commission concerning revision of Personnel Rule on sick leave.
(A letter from the Chairman of the Personnel Commission is being distributed with agenda. Resolution amending Personnel Rule 13.5 - Sick Leave)

ACTION: Res. 68-491 adopted (Mitchell/Hughes, unan.) amending Personnel Rule 13.5 - Sick Leave - increasing maximum number of cumulative sick leave days from 120 to 150 days. (Personnel to handle)

CONSENT

22. A resolution determining that the public interest and convenience require that Roselawn Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date July 8, 1968 at 7:45 P.M. Resolution setting hearing (2/3 affirmative vote needed)

ACTION: Res. 68-492 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consideration of the acceptance of a sewer easement contract with accompanying easement deed for Parcel No. 3 for Sewer Line Project No. Unit 5 from Eugene R. and Doris M. Abel. (Memorandum of explanation with agenda. Adoption of resolution authorizing the sewer easement contract and rescinding resolution No. 68-367 which authorized condemnation proceedings for this parcel needed)

ACTION: Res. 68-493 adopted rescinding Res. 68-368 and authorizing acceptance of easement deed for Parcel No. 3. (Clerk to handle)

24. Approve plans and specifications and call for bids for construction of West Trunk Sewer, Project Unit No. 5 of the Sewerage Works Improvement Program. (This project, along with Project Unit No. 7 for which the Council has already awarded the contract, provides the trunk sewers to the northern area of the community. Bid opening 2:00 P.M. Wednesday, July 3, 1968. Resolution approving plans and specifications and authorizing call for bids needed. Estimated project cost $840,000. Funds budgeted in Account 6553-405, Muni Sewer District Improvements)

ACTION: Res. 68-494 adopted (Shastid/Smith, unan.) approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

25. Consider authorizing Purchasing Officer to join with County of Stanislaus' Purchasing Agent in a call for bids for furnishing annual requirements of gasoline for period commencing July 1, 1968. Motion authorizing needed. Estimated cost $50,000; funds budgeted in Account 330-48-512, Gas, Oil & Lubricants, and some other accounts)

ACTION: By motion Purchasing Officer given requested authorization. (Finance to handle)

26. Request for waiver of penalty and interest on business license tax. (This request is submitted C. Norwood Forsyth who states the following: "All of my quarterly tax payments were mailed on 4-30-68 at 7:00 P.M. at the West Side Post Office. This is the time I finished work and was on my way home." Memorandum with agenda. Resolution needed. Estimated cost $2.20; funds budgeted in Account 302, General Fund, 101).

ACTION: Res. 68-495 adopted (Shastid/Simon, unan.) denying request. (Finance to handle)

CONSENT

27. Letter from County Parks Superintendent.
(Letter from County Parks Superintendent requesting refund of $275. In accordance with our current agreement with the County of Stanislaus, we were to receive $16,064.17 as the City's share of the County Parks and Recreation Allocation. This represents a $1,295.17 increase over the last fiscal year. The letter states that they inadvertently failed to hold $275 in reserve for the Bret Harte Community Baseball League, therefore, they are asking that the City refund $275 so they can aid in providing a baseball program in the Bret Harte area. Resolution amending agreement and authorizing refund needed).

ACTION: Res. 68-496 adopted approving amended agreement and authorizing refund of $275. (Finance to handle)

28. Consider request of Wherry Furniture Company that they be permitted to stay in their present location until December 31, 1968, rent free, if the City consummates its purchase of the building.
(Motion directing staff needed)

ACTION: By motion (Hughes/Shastid, unan.) Council indicated intention to permit Wherry Furniture Co. to remain in present location until December 31, 1968 at same rent as they are paying now. (C/Mgr to handle)

CONSENT

29. Request by City Attorney for one day's vacation on Friday, May 31, 1968.
(Motion authorizing needed)

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

REPORTS

30. Report on group life insurance policy.
(Information with agenda. Motion directing staff needed)

ACTION: By motion (Hughes/Shastid, unan.) referred to salary study. (C/Mgr to handle)

REPORTS FROM PLANNING COMMISSION

CONSENT

31. East Orangeburg Addition No. 2 - for referral to Planning Commission.
(Proposed annexation - uninhabited. Information with agenda. Resolution referring to Planning Commission needed)

ACTION: Res. 68-497 adopted referring to Planning Commission. (Planning to handle)

CONSENT

32. East Orangeburg Addition No. 3 - for referral to Planning Commission.
(Proposed annexation - uninhabited. Information with agenda. Resolution referring to Planning Commission needed).

ACTION: Res. 68-498 adopted referring to Planning Commission. (Planning to handle)

CONSENT

33. Recommend amendment to Section 18-3-9 of the zoning map (John Quaresma).
(By Resolution 68-56 adopted May 21, 1968 the Planning Commission recommends an amendment to Section 18-3-9 of the zoning map as requested by John Quaresma, to rezone from one-family residential zone, R-1, to Planned Development zone, P-D (41) to accommodate an apartment building complex on property located on the east side of Carver Road between Northern Blvd. and Barkwood Drive. Resolution setting date for public hearing needed. Suggested date June 17, 1968 at 4:15 P.M.)

ACTION: Res. 68-499 adopted setting date for public hearing. (Clerk to handle)

MISCELLANEOUS

34. Legislative matters.
ACTION: By motion (Mitchell/Hughes, unan.) SB-772 (free airport parking for legislators) opposed. By motion (Shastid/Simon, unan.) AB-1381 (inspection of public records) opposed in present form but to be supported if and when definition of public records is improved and list of exempted records is broadened. (C/Mgr to handle)

35. Appointments.
ACTION: Res. 68-500 adopted (Simon/Smith, unan.) reappointing Gerald Gustafson, Dr. Walker Halliday, and Willard Thomas as members of the AB-103 Advisory Board (Downtown Improvement District) for terms expiring March 28, 1972. (Clerk to handle)

36. Executive session to consider litigation regarding sewer ponding site.

ACTION: The Council retired to executive session at 10:36 P.M. and it was announced that they would not return to open session.

Adjournment at 10:36 P.M.

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

The Council of the City of Modesto met in adjourned special session this date in the Council Chamber, City Hall, 801 11th Street, Modesto, California, to consider further the preliminary budget for fiscal year 1968-69, Councilman Mitchell presiding.

Present: Councilmen: Mitchell, Shastid, Simon, Smith
(Councilman Smith arrived at 4:30 P.M.
(Councilman Shastid arrived at 4:45 P.M.)
Absent: Councilmen: Robinson, Mayor Davies, Hughes

The meeting was called to order at 4:20 P.M., with Councilmen Mitchell and Simon present. The two members present met as a sub-committee to consider budget matters with the understanding that any members arriving later would be asked to confirm any actions recommended by the sub-committee.

Councilman Smith arrived at 4:30 P.M. and Councilman Shastid arrived at 4:45 P.M. There being a quorum present, the following budgets were considered and given tentative approval:

DOWNTOWN IMPROVEMENT DISTRICT - FUND 218, p. 59

BOND REDEMPTION AND INTEREST REQUIREMENTS, p. 61

PUBLIC WORKS - ENGINEERING & ADMINISTRATION - 41 (p. 42)

PUBLIC WORKS - BUILDING INSPECTION - 42 (p. 43)

PUBLIC WORKS - ELECTRICAL - 43, (p. 44)

PUBLIC WORKS - WATER - 50, (p. 45)

PUBLIC WORKS - STREETS - 51 (p. 46)

PUBLIC WORKS - SEWERS - 52 (p. 47)

PUBLIC WORKS - SEWAGE DISPOSAL - 53 (p. 48)

PUBLIC WORKS - GARDEN REFUSE - 54 (p. 49)

PUBLIC WORKS - AIRPORT - 46 (p. 60)

PUBLIC WORKS - SERVICE DIVISION - 48 (pp. 62 and 63)

SUPPLEMENTAL REQUESTS

The Council then began consideration of supplemental requests and tentatively approved the following:

MUSIC & PROMOTION - 61 (p. 52)

Modesto Symphony - $300

PUBLIC WORKS - ENGINEERING & ADMINISTRATION - 41 (p. 42)

M & R Equipment, Other - $60

PUBLIC WORKS - ELECTRICAL - 43 (p. 44)

Salaries & Wages, Overtime - $2,000
Equipment Rental Charges - $582
Street lights, Signals & Fire Alarms - $3,300
Capital Outlay - $1,065

ADJOURNMENT - The meeting was adjourned to Tuesday, June 4, 1968 at 4:00 P.M.

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

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 3, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies; Absent: None.

Pledge of allegiance to the Flag

Invocation: Reverend ~~Charles-Lindberg~~, First Christian Church Kenneth Compton

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 6, 7, 8, 9, 10, ~~XXX~~, ~~XX~~, 17a, b, c, d, e, f, g, 18a, b, c, d, 19, ~~XX~~, 22, 23, 24a, b, c, 25, 26, 27, 28

Item 15 removed from Consent; 10A and 20 dropped from agenda. (Hughes/Mitchell, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items.)

APPROVAL OF MINUTES

1. Minutes of May 23 and 27, 1968

ACTION: Minutes approved.

PRESENTATION OF SUGGESTION AWARDS

2. (a) $10 award to John George for suggesting an air tube for emergency life saving.
(Mayor to present award)

ACTION: Award presented by Mayor Davies.

(b) $25 award to Dan Terry for suggesting installation of a hydraulic pressure gauge on Truck Co. #1.
(Mayor to present award)

ACTION: Award presented by Mayor Davies.

(c) Two suggestion awards to Sammy Rushing, as follows:

$75 award for suggesting that a portable winch be used by the Utility Department;

$30 award for suggesting that a compact catch basin puller be used by the Utility Department
(Mayor to present awards. Funds budgeted in Account 236-17, Suggestion Awards)

ACTION: Awards presented by Mayor Davies.

3. Presentation by Modesto Beautification Committee.

ACTION: Scroll containing an anti-litter pledge signed by 340 teachers and 15,000 pupils was presented to the Council.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

4. Letter from League of California Cities re legislative bulletins.

ACTION: No action.

5. Letter from Carl Cathey re special pay to police officers who have trained dogs.

ACTION: By motion (Hughes/Robinson, unan.) referred to staff for study. (Police to handle)

CONSENT

6. Resignation of George A. Atherton from Planning Commission. (Resolution accepting resignation with regret needed)

ACTION: Res. 68-501 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

7. Request of E. G. Kruger for elimination of sidewalk, curb, and gutter requirement at 901 Zeff Road. (Suggested hearing date June 10, 1968 at 7:55 P.M.)

ACTION: Res. 68-502 adopted setting June 10, 1968 at 7:55 P.M. as time for hearing. (Clerk to handle)

BIDS

CONSENT

8. Consider approval of specifications and authorize call for bids to replace hardwood floor in the multipurpose room of Maddux Youth Center.
(Bids to be opened June 18, 1968 at 2:15 P.M. Resolution approving call for bids needed. Estimated cost $4,600; funds budgeted in Account 7902-31-321, Maddux Hardwood Floor - not shown in budget - recently authorized by Council)

ACTION: Res. 68-503 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

9. Consider award of bid for the improvement of Floyd Avenue between McHenry Avenue and Coffee Road.
(Bids were opened on May 28. The low bid submitted by Standard Materials Company, which is 15.5% under the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost of contract, $71,458.40. Funds budgeted in Account 6673-207, Floyd, McHenry to Coffee, Special Gas Tax).

ACTION: Res. 68-504 adopted awarding bid to Standard Materials Co. (P/W to handle)

CONSENT

10. Consider award of bid for furnishing and installing electrical equipment at Fire Station No. 1.
(Bids were opened May 28, 1968 at 10:00 a.m. The low bid was submitted by Collins Electrical Company which is 46% under the under the Engineer's estimate. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Bid tabulation with agenda. Resolution awarding bid needed. Estimated cost $3,490.00; funds budgeted in Account 6110-41-321, Remodel Fire Station #1)

ACTION: Res. 68-505 adopted awarding bid to Collins Electrical Co. (P/W to handle)

~~XXXXXXX~~

10A. Approve plans and specifications and call for bids for Westside Neighborhood Center.
(Bid opening June 25, 1968 at 10:00 A.M., in the City Clerk's office. Resolution approving plans and specifications and calling for bids needed. Estimated cost $156,000; funds budgeted in Account 6375-31-321, pg. 61, Westside Neighborhood Center)

DROPPED FROM AGENDA.

HEARINGS

11. Proposed transfer of license to collect garbage from Lombardi Waste Disposal to Lombardi Waste Disposal, a co-partnership composed of Ronald T. Driscoll and Diane M. Driscoll, his wife. 4:15 P.M.

ACTION: Res. 68-506 adopted (Robinson/Hughes, unan.) approving transfer. (Clerk to handle)

12. Hearing on request of Town House Lodge for waiver of penalty and interest on transient occupancy tax. 4:30 P.M.

ACTION: Motion (Robinson) to cut penalty by 50% died for want of a second.
Res. (Hughes/Smith) to waive penalty and interest failed (Mitchell, Robinson, Shastid & Simon - no).
Res. 68-507 adopted (Mitchell/Simon, maj. - Hughes, Smith, & Mayor Davies - no) denying request.
Res. 68-508 adopted (Mitchell/Robinson, unan.) rescinding Res. 68-507 and setting June 24, 1968 as time for further consideration.
By motion (Mitchell/Robinson, unan.) staff directed to make study of present policy and report to Council. (Finance to handle)

13. Hearing on request of Mathew A. Bruno for driveway variance on Burney Street near LaLoma (LaLoma Liquors) 4:35 P.M.

ACTION: Res. 68-509 adopted (Hughes/Robinson, unan.) granting request for additional driveway. (P/W to handle)

14. Matters for the good of the community. 4:40 P.M.
(These may be presented by citizens in the audience)

ACTION: By motion (Robinson/Shastid, unan.) C/Atty granted vacation June 6 & 7, 1968. (C/Atty to handle)

Mayor Davies spoke of the unfortunate death of Frank Martinez on McHenry Avenue and apparently caused by drag racing. He stated that those who are engaged in drag racing represent only a small percentage of today's young people and expressed the deep sympathy of the Council over the death.

ORDINANCES

CONSENT

15. Consider emergency ordinance to amend sign regulations of the Modesto Municipal Code.
(a) Introduction and adoption of emergency ordinance amending sign regulations.

ACTION: By motion (Simon/Shastid, maj. - Hughes, no) Ord. No. 894-C.S. introduced and adopted. (Clerk to handle)

(b) Introduction of regular ordinance amending sign regulations. (The City Council requested the staff to prepare an emergency ordinance to amend the City's sign regulations to regular the height and size of certain types of signs. It is proposed to introduce identical provisions as a regular ordinance. Copies of the proposed ordinances have been transmitted to the Council. (Introduction and adoption of emergency ordinance and introduction of regular ordinance needed)

ACTION: By motion (Simon/Shastid, unan.) Ord. No. 895-C.S. introduced. (Clerk to handle)

Council Public Works Committee (Mitchell, Hughes & Shastid) to study sign regulations and meet with:
(1) Staff
(2) Beautification Committee, and
(3) representatives of sign industry. (P/W to handle)

OLD BUSINESS

16. Request of Housing Authority for consent of City re lease of dwellings.

ACTION: Res. 68-510 adopted (Robinson/Shastid, maj. - Hughes, no) approving application of the provisions of Sec. 23 of the U. S. Housing Act of 1937, as amended, to Modesto. (Clerk to handle)

NEW BUSINESS

CONSENT

17. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below:
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Adoption of resolutions needed. Suggested hearing date June 17, 1968 at 4:20 P.M.)

CONSENT

(a) Sidewalk on Enslen Ave. at 1205 Enslen Ave., Lot 13, Block 6006 (Brewer).
(Resolution setting hearing needed)

ACTION: Res. 68-511 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalk on Kearney Ave. at 1442 Louise Ave., Lot 1, Block 911, (Petrol)
(Resolution setting hearing needed)

ACTION: Res. 68-512 adopted setting hearing. (P/W to handle)

CONSENT
(c) Sidewalk at 430 Leon Ave., Lots 33 and 34, Block 354, (Kendrick).
(Resolution setting hearing needed)

ACTION: Res. 68-513 adopted setting hearing. (P/W to handle)

CONSENT
(d) Curb and gutter at 310 Colorado Ave., Lots 1 and 2, Block 350 (E. Hall).
(Resolution setting hearing needed)

ACTION: Res. 68-514 adopted setting hearing. (P/W to handle)

CONSENT
(e) Curb and gutter at 302 Pine Street, Lots 15 and 16, Block 414 (Moore).
(Resolution setting hearing needed)

ACTION: Res. 68-515 adopted setting hearing. (P/W to handle)

CONSENT
(f) Curb and gutter on Tebbutt Ave. at 1329 Teresa Ave., Lot 16, Block 6083 (Ventimiglia).
(Resolution setting hearing needed)

ACTION: Res. 68-516 adopted setting hearing. (P/W to handle)

CONSENT
(g) Sidewalk on Jefferson Street at 201 Maple Street, Lots 13 and 14, Block 416 (Intercounty Home Sale Co.)
(Resolution setting hearing needed)

ACTION: Res. 68-517 adopted setting hearing. (P/W to handle)

CONSENT
18. Report of Superintendent of Streets on cost of installation of sidewalk and/or curb and gutter at the properties listed below. (The amounts assessed against the properties will be included in reports distributed with the agenda for the hearing date. The City Clerk will set date for the hearing. Resolution needed. Suggested date June 17, 1968 at 4:25 P.M. Contract costs listed below. Funds budgeted in Account 5302-51-101, Curbs & Gutters, Special).

CONSENT
(a) Sidewalk, curb and gutter at 438 Rosedale Avenue, Lots 29 and 30, Block 357 ($304.93 (T. A. Silva)

ACTION: Res. 68-518 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalk, curb and gutter at 434 Rosedale Avenue, Lots 31 and 32, Block 357 ($304.93) (Van Nostrand)
(Resolution setting hearing needed)

ACTION: Res. 68-519 adopted setting hearing. (P/W to handle)

CONSENT

(c) Curb and gutter at 414 Rosedale Avenue, Lots 41 and 42, Block 357 ($175.59) (Mrs. A. J. Wertz).
(Resolution setting hearing needed)

ACTION: Res. 68-520 adopted setting hearing. (P/W to handle

CONSENT

(d) Sidewalk on Pine Street at 228 Pine Street, Lots 27 and 28, Block 413 ($183.55 (Wasson).
(Resolution setting hearing needed)

ACTION: Res. 68-521 adopted setting hearing. (P/W to handle)

CONSENT

19. Consideration of supplemental lease agreement with the federal government for airport properties.
(The supplemental agreement basically eliminates the $1.00 per annum rental which does not justify the required paper work and combines the existing property lease agreements for the TVOR and control tower with an additional property lease agreement which provides area for the Government to construct Centerfield Wind Equipment and Rotating Beam Ceilometer Equipment which is essential for efficient operation of the Control Tower.
(Resolution approving supplemental lease agreement with the federal government needed)

ACTION: Res. 68-522 adopted approving supplemental lease agreement. (Clerk to handle)

CONSENT

20. Accept improvements in Tully Manor No. 3 Subdivision and authorize City Clerk to file notice of completion and release bond upon expiration of statutory lien period.
(Tully Manor No. 3 Subdivision is located on the west side of Tully Road and south 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 and authorizing City Clerk to file notice of completion and release of bond upon expiration of statutory lien period needed)

DROPPED FROM AGENDA.

21. Consider request by Modesto City Schools that City advance $80,000 for acquisition of high school and park site property on Sylvan Road.
(Memo with agenda. Motion directing staff needed)

ACTION: By motion (Hughes/Mitchell, unan.) staff directed to prepare agreement to permit advance of $80,000 to Modesto City Schools. (C/Atty to handle)

CONSENT
22. Consider easement contract and acceptance of deed of easement in connection with construction of a storm drain outfall on the real property owned by A. W. Moser for the Yosemite Boulevard widening project.
(Memorandum with agenda. Resolution authorizing execution of easement contract by City and accepting deed of easement needed)

ACTION: Res. 68-523 adopted authorizing execution of easement contract and accepting deed of easement. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT
23. Claremont Addition (uninhabited) - proposed annexation, for referral to Planning Commission.
(Information with agenda. Resolution referring to Planning Commission needed)

ACTION: Res. 68-524 adopted referring to Planning Commission. (Planning to handle)

CONSENT
24. (a) Recommend amendment to Section 24-3-8 of the zoning map (Merl McHenry et al)
(By resolution 68-58, adopted May 21, 1968 the Planning Commission recommends an amendment to Section 24-3-8 of the zoning map as requested by Merl McHenry et al, to prezone from County R-A to Multiple-family residential zone, R-3, on property located at the southwest corner of Carpenter Road and Blue Gum Avenue. (Resolution setting date for public hearing needed. Suggested date June 24, 1968 at 7:45 P.M.)

ACTION: Res. 68-525 adopted setting hearing. (Clerk to handle)

CONSENT
(b) Recommend amendment to Section 24-3-8 of the zoning map (Merl McHenry et al)
(By Resolution 68-59 adopted May 21, 1968 the Planning Commission recommends an amendment to Section 24-3-8 of the zoning map as requested by Merl McHenry et al to prezone from County R-A to Planned Development zone, P-P-D (42) to accommodate a mobile home park on property located at the southwest corner of Carpenter Road and Blue Gum Ave. Resolution setting date for public hearing needed. Suggested date June 24, 1968 at 7:45 P.M.)

ACTION: Res. 68-526 adopted setting hearing. (Clerk to handle)

CONSENT

24. (c) Recommend amendment to Section 24-3-8 of the zoning map (Merl McHenry et al).
(By Resolution 68-60 adopted May 21, 1968 the Planning Commission recommends an amendment to Section 24-3-8 of the zoning map as requested by Merl McHenry et al to prezone from County R-A to Planned Development Zone, P-P-D(43), to accommodate a shopping center and motel on property located at the southwest corner of Carpenter Road and Blue Gum Ave. Resolution setting date for public hearing needed. Suggested date June 24, 1968 at 7:45 P.M.)

ACTION: Res. 68-527 adopted setting hearing. (Clerk to handle)

25. Recommendation for disposal of the Riverside Park Site.
(At its regular meeting on May 21, the Planning Commission, by motion, unanimously voted that the Riverside Park site be considered in excess of the City's needs and that the property should be disposed of. See attached letter. Motion to declare property in excess of City's needs needed)

ACTION: Res. 68-528 adopted (Hughes/Shastid, unan.) declaring property to be in excess of City's needs. (C/Atty to handle)

APPROPRIATION TRANSFERS

CONSENT

26. Appropriation transfer of $377 to pay increased taxes on the 8th Street Parking Lot.
(Taxes on the above lot increased from $809.90 in 1966-67 to $1,276.03 in 1967-68, an increase of $466.13. The amount budgeted to pay the taxes was $900; therefore, a transfer of $376.03 is needed. Resolution approving transfer needed)

ACTION: Res. 68-529 adopted approving appropriation transfer of $377 from Account 110-57-209 (Parking Fund, Salaries & Wages, Regular) to Account 430-57-209 (Parking Fund, Taxes). (Finance to handle)

CONSENT

27. Appropriation transfer of $310 needed to reimburse the 8th Street Lot for ticket dispensers bought as part of the Southern Pacific Lot development.
(The three ticket dispensers for the 8th Street lot that were charged to Present Lot Development should have been charged to Southern Pacific Parking Lot. They cost $433.13. Parking meters removed from the 8th Street Lot were installed on the Southern Pacific Lot at no cost to the Southern Pacific Lot account. Ticket dispensers for the 8th Street Lot were required to replace these meters and should therefore be charged to the Southern Pacific Lot account. Transfer from salary savings plus the $124 remaining in the S.P. Lot development account will cover the expenses. Resolution approving appropriation transfer needed)

ACTION: Res. 68-530 adopted approving appropriation transfer of $310 from Account 110-57-209 (Parking Fund, Salaries, Regular) to Account 6624-57-209 (Parking & Traffic, So. Pacific Parking Lot). (Finance to handle)

CONSENT

28. Appropriation transfer - Parks and Recreation Capital Improvement Projects.
(Information with agenda. Resolution approving transfer needed)

ACTION: Res. 68-531 adopted approving appropriation transfers as follows:

Special Fund for Capital Outlay (321)

From:	General Reserve (60)	$1,554
	Dryden Park Golf Course (6259-31)	600
	Beard Brook Park Lights, Softball Field (6294-31)	521
	Graceada, New Tennis Ct. Lights (6332-31)	638
	Sr. Citizen Center (6399-31)	700
	Legion Park Land Transfer (7901-31)	100
	TOTAL	$4,113
To:	Beard Brook Paving (6293-31)	152
	Ashby Park, Auto. Sprinklers (6297-31)	232
	General Park Improvements (6307-31)	466
	Beard Brook Park, Auto. Sprinklers (6324-31)	1,093
	Del Webb, Pave Parking Area (6350-31)	33
	Del Webb, Auto. Sprinklers (6363-31)	1,652
	Del Webb, Lights (6398-31)	485
	TOTAL	$4,113

(Finance to handle)

MISCELLANEOUS

29. Legislative matters.

None.

30. ACTION: Res. 68-532 adopted (Mitchell/Robinson, unan.) commending Boy Scouts, garbage companies, and City employees for assistance during "free dump" days. (Clerk to handle)

Adjournment at 6:30 P.M.

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

Modesto City Council
June 4, 1968

The Council of the City of Modesto met in adjourned special session this date in the Council Chamber, City Hall, 801 11th Street, Modesto, California, to consider further the supplemental requests in the preliminary budget for fiscal year 1968-69.

Present: Councilmen: Mitchell, Simon, Smith, Mayor Davies

Absent: Councilmen: Hughes, Robinson and Shastid

The meeting was called to order at 4:20 P.M.

MUSIC & PROMOTION - 61 (p. 52)

Modesto Relays - $1,000; tentatively approved by motion,(Smith/Mitchell, unan).

It was then decided that the supplemental requests being studied would be considered tentatively approved unless some member of the Council moved to make a change in the request. Thereupon the following supplemental requests were given tentative approval:

PUBLIC WORKS - WATER - 50 (p. 45)

PUBLIC WORKS _ STREETS - 51 (p. 46)

PUBLIC WORKS - SEWERS - 52 (p. 47)

PUBLIC WORKS - SEWAGE DISPOSAL - 53 (p. 48)

PUBLIC WORKS - GARDEN REFUSE - 54 (p. 49)

The staff was directed to check into the use of plastic bags for the collection of garden refuse. (Public Works to handle).

CITY HALL - 19 (p. 29)

PUBLIC WORKS - AIRPORT - 46 (p. 60)

PUBLIC WORKS - SERVICE DIVISION - 48 (p. 62 and 63)

FIRE - 21 (p. 30)

FINANCE - 15 (p. 26)

ADJOURNMENT

The meeting was adjourned to Thursday, June 6, 1968 at 4:00 P.M.

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

Modesto City Council
June 6, 1968

The Council of the City of Modesto met in adjourned special session this date in the Council Chamber, City Hall, 801 11th Street, Modesto, California, to consider further the supplemental requests in the preliminary budget for fiscal year 1968-69.

Present: Councilmen: Hughes, Mitchell, Robinson, Simon, Mayor Davies
Absent: Councilmen: Shastid, Smith

The items considered were tentatively approved, if motion changing item is not made.

PERSONNEL - 17 (p. 27)

The position of Intermediate Steno Clerk 1/2 was eliminated and position of Intermediate Typist added.

INSURANCE AND RETIREMENT - 64 (p. 53)

PARKS & RECREATION - RECREATION -32 (p. 34)

PARKS & RECREATION - Parks - 35 (p. 37)

PARKS & RECREATION - STREET TREES - 36 (p. 38)

PARKS & RECREATION 9 HOLE GOLF COURSE - 37 (p. 39)

PARKS & RECREATION - DRYDEN PARK MUNICIPAL GOLF COURSE - 38 (p. 40)

POLICE - 22 (p. 31)

DISASTER & CIVIL DEFENSE - 26 (p. 32)

PARKING & TRAFFIC - 56 (p. 50)

The possibility of free downtown on-street parking was discussed; also the possibility of re-evaluating validated parking, with the suggestion made that perhaps the charge should be raised.

PARKING & TRAFFIC - 57 (p. 58) (PARKING FUND - 209)

The meeting adjourned at 5:30 P.M. to June 11, 1968 at 4:00 P.M.

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

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 10, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation: Reverend Patterson, Scenic General Hospital Chaplain

CONSENT ITEMS: ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 11, 18, 19, 21a, b, c, d, 22, 23, 24, 25, 27, 28, 29, 30
Items 2 & 23 removed from consent.
(Shastid/Robinson, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of May 28 and June 3, 1968.
ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT
2. Letter from "The People of Empire" expressing appreciation for the consideration and understanding shown during the sanitary landfill site hearing.
(Motion accepting with appreciation and ordering filed needed)

ACTION: By motion (Robinson/Shastid, unan.) letter accepted with appreciation and ordered filed. (Clerk to handle)

CONSENT
3. Letter from Ray Starn proposing a lease of the front part of the 10th Street property, formerly occupied by the Police Department.
(Motion referring to staff for preparation of agreement needed)

ACTION: By motion referred to staff for preparation of lease agreement. (Finance Director to handle)

4. Notification that Modesto-Riverbank-Oakdale Stage Line is reducing the number of trips between Modesto and Oakdale.

ACTION: No action to be taken - notification only.

5. Letter from City of Fresno requesting opposition to SB-624 (change in formula for gas tax allocations)

ACTION: By motion (Smith/Simon, unan.) staff directed to prepare resolution opposing SB-624. (City Attorney to handle)

CONSENT

6. Request of Joe Wylie for exception to Planning Commission requirement concerning street lights in portion of Coffee Plaza Subdivision. (Resolution setting hearing needed. Suggested date June 17, 1968 at 4:30 P.M.).

ACTION: Res. 68-533 adopted setting June 17, 1968 at 4:30 P.M. as time for hearing. (Clerk to handle)

CONSENT

7. Request for support of California Judicial Merit Plan. (Motion referring to staff for report needed).

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

CONSENT

8. Letter from Frank Andrews opposing street lighting proposal. (Motion directing letter be filed needed).

ACTION: By motion letter ordered filed. (Clerk to handle)

BIDS

9. Consider award of bid for furnishing and installing modifications to City Hall heating plant.
(Bids were opened May 28; the low bid submitted by Hansens', Inc. 3% under the Engineer's Estimate is considered acceptable. It is recommended by Public Works Department that bid be awarded to them. Resolution awarding bid needed. Contract cost $4,340; funds budgeted in Account 5203-19-101, Modifications to Heating Plant).

ACTION: Res. 68-534 adopted (Robinson/Smith, unan.) awarding bid to Hansens', Inc. (P/W to handle)

10. Approve plans and specifications and call for bids for Westside Neighborhood Center.
(Bid opening July 9, 1968 at 10:00 A.M. Resolution approving plans and call for bids needed. Estimated cost $156,000. Funds budgeted in Account No. 6375-31-321, Westside Neighborhood Center, pg. 61)

ACTION: Res. 68-535 adopted (Mitchell/Shastid, unan.) approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

11. Consider award of bid for construction of water lines in McHenry Avenue and Leveland Lane.
(Bids were opened June 4th. The low bid submitted by Valley Construction Company which is 6% over the Engineer's Estimate is considered acceptable. Therefore, it is recommended by Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $11,400 (Materials $5,800; labor, $5,600). Funds budgeted in Account 6804-50-101, Water Line Extension, p. 43).

ACTION: Res. 68-536 adopted awarding bid to Valley Construction Co. (P/W to handle)

HEARINGS

12. Proposed amendment to Section 17-3-9 of the zoning map (Mineni, Galas, Gargotto) to rezone from One-Family Zone, R-1, to Planned Development Zone, P-D). 7:45 P.M.

ACTION: Res. 68-537 adopted (Shastid/Mitchell, maj. - Hughes & Robinson, no) referring back to Planning Commission. (Planning to handle)

13. Further hearing to consider proposed 1968-69 budget. 7:50 P.M.

ACTION: No action.

14. Request of E. G. Kruger for elimination of sidewalk, curb and gutter at 901 Zeff Road. 7:55 P.M.

ACTION: Request withdrawn by Mr. Kruger with the understanding that he may reapply later.

15. Matters for the good of the community.
(These may be presented by citizens in the audience) 8:00 P.M.

It was announced that the Airport Committee would consist of Mayor Davies and Vice-Mayor Robinson with Councilman Simon as alternate.

A group of landowners requested that the sewer outfall line be realigned. The staff reported on the problems connected with a change in the alignment at this time and recommended that no change be made. By motion (Shastid/Mitchell, unan.) staff directed to proceed with the present plans.

Henry Kamp of the Farm-City Committee was introduced.

A "thank you" letter was received from the Cal Relays.

Res. 68-537A adopted (Hughes/Smith, unan.) accepting improvements in Greenbrier No. 2 Subdivision and authorizing Clerk to record notice of completion. (Clerk to handle)

ORDINANCES

16. Final adoption of Ordinance No. 895-C.S. (sign regulations).

ACTION: By motion (Shastid/Smith, unan.) Ord. No. 895-C.S. adopted. (Clerk to handle)

OLD BUSINESS

17. Report on actuarial survey cost.

ACTION: By motion (Simon/Mitchell, unan.) staff authorized to proceed to obtain a valuation study to determine the cost of increasing the allowances of retired City employees. (Personnel to handle)

NEW BUSINESS

CONSENT

18. Consideration of restriping of 11th Street midway between I and M Streets to provide two northbound lanes and one southbound lane. (It has been suggested that two northbound lanes and one southbound lane be installed midway between I and J and L and M Streets. The present lane configuration was recommended by the Modesto Action Committee on July 5, 1967. A motion of the Council is needed to direct the staff. A report by the Director of Parking and Traffic has been sent with the agenda. Motion directing staff to proceed needed).

ACTION: By motion staff directed to proceed with restriping of 11th Street. (P & T to handle)

CONSENT

19. Resolution of intention to call special election for annexation of inhabited territory known as the Harte Tract Addition to the City of Modesto, and setting date, hour and place of hearing protests thereto.
(Petition filed by proponents indicates 141 registered voters in subject area; 38 valid signatures filed, or 26.95% of the total registered voters. A minimum of 25% of the registered voters is required. Resolution setting hearing needed. Suggested hearing date July 8, 1968 at 7:50 P.M.).

ACTION: Res. 68-538 adopted setting July 8, 1968 at 7:50 P.M. as time for hearing. (Clerk to handle)

20(a). Consider salary recommendations submitted by the Modesto City Personnel Commission.
(A letter from John Tatoyan, Chairman of the Personnel Commission, is attached for distribution to Council. If increases are approved a motion will be needed directing the staff to prepare the necessary resolution amending the pay plan).

ACTION: No action at this time. Employees' representative will be notified when salaries will be considered again. (Personnel to handle)

(b) Request by City Employees' Association regarding salaries.

ACTION: Roy Munn, President of the Employees' Association, spoke in support of this request.

(c) Request by Fire Fighters Association regarding salaries.

ACTION: Glen Greeson, President of the Modesto City Fire Fighters Association, spoke in support of this request.

CONSENT

21. Accept as complete improvements in the subdivisions listed below and authorize City Clerk to file notices of completion and release of bonds upon expiration of statutory lien period.
(Resolution accepting improvements and authorizing City Clerk to file notices of completion and release bonds upon expiration of statutory lien periods needed)

CONSENT

(a) Carver Terrace No. 1 Subdivision, located on the east side of Carver Road at Silvaire Drive. All improvements completed to satisfaction of Public Works Department and all fees paid)

ACTION: Res. 68-539 adopted accepting improvements. (Clerk to handle)

CONSENT
(b) Carver Terrace No. 2 Subdivision, located on the south side of Rumble Road east of Carver Road. All improvements completed to the satisfaction of Public Works Department and all fees paid)

ACTION: Res. 68-540 adopted accepting improvements. (Clerk to handle)

CONSENT
(c) Highland Manor No. 3 Subdivision, located south of Bloxham Street and east of Rose Avenue. All improvements have been completed to the satisfaction of Public Works Department and all fees have been paid).

ACTION: Res. 68-541 adopted accepting improvements. (Clerk to handle)

CONSENT
(d) Tradewinds No. 2 Subdivision, located on the south side of Celleste Drive between Rose and Old Oakdale Road. All improvements completed to the satisfaction of the Public Works Department and all fees paid).

ACTION: Res. 68-542 adopted accepting improvements. (Clerk to handle)

CONSENT
22. Consider fire alarm circuit and traffic signal modifications in conjunction with the El Vista Fire Station project.
(Memo with agenda. Motion directing staff to proceed needed. Estimated cost $32,000. It is recommended that funds be budgeted in fiscal year 1968-69)

ACTION: By motion staff directed to proceed with extension of fire alarm circuit to El Vista Fire Station and to install controllers for preemption of traffic signals at Scenic Drive/El Vista Ave. intersection. (P/W and Finance to handle)

CONSENT
23. Disposition of excess land - James Street and LaLoma.
(Memorandum with agenda. Resolution authorizing execution of grant deed by Mayor and City Clerk needed)

ACTION: Res. 68-543 adopted (Robinson/Smith, unan.) authorizing execution of Grant Deed to Dorothy J. Clayton for excess land at southeast corner of James Street and La Loma Avenue. Deed to have covenant requiring maintenance of property. (C/Atty & C/Mgr to handle)

CONSENT
24. Consider request for sewer service to property at 911 Paradise Road located on the north side of Paradise Road between Harris Avenue and Mayette Avenue.
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City; however, a line exists to serve it. Resolution approving agreement needed).

ACTION: Res. 68-544 adopted approving agreement with Ronald A. and Delores A. Daniel and Henry and Edith Nelson for sewer service to property at 911 Paradise Road. (Clerk to handle)

CONSENT

25. Consider proposed agreement with Modesto Junior College authorizing the hiring of a Junior College student in the Finance Department for the summer.
(The agreement provides that the City will pay 15% of the total salary through August 19, 1968 and 20% of the employee's total salary for the balance of the summer. City cost is not to exceed $500. Resolution approving agreement needed. Funds budgeted in Account 110/15)

ACTION: Res. 68-545 adopted approving Work-Study Program Agreement with Modesto Junior College. (Finance to handle)

26. Proposed revised county agreements adjusting fees for collection of City of Modesto property taxes.
(Report with agenda. Resolution approving agreements needed)

ACTION: Res. 68-546 adopted (Hughes/Robinson, unan.) approving agreement for collecting special assessments of City. (Clerk to handle)

Res. 68-547 adopted (Hughes/Robinson, unan.) approving agreement for assessment, collection, payment and enforcement of City taxes. (Clerk to handle)

CONSENT

27. Request by City Attorney for one day's vacation on Friday, June 14, 1968.
(Motion authorizing needed)

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

REPORTS FROM THE PLANNING COMMISSION

CONSENT

28. A resolution annexing uninhabited territory to the City of Modesto known as the Claremont Addition.
(The Planning Commission has reviewed and recommends annexation of uninhabited territory known as Claremont Addition to the City of Modesto and the Local Agency Formation Commission has authorized the annexation without notice or public hearing. Resolution annexing territory to City needed)

ACTION: Res. 68-548 adopted annexing Claremont Addition to City of Modesto. (Clerk to handle)

CONSENT

29. Recommend commencement of proceedings for the annexation to the City of Uninhabited Territory - East Orangeburg Addition No. 2.
(On June 4, 1968 the Planning Commission adopted Resolution No. 68-70 recommending to the Council the commencement of proceedings for the annexation to the City of uninhabited territory (East Orangeburg Addition No. 2). Resolution setting hearing date needed. Suggested date July 22, 1968 at 7:45 P.M.)

ACTION: Res. 68-549 adopted setting July 22, 1968 at 7:45 P.M. as time for hearing. (Clerk to handle)

CONSENT

30. Recommend commencement of proceedings for the annexation to the City of uninhabited territory - East Orangeburg Addition No. 3.
(On June 4, 1968 the Planning Commission adopted Resolution 68-71, recommending to the Council the commencement of proceedings for the annexation to the City of uninhabited territory (East Orangeburg No. 3). Resolution setting date for public hearing needed. Suggested date July 22, 1968 at 7:50 P.M.)

ACTION: Res. 68-550 adopted setting July 22, 1968 at 7:50 P.M. as time for hearing. (Clerk to handle)

Miscellaneous

31. Legislative matters.

ACTION: A discussion on SB-117 (tax exemption on household furnishings, some personal property, etc.) was held and various motions were offered. It was then decided to take NO ACTION on this bill at this time.

32. Executive session to consider litigation regarding sewer ponding site.

*See below.

33. Executive session to consider making offer for Smith Furniture Building.
(Mr. Clarkson Bradford, spokesman for the property owners, has indicated that the property is not for sale but that an offer would be considered. Motion authorizing a specific offer needed)

*The Council adjourned to executive session to discuss items 32 and 33. It was announced that the Council would not return to open meeting.

Adjournment at 11:46 P.M.

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

Modesto City Council
June 11, 1968

The Council of the City of Modesto met in adjourned special session this date in the Council Chambers, City Hall, 801 11th Street, Modesto, California to consider the Capital Improvement Program for fiscal years 1968-69 through 1973-74.

As there was not a quorum present at 4:00 P.M., Mayor Davies, Councilmen Mitchell and and Robinson met as a sub-committee to consider the Capital Improvement Program. Councilman Hughes arrived at 4:25 P.M. and Councilman Smith arrived at 4:30 P.M. The meeting was called to order by Mayor Davies.

Present: Hughes, Mitchell, Robinson, Smith, Mayor Davies

Absent: Shastid, Simon

It was decided that the Capital Improvement programs would be considered as tentatively approved with any changes listed below:

FIRE DEPARTMENT

Project 107, Fund 321 (Relocate Fire Station No. 3) 1968-69 - Increase from $90,000 to $122,000 to include $32,000 for the extension of fire alarm circuit to Fire Station 3 and to install controller for pre-emption of traffic signals at Scenic Drive/El Vista Ave. intersection.

PARKS & RECREATION

Project 399, Fund 321 (Senior Citizens' Center/Stage 2) 1968-69 - Reduce from $8,000 to $6,000 as $2,000 has been transferred to 1967-68 budget for this project.

The staff was directed to proceed with the development of Marshall Park as fast as possible.

ADJOURNMENT

The meeting was adjourned to Thursday, June 13, 1968 at 4:00 P.M.

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

Modesto City Council
June 13, 1968

The Council of the City of Modesto met in adjourned special session this date in the Council Chambers, City Hall, 801 11th Street, Modesto, California to consider further the Capital Improvement Program for fiscal years 1968-69 through 1973-74.

As no councilmen were present at 4:00 P.M. the City Clerk continued the meeting to 4:30 P.M. at which time Mayor Davies called the meeting to order.

Present: Councilmen: Mitchell, Robinson, Simon, Smith, Mayor Davies

Absent: Councilmen: Hughes, Shastid

The Council decided to waive the making of a formal motion in tentatively approving the Capital Improvement Program. The Capital Improvement Programs, together with any approved changes, receiving tentative approval are as listed below:

PUBLIC WORKS

Project 626, Fund 321 (Modernize City Lighting, Stage 3) 1968-69; Stage 4, 1969-70; Stage 5, 1970-71; Stage 6, 1971-72; and Stage 7, 1972-73 are all to be increased from $50,000 to $100,000.

In addition, revenue for 1968-69 is to be changed to reflect $50,000 additional revenue from the Modesto Irrigation District due to the District's offer to match city funds for this project upon the approval of the City's plans by the District.

PARKING & TRAFFIC

Allocate $56,000 from the General Fund to Account 6211, Downtown Modernization. The actual accounts may be adjusted later subject to council approval.

LIBRARY

ADJOURNMENT

The meeting was adjourned at 5:45 P.M.

W. T. Chynoweth

ATTEST: W. T. CHYNOWETH
City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 17, 1968 AT 4:00 P.M.

Roll call: Present: Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: Hughes

Pledge of allegiance to the Flag.
Invocation: Reverend Gibbs, Baptist Temple

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 6, 7, ~~23~~, 24, 26, 27, 28, 29, 30(a)
Item 23 removed from Consent
(Shastid/Robinson, unan)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

CONSENT

1. Confirmation of canvass of votes in Santa Cruz Addition annexation election.
(Ballots for this election have been canvassed by the City Clerk and the results are as follows: No. of registered voters in area - 335; No. of persons voting - 156; No. of yes votes - 58; No. of no votes - 98. Resolution confirming canvass and declaring results of election needed)
ACTION: Res. 68-551 adopted confirming canvass and declaring results of election(Clerk to hand[1])

APPROVAL OF MINUTES

2. Minutes of June 4, 6, 10 and 11, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT

3. Letter from Eddie Thomas concerning condition of Encina Avenue near Oakshire Ave. and condition of MID property in this area.
(Motion referring to staff needed)

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

4. Resolution from Modesto Irrigation District offering financial assistance in street lighting programs.

ACTION: By motion (Robinson/Mitchell, unan) resolution accepted with thanks. (Clerk to handle).

BIDS

5. Consider award of bid for Subdivision-Type Lighting Modernization Stage 1.
(Bids were opened on June 4. The low bid submitted by Ferrero Electric, Inc., which is 9% under the Engineer's Estimate, is considered acceptable. Therefore it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid subject to Modesto Irrigation District approval needed. Contract, $101,265; Engineer. & Insp. $11,000; funds budgeted in Account 6626-321, Lighting Modernization, Special Fund for Capital Outlays).

ACTION: Res. 68-552 adopted (Smith/Shastid, unan) awarding bid to Ferrero Electric Co. (P/W to handle)

CONSENT

6. Approve plans and specifications and call for bids for the installation of water line in East Fairmont Ave.
(Bid opening July 2, 1968 at 10:00 A.M. Installation to strengthen water system on Fairmont. Resolution approving plans and call for bids needed. Estimated cost $3,980 (Materials, $1,710; labor $2,270; funds budgeted in Account 6804-50-101, Water line Extension, p. 43)

ACTION: Res. 68-553 adopted approving plans and specifications and call for bids. (Clerk to handle).

CONSENT

7. Consider award of bid for resurfacing of various city streets.
(Bid opening June 11, 1968. The low bid was submitted by George Reed, Inc., which is 10% under the engineers estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $16,900; funds budgeted in Account 321-51-101, Construction Materials)

ACTION: Res. 68-554 adopted awarding bid to George Reed, Inc. (P/W to handle).

HEARINGS

8. Hearing, amendment to Section 18-3-9 of zoning map (Quaresma) 4:15 P.M.

Ord. No. 896-C.S. introduced (Mitchell/Shastid, unan) amending Section 18-3-9 of the zoning map (Clerk to handle).
Res. 68-555 adopted (Mitchell/Shastid, unan) approving development schedule)

9. Sidewalk requirement, 1205 Enslen Ave., Lot 13, Block 6006, (Brewer) 4:20 P.M.

ACTION: Res. 68-556 adopted (Smith/Simon, unan) ordering work done. (P/W to handle)

HEARINGS (Cont'd)

10. Sidewalk requirement on Kearney Ave. at 1442 Louise Ave., Lot 1, Block 911 (Petrol) 4:20 P.M.

ACTION: Res. 68-557 adopted (Mitchell/Shastid, unan) ordering work done, (P/W to handle), within six-month period.

11. Sidewalk requirement at 430 Leon Ave., Lots 33 and 34, Block 354 (Kendrick) 4:20 P.M.

ACTION: Res. 558 adopted (Smith/Simon, unan) ordering work done. (P/W to handle)

12. Curb and gutter requirement at 310 Colorado Ave., Lots 1 and 2, Block 350 (E. Hall) 4:20 P.M.

ACTION: Res. 68-559 adopted (Smith/Simon, unan) ordering work done. (P/W to handle)

13. Curb and gutter requirement at 302 Pine Street, Lots 15 and 16, Block 414 (Moore) 4:20 P.M.

ACTION: Res. 68-560 adopted (Smith/Simon, unan) ordering work done. (P/W. to handle)

14. Curb and gutter requirement on Tebbutt Ave. at 1329 Teresa Ave., Lot 16, Block 6083, (Ventimiglia) 4:20 P.M.

ACTION: Res. 68-561 adopted (Smith/Simon, unan), ordering work done. (P/W to handle).

15. Sidewalk requirement on Jefferson Street at 201 Maple Street, Lots 13 and 14, Block 416, (Intercounty Home Sale Co.) 4:20 P.M.

ACTION: Res. 68-562 adopted (Smith/Simon, unan) ordering work done. (P/W to handle)

16. Hearing on cost - sidewalk, curb and gutter at 438 Rosedale Ave., Lots 29 and 30, Block 357 (Silva) 4:25 P.M.

ACTION: Res. 68-563 adopted (Shastid/Robinson, unan) confirming report, assessing costs and directing method of collection. (Finance to handle)

17. Hearing on cost - sidewalk, curb and gutter at 434 Rosedale Ave., Lots 31 and 32, Block 357, (Van Nostrand) 4:25 P.M.

ACTION: Res. 68-564 adopted (Shastid/Robinson, unan) confirming report, assessing costs and directing method of collection. (Finance to handle)

HEARINGS (Cont'd)

18. Hearing on cost - curb and gutter at 414 Rosedale Ave., Lots 41 and 42, Block 357 (Wertz) 4:25 P.M.

ACTION: Res. 68-565 adopted (Shastid/Robinson, unan) confirming report, assessing costs and directing method of collection. (Finance to handle).

19. Hearing on cost - sidewalk at Pine Street at 228 Pine Street, Lots 27 and 28, Block 413 (Wasson) 4:25 P.M.

ACTION: Res. 68-566 adopted (Shastid/Robinson, unan) confirming report, assessing costs and directing method of collection. (Finance to handle)

20. Hearing on request of Joe Wylie for waiver of street light requirements in portion of Coffee Plaza Subdivision. 4:30 P.M.

ACTION: By motion (Mitchell/Shastid, unan) request denied. (P/W to handle)

21. Matters for the good of the community. (These may be presented by citizens in the audience) 4:40 P.M.

The City Manager announced that there would be a demonstration of the use of a helicopter in police work on June 24.

Frank Andrews spoke on various subjects.

A request by residents of John Muir Court for an additional street light was referred to staff. (P/W to handle)

22. Presentation by William M. Forrest, Golden Pacific Airlines. 4:45 P.M. requested

ACTION: The support of the Council in the establishment of air service was referred to staff for study. A report and recommendation is to be made to the Council on June 24. (P/W to handle)

ORDINANCES

CONSENT

23. Suggested ordinance adopting 1965 edition of the "Fire Prevention Code" recommended by the American Insurance Association. (Provides for the adoption of the latest edition of the National Fire Prevention Code with local amendments for governing conditions hazardous to life and property from fire. Introduction of ordinance needed)

ACTION: Held over for one week to permit Homebuilder's Assn. to study.
(Clerk to handle)

OLD BUSINESS

CONSENT

24. Authorize execution of contract for grant to develop open-space land, Davis Park.
(The Department of Housing and Urban Development has authorized a grant in the amount of $25,000 to assist in development project for Davis Park. Resolution authorizing city officials to execute documents needed).

ACTION: Res. 68-567 adopted authorizing execution of necessary documents. (C/M to handle).

NEW BUSINESS

CONSENT

26. Consider resolution establishing flat rate water service to the Robertson Road School.
(The Council, in Resolution No. 67-297, established the basis for flat rate charges to schools in the Modesto City Schools system. Using this same basis, a flat rate charge has been calculated for the Robertson Road School. Adoption of resolution needed).

ACTION: Res. 68-568 adopted establishing flat rate charge for Robertson Road School. (Finance to handle)

REPORTS

CONSENT

27. Presentation of financial statement for May 1968.
(Copies of report with agenda) Motion accepting report needed.

ACTION: By motion report accepted. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

28. Establishment of a Bikeway Route in the City of Modesto.
(On June 4, 1968, the Planning Commission adopted Resolution No. 68-74 recommending to the council the establishment of a bikeway route in the City of Modesto.
(Motion approving bikeways route in principle with encouragement to Modesto Roadmen to obtain voluntary contributions for costs of signing needed)

ACTION: By motion bikeway route approved in principle and Modesto Roadmen encouraged to obtain voluntary contributions for cost of signing. (Clerk to handle)

APPROPRIATION TRANSFER

CONSENT

29. Consider approving appropriation transfer within Special Capital Outlay Fund.
(A balance of $15,500 remains in Account 6630-321, Street Lighting, Briggsmore, Prescott to McHenry; and a balance of $2,000 remains in Account 6629-321, Maddux Youth Center, Street Lighting Improvement. If approved, these remaining funds would be transferred to Account 6626-321, Lighting Modernization. Resolution approving needed).
ACTION: Res. 68-569 adopted approving appropriation transfer from: Special Fund for Capital Outlay (321): $15,500, Account 6630-41, Street Lighting, Briggsmore, Prescott to McHenry; $2,000, Account 6629-41, Maddux Youth Center, Street Lighting Improvement; TO: $17,500, Account 6626-41, Lighting Modernization (Finance to handle).

MISCELLANEOUS

30. Legislative matters.
CONSENT
(a) Resolution opposing S.B. 624 (change in gas tax allocation formula.)

ACTION: Res. 68-570 adopted opposing S.B.-624. (Clerk to handle)

31. Appointments.
(a) Consider appointment to Modesto Human Rights Commission. (Resolution needed)

ACTION: Res. 68-571 adopted (Shastid/Simon, unan) appointing Jerome Kopp as a member of Modesto Human Rights Commission replacing Silas Green. (Clerk to handle)

The meeting adjourned at 5:40 P.M.

ADJOURNMENT

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

MINUTES AND ACTION

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 24, 1968 at 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Shastid, Smith, Mayor Davies
Absent: Robinson, Simon

Pledge of allegiance to the Flag
Invocation: Reverend Ben Jennings, Central Bible Church
A moment of silent prayer was observed.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 24, 26, 27, 28, 29, 30, 31, 32, 35, 36, 37, 38, 39, 40, 41, 42
Items 8 and 31 removed from consent
(Smith/Shastid, unan)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of June 17, 1968.
ACTION: Minutes approved

PETITIONS, CORRESPONDENCE, AND REMONSTRANCES

2. Request of Modesto State Hospital for use of Modesto Junior College swimming pool without payment of fees.
ACTION: By motion (Shastid/Smith, unan) request granted for summer of 1968 (P & R to handle)

3. Request of California Chapter of the American Institute of Planners for preparation of a Housing Element of the General Plan in all charter cities and counties.
No action necessary. Director of Planning directed to inform Institute of Planners that Modesto has Housing Element in General Plan (Planning to handle).

4. Appearance by George Valentine, D.D.S.
ACTION: Dr. Valentine Stated that his in lieu fee for parking spaces ($3,000)should be returned due to a change of use of building. The Mayor ordered that July 8 at 7:55 P.M. be set for further discussion provided that Dr. Valentine gives complete information to staff no later than Friday, June 28. (Parking & Traffic to handle).

5. Resignation of Captain John Potts from Committee to Study Crime.
ACTION: Res. 68-572 adopted (Hughes/Shastid,unan) accepting resignation with regret. (Clerk to handle).

CONSENT
6. Letter from California Roadside Council re pole signs.
(Motion ordering letter filed needed)
ACTION: By motion letter ordered filed. (Clerk to handle)

CONSENT

7. Letter from Mrs. Ruth Fletcher re marquee to shade tables at Graceada Park.
(Motion referring to staff needed)
ACTION: By motion referred to staff. (P & R to handle)

CONSENT

8. Resolution from Tuolumne County Board of Supervisors re firearms control.
(Motion ordering filed needed)

ACTION: By order of Mayor, letter ordered filed. (Clerk to handle).

CONSENT

9. Letter from Frank Andrews protesting street lighting project.
(Motion ordering letter filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

CONSENT

10. Accept as complete Industrial Electrical Company's contract for the installation of water lines in Skylane Park Unit No. 4.
(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 authorize the City Clerk to file notice of completion. Resolution accepting work needed. Actual cost $2,876.60; funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-573 adopted accepting contract. (Clerk to handle).

CONSENT

11. Accept as complete B G Construction Company contract for the improvement of Scenic Drive between Bodem Avenue and east city limits.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work as complete needed. Contract cost, $11,728.06; funds budgeted in Account 6641-207, Scenic - Bodem to east city limits)

ACTION: Res. 68-574 adopted accepting contract. (Clerk to handle)

CONSENT

12. Consider award of bid for the construction of Fire Station No. 3 on El Vista Avenue.
(Bids were opened on June 18th. The low bid submitted by Emerald Construction Company, Inc., which is 14% under the Engineer's Estimate, is considered acceptable; therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Contract cost $66,668; resolution approving appropriation transfer of $75,000 contract and engineering costs needed)

ACTION: Res. 68-575 adopted awarding bid to Emerald Construction Co. (P/W to handle).
Res. 68-576 adopted approving appropriation transfer of $75,000 from Special Fund for Capital Outlay Contingency Reserve (321-61) to Relocation of Fire Station #3, construction of, 6107-41) (Finance to handle).

CONSENT

13. Consider award of bid for modernization of lighting on Ninth Street Bridge.
(Bids were opened June 18. The low bid submitted by Grason Electric of Sacramento, which is 17% under the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed, subject to participation by the Modesto Irrigation District. Contract cost $7,889; Eng. & Insp. $1,150; funds budgeted in Account 6626-321, Modernize City Lighting Stage 2, Special Fund for Capital Outlay)

ACTION: Res. 68-577 adopted awarding bid to Grason Electric of Sacramento subject to participation by M.I.D. (P/W to handle)

CONSENT

14. Consider award of bid for the construction of comfort station at Beard Brook Park.
(Bids were opened June 18th. The low bid submitted by Emerald Construction Company, Inc., which is 11.4% under the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Contract cost $7,089; funds budgeted in Account 6306-321, Beard Brook Restroom No. 2)

ACTION: Res. 68-578 adopted awarding bid to Emerald Construction Co. (P/W to handle)

CONSENT

15. Award contract for modernization of 12th and I Streets parking lot and approve appropriation transfer to cover cost.
(B.G. Construction Company is low bidder at $8,179. An appropriation transfer of $3,500 is needed to cover the cost of the bid because the cost of materials and labor was underestimated and the removal and replacement of more sidewalk, curb, gutter, and pavement, than was originally anticipated 15 months ago when the estimate was prepared. Report with agenda. Resolution awarding bid needed. $5,000 budgeted in Account 5301-57-209, Present Lot Development. Resolution approving appropriation transfer of $3,500 needed)

ACTION: Res. 68-579 adopted awarding bid to B.G. Construction Co. (P & T to handle)
Res. 68-580 adopted approving appropriation transfer of $3,500 from Acct 60-57-209 (P & T General Reserve) to Account 5301-57-209 (P & T, Present Lot Development). (Finance to handle)

CONSENT

16. Award contract for construction of traffic signals and street lighting at Tully & Coldwell - 14th and K Streets.
(Grason Electric Company of Sacramento is low bidder at $17,271; explanation and bid tabulation sent with agenda. Funds budgeted in Account 6174-56-321, Tully & Coldwell; 6194-56-321, 14th and K Streets). Resolution awarding bid to Grason Electric Company needed.

ACTION: Res. 68-581 adopted awarding bid to Grason Electric Co. of Sacramento. (P & T to handle)

CONSENT

17. Consider acceptance of sole bid to furnish and install hardwood floor in Maddux Youth Center and award of contract to Rush Hardwood Floor Co., Modesto, California.
(A $100 appropriation transfer required. $4,600 budgeted in Account 7902-31-321, Maddux Hardwood Floor. Resolution awarding bid needed; resolution approving appropriation transfer of $100 needed)
ACTION: Res. 68-582 adopted awarding bid to Rush Hardwood Floor Co. (Finance to handle)
Res. 68-583 adopted approving appropriation transfer of $100 from Account 321-60, Special Fund for Capital Outlay, to Account 7902-31-321, Maddux Youth Center, Floor)(Finance to handle)

HEARINGS

18. Hearing on rezoning (Sec. Map 24-3-8 - McHenry), County RA to R-3. 7:45 P.M.
ACTION: Ord. No. 897-C.S. introduced (Hughes/Mitchell, unan) amending Sec. 24-3-8 of zoning map.
(Clerk to handle)

19. Hearing on rezoning (Sec. Map 24-3-8 - McHenry) County RA to PPD-42. 7:45 P.M.
ACTION: Ord. 898-C.S. introduced (Hughes/Mitchell, unan) amending Sec. 24-3-9 of zoning map (Clerk to handle)
Res. 68-584 adopted (Hughes/Mitchell, unan) approving development schedule. (Planning to handle)

20. Hearing on rezoning (Sec. Map 24-3-8 - McHenry) County RA to PPD-43. 7:45 P.M.
ACTION: Ord. No. 899-C.S. introduced (Hughes/Mitchell,unan) Amending Sec. 24-3-9 of zoning map (Clerk to handle).
Res. 68-585 adopted (Hughes/Mitchell, unan) approving development schedule (Planning to handle).

21. Matters for the good of the community. 7:50 P.M.
(These may be presented by citizens in the audience)
Councilman Shastid commented that a local police officer was extremely courteous to an out of town visitor.

In response to a question by Councilman Shastid, it was reported that Ryan Sign Co. has until June 28 to make a pole sign on J Street near McHenry the proper height (35') or legal steps will be taken to have the sign removed or changed.

The City Manager reported that demonstrations of the use of helicopters in police work were scheduled for June 25 in the afternoon and evening.

ORDINANCES

22. Suggested Ordinance adopting 1965 edition of fire prevention code. (Provides for the adoption of the latest edition of the National Fire Prevention Code with local amendments for governing conditions hazardous to life and property from fire. Introduction of ordinance needed)
ACTION: Ord. No. 900-C.S. introduced (Mitchell/Smith,unan) (Clerk to handle)

OLD BUSINESS

23. Further consideration of proposal of Golden Pacific Airlines, Inc.
ACTION: By motion (Shastid/Smith, maj - Mitchell no) application of Golden Pacific Airlines, Inc. not supported at this time as it is not in the City's best interest.
Councilman Hughes reported that the facilities at United Airlines terminal should be improved.

CONSENT

24. Amendment to agreement entered into between Modesto High School District of Stanislaus County and the City of Modesto dated March 4, 1968 to provide that City advance the sum of $80,000 to School District at any time after January 1, 1969 toward City's share of the purchase price of a proposed park site on Sylvan Road. (This matter was considered by the City Council at its meeting of June 3, 1968 at which time the Council authorized the staff to prepare an amendment to the agreement. The School District made the request for the advance in order to help it finance the cost of the acquisition of property for a Fourth High Park Site. Resolution authorizing amendment to agreement needed)

ACTION: Res. 68-586 adopted authorizing amendment to agreement. (Finance to handle)

NEW BUSINESS

25. Consideration of salaries.

ACTION: A motion (Mitchell/Davies) to grant a 6% general salary increase to all city employees except department heads, council appointees and hourly salaried employees in unclassified part-time positions plus an additional 2½% increase to Public Works, Parks and Tree leadmen, 12½% increase to Bldg. Maintenance Foreman and approximately 1.4% to all fire classes except Fire Chief was, by motion (Smith/Hughes,unan) tabled for two weeks with provision that any raise will be retroactive to 7/1/68)

CONSENT

26. A resolution determining that the public interest and convenience require that Rouse Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date August 12, 1968 at 7:45 P.M. Resolution setting hearing (2/3 affirmative vote needed).

ACTION: Res. 68-587 adopted setting Aug. 12, 1968 at 7:45 P.M. as time for hearing. (Clerk to handle).

CONSENT

27. A resolution determining that the public interest and convenience require that Claremont Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date August 12, 1968 at 7:50 P.M. Resolution setting hearing (2/3 affirmative vote needed).

ACTION: Res. 68-588 adopted setting Aug. 12, 1968 at 7:50 P.M. as time for hearing. (Clerk to handle).

CONSENT

28. Consider additional parking lower level city hall garage. (Four additional spaces on lower level have been landscaped pending greater parking demand. Now both levels are filling daily and the Director of Parking and Traffic recommends putting the spaces to use. His report has been sent with the agenda. Motion directing staff to install needed. Estimated cost $125; funds budgeted in Account 224-57-209, Mtce & Repair Bldgs. & Grounds 68-69, Parking Fund Budget)

ACTION: By motion staff instructed to install additional parking spaces. (P & T to handle)

CONSENT

29. Approval of letter agreement with Modesto Bee for legal advertising and printing of ordinances.
(The present agreement expires 6/30/68 and the Modesto Bee is the only newspaper qualified to perform these services under the provisions of the Modesto City Charter. Memo with agenda. Resolution approving letter agreement needed. Estimated cost advertising, $7,500; printing $1,400. Funds budgeted in Accounts 230-14-101, Advertising, Legal/Other; 235-14-101, Services, Prof./Other)

ACTION: Res. 68-589 adopted approving letter agreement with Modesto Bee. (Clerk to handle)

CONSENT

30. Accept improvements in Cranbrook No. 2 Subdivision and authorize City Clerk to file a notice of completion and release bond upon expiration of the statutory lien period.
(Cranbrook Colony No. 2 is located on the easterly side of Rose Avenue at Hienitz. 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. 68-590 adopted accepting improvements. (Clerk to handle)

CONSENT

31. Consider adoption of the operating budget for 1968-69 fiscal year.
(A report has been prepared showing the adjustments to the preliminary budget, as amended by the City Council. Copies of the report are submitted with the agenda. Ordinance needed)

ACTION: Ord. 901-C.S. adopted (Hughes/Smith,unan) adopting operating budget for 1968-69 fiscal year. (Finance to handle)

CONSENT

32. Consider request for sewer service to southeast corner South Avenue and Roselawn Avenue.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 68-591 adopted approving agreement with Donald E. and Dorothy M. Shively for sewer service to southeast corner South and Roselawn Ave. (Clerk to handle)

REPORTS

33. Report on penalties for business license tax and transient occupancy tax and decision on waiver of penalty and interest on transient occupancy tax.
(On June 3, 1968 the Council withheld decision on waiver of penalty and interest on transient occupancy tax for Town House Lodge. A report is submitted with council agenda. Resolution approving or denying waiver of penalty and interest and motion instructing staff if amendment of penalties is recommended needed)

ACTION: By motion (Shastid/Mitchell, unan) staff directed to prepare ordinance providing for 5% penalty per month not to exceed 25% with no monthly accrued interest. Ordinance to apply to Business License Tax and Transient Occupancy Tax. (City Attorney to handle). Res. 68-592 adopted (Shastid/Mitchell,unan) setting penalty assessed against Town House Lodge at 5% with no interest to be charged (Finance to handle)

34. Report on City insurance renewal.
(On July 15, 1968 our three year package insurance policy expires. Information on a new policy and premiums has been delayed because of recent changes in insurance coverage available to municipalities relating to riots. Report submitted with agenda).
ACTION: The Director of Finance was requested to obtain more information for the Council. (Finance to handle)

CONSENT
35. Report on request for support of California judicial merit plan.
(A memorandum on this item has been sent to the Mayor and Councilmen with the agenda.
(Motion to take no action needed)

ACTION: By motion, staff directed to take no action on request.

REPORTS FROM PLANNING COMMISSION

CONSENT
36. Consider amendments to Chapter 2 of Title X of the Modesto Municipal Code (zoning regulations).
(On June 18, 1968 the Planning Commission adopted Resolution No. 68-83, recommending to the City Council amendments to Chapter 2 of Title X of the Modesto Municipal Code (Amendment to the Parking Requirements Section of the zoning regulations. Resolution setting date for public hearing needed. Suggested date July 15, 1968 at 4:15 P.M. needed)

ACTION: Res. 68-593 adopted setting July 15, 1968 at 4:15 P.M. as time for hearing. (Clerk to handle)

CONSENT
37. Recommend amendment to Section 15-3-9 of the zoning map (Robert P. Bomberger)
(By Resolution 68-75 adopted on June 18, 1968 the Planning Commission recommends an amendment to Section 15-3-9 of the zoning map as requested by Robert P. Bomberger, to prezone from County A-1 to Two-family residential, P-R-2 zone, property located on the east side of Rose Avenue north of Celeste Ave. Resolution setting date for public hearing needed. Suggested date July 15, 1968 at 4:20 P.M.

ACTION: Res. 68-594 adopted setting July 15, 1968 at 4:20 P.M. as time for hearing. (Clerk to handle)

CONSENT
38. Recommend the granting of an unclassified use permit to Doctor's Hospital for a three-story expansion at 333 West Orangeburg Avenue.
(By Resolution No. 68-77 adopted at its regular meeting of June 18, 1968 the Planning Commission recommends the granting of an unclassified use permit to Doctor's Hospital for a 3-story expansion at 333 West Orangeburg Avenue. Resolution setting date for public hearing needed. Suggested hearing date July 15, 1968 at 4:25 P.M.)

ACTION: Res. 68-595 adopted setting July 15, 1968 at 4:25 P.M. as time for hearing. (Clerk to handle)

CONSENT

39. Vacation and abandonment of a portion of Sunset Boulevard at its intersection with Neece Drive.
(By Resolution 68-37 adopted at the meeting of April 2, 1968 the Modesto Planning Commission recommended to the City Council, the vacation and abandonment of a portion of Sunset Boulevard at its intersection with Neece Drive. Resolution of Intention to vacate and abandon and setting a date for public hearing needed. Suggested date July 15, 1968 at 4:30 P.M.)

ACTION: Res. of Intention 305 (1047-S.P.) adopted setting July 15, 1968 at 4:30 P.M. as time for hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

40. Appropriation transfer of $600 from General Fund, General Reserve, to Account 230-14-101 (Advertising - Legal/Other)
(A total of $7,850 was budgeted for Legal Advertising and Services-Prof./Other. To date approximately $8,300 has been expended for these two accounts and another $600 will be needed for the balance of the fiscal year. All possible intra-fund transfers have been made, so it is necessary to request this money from the General Fund. Resolution approving appropriation transfer needed).

ACTION: Res. 68-596 adopted approving appropriation transfer of $600 from General Fund, General Reserve to Account 230-14-101 (Advertising - Legal/Other) (Finance to handle)

CONSENT

41. Appropriation transfer to provide funds for paying for appraisal for sanitary landfill site in Empire area.
(Resolution approving transfer of $763 needed).

ACTION: Res. 68-597 adopted approving appropriation transfer of $763 from Acct 321-60 (Special Fund for Capital Outlay, General Reserve) to Account 6536-41-321, Sanitary Land Fill) (Finance to handle)

CONSENT

42. Approve appropriation transfer of $500 to cover postage expenses for remainder of the 1967-68 fiscal year.
(Due to an increase in postage rates effective January 1, 1968 the amount budgeted for this account is not sufficient. An additional $500 will be needed for the remainder of the 1967-68 fiscal year. Resolution approving appropriation transfer needed)

ACTION: Res. 68-598 adopted approving appropriation transfer of $500 from General Fund, General Reserve (101-60) to Acct. 201-58-101 (Office Services, Postage) (Finance to handle)

MISCELLANEOUS

43. Legislative matters. - None

EXECUTIVE SESSION

The Council retired to Executive Session to discuss litigation and department salaries. It was announced that the Council would not return to open meeting.

Adjournment: The meeting adjourned at 10:40 P.M.

ATTEST: W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 1, 1968 AT 4:00 P.M.

Roll Call Present: Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: Hughes

Pledge of allegiance to the Flag

Invocation: Reverend Quentin Prather, First Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 6, 7, 11, 12, 13, a, b, c, d, e, f, g, h, i, 14, 16, 20, 21, 22
Shastid/Simon, unan.
Item 3 removed from Consent

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of June 13 and 24, 1968.
   ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT

2. Letter from Mr. and Mrs. Albert G. Lopez concerning the condition of property located on Tully Road across Orangeburg Avenue from Fremont School.
   (Motion referring to staff needed)
   ACTION: By motion referred to staff. (P/W to handle)

CONSENT

3. Resolutions of Modesto Irrigation District authorizing contributions in the amount of $3,944.50 for 9th Street bridge lights and $50,632.50 for lighting modernization, Stage 1, as adopted on June 25, 1968.
   (No council action needed)
   ACTION: Res. 68-599 adopted (Robinson/Shastid, unan) expressing appreciation to M.I.D. (Clerk to handle)

BIDS

CONSENT

4. Consider award to low bidder, Union Oil Company, to supply City's needs of gasoline for one year ending June 30, 1969.
   (Memo and tabulation with agenda. Resolution needed. Estimated cost $50,000; funds budgeted in Account 330-48/512, Gas, Oil & Lubricants and other accounts)
   ACTION: Res. 68-600 adopted awarding contract to Union Oil Co. (Finance to handle)

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

The Airport Committee was appointed to work with the committee of the Board of Supervisors on the acquisition of a sanitary landfill site.

It was announced that the Council and the M.I.D. Board of Directors would have a joint tour of the New Don Pedro Dam on July 18. The City Manager was directed to take care of details.

Res. 68-601 adopted (Simon/Shastid,maj.,Smith, Davies no) opposing application of Golden Pacific Airlines because of lack of proven experience and also because any airline serving Modesto should preferably be interstate rather than intrastate. C/Mgr. to arrange for city representation at PUC meeting scheduled July 8, San Francisco. (C/Mgr. and C/Atty to handle)

ORDINANCES

CONSENT

6. Final adoption of Ord. No. 896-C.S. - amendment to Section 18-3-9 of the zoning map (Quaresma).
ACTION: By motion Ord. No. 896-C.S. adopted. (Clerk to handle)

CONSENT

7. Final adoption of Ord. No. 900-C.S. (fire prevention code).
ACTION: By motion Ord. No. 900-C.S. adopted (Clerk to handle)

OLD BUSINESS

8. Consider request by Mr. Eldred E. Brown for street lighting on John Muir Court.
(Memorandum with agenda. Motion directing staff needed)
ACTION: By order of the Chair the Public Projects Committee was directed to make a study of the present policy on installation of street lights. The present policy of Stanislaus County is to be taken into consideration (C/Mgr. to handle)

9. Reconsider driveway variance granted Frank Francek for his property at the southeast corner of Tully and Granger.
(Memorandum of explanation with agenda. Resolution rescinding Res. 67-901 granting driveway variance needed)
ACTION: Withdrawn from agenda as Mr. Francek has complied with the requirements.

10. Further report of City insurance renewal.
(Report submitted with agenda)
Councilman Simon was excused from this discussion.
ACTION: Director of Finance directed to obtain information on losses, premiums and coverage for the past four years and to include this with the report he is to present to the Council on 7/8/68.(Finance to handle)

NEW BUSINESS

CONSENT

11. Approval of agreement with State Division of Highways for modification of southeast corner of 9th and D intersection.
(Modification of the southeast corner of 9th and D intersection to improve curb radius so that trucks do not damage traffic signal standards when making turn. Agreement provides for City to have the work done, with City and State sharing the cost on a fifty-fifty basis. Resolution approving agreement needed. Estimated cost $2,400, including engineering & contingency. Funds budgeted in Account 6647-321, Misc. Street right of way and improvements p. 61)
ACTION: Res. 68-602 adopted approving agreement with State Division of Highways. (Clerk to handle)

CONSENT

12. Request of City Clerk for vacation from July 25 to August 2, 1968, inclusive.
(Motion granting request needed)

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

CONSENT

13. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolutions setting hearing needed. Suggested date July 15, 1968 at 4:35 P.M.)

CONSENT

(a) Curb and gutter requirement at 401 Maple Avenue, Lot 1, Block 4094 (Pepelis)
(Resolution setting hearing needed)
ACTION: Res. 68-603 adopted setting hearing. (P/W to handle)

CONSENT

(b) Curb and gutter requirement at 405 Maple Ave., Lots 2 and 3, Block 4094 (Pepelis)
(Resolution setting hearing needed)
ACTION: Res. 68-604 adopted setting hearing.(P/W to handle)

CONSENT

(c) Curb and gutter requirement at 323 Alturas Ave., Lots 15 and 16, Block 352, (Christiansen)
(Resolution setting hearing needed)
ACTION: Res. 68-605 adopted setting hearing. (P/W to handle)

CONSENT

(d) Curb and gutter requirement at 319 Alturas Ave., Lots 13 and 14, Block 352 (Eddie)
(Resolution setting hearing needed)
ACTION: Res. 68-606 adopted setting hearing. (P/W to handle)

CONSENT
(e) Sidewalk requirement at 1404 Grape Ave., Lot 1, Block 6253, (Lenser)
(Resolution setting hearing needed)
ACTION: Res. 68-607 adopted setting hearing.(P/W to handle)

CONSENT
(f) Curb and gutter requirement at 413 Maple Street, Lot 4, Block 4094 (F.E.Ward).
(Resolution setting hearing needed)
ACTION: Res. 68-608 adopted setting hearing. (P/W to handle)

CONSENT
(g) Sidewalk requirement at 612 Hilton St., portions of lots 3 and 4, Block 6006, (Schaapman)
(Resolution setting hearing needed)
ACTION: Res. 68-609 adopted setting hearing. (P/W to handle)

CONSENT
(h) Sidewalk, curb and gutter requirement on Stoddard Ave. at 315 Orange Ave., Lots 20 and 21, Block 512 (Ferrario).
(Resolution setting hearing needed)
ACTION: Res. 68-610 adopted setting hearing. (P/W to handle)

CONSENT
(i) Sidewalk, curb and gutter requirement at 918 Stoddard Avenue, Lots 1, 2, 3, and 4, Block 512, (Van Parks).
(Resolution setting hearing needed)
ACTION: Res. 68-611 adopted setting hearing. (P/W to handle)

CONSENT
14. Consider acceptance of State Allocation Offer and preliminary agreement for a $7,000 grant for Airport Security Lighting. (The grant is for 50% of a $14,000 security lighting project to adequately floodlight the general aviation and United terminal areas. The project is in the 1968-69 budget and it is anticipated that the local share of $7,000 will be shared equally by City and County. Resolution approving offer and authorizing execution of agreement needed)
ACTION: Res. 68-612 adopted accepting offer and approving agreement. (C/Mgr. to handle)

15. Consider agreement between City of Modesto and Hailwood, Inc. regarding the rights and obligations of the respective parties arising out of City's condemnation of a portion of Hailwood's property for a sewer ponding site.
(Report will be made at meeting. Resolution approving agreement needed)
ACTION: Res. 68-613 adopted (Shastid/Robinson, unan) approving agreement. (Clerk to handle)

CONSENT

16. Request council approval of contract agreement between California Disaster Office and City of Modesto for use of CDO Pumper Truck #115.
(The Contract negotiated on June 8, 1967 expires June 30, 1968 and a contract effective June 30, 1968 to June 30, 1970 has been presented to the City for approval. Memorandum with agenda. Resolution authorizing City Manager to sign agreement needed)
ACTION: Res. 68-614 adopted approving agreement with California Disaster Office. (Clerk to handle)

REPORTS

17. Report on off-ramps at Highway 99-Prescott Interchange.
(A report by the Director of Parking and Traffic has been sent with the agenda. The report is concerned with a northbound ramp to Orangeburg and a southbound ramp to North 9th Street. Motion directing staff needed)
ACTION: By motion (Mitchell/Smith, unan) staff authorized to work towards the possibility of construction by the City and County of the Briggsmore-Northern extension to Carpenter Road and a frontage road connecting Shoemake and Carpenter. (P & T to handle)

18. Report on policies regarding use of Mancini Bowl.
(Memorandum with agenda. Motion directing staff needed)
ACTION: By motion (Simon/Mitchell, unan) report approved and City Attorney directed to prepare ordinance reflecting recommended changes. (C/Atty to handle)

19. Report - Marshall Park development.
(Memorandum with agenda. Motion directing staff needed)
ACTION: By motion (Robinson/Smith, unan) staff directed to proceed with completion of Stage I development of Marshall Park. (P & R to handle)

REPORTS FROM PLANNING COMMISSION

CONSENT

20. A resolution annexing uninhabited territory to the City of Modesto known as the Airport #2 Addition.
(The Stanislaus County Board of Supervisors has approved the Council initiated annexation of jointly owned city-county Airport property and the Local Agency Formation Commission has authorized the annexation without notice or public hearing. Resolution annexing Airport #2 Addition needed)
ACTION: Res. 68-615 adopted annexing Airport No. 2 Addition to City of Modesto. (Clerk to handle)

CONSENT

21. A resolution annexing uninhabited territory to the City of Modesto known as the Legion Park Addition.
(The Local Agency Formation Commission has approved the Council initiated Legion Park Addition and has authorized the annexation without notice or public hearing. The addition includes the city-owned Mancini Park site as well as Legion Park. Resolution annexing area to City needed)
ACTION: Res. 68-616 adopted annexing Legion Park Addition to City of Modesto. (Clerk to handle)

CONSENT

22. Leveland Addition - For referral to Planning Commission, Proposed annexation (uninhabited). (Information attached. Resolution referring to Planning Commission needed)

ACTION: Res. 68-617 adopted referring proposed Leveland Addition annexation to the City of Modesto to the Planning Commission (Planning to handle)

MISCELLANEOUS

23. Legislative matters.

NONE

24. Appointments.

ACTION: Res. 68-618 adopted (Robinson/Mitchell, unan) (Hughes and Shastid absent) resignation of Ray Simon as chairman of Mayor's council on youth opportunity accepted. (Clerk to handle). Res. 68-619 adopted (Robinson/Mitchell,unan., Hughes,Shastid absent) appointing Rev. William Yeager as Chairman and appointing Norvin Spence as additional member.

Executive session to discuss possible acquisition of Smith Furniture property.

ACTION: Executive session held over for one week at request of Councilman Shastid.

Adjournment

ACTION: The meeting adjourned at 6:35 P.M.

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

Modesto City Council
July 3, 1968

The Council of the City of Modesto met in special session this date at 6:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto California, as provided by Section 2-1.02 of the Modesto Municipal Code, Mayor Davies presiding, to hold an executive session and convene in open session to consider an agreement with Hailwood, Inc., on the sewer ponding site.

Present: Councilmen: Mitchell, Shastid, Simon, Smith, Mayor Davies
(Councilman Shastid arrived at 6:05 P.M.)
Absent: Councilmen: Hughes, Robinson

The Council retired to executive session at 6:05 P.M., reconvening to open session at 6:38 P.M.

Resolution No. 68-620 (Mitchell/Smith, unan) approving amended agreement with Hailwood Inc., and rescinding Resolution No. 68-613 , was adopted.

The meeting adjourned at 6:40 P.M.

ATTEST: W. T. Haynoweth
W. T. HAYNOWETH
City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 8, 1968 AT 7:30 P.M.

Roll Call Present: Councilmen:: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: None
Pledge of allegiance to the Flag
Invocation: Reverend Ronald Hurst, Maze Blvd. Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 10, 11, 12, Items 10, 11, 12 removed from agenda. 18a, b, c, d, 19, 20a, 21, 22, 23, 24a, b
Items 20a,b,c,d,e,f,g removed from consent. Shastid/Simon, unan.
(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

1. Minutes of July 1, 1968.
ACTION: Minutes approved. Staff authorized to place approval of minutes on consent from now on. (Clerk to handle)

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

CONSENT
2. Resignation of Mrs. Anne R. Woolley from Library and Culture Commission.
(Resolution accepting with regret needed)

ACTION: Res. 68-621 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
3. Letter from Attorney Gerald Underwood expressing appreciation to Council and staff for cooperation in connection with Hailwood litigation.
(Motion to file needed)
ACTION: By motion, letter ordered filed. (Clerk to handle)

BIDS

CONSENT
4. Accept as complete the contract with Utility Body Company for the furnishing and installation of a 4-ton hydraulic crane on City Truck No. 203.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work as complete needed. Actual cost $6,246.24; funds budgeted in Account 5425-48-512, 4-Ton Crane)
ACTION: Res. 68-622 adopted accepting contract. (Clerk to handle).

CONSENT

5. Recommendation that installation of water lines in East Fairmont Avenue be performed by city forces.
(Bid opening was July 2, 1968. No bids from private contractors were received; therefore, the City Manager recommends that the work be performed by city forces. Resolution authorizing work to be done by city forces needed. Estimated cost $3,980 (Materials $1,710; labor $2,270). Funds budgeted in Account 6804-50-101, Water Line Extension, p. 43)

ACTION: Res. 68-623 adopted authorizing work to be done by city forces (P/W to handle)

HEARINGS

6. Annexation of Roselawn Addition to Modesto Municipal Sewer District. 7:45 P.M.

ACTION: Res. 68-624 adopted (Shastid/Smith, unan) annexing Roselawn Addition to Modesto Municipal Sewer District. (Clerk to handle)

7. Annexation of Harte Addition to City of Modesto. 7:50 P.M.

ACTION: By order of the Mayor, hearing continued to July 22, 1968 at 8:05 P.M. (Clerk to handle)

8. Further discussion with Dr. Valentine. 7:55 P.M.
(A report by the Director of Parking and Traffic on Dr. Valentine's request for refund on all or part of $3,000 in-lieu parking payment with agenda. Motion denying request or directing staff needed)

No action taken by Council.

9. Matters for the good of the community. 8:00 P.M
(These may be presented by citizens in the audience)
Res. 68-625 adopted (Mitchell/Shastid, unan) stating that $103,810 will be needed for Modesto Municipal Sewer Dist. No. 1 for 1968-69. (Finance to handle)
The Council was informed that the over-height sign on J Street had not been removed or lowered and the City Attorney was prepared to take action to correct the problem.
Res. 68-626 adopted (Simon/Shastid,unan) rescinding Res. 68-601. (Clerk to handle)
Res. 68-627 adopted (Simon/Shastid, unan) opposing application of Golden Pacific Airlines. (City Attorney to handle)

ORDINANCES

CONSENT

10. Final adoption of Ord. No. 897-C.S., amending Section Map 24-3-8 (McHenry).

DROPPED FROM AGENDA

CONSENT

11. Final adoption of Ord. 898-C.S. amending Section Map 24-3-8 (McHenry).
DROPPED FROM AGENDA

CONSENT

12. Final adoption of Ord. 899-C.S. amending Section Map 24-3-8 (McHenry).

DROPPED FROM AGENDA

OLD BUSINESS

13. Further report of City insurance renewal.
(Report with agenda)

(Councilman Simon excused from consideration of this item)
ACTION: By motion (Shastid/Smith, unan) staff directed to obtain 90-day binder on present insurance and obtain quotations on coverage (Finance to handle)

14. Further consideration of salaries.

ACTION: By motion (Mitchell/Davies, unan)(vote on motion continued from 6/24,)intention declared to grant 6% general salary increase to all city employees except dept. heads, council appointees and hourly unclassified employees, plus an additional 2½% to P/W, P&R and Tree Leadman, 12½ to Bldg. Maintenance Foreman and approx. 1.4% to all fire classes except Chief. (Finance and Personnel to handle).

15. Consider request by Modesto City Employees' Association for group life insurance.
(At its meeting on May 27, the City Council asked that this matter be considered during the salary study. Motion directing staff needed)

ACTION: By motion (Hughes/Robinson, unan)staff authorized to obtain bids for $2,000 life insurance for each employee at city expense. (Personnel to handle)

NEW BUSINESS

16. Request for waiver of penalty and interest on business license tax.
(The Warden's Office requests a waiver of penalties on the grounds that we have mailed their notices to the wrong address. Memo with agenda. Resolution needed)

ACTION: Res. 68-628 adopted (Mitchell/Smith, maj.-Shastid no) granting waiver of penalty and interest (Finance to handle)

17. Request for waiver of penalty and interest on business license tax.
(The Elrich Construction Company requests a waiver of penalty and interest on their business license tax on the grounds that they were billed for two locations and were not advised of what to do until the last day of the payment period. As a result they mailed their tax on April 30, 1968 but for some unknown reason, the envelope was not postmarked until May 1, 1968. Memo with agenda. Resolution needed)

ACTION: Res. 68-629 adopted (Hughes/Robinson, maj.-Shastid no) granting waiver of penalty and interest (Finance to handle)

CONSENT

18. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below:
(Informal requests were sent over 30 days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolution setting hearing needed. Suggested date July 22, 1968 at 7:55 P.M.)

CONSENT

(a) Sidewalk at 820 Enslen, portion Lots 6 and 7, Block 714, (Cooper).
(Resolution setting hearing needed)

ACTION: Res. 68-630 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalk on Enslen at 520 Griswold Avenue, Lot 8 and portion of 7, Block 714 (Hirschle)
(Resolution setting hearing needed)

ACTION: Res. 68-631 adopted setting hearing (P/W to handle)

CONSENT

(c) Sidewalk at 929 Brady, Lot 2 and portion of 3, Block 720 (Rupe)
(Resolution setting hearing needed)

ACTION: Res. 68-632 adopted setting hearing (P/W to handle)

CONSENT

(d) Sidewalk at 925 Brady, Lot 4 and a portion of 3, Block 720, (Adrian)
(Resolution setting hearing needed).

ACTION: Res. 68-633 adopted setting hearing (P/W to handle)

CONSENT

19. A resolution approving final map of the resubdivision of Lots 5, 6, 7, 8 and 9, Block 12859, Coffee Plaza 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 south of Chapala Way on Tampico Court. It contains 1.5 acres. Resolution approving final map needed)

ACTION: Res. 68-634 adopted approving final map (Clerk to handle)

~~CONSENT~~

20. Approve the following documents connected with proposed street lighting and fire alarm system on Yosemite Blvd. (Improvement District No. 12). (Memo with agenda. Resolutions needed)

CONSENT

(a) Resolution of preliminary determination relative to 1931 Act and fixing time and place of hearing thereon (M12-1).

ACTION: Res. 1048-S.P. adopted (Simon/Hughes, unan) making preliminary determination that public convenience and necessity require construction of public improvements and setting Aug. 5, 1968 at 4:00 P.M. as time for hearing (Clerk to handle)

CONSENT

(b) Resolution directing Engineer to prepare plans, specifications and cost estimate (M12-2).

ACTION: Res. 1049-S.P. adopted directing preparation of plans and specs together with estimates of costs and expenses. (Public Works to handle)

CONSENT

(c) Resolution approving contract documents and specifications, map, plans and profiles and cost estimate (M12-3) Bid opening July 30 - 2:00 P.M.

ACTION: Res. 1050-S.P. adopted approving contract documents and specs, map, plan and profiles and cost estimate. (Public Works to handle)

CONSENT

(d) Resolution of Intention (M12-4).

ACTION: Res. of Intention 306, 1051-S.P. adopted declaring intention to construct street lighting system and fire alarm system in Improvement District #12 and setting August 5, 1968 at 4:00 P.M. as time for hearing objections to construction (Clerk to handle)

CONSENT

(e) Resolution designating newspaper for publication of notices (M12-5).

ACTION: Res. 1052-S.P. adopted designating the Modesto Bee for publications relating to Improvement District #12. (Clerk to handle)

CONSENT

(f) Resolution fixing compensation for attorneys (M12-6).

ACTION: Res. 1053-S.P. adopted fixing compensation for Orrick, et al at 1% of the amount of the final cost of work and improvements assessed against property owners in District (minimum of $1,000 to be paid) and fixing compensation of Elwyn L. Johnson at none (Finance to handle)

CONSENT

(g) Resolution calling for bids and determining wage rates (M12-12).

ACTION: Res. 1054-S.P. adopted setting July 30 at 2:00 P.M. as time for receiving bids, determining general prevailing rate of per diem wages (Clerk to handle)

21. Discussion of a proposed community foundation for Modesto. (A memorandum relating to this matter has been transmitted to the councilmen with the agenda)

ACTION: By motion (Hughes/Shastid, unan) formation of Community Foundation for Modesto approved. (City Attorney to handle)

REPORTS

22. Report of Beautification Committee on anti-litter ordinance. No action taken.

NOTE: Resolutions Nos. 68-635 through 68-641, inclusive, have been omitted due to special numbers being needed for the Improvement District resolutions)

REPORTS FROM PLANNING COMMISSION

CONSENT

23. Recommend commencement of proceedings for the annexation to the City of uninhabited territory - Leveland Addition.
(On July 2, 1968 the Planning Commission adopted Resolution No. 68-87 recommending to the Council the commencement of proceedings for the annexation to the City of uninhabited territory (Leveland Addition). Resolution setting date for public hearing needed. Suggested date August 12, 1968 at 7:45 P.M.)

ACTION: Res. 68-642 adopted setting Aug. 12 at 7:45 P.M. for hearing (Clerk to handle)

CONSENT

24. Recommendation to the Council adoption of ordinances regarding building setback lines:

CONSENT

(a) Ordinance establishing building setback lines on Ninth Street.
(By Resolution 68-79 adopted June 18, 1968 the Planning Commission recommends adoption of an ordinance establishing building setback lines along Ninth Street between P Street and Morton Boulevard. Resolution setting public hearing needed. Suggested date July 22, 1968 at 8:00 P.M.

ACTION: Res. 68-643 adopted setting July 22, 1968 at 8:00 P.M. for hearing (City Clerk to handle)

CONSENT

(b) Ordinance revising the established building setback line on Needham Street.
(By Resolution 68-85 adopted July 2, 1968 the Planning Commission recommends adoption of an ordinance revising the established building setback line on the north side of Needham Street between Nellie Street and Olive Avenue. Resolution setting public hearing needed. Suggested date July 22, 1968 at 8:00 P.M.)

ACTION: Res. 68-644 adopted setting July 22 at 8:00 P.M. for hearing. (Clerk to handle)

MISCELLANEOUS

25. Legislative matters.
ACTION: By motion (Robinson/Smith, unan) S.B.-592 (permits legislative body to hold executive sessions concerning salary negotiations, etc.) supported. (C/Mgr. to handle)

26. Appointment of city representative as a member of the Board of Directors of Reclamation District No. 2091. It is recommended by the City Manager that the City Attorney be appointed.
ACTION: Res. 68-645 adopted (Simon/Shastid, unan) appointing Elwyn L. Johnson (Clerk to handle)

27. Other appointments - None

Executive session to consider department head and council appointee salaries, and to discuss possible acquisition of the Smith Furniture property. Council retired to executive session at 9:20 P.M. and returned at 10:15 P.M.

28. By motion (Robinson/Hughes, unan) department heads and council appointees to be granted a 6% salary increase, with the Director of Public Works and the Director of Parks and Recreation to receive an additional 2½%, and the Personnel Officer to receive an additional 5%.

29. Res. 68-646 adopted (Hughes/Robinson, unan) granting salary increases outlined in 14 and 28 above, effective July 1, 1968. (Finance and Personnel to handle)

ADJOURNMENT: The meeting adjourned at 10:20 P.M.

ATTEST: W. T. Chymoweth
W. T. CHYMOWETH
City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 15, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies

Absent: None Councilman Simon arrived at 4:25 P.M.

Pledge of allegiance to the Flag

Invocation: ~~Reverend Arthur Brohm, Grace Lutheran Church~~ A moment of silent prayer was observed.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 6, 7, 9, 10, 11, 12, 27, 28, 29, 30, 31, 32, 33, 36, 37
Smith/Robinson, unan. - Simon absent.
Items 2, 30, 32 removed from consent.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 conser items is set forth in the explanation for the individual items).

APPROVAL OF MINUTES

CONSENT

1. Minutes of July 3 and 8, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

~~CONSENT~~

2. Request of Memorial Hospital for fire protection services to new hospital while it is under construction.
(Motion granting request needed)

ACTION: By motion (Mitchell/Hughes, unan.) request granted.
(C/Mgr & Fire to handle)

3. Request of Harry T. Kullijian for return of $350 deposited for installation of electrolier on Shaftesburg Court.

ACTION: By motion (Robinson/Hughes, unan.) request denied and staff directed to arrange for installation of electrolier.
(City Clerk & P/W to handle)

4. Notice from Western Greyhound Lines re request for rate increase.

No action.

5. Letter from Rudy Bonzi requesting that competitive bidding be used for operation of sanitary landfill.

ACTION: This item was considered jointly with item 35.

BIDS

CONSENT

6. Consider approval of specifications and authorize call for bids to be opened at 2:00 P.M. July 25, 1968 for furnishing annual needs of crushed rock screenings beginning August 1, 1968.
(Resolution needed. Estimated cost $7,500; funds budgeted in Account 321-51-101, Construction Material).

ACTION: Res. 68-647 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

7. Consider approval of specifications and authorize call for bids to be opened at 2:15 P.M. July 25, 1968 for furnishing annual needs of liquid and emulsified asphalts beginning August 1, 1968.
(Resolution needed. Estimated cost $27,000; funds budgeted in Account 321-51-101, Construction Materials)

ACTION: Res. 68-648 adopted approving specifications and call for bids. (Clerk to handle)

8. Report (oral) on opening of bids for Westside Community Center.
(Ground-breaking ceremonies are scheduled for July 27 at 10:00 A.M.)

ACTION: It was reported that costs are within the estimate but bid must be approved by the Federal Government before award. Members of the Council urged to attend ground-breaking ceremonies.

CONSENT

9. Approve specifications for the painting of City of Modesto elevated water tank No. 1.
(Elevated Water Tank No. 1 is located at the intersection of 17th and G Streets. The specifications set forth that the contractor shall clean, prime, and paint the tank and legs. The final color will be metallic green which was approved by the Beautification Committee. Resolution approving specifications needed. Bid opening date July 30, 1968 at 10:00 A.M. Estimated cost $3,500; funds budgeted in Account 6832-50-101, Tank No. 1)

ACTION: Res. 68-649 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

10. Approve plans and specifications and call for bids on Stage 1 development of Marshall Park.
(Bid opening August 13, 1968 at 10:00 a.m. Resolution approving plans, specifications and bid call needed. Estimated cost $51,000; funds budgeted in Account 6274-31-321, Marshall Park, Phase I, $31,000. Additional funds to be requested later when exact costs involved are determined)

ACTION: Res. 68-650 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

11. Accept as complete Industrial Electrical Company's contract for the furnishing and installation of street lighting materials at various intersections - post top area and Briggsmore Avenue.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. Resolution accepting work as complete and authorizing City Clerk to file notice of completion needed. Contract cost $66,095.64; funds budgeted in Account 6626-321, Modernize City Lighting; 6630-321, Stage 2, Street Lighting, Briggsmore to McHenry, Special fund for capital outlay)

ACTION: Res. 68-651 adopted accepting contract. (Clerk to handle)

CONSENT

12. Accept as complete Standard Materials Company contract for the construction of improvements of Carver Road, from Bay Meadows Drive to Rumble Road.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution needed. Contract cost $41,534.91; funds budgeted in Account 6670-207, Carver, Bay Meadows to Rumble Road)

ACTION: Res. 68-652 adopted accepting contract. (Clerk to handle)

HEARINGS

13. Hearing on amendments to Municipal Code (Parking Requirements) 4:15 PM

ACTION: By motion (Robinson/Shastid, unan.) Ord. No. 902-C.S. introduced. (Clerk to handle)

14. Hearing on amendment to Section 15-3-9 of the zoning map (Bomberger) 4:20 PM

ACTION: By motion (Hughes/Smith, unan.) Ord. No. 903-C.S. introduced. (Clerk to handle)

15. Hearing on request of Doctors' Hospital for unclassified use permit. 4:25 PM

ACTION: Res. 68-653 adopted (Shastid/Robinson, unan.) granting unclassified use permit with the following changes: (1) Isolate parking area on Sherwood Ave. side; (2) Wall to be of tilt-up concrete; (3) The additional 65' of wall to be included and to be of tilt-up concrete. (P/W to handle)

16. Hearing on proposed abandonment of portion of Sunset Boulevard. 4:30 PM

ACTION: By motion (Hughes/Smith, unan.) further consideration of this item continued to August 5, 1968 as agreement with S.O.S. pertaining to this abandonment has not been signed and returned to City. (Clerk to handle)

17. Hearing on curb and gutter requirement (Lot 1, Block 4094, Pepelis) 4:35 PM

ACTION: Res. 68-654 adopted (Mitchell/Shastid, unan.) ordering work done. (P/W to handle)

18. Hearing on curb and gutter requirement (Lots 2 and 3, Block 4094 (Pepelis) 4:35 PM

ACTION: Res. 68-655 adopted (Mitchell/Shastid, unan.) ordering work done. (P/W to handle)

19. Hearing on curb and gutter requirement (Lots 15 and 16, Block 352, Christiansen) 4:35 PM

Hearing dropped as work has been started.

20. Hearing on curb and gutter requirement (Lots 13 and 14, Block 352, Eddie) 4:35 PM

Hearing dropped as work has been started.

21. Hearing on sidewalk requirement (Lot 1, Block 6253 (Lenser) 4:35 PM

ACTION: Res. 68-656 adopted (Mitchell/Shastid, unan.) ordering work done. (P/W to handle)

22. Hearing on curb and gutter requirement (Lot 4, Block 4094, (Ward) 4:35 PM

ACTION: Res. 68-657 adopted (Mitchell/Shastid, unan.) ordering work done. (P/W to handle)

23. Hearing on sidewalk requirement (Lots 3 and 4, Block 6006, Schaapman) 4:35 PM

ACTION: Res. 68-658 adopted (Mitchell/Shastid, unan.) ordering work done. (P/W to handle)

24. Hearing on sidewalk, curb and gutter requirement (Lots 20 & 21, Block 512 (Ferrario) 4:35 PM

Hearing dropped as work has been started.

25. Hearing on sidewalk, curb and gutter requirement (Lots 1,2,3 and 4, Block 512, Van Parks) 4:35 PM

ACTION: Res. 68-659 adopted (Mitchell/Robinson, unan.) ordering work done. (P/W to handle)

26. Matters for the good of the community
(These may be presented by citizens in the audience) 4:40 PM

Frank Andrews spoke on high power rates charged by the M.I.D.

The City Manager informed the Council of vandalism which occurred at the Community Center. He reported that considerable damage was caused by unknown persons turning on fire hoses in the building.

The City Manager reported that a recent article in the Modesto Bee indicating that the D.I.D. was unhappy over the City leadership in Downtown improvement was not accurate and that the D.I.D. is satisfied with what the City is doing.

Following a request by Henry Laws, representing the Modesto Roadmen Cycling Club, that the City pay the approximate $300 cost of signs for a bikeway and install the signs, the staff (by motion, Hughes/Simon, unan.) was authorized to solicit informal bids and proceed with the signing of the bikeway route. (P & T to handle)

ORDINANCES

CONSENT
27. Final adoption of Ordinance No. 897-C.S. amending Section Map 24-3-8 (McHenry).

ACTION: By motion Ord. No. 897-C.S. adopted. (Clerk to handle)

CONSENT
28. Final adoption of Ord. 898-C.S., amending Sec. Map 24-3-8 (McHenry)

ACTION: By motion Ord. No. 898-C.S. adopted. (Clerk to handle)

CONSENT
29. Final adoption of Ord. 899-C.S. amending Sec. Map 24-3-8 (McHenry).

ACTION: By motion Ord. No. 899-C.S. adopted. (Clerk to handle)

NEW BUSINESS

~~CONSENT~~
30. Consider resolution authorizing filing of an application with the Department of Housing and Urban Development, United States of America, for grant to acquire open-space land for the Woodrow Neighborhood Park.
(The City is considering purchasing a site in the Woodrow area north of Modesto for a neighborhood park and would like council authorization to file an application for a federal open-space land grant to assist in the purchase of the site. Resolution authorizing filing application needed)

ACTION: Res. 68-660 adopted (Shastid/Simon, majority - Hughes, no) authorizing filing of application. (C/Mgr to handle)

CONSENT

31. Consider acceptance of grant deed for triangular parcel of land bounded by LaLoma, Haddon, and Santa Barbara Avenues.
(Memorandum of explanation distributed with agenda. Resolution accepting grant deed needed)

ACTION: Res. 68-661 adopted accepting grant deed from John B. Beard, Robert B. Beard, James L. Beard and Martha L. Bienvenu. (Clerk to handle)

CONSENT

32. Consider request for sewer service to new Memorial Hospital at Coffee Road and Briggsmore Avenue.
(The property owners have signed an agreement to annex when requested to do so by City. The property is continguous to City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 68-662 adopted (Mitchell/Hughes, unan.) approving agreement with Memorial Hospital. (P/W to handle)

CONSENT

33. Accept improvements in Tully Manor No. 3 Subdivision and authorize City Clerk to file notice of completion and release bond upon expiration of the statutory lien period.
(Tully Manor No. 3 Subdivision is located on the west side of Tully Road and south of Standiford Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements and authorizing City Clerk to file notice of completion and release bond needed)

ACTION: Res. 68-663 adopted accepting improvements. (Clerk to handle)

34. Notification of hearing by the Public Utilities Commission regarding application by Southern Pacific Railroad Company to discontinue San Joaquin Daylight trains.
(Information with agenda)

Held over for one week. (Clerk to handle)

35. Request of franchised garbage companies for staff study of existing ordinances for possible improvement in collection methods and for a general rate increase.
(Copies of the request being distributed with agenda. Motion referring to staff for study and recommendation needed.)

ACTION: By motion (Shastid/Hughes, unan.) staff directed to make a study of the requests of Rudy Bonzi and the franchised garbage companies and to furnish the Council with more information. This action is not to be construed as indicating any intention on the part of the Council to grant a rate increase. (C/Mgr, Finance & P/W to handle)

REPORTS

CONSENT

36. Report on new freeway ramp to North 9th St.
(A report by the Director of Parking and Traffic has been sent with agenda. There is agreement on the desirability of the ramp by the several governmental agencies involved. The County Public Works Department has asked to carry the project forward. Motion accepting report needed)

ACTION: By motion report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

37. Consider amendments to Section 4-4.601(a) pertaining to the filing of final subdivision maps (Subdivision Regulations)
(On July 2, 1968 the Planning Commission adopted Resolution No. 68-87, recommending to the City Council amendments to Section 4-4.601(a) of the Modesto Municipal Code (pertaining to the filing of final subdivision maps). Resolution setting date for public hearing needed. Suggested date August 5, 1968 at 4:15 P.M.)

ACTION: Res. 68-664 adopted setting August 5, 1968 at 4:15 P.M. for hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

38. Resolution appropriating Capital Improvement Projects for the 1968-69 fiscal year as reviewed and approved by the City Council.
(Report with agenda. Resolution needed)

ACTION: Res. 68-665 adopted (Robinson/Hughes, unan.) appropriating C.I.P. for 1968-69 fiscal year. (Finance to handle)

MISCELLANEOUS

39. Legislative matters.

None.

40. Appointments.

ACTION: Res. 68-666 adopted (Shastid/Hughes, unan.) reappointing Paul LaVine and Rae Codoni as members of Farm-City Committee.

Res. 68-667 adopted (Shastid/Hughes, unan.) appointing Mrs. Connie Rolfe as a member of the Beautification Committee to replace Dr. Freemeyer.

Res. 68-668 adopted (Hughes/Smith, unan.) appointing John Vivian as a member of the Board of Zoning Adjustment for a term expiring 1/1/70.
(Clerk to handle)

41. Oral report by City Attorney on Golden Pacific Airlines.

ACTION: Report received.

42. Executive session to consider purchase of furniture stores on 11th Street between I and J Streets for parking.
(It is expected that offers on all three properties will be received by Council meeting time).

The Council retired to executive session at 6:10 P.M. and returned to open session at 6:30 P.M. No action was taken on the proposed acquisition of the properties at this time.

Adjourned at 6:30 P.M.

ATTEST: W. T. CHYNOWETH, CITY CLERK

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 22, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies

Absent: None

Pledge of allegiance to the Flag
Invocation: Reverend A. F. Hayes, First Church of the Nazarene

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, ~~4~~, 4A, 5, ~~16~~, 17, 18, 21, 22, 23, 24, 26, 31, 32, 33, 34, 35, 36, ~~37~~, ~~38~~
Items 4, 6, 37 & 38 removed from consent.
(Robinson/Mitchell, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of July 15, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

2. Presentation of resolution commending Modesto Planning Commission and expression of appreciation to City Council by Stacy Dull, President of the Modesto Roadmen's Cycling Club.

ACTION: California Assembly resolution commending all those connected with cycling program in Modesto presented to Mayor Davies who then presented it to George Gagos, Chairman of the Modesto Planning Commission.

CONSENT
3. Resignation of Elizabeth Stone from Mayor's Council on Youth Opportunity.
(Resolution accepting with regret needed)

ACTION: Res. 68-669 adopted accepting resignation with regret. (Clerk to handle)

~~CONSENT~~
4. Request of Blaque Haston for variance to permit shake roof on commercial building at 910 Old Oakdale Road.
(Resolution setting hearing needed. Suggested date August 5, 1968 at 4:20 P.M.)

ACTION: By Order of the Mayor request referred to staff. (P/W to handle)

CONSENT
4A. Appeal of Seymour Coey from ruling of Director of Public Works concerning driveways on North Santa Cruz and Santa Barbara Avenues.
(Resolution setting hearing needed. Suggested date August 12, 1968 at 8:30 P.M.)

ACTION: Res. 68-670 adopted setting August 12, 1968 at 8:30 P.M. for hearing. (Clerk to handle)

BIDS

CONSENT

5. Consider award of contract for construction of West Trunk Sewer, SWI Project Unit No. 5, to the low bidder, Stockton Construction Co., Inc., of Stockton, California, in the total amount of $693,438.00.
(Memorandum of explanation distributed with agenda. Resolution awarding contract needed. Estimated cost $693,438 (contract cost). Funds budgeted in Account 6553-405, Muni. Sewer District Improvements)

ACTION: Res. 68-671 adopted awarding contract to Stockton Construction Co., Inc. (P/W to handle)

CONSENT

6. Approve plans and specifications and call for bids for construction of Runway 29R extension at Modesto City-County Airport.
(Runway extension will provide required additional runway to serve UAL 737 jets. Resolution approving plans and specifications and calling for bids needed. Bid opening: August 13, 1968 at 10:10 A.M. Estimated cost $164,000 (Contract $132,000 Eng. & Const. Funds budgeted in Account 6527-230, Runway Extension South)

ACTION: Dropped from agenda for the present time as Federal funds are not available. Staff to contact Congressman McFall concerning this. (C/Mgr to handle)

7. Consider award of contract for construction of Westside Neighborhood Center to the Low bidder, James L. Bray, Modesto, California, in the total amount of $155,971.
(Memorandum of explanation with agenda. Resolution awarding contract for Item 1, base bid; Item 2, on-site development; and Item 3, kitchen equipment. Estimated contract cost $155,971; funds budgeted in Account 6375-31-321, Westside Neighborhood Center)

ACTION: Res. 68-672 adopted (Mitchell/Simon, unan.) awarding contract for construction of Westside Neighborhood Center, Items 1, 2, & 3 to James L. Bray. (P/W and P & R to handle)

HEARINGS

8. Hearing on annexation of East Orangeburg Addition No. 2 to City of Modesto. 7:45 P.M.

ACTION: Res. 68-673 adopted (Shastid/Robinson, unan.) declaring no majority protest made.

Ord. 904-C.S. adopted (Shastid/Robinson, unan.) annexing area. (Clerk to handle)

9. Hearing on annexation of East Orangeburg Addition No. 3 to City of Modesto. 7:50 P.M.

ACTION: Res. 68-674 adopted (Robinson/Shastid, unan.) declaring no majority protest made.

Ord. 905-C.S. adopted (Robinson/Shastid, unan.) annexing area. (Clerk to handle)

HEARINGS (Continued)

10. Hearing on sidewalk requirement, 820 Enslen, Portion Lots 6 and 7, Block 714 (Dr. Cooper). 7:55 P.M.

ACTION: Res. 68-675 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

11. Hearing on sidewalk requirement, 520 Griswold, Lot 8 and portion of Lot 7, Block 714 (Mrs. Hirschl) 7:55 P.M.

ACTION: Res. 68-676 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

12. Hearing on sidewalk requirement, 929 Brady, Lot 2 and portion of Lot 3, Block 720 (Claude Rupe) 7:55 P.M.

ACTION: Res. 68-677 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

13. Hearing on sidewalk requirement, 925 Brady, Lot 4 and portion of Lot 3, Block 720 (Jack Adrian) 7:55 P.M.

ACTION: Res. 68-678 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

14. Hearing on building setback lines: 8:00 P.M.
(a) On Ninth Street, both sides, between P Street and South Morton Boulevard;

ACTION: Ord. No. 906-C.S. introduced (Mitchell/Shastid, unan.) fixing building setback lines. (Clerk to handle)

(b) On Needham Avenue, north side.between Nellie Street and Olive Avenue.

ACTION: Ord. No. 907-C.S. introduced (Mitchell/Shastid, unan.) fixing building setback lines. (Clerk to handle)

15. Continued hearing on annexation of Harte Addition to City of Modesto. 8:05 P.M.
(Continued from July 8th meeting)

ACTION: Res. 68-679 adopted (Smith/Shastid, unan.) declaring that majority protest has not been made.

Res. 68-680 adopted (Smith/Shastid, unan.) setting October 1, 1968 for election. (Clerk to handle)

16. Matters for the good of the community.
(These may be presented by citizens in the audience) 8:10 P.M.

ACTION: Res. 68-681 adopted (Robinson/Hughes, unan.) approving one-way bike route as recommended by staff. (P & T to handle)

Res. 68-682 adopted authorizing appropriation transfer of $685 from General Fund, General Reserve (101-60) to Accounts 120-56-101 and 5301-56-101 for the signing of the bike route. (Finance to handle)

ORDINANCES

CONSENT

17. Final adoption of Ordinance No. 902-C.S. (parking spaces).

ACTION: By motion Ord. No. 902-C.S. adopted. (Clerk to handle)

CONSENT

18. An ordinance amending Section 12-4-102 of Article 1 of Chapter 4 of Title XII of the Modesto Municipal Code relating to use of Mancini Bowl by other organizations.
(This matter was considered by the Council at its meeting of July 1, 1968, at which time the council directed the City Attorney to prepare ordinance reflecting recommended changes.
(Introduction of ordinance needed)

ACTION: By motion Ord. No. 908-C.S. introduced. (Clerk to handle)

OLD BUSINESS

19. Notification of hearing by the Public Utilities Commission regarding application by Southern Pacific Railroad Company to discontinue San Joaquin Daylight trains.
(Information with agenda)

ACTION: Res. 68-683 adopted (Robinson/Mitchell, unan.) opposing application of Southern Pacific Railroad Company. (C/Atty to handle)

20. Consider purchase of three buildings on 11th between I and J Streets. (Offers to sell have now been received. The prices are: Smith Furniture - $80,000; Wherry Furniture - $80,000; Penney Annex - $70,000. Report by the Director of Parking and Traffic sent with the agenda. Three resolutions approving the agreements and resolution approving appropriation transfer of $255,000 for purchase and development needed)

ACTION: Res. 68-684 adopted (Smith/Robinson, majority - Hughes & Shastid, no) approving agreement for purchase of Smith Furniture Building;

Res. 68-685 adopted (Smith/Robinson, majority - Hughes & Shastid, no) approving agreement for purchase of Wherry Furniture Building;

Res. 68-686 adopted (Smith/Robinson, majority - Hughes & Shastid, no) approving agreement for purchase of Penney Annex;

(Note: A motion to separate the Smith resol. from the others failed)

Res. 68-686A adopted approving appropriation transfer of $255,000 Parking Fund (209) from General Reserve (60) to Parking Lot #28 (Westside of 11th, between I and J) (6230-57; (Smith/Robinson, majority - Hughes & Shastid, no).

(C/Atty to handle)

CONSENT

21. Resolution approving lease between Don L. Thiel, owner of Thiel Motors, 608 10th Street, Modesto, and the City, for the front part of the 10th Street property formerly occupied by the Police Department. (This lease was proposed by Ray Starn as Item 3 on the June 10th action agenda.)

ACTION: Res. 68-687 adopted approving lease with Don L. Thiel. (Finance to handle)

NEW BUSINESS

CONSENT

22. A resolution determining that the public interest and convenience require that Airport No. 2 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date September 9, 1968 at 7:45 P.M. Resolution setting hearing needed (2/3 affirmative vote).

ACTION: Res. 68-688 adopted setting September 9, 1968 at 7:45 P.M. for hearing. (Clerk to handle)

CONSENT

23. A resolution determining that the public interest and convenience require that Legion Park Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date September 9, 1968 at 7:50 P.M. Resolution setting hearing needed (2/3 affirmative vote).

ACTION: Res. 68-689 adopted setting September 9, 1968 at 7:50 P.M. for hearing. (Clerk to handle)

CONSENT

24. Request by City Attorney for vacation commencing July 29, 1968 through August 2, 1968.
(Motion authorizing leave needed)

ACTION: By motion C/Atty granting vacation July 29 -- August 2, 1968, inclusive. (C/Atty to handle)

25. Consideration of agreement with Southern Pacific for relocating crossing gates at G, H, and I Streets.
(The agreement may be received by council meeting time. It is likely to state that the City's cost to relocate the gates is about $5,350. To avoid delay of two weeks, this matter is being placed on the agenda in case the agreement is received at the last minute. Resolution approving agreement needed. Estimated cost $5,350; funds budgeted in Account 6211-56, Downtown Modernization).

ACTION: By motion (Smith/Simon, unan.) staff authorized to proceed to obtain signed agreement. (P & T to handle)

CONSENT

26. Consider agreement with Arthur J. Crowner and Nellie J. Crowner, husband and wife; LeRoy J. Magincalda and Caroline Magincalda, husband and wife; and Anne R. Whitaker, for water service to Alum Rock Estates No. 1, located on the East side of McHenry Avenue North of Sylvan.
(Developers agree to pay City $2,450 toward the cost of constructing a water main in Alum Rock Estates No. 1 and connecting the City's existing water system on McHenry Avenue. Resolution approving agreement needed. Total cost $4,025; funds budgeted in Account 6804-50-101, Water Line Extension, p. 45)

ACTION: Res. 68-690 adopted approving agreement. (P/W and Clerk to handle)

27. Approve right of way contracts for sewer outfall line. (An oral report will be made at the council meeting. Adoption of resolutions needed)

ACTION: Res. 68-691 adopted (Shastid/Hughes, unan.) approving right of way contract with Raymond E. Hatch, et al. (C/Atty to handle)

28. Adoption of resolutions authorizing eminent domain proceedings to acquire easements for sewer outfall line. (Memorandum of explanation with agenda. Adoption of resolutions needed)

ACTION: Res. 68-692 to 68-714, inclusive, adopted (Shastid/Hughes, unan.) authorizing eminent domain proceedings, as follows:

Parcel 2	Res. 68-692	City of Modesto vs.	S. V. Guinn, et ux
" 3	Res. 68-693	" " " "	Joseph Dias, et ux
19A,9A,3A	Res. 68-694	" " " "	Turlock Irrigation District
" 4	Res. 68-695	" " " "	Herbert D. Grundy, et al
" 5	Res. 68-696	" " " "	Joe S. Freitas, et ux
" 6	Res. 68-697	" " " "	Manuel J. Souza, et ux
" 7	Res. 68-698	" " " "	Curtis E. Rogers, et ux
" 8	Res. 68-699	" " " "	Antonio P. Borba, Jr., et al
" 9	Res. 68-700	" " " "	Elva Arleta Muncy, et al
	Res. 68-701	NOT USED	
" 10	Res. 68-702	" " " "	Leon P. Mollett, et al
" 11	Res. 68-703	" " " "	Joseph L. Verissimo, et ux
" 12	Res. 68-704	" " " "	Louis L. Verissimo, et ux
" 13	Res. 68-705	" " " "	Lewis W. Lee, et al
" 14	Res. 68-706	" " " "	Lewis W. Lee, et al
" 15	Res. 68-707	" " " "	Harold H. Mauk, et al
" 16	Res. 68-708	" " " "	Merlin H. Mauk, et ux
" 17	Res. 68-709	" " " "	Martha H. Rudel
" 18	Res. 68-710	" " " "	Edward M. Vargas, et ux
" 19	Res. 68-711	" " " "	Thomas L. Ellerd, et al
" 20	Res. 68-712	" " " "	Peter Bava, et al
" 21	Res. 68-713	" " " "	Norman Galas, et al
" 22	Res. 68-714	" " " "	Albert P. Klein

(C/Atty to handle)

REPORTS

29. Report by Council Sign Study Committee.

ACTION: Staff to have emergency and regular ordinance on agenda for August 5. (C/Atty to handle)

30. Report that Superior Court has sustained demurrer of City of Modesto without leave to amend in action brought by City of Ceres relating to sewer lines south of the Tuolumne River. (This does not apply to the action filed for Thomas Lacey as the demurrer to Mr. Lacey's cause of action was sustained with leave to amend).

ACTION: No action needed. Council informed that City of Ceres has moved the Court to reconsider some phases of the decision.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

31. Recommend amendment to Section 28-3-9 of the zoning map (Octomedent, Inc.)
(By Resolution 68-90 adopted July 16, 1968 the Planning Commission recommends an amendment to Section 28-3-9 of the zoning map as requested by Octomedent, Inc. to rezone from Multi-family residential zone, R-3, to Professional Office Zone, to provide for an off-street parking lot, on property located at the southernly corner of the intersection of 17th Street and G Street. Resolution setting date for public hearing needed. Suggested date August 12 at 7:55 P.M.)

ACTION: Res. 68-715 adopted setting August 12, 1968 at 7:55 P.M. for hearing. (Clerk to handle)

CONSENT

32. Recommend amendment to Section 21-3-9 of the zoning map (Modesto Professional Center).
(By Resolution 68-91 adopted July 16, 1968 the Planning Commission recommends an amendment to Section 21-3-9 of the zoning map as requested by Modesto Professional Center, to rezone from Multiple-family Residential Zone, R-3, to Professional Office Zone, P-O, to accommodate future development of professional offices, on property located on the south side of E. Orangeburg Avenue between Nelson Ave. and Melrose Ave. Resolution setting date for public hearing needed. Suggested date August 12, 1968 at 8:00 P.M.)

ACTION: Res. 68-716 adopted setting August 12, 1968 at 8:00 P.M. for hearing. (Clerk to handle)

CONSENT

33. Recommend amendment to Section 22-3-9 of the zoning map (Carl and Lois Bastron).
(By Resolution 68-92 adopted July 16, 1968 the Planning Commission recommends an amendment to Section 22-3-9 of the zoning map as requested by Carl and Lois Bastron, to rezone from One-family Residential Zone, R-1, to Professional Office Zone, P-O, to accommodate future professional offices, on property located at the northeast corner of the intersection of Coffee Road and Locke Road. Resolution setting date for public hearing needed. Suggested date August 12, 1968 at 8:05 P.M.)

ACTION: Res. 68-717 adopted setting August 12, 1968 at 8:05 P.M. for hearing. (Clerk to handle)

CONSENT

34. Recommend amendment to Section 8-3-9 of the zoning map (Art Wylie). (By Resolution 68-94 adopted on July 16, 1968 the Planning Commission recommends an amendment to Section 8-3-9 of the zoning map as requested by Arthur Wylie, to rezone from One-family Residential Zone, R-1, to Two-Family Residential Zone, R-2, to accommodate future subdivision development on property located west of Woodrow Avenue School between West Rumble Road and Woodrow Avenue. Resolution setting date for public hearing needed. Suggested date August 12, 1968 at 8:15 P.M.)

ACTION: Res. 68-718 adopted setting August 12, 1968 at 8:15 P.M. for hearing. (Clerk to handle)

CONSENT

35. Recommend amendment to Section 16-3-9 of the zoning map (Modesto Racquet Club).
(By Resolution 68-93, adopted July 16, 1968, the Planning Commission recommends an amendment to Section 16-3-9 of the zoning map as requested by Modesto Racquet Club, to rezone from One-Family Residential Zone, R-1, to Planned Development Zone, P-D, to accommodate additions to the current recreational facilities, on property located on the south side of Norwegian Avenue, east of McHenry Avenue. Resolution setting date for public hearing needed. Suggested hearing date August 12, 1968 at 8:10 P.M.)

ACTION: Res. 68-719 adopted setting August 12, 1968 at 8:10 P.M. for hearing. (Clerk to handle)

CONSENT

36. Recommend amendment to Section 5-4-9 of the zoning map (James R. Hoyle).
(By Resolution 68-95 adopted July 16, 1968 the Planning Commission recommends an amendment to Section 5-4-9 of the zoning map as requested by James R. Hoyle, to rezone from One-family Residential Zone, R-1, to Two-Family residential Zone, R-2, to accommodate two duplexes, on two lots on the east side of Colorado Avenue - one immediately north of Lena Avenue and the other immediately south of Snead Drive. Resolution setting date for public hearing needed. Suggested date August 12, 1968 at 8:20 P.M.)

ACTION: Res. 68-720 adopted setting August 12, 1968 at 8:20 P.M. for hearing. (Clerk to handle)

EXMXEXT

37. Recommend the granting of an unclassified use permit to Modesto Neighborhood Church for expansion of existing parochial school facilities and use at the southeast corner of Tully Road and Woodrow Avenue.
(By Resolution No. 68-97 adopted at its regular meeting of July 16, 1968 the Planning Commission recommends the granting of an unclassified use permit to Modesto Neighborhood Church for expansion of existing parochial school facilities and use on property located at the southeast corner of Tully Road and Woodrow Avenue. Resolution setting date for public hearing needed. Suggested date August 12, 1968 at 8:25 P.M.)

ACTION: Res. 68-721 adopted (Shastid/Smith, unan.) setting August 12, 1968 at 8:25 P.M. for hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

38. Resolution appropriating the amounts needed for salary increase, and Carry-Over Projects for the General Fund and Service Division Working Capital Fund.
(Report and appropriation transfers with agenda. Resolution needed).

ACTION: Res. 68-722 adopted (Robinson/Mitchell, unan.) approving appropriation transfers as follows:

$252,791 from General Fund, General Reserve (101-60) to various accounts per schedule on file in the City Clerk's office); (for salary increases and applicable fringe benefits, and 1967-68 carry-over projects; $5,956 from Service Division Working Capital Fund, General Reserve (512-60) to various accounts per schedule on file in the City Clerk's Office; (for salary increases and applicable fringe benefits and 1967-68 carry-over projects) $2,144 from Parking Fund, General Reserve (209-60) to various accounts per schedule on file in the City Clerk's office; (For salary increases and applicable fringe benefits, and additional funds needed for 8th Street Parking Lot taxes for 1968-69 fiscal year; $1,944 from Airport Fund, General Reserve (230-60) to various accounts per schedule on file in the City Clerk's office); for salary increases, and applicable fringe benefits as authorized by the City Council on July 15, 1968. (Finance to handle)

MISCELLANEOUS

39. Legislative matters.

ACTION: It was suggested that careful study be given to the Initiative to be on the November ballot concerning property tax relief.

40. Appointments.

ACTION: Res. 68-723 adopted (Shastid/Smith, unan.) appointing Jean Dunlap to the Library and Culture Commission for a term expiring January 1, 1971. (Clerk to handle)

Res. 68-724 adopted (Shastid/Smith, unan.) appointing Jeanette Maino and Norma Hammond to the Crime Study Committee for terms expiring May 13, 1971. (Clerk to handle)

REMINDER: Friday, July 19, is last day to make reservations for League Quarterly Meeting to be held in Ceres on July 25.

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, AUGUST 5, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, and Mayor Davies
Absent: Smith
Councilman Robinson was excused at 5:10 P.M. and Councilman Mitchell was excused at 5:58 P.M.

Pledge of allegiance to the Flag
Invocation: Reverend Ronald Hurst

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 2a, 4, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 22, 23, 24, 25, ~~28~~, 30, 31a, 31b, 32, 33, 34, 36, 37a, b, c, 38, 41, 42, 43, 45
Item 28 removed from consent.
Shastid/Simon, unan. - Smith Absent

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items.)

APPROVAL OF MINUTES

CONSENT
1. Minutes of July 22, 1968.

ACTION: Minutes approved.

PETITIONS, CORRESPONDENCE AND REMONSTRANCES

CONSENT
2. Letter from Downtown Improvement District requesting city services for printing report.
(Motion approving request needed)

ACTION: By motion request granted.

CONSENT
2.(a) Letter from Francis R. Ruggieri requesting hearing for sign variance.
(Resolution setting date for hearing needed. Suggested date: August 19, 1968 at 4:20 P.M.)

ACTION: Res. 68-725 adopted setting August 19, 1968 at 4:20 P.M. for hearing. (Clerk to handle)

3. Letter from Downtown Improvement District requesting 8-week free-parking trial on Saturdays.

ACTION: By motion (Shastid/Mitchell, unan.) staff directed to not enforce parking ordinance for 8 Saturdays beginning August 17. An evaluation of the program is to be made after the 8-week program. (P & T and Police to handle)

CONSENT
4. Letter from Rosalie Olson regarding dump site.
(Motion referring to staff needed)

ACTION: By motion letter referred to staff. (C/Mgr to handle)

5. Letter from Cleveland Stockton regarding parking lot pledge, southwest corner of 10th and H Streets.
(Report from Director of Parking and Traffic with agenda. Resolution needed if council compromises the matter).

ACTION: Res. 68-726 adopted (Mitchell/Simon, unan. - Robinson & Smith absent) reducing amount owed on parking lot pledge of George Kounias by $225 with provision that balance of $225 be paid within 30 days. Staff to report on procedure for writing off bad debts. (Finance to handle)

CONSENT

6. Letters from Frank Andrews regarding new Don Pedro Dam. (Motion ordering filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

7. Letter from Yosemite Junior College District regarding Master Plan proposal for future development of Modesto Junior College.

ACTION: By motion (Shastid/Hughes, unan.) proposed plan referred to Planning Commission with the request the Planning Commission hold a public hearing as soon as possible with the understanding the Council is making no commitment relative to the closing of Coldwell Avenue. (Planning to handle)

BIDS

CONSENT

8. Consider waiving formal bid procedure and authorize informal bids and negotiation for the purchase of a front-end bucket loader. (Memorandum with agenda. Resolution waiving formal bid procedure and authorizing informal bids and negotiation needed)

ACTION: Res. 68-727 adopted waiving formal bid procedure and authorizing staff to obtain informal bids and negotiate for purchase of Scoopmobile 3-wheel drive, front end bucket loader. (Finance to handle)

CONSENT

9. Approve plans and specifications and call for bids for construction of outfall sewer, Project Unit No. 2 of the Sewerage Works Improvement Program.
(The Outfall Sewer connects the existing treatment plant facilities with the remote ponding site. Completion of this unit of the project is the key to placing the new treatment facilities into operation to handle the 1969 industrial waste load. Bid opening: 2:00 P.M., Tuesday, September 10, 1968. Resolution needed. Project cost $2,160,000; funds budgeted in Account 6553-405, Muni. Sewer District Improvements)

ACTION: Res. 68-728 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

10. Consider approval of specifications and authorize call for bids for asbestos cement and cast iron pipe requirements for one year commencing September 1, 1968.
(Bids to be opened 2:00 P.M. on August 20, 1968. Specifications are identical to last year's. Resolution needed. Estimated cost $100,000. Funds budgeted in Account 5301 & 6804/50/101, New services and Water Line Extensions, p. 45 preliminary budget)

ACTION: Res. 68-729 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

11. Consider approval of specifications and authorize call for bids to be opened at 2:30 P.M. August 20, 1968 for annual requirements of water meters commencing September 1, 1968.
(Resolution approving needed. Estimated cost $23,000; funds budgeted in Account 438/512, Revolving Fund. Ultimately used primarily in 5301/50/101, Page 45, Preliminary Budget)

ACTION: Res. 68-730 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

12. Approve plans and specifications and call for bids for the installation of water lines in Alum Rock Estates No. 1 subdivision.
(Bid opening: August 20, 1968 at 10:15 a.m. See agreement between City of Modesto and Alum Rock Estates developer. Resolution approving plans and call for bids needed. Estimated cost $4,025 (Material $1,810; labor, $2,215. Funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-731 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

13. Approve plans and specifications and call for bids for installation of water lines in Greenwood Estates No. 5.
(Bid opening: August 20, 10:00 a.m. Preliminary cost estimates: Construction cost, $2,710; connection charge, $2,300; net revenue per year, $368. Resolution approving plans and specifications and call for bids needed. Estimated cost $2,710 (Material, $1,650; labor $1,060);funds budgeted in Account 6804-50-101, Water Line Extension).

ACTION: Res. 68-732 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

14. Approve plans and specifications and call for bids for the installation of water lines in Woodrow Manor No. 1 subdivision.
(Bid opening: August 20, 1968, 10:10 a.m. Preliminary cost estimates: Construction cost, $4,710; connection charge, $2,300; net revenue per year, $368. Resolution approving plans and bid call needed. Estimated cost $4,710 (Material $2,760; labor $1,950). Funds budgeted in Account 6804-50-101, Water Line Extension).

ACTION: Res. 68-733 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

15. Consider award of bid for painting and cleaning of City of Modesto Water Tower No. 1.
(Bids were opened July 30, 1968. The low bid submitted by Don L. Davis which is 14% above the Engineer's Estimate is considered acceptable. Therefore it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $3,990; funds budgeted in Account 6832-50-101)

ACTION: Res. 68-734 adopted awarding bid to Don L. Davis. (P/W to handle)

CONSENT

16. Consider award of contract to low bidder, Pacific Cement and Aggregates, to supply crushed rock screenings for one year, beginning August 1, 1968.
(Memo and tabulation with agenda. Resolution needed. Estimated cost $10,625; funds budgeted in Account 321-51-101, Construction Material, p. 46, preliminary budget)

ACTION: Res. 68-735 adopted awarding contract to Pacific Cement & Aggregates. (Finance to handle)

CONSENT

17. Consider award of contract for furnishing annual needs of liquid asphalt to low (sole) bidder, George Reed, Inc., for year beginning August 1, 1968.
(Memo and tabulation attached. Resolution needed. Estimated cost $26,005; funds budgeted in Account 321-51-101, Construction Material, p. 46 preliminary budget)

ACTION: Res. 68-736 adopted awarding contract to George Reed, Inc. (Finance to handle)

HEARINGS

18. Hearing on formation of Improvement District No. 12 4:00 P.M.
(At the conclusion of the hearing, various documents regarding the formation of Improvement District No. 12 will be presented to the Council for adoption.

ACTION: Res. No. 1055-S.P. adopted (Mitchell/Hughes, unan. - Smith absent) determining that public convenience and necessity require public improvement without compliance with Special Assessment Investigation, etc. (P/W to handle)

Res. No. 1056-S.P. adopted (Mitchell/Hughes, unan. - Smith absent) ordering work. (P/W to handle)

Res. No. 1057-S.P. adopted (Robinson/Hughes, unan. - Smith absent) awarding contract to Collins Electrical Co. (P/W to handle)

19. Hearing on amendments to Section 4-4.601(a), filing of final maps (subdivision regulations). 4:15 P.M.

ACTION: By motion (Simon/Shastid, unan. - Robinson & Smith absent) Ord. No. 909-C.S. introduced. (Clerk to handle)

20. Further consideration of abandonment of portion of Sunset Boulevard.
(Continued from the July 15th meeting)

ACTION: Res. No. 1058-S.P. adopted (Hughes/Mitchell, unan. - Robinson & Smith absent) vacating and abandoning portion of Sunset Boulevard. (Clerk to handle)

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

Frank Andrews spoke on water rights.

ORDINANCES

CONSENT
22. Adoption of Ordinance No. 903-C.S. amending Section Map 15-3-9. (Bomberger).

ACTION: By motion Ordinance No. 903-C.S. adopted. (Clerk to handle)

CONSENT
23. Adoption of Ordinance No. 906-C.S. establishing building line setback on Ninth Street between P Street and South Morton Boulevard.

ACTION: By motion Ordinance No. 906-C.S. adopted.(Clerk to handle)

CONSENT
24. Adoption of Ordinance No. 907-C.S. establishing building line setback on Needham Avenue between Olive and Nellie Avenue.

ACTION: By motion Ordinance No. 907-C.S. adopted. (Clerk to handle)

CONSENT
25. Adoption of Ordinance No. 908-C.S. amending the municipal code relating to use of Mancini Bowl.

ACTION: By motion Ordinance No. 908-C.S. adopted. (Clerk to handle)

OLD BUSINESS

26. Actuarial valuation study covering retired city employees.
(To consider adding the additions to the Retirement Contract which would increase the benefits of the present retired city employees. Resolution needed. Estimated cost $17,400 per fiscal year)

ACTION: By motion (Mitchell/Shastid, unan.) staff authorized to proceed with necessary steps to obtain increased benefits for retired employees. Council to be informed as to how much of added cost is to be received by employees. (Personnel to handle)

27. Determine parking fees for new lot on 11th Street between I and J Streest.
(A report by the Director of Parking and Traffic has been sent with the agenda. He recommends a 20¢ per hour charge with the three hour limit. Motion indicating the parking fee and time limit needed. Funds budgeted in Account 6230-57-209, Pkg. Lot #28 - 11th bet. I and J (west side).

(a) Letter from Downtown Modesto Association regarding proposed 20¢ per hour parking fee).

Held to August 19, 1968 to permit Downtown Improvement District to study.

~~EXHIBIT~~

28. Approve right of way contracts for sewer outfall line
(An oral report will be made at the council meeting. Adoption of resolutions needed)

ACTION: Res. Nos. 68-737 to 68-754, inclusive, adopted (Hughes/Simon, unan. - Mitchell, Robinson & Smith absent) approving 18 right of way contracts as listed below and rescinding previous resolutions. (C/Atty to handle)

Parcel No.	Res. No.	Rescinding Res. No.	Name of Property Owner
2-2	68-737	68-692	S. V. Guinn, et ux
2-3	68-738	68-693	Joseph Dias, et ux
2-4	68-739	68-695	Herbert D. Grundy, et al
2-5	68-740	68-696	Joe S. Freitas, et ux
2-6	68-741	68-697	Manuel J. Souza, et ux
2-7	68-742	68-698	Curtis E. Rogers, et ux
2-8	68-743	68-699	Antonio P. Borba, Jr., et al
2-10	68-744	68-702	Leon P. Mollett, et al
2-11	68-745	68-703	Joseph L. Verissimo, et ux
2-12	68-746	68-704	Louis L. Verissimo, et ux
2-13	68-747	68-705	Lewis W. Lee, et al
2-14	68-748	68-706	Lewis W. Lee, et al
2-15	68-749	68-707	Harold H. Mauk, et al
2-16	68-750	68-708	Merlin H. Mauk, et ux
2-17	68-751	68-709	Martha H. Rudel
2-18	68-752	68-710	Edward M. Vargas, et ux
2-19	68-753	68-711	Thomas L. Ellerd, et al
2-22	68-754	68-714	Albert P. Klein

29. Consider amendments to sign regulations of the Modesto Municipal Code.
(a) Introduction and adoption of emergency ordinance amending sign regulations.
(Introduction and adoption of emergency ordinance needed)

ACTION: Ord. No. 910-C.S. introduced and adopted (Mitchell/Robinson, majority - Hughes, no - Smith absent) (Clerk to handle)

(b) Introduction of regular ordinance amending sign regulations. (These ordinances were prepared in accordance with council direction as a result of its discussion at its meeting on July 22, 1968.
(Introduction of regular ordinance amending sign regulations needed)

ACTION: Ord. No. 911-C.S. introduced (Mitchell/Robinson, majority - Hughes, no - Smith absent) (Clerk to handle)

CONSENT

30. Accept as complete George Reed, Inc. contract for asphalt concrete resurfacing of various city streets.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work as complete and authorizing the City Clerk to file notice of completion needed. Actual cost $17,800.55. Funds budgeted in Account No. 321-51-101, Construction Materials).

ACTION: Res. 68-755 adopted accepting contract. (Clerk to handle)

NEW BUSINESS

CONSENT

31. A resolution determining that the public interest and convenience require that the following additions be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject areas have been annexed to the City of Modesto and it is now necessary to annex them to the Modesto Municipal Sewer District. Resolutions need 2/3 affirmative vote)

(a) East Orangeburg No. 2 Addition annexation to Modesto Municipal Sewer District No. 1.
(Resolution setting hearing needed. Suggested date September 23, 1968 at 7:45 P.M.)

ACTION: Res. 68-756 adopted setting time for hearing. (Clerk to handle)

(b) East Orangeburg No. 3 Addition annexation to Modesto Municipal Sewer District No. 1.
(Resolution setting hearing needed. Suggested date September 23, 1968 at 7:50 P.M.)

ACTION: Res. 68-757 adopted setting time for hearing. (Clerk to handle)

CONSENT

32. Request by City Manager for vacation, August 12-23, 1968.
(Motion authorizing leave needed).

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

CONSENT

33. City Council authorization for Mayor to recommend to other communities in Stanislaus County that they form committees to study crime similar to Modesto's.
(Modesto's original Committee to Study Crime was very successful, resulting in the appointment of the new Committee to Study Crime to continue the studies. Over the period of time these committees have been working, according to State of California statistics, crime has decreased in Modesto. Motion approving needed).

ACTION: By motion Mayor granted authorization. (C/Mgr to handle)

CONSENT
34. Consider request for sewer service to property at 1701 Locke Road located on the north side of Locke Road between Rose Avenue and Roselene Avenue.
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City; however, a line exists to serve it. Resolution approving agreement needed).

ACTION: Res. 68-758 adopted approving sewer service agreement with Cris D. and Janet Roberts. (P/W to handle)

35. Submission of annual summary reports of activities of all city departments for fiscal year 1967-68.
(Reports with agenda. It is recommended by the City Manager that these reports be accepted as the Manager's annual report on administrative activities of the City, as required by the City Charter. Motion needed)

ACTION: By motion (Hughes/Shastid, unan.) reports accepted.

CONSENT
36. Approval for City Manager to attend Institute on Labor Relations, sponsored by the League of California Cities, in San Francisco, on September 5 and 6, 1968.
(Other department heads will also attend this Institute. Motion approving needed).

ACTION: By motion attendance of C/Mgr and other department heads authorized. (C/Mgr to handle)

CONSENT
37. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over 30 days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolution setting hearings needed. Suggested hearing date, August 19, 1967 at 4:15 P.M.)

CONSENT
(a) Sidewalk, curb and gutter on Kearney Avenue, at 1428 Del Monte Ave., Lot 8, Block 934 (Ralph E. Torres).

ACTION: Res. 68-759 adopted setting hearing. (P/W to handle)

CONSENT
(b) Sidewalk on Kearney Ave. at 1426 Cherrywood Drive, Lot 7, Block 6017, (Samuel T. Price).
(Resolution setting hearing needed)

ACTION: Res. 68-760 adopted setting hearing. (P/W to handle)

CONSENT
(c) Sidewalk on Kearney Ave. and Ashwood Drive at 1429 Ashwood Drive, Lot 11, Block 6035 (Henry J. Biedenweg).
(Resolution setting hearing needed)

ACTION: Res. 68-761 adopted setting hearing. (P/W to handle)

CONSENT
38. A resolution approving the final map of Greenwood Estates No. 5 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. Greenwood Estates No. 5 subdivision is located north of Standiford Avenue, west of McHenry Ave. It contains 4.99 acres. Resolution approving final map and authorizing agreement by City needed)

ACTION: Res. 68-762 adopted approving final map. (Clerk to handle)

39. Repairs to Modesto Community Service Center.
(The Modesto Community Service Center was recently vandalized, and considerable water damage resulted. We have been in contact with the insurance company, and they have received bids from contractors to make the necessary repairs. In the interest of expediting this matter, eliminating danger and possible public liability, the staff recommends that we waive formal bidding procedures and proceed immediately with these repairs. Resolution approving repairs and waiving formal bidding procedures needed. Estimated cost, $5,600 insurance; $900, City)

ACTION: Councilman Simon was excused from deliberation of this item. Res. 68-763 adopted (Shastid/Hughes, unan. - Simon & Smith absent) authorizing repairs and waiving formal bid procedures. (P & R to handle) Res. 68-764 adopted (Shastid/Hughes, unan. - Simon & Smith absent) authorizing appropriation transfer of $6,500 from 60-101 (Gen. Reserve) to 5301-34-101 (Community Service Center, Bldg. Renovation. (Finance to handle)

40. Notice from National League of Cities of 45th Annual Congress of Cities December 7 - 11, 1968.

No action.

REPORTS

CONSENT

41. Report of Chamber of Commerce for quarter ending June 30, 1968. (Motion accepting report needed)

ACTION: By motion report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

42. Recommend Amendment to Section 6-4-9 of the zoning map (El Casa Verde Inc.)
(By Resolution 68-99 adopted July 23, 1968 the Planning Commission recommends an amendment to Section 6-4-9 of the zoning map as requested by El Casa Verde Inc. to rezone from one-family residential zone, R-1 to Planned Development Zone, P-D, to accommodate a multiple-family dwelling complex located at the north side of Robertson Road between Sutter Avenue and Marseille Lane extended. Resolution setting date for public hearing needed. Suggested hearing date August 26, 1968 at 8:00 P.M.)

ACTION: Res. 68-765 adopted setting hearing. (Clerk to handle)

CONSENT

43. Rose Acres No. 2 Addition - for referral to Planning Commission, proposed uninhabited annexation.
(Information with agenda. Resolution referring to Planning Commission needed)

ACTION: Res. 68-766 adopted referring to Planning Commission. (Planning to handle)

44. Informal review of Haig Berberian application for prezoning. (Memorandum with agenda. Motion directing staff needed)

No action.

APPROPRIATION TRANSFERS

CONSENT

45. Consider appropriation transfer in the amount of $675 to provide funds for the installation of "no right turn" signal at 9th and B. (Some time ago Council authorized the installation by M & E T of new track facilities on B Street. This work requires the installation of "no right turn" signal at 9th and B. Cost of the work to be paid by M & E T and we have a letter signed by Wm. B. Reynolds, Supt. of M & E T, accepting responsibility for the cost of the work. Resolution approving appropriation transfer of $675 needed)

ACTION: Res. 68-767 adopted authorizing appropriation transfer of $675 from 60-101 (General Reserve) to 7901-43-101 (P/W - Electrical - Signal Modification 9th & B. (Finance to handle)

MISCELLANEOUS

46. Legislative matters.

None.

47. Appointments.

None.

Adjournment at 6:15 P.M.

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, CITY CLERK

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 12, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Shastid, Simon, and Mayor Davies
Absent: Mitchell, Robinson, and Smith

Pledge of allegiance to the Flag
Invocation: Reverend Ralston Patterson, Chaplain, Scenic General Hospital

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 18, ~~19~~, 20, 21, 22, 23, 24, 25, 27
Remove Item 19.
(Shastid/Hughes, unan.)
(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of August 5, 1968.

ACTION: Minutes approved.

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

2. Presentation by the American Legion of an award to the City of Modesto for the policy of hiring older workers as parking lot attendants.

ACTION: Plaque presented to Mayor Davies who in turn presented it to the Director of Parking & Traffic.

CONSENT
3. Letter from Frank Andrews concerning management of M.I.D.
(Motion ordering filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

BIDS

CONSENT
4. Approve specifications and call for bids for improvements to the Carver-Scott sewage lift station.
(Includes replacement of pumps and motors, electrical revisions and the installation of a bubbler level control system. Suggested bid opening: August 27, 1968 at 10:00 A.M. Resolution approving specifications and call for bids needed. Estimated cost $3,241; funds budgeted in Account 5303-52-101, Carver-Scott Lift Station Renovation)

ACTION: Res. 68-768 adopted approving specifications and call for bids. (Clerk to handle)

CONSENT

5. Accept as complete Valley Construction Company contract for the installation of water lines in McHenry Avenue and Leveland Lane. (All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work as complete needed. Actual cost $5,535; funds budgeted in Account 6804-50-101, Water Line Extension).

ACTION: Res. 68-769 adopted accepting contract. (Clerk to handle)

HEARINGS

6. Hearing on annexation of Leveland Addition to the City of Modesto. 7:45 P.M.

ACTION: Res. 68-770 adopted (Hughes/Shastid, unan.) declaring majority protest not made.
Ord. 912-C.S. adopted (Hughes/Shastid, unan.) annexing area to City. (Clerk to handle)

7. Hearing on Rouse Addition annexation to Modesto Municipal Sewer District No. 1. 7:45 P.M.

ACTION: Res. 68-771 adopted (Shastid/Hughes, unan.) annexing area to Modesto Municipal Sewer District No. 1. (Clerk to handle)

8. Hearing on Claremont Addition annexation to Modesto Municipal Sewer District No. 1. 7:50 P.M.

ACTION: Res. 68-772 adopted (Shastid/Simon, unan.) annexing area to Modesto Municipal Sewer District No. 1. (Clerk to handle)

9. Hearing on amendment to Section 28-3-9 of the zoning map (Octomedent, Inc.) 7:55 P.M.

ACTION: Ord. 913-C.S. introduced (Shastid/Simon, unan.) amending Sec. 28-3-9 of zoning map. (Clerk to handle)

10. Hearing on amendment to Section 21-3-9 of the zoning map (Modesto Professional Center). 8:00 P.M.

ACTION: Ord. 914-C.S. introduced (Shastid/Simon, unan.) amending Sec. 21-3-9 of zoning map. (Clerk to handle)

11. Hearing on amendment to Section 22-3-9 of the zoning map (Carl and Lois Bastron). 8:05 P.M.

ACTION: Ord. 915-C.S. introduced (Simon/Shastid, unan.) amending Sec. 22-3-9 of zoning map. (Clerk to handle)

12. Hearing on amendment to Section 16-3-9 of the zoning map (Modesto Racquet Club) 8:10 P.M.

ACTION: Ord. 916-C.S. introduced (Hughes/Simon, unan.) amending Sec. 16-3-9 of zoning map. (Clerk to handle)

Res. 68-773 adopted (Hughes/Simon, unan.) approving development plan. (Planning to handle)

13. Hearing on amendment to Section 8-3-9 of the zoning map (Art Wylie) 8:15 P.M.

ACTION: A resolution introduced by Councilman Shastid to refer back to Planning Commission died for want of a second. By motion (Hughes/Simon, unan.) further deliberation continued to August 26, 1968 at 7:45 P.M. (Clerk to handle)

14. Hearing on amendment to Section 5-4-9 of the zoning map (James R. Hoyle) 8:20 P.M.

ACTION: Ord. No. 917-C.S. introduced (Hughes/Simon, unan.) amending Sec. 5-4-9 of the zoning map. (Clerk to handle)

15. Hearing on unclassified use permit (Modesto Neighborhood Church) 8:25 P.M.

ACTION: Res. 68-774 adopted (Simon/Shastid, unan.) granting permit subject to conditions 2, 3, and 4 recommended by Planning Commission. (Planning to handle)

16. Informal hearing on appeal of Seymour Coey from decision of Director of Public Works concerning driveways on North Santa Cruz and Santa Barbara 8:30 P.M.

ACTION: Res. 68-775 adopted (Simon/Shastid, unan.) denying appeal. (P/W to handle)

17. Matters for the good of the community. (These may be presented by citizens in the audience) 8:35 P.M.

The Acting City Manager informed the Council that quotations on life insurance for City employees will be received on August 30, 1968.

By motion (Hughes/Shastid, unan.) City Attorney authorized to attend League meeting on labor relations.

Frank Van Konynenburg of the Farm-City Committee was introduced.

Res. 68-776 adopted (Hughes/Shastid, unan.) commending Frank Van Konynenburg for his services as Assistant City Attorney. (Clerk to handle)

Representatives of "Sing Out America" requested permission to sell soft drinks, buttons, etc. at a performance at Mancini Bowl on August 13. The request was referred to staff with authority to act. (P & R to handle)

William Gilmore, resident engineer for the Division of Highways on the Yosemite Boulevard Project was introduced.

ORDINANCES

CONSENT

18. Final adoption of Ordinance No. 909-C.S. (filing of subdivision maps).

ACTION: By motion Ord. No. 909-C.S. adopted. (Clerk to handle)

~~XXXXXXX~~

19. Final adoption of Ordinance No. 911-C.S. (sign regulations).

ACTION: A motion (Shastid/Simon) to adopt Ordinance No. 911-C.S. failed as Hughes voted no. A motion (Shastid/Simon) to reconsider on August 26;will be voted on at the August 26 meeting. (Clerk to handle)

CONSENT

20. Authorization for staff to proceed with negotiations with Ribera & Sue, Landscape Architects, for preparation of master plans for Sherwood and Moose Parks.
(These projects have been approved in the Capital Improvement Program for this fiscal year, and the staff recommends that we proceed as quickly as possible with these designs. Motion approving recommendation needed. Estimated cost Moose Park, $2,750; Sherwood Park $3,000. Funds budgeted in Account 6352-31-321, Moose-General Plans & Studies; Sherwood, 6301-31-321, Sherwood Park, Stage I).

ACTION: By motion staff authorized to proceed. (P & R to handle)

CONSENT

21. Approve agreement with the State for traffic signals and lighting at the Maze Boulevard - Carpenter Road intersection.
(Fully actuated signals are to be installed by the State. (The City's 1/8 share of the cost is about $4,630. A report by the Director of Parking and Traffic has been sent with the agenda. Resolutions approving agreement and approving appropriation transfer from Capital Outlay General Reserve needed. Estimated cost $4,630).

ACTION: Res. 68-777 adopted approving agreement. (Clerk to handle)

Res. 68-778 adopted approving appropriation transfer of $4,630 from Account 60-321 (Special Fund for Capital Outlay - General Reserve) to Account 6166-56-321 (Traffic Signals & Lighting - Maze & Carpenter). (Finance to handle)

CONSENT

22. Request for refund of business license and D.I.D. tax.
(Submitted by Freitag's Porcelain Studio, 1509 K Street. Memo with agenda. The request for refund has been audited by the Finance Department and approval is recommended. Refunds of $100 or more require council approval. Resolution needed. Estimated cost $112.38 - refund of current business license and D.I.D. revenue received. Funds budgeted in Account 302-101, Business License - Mill; 305-218, Special Business License, Mill - Downtown Area A).

ACTION: Res. 68-779 adopted authorizing refund. (Finance to handle)

CONSENT

23. Cancellation of letter agreement between City and Frank A. Konynenburg which employed Mr. Van Konynenburg as Assistant City Attorney.
(Resolution authorizing cancellation of letter agreement needed)

ACTION: Res. 68-780 adopted authorizing cancellation of letter agreement. (Clerk to handle)

CONSENT

24. Consider agreement between City and Frank C. Damrell, Jr. whereby City employs Mr. Damrell as the Assistant City Attorney commencing September 1, 1968.
(Resolution approving agreement needed. Estimated cost $500 per month. Funds budgeted in Account 235-13, Services, Professional and Other).

ACTION: Res. 68-781 adopted approving agreement. (Clerk to handle)

CONSENT

25. Agreement between City and Robert P. Bomberger and Muriel F. Bomberger for purchase of property for park site, Rumble Road and Sherwood Avenue, Block 13019, Land Acquisition 68-14. (This agreement would permit the city to acquire property for a park site. Resolution authorizing purchase by City; resolution approving appropriation transfer of $14,000. Balance of funds budgeted in Account 6286-321, ($25,000), Woodrow Neighborhood Park. Estimated cost, $39,000)

ACTION: Res. 68-782 adopted approving agreement. (Clerk to handle)
Res. 68-783 adopted approving appropriation transfer of $14,000 from 60-321 (General Reserve) to 6286-31-321 (Parks - Woodrow Park) (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

26. Further report by Planning Commission on rezoning application - northeast corner of Tully Road and Briggsmore Avenue (Mineni, Galas & Gargotto, et al).
(The City Council referred back to the Planning Commission the application for rezoning from one-family residential zone, R-1, to Planned Development Zone, P-D, property located at the northeast corner of Tully Road and Briggsmore Avenue requested by Joe Mineni, Jr., Emanual C. Galas, and Charles M. Gargotto, et al. On August 6, 1968 the Planning Commission reconsidered the application at which time a motion to deny the application resulted in a 3-3 vote, as did a motion to recommend approval of it. Resolution needed)

ACTION: By motion (Shastid/Hughes, unan.) continued to August 26. (Clerk to handle)

CONSENT

27. Recommend amendment to Section 18-3-9 of the zoning map (W. Lawrence Meek, D.C.)
(By Res. 68-100, adopted August 6, 1968 the Planning Commission recommends an amendment to Section 18-3-9 of the zoning map as requested by W. Lawrence Meek, D.C., to rezone from Multiple-family residential zone, R-3, to Professional office zone, P-O, to accommodate development of professional offices on property located at the southwest corner of Tully Road and Madrone Drive. Resolution setting date for public hearing needed. Suggested date September 3 at 4:15 P.M.).

ACTION: Res. 68-784 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

MISCELLANEOUS

28. Legislative matters.
ACTION: A motion by Councilman Simon authorizing the Mayor to write the Governor in support of AB-1465 was withdrawn. This will be considered at the August 19 meeting.

29. Appointments.
ACTION: Res. 68-785 adopted (Shastid/Hughes, unan.) appointing Dr. Merrill J. Alexander as a member of the Planning Commission to replace George Atherton (term to expire 1-1-71). Clerk to handle)

ADJOURNMENT at 10:00 P.M.

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

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 19, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Shastid, Smith, and Mayor Davies
Absent: Mitchell, Robinson, and Simon

Pledge of allegiance to the Flag
Invocation: Rev. Harold Greer, Trinity Nazarene Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, X, 16, 19, 20, 21, 22, 25, 26
Hughes/Smith, unan.
Item 7 dropped from agenda as it requires 5 affirmative votes.
(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of August 12, 1968.

ACTION: Minutes approved.

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

2. Request of "Stanislaus Peace & Freedom" to speak in opposition to Ord. No. 863-C.S.

ACTION: Request of Peace & Freedom Party for repeal of Sec. 38 of Ord. 863-C.S. taken under consideration.

CONSENT
3. Request of Geiger, Inc. for driveway variance. Suggested hearing date, August 26, 1968 at 8:05 P.M. Resolution setting hearing needed.

ACTION: Res. 68-786 adopted setting hearing. (Clerk to handle)

CONSENT
4. Letter from Frank Andrews re Greater Don Pedro Project (Motion ordering filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

BIDS

CONSENT
5. Approve plans and specifications and call for bids for the installation of water lines in Rose Terrace No. 1 subdivision. (Suggested bid opening: September 3, 1968 at 10:10 A.M. Resolution approving plans and specifications and calling for bids needed. Preliminary Cost Estimate: Construction cost - $7,400; Connection charge - $2,700; Net Revenue per year - $432. Estimated cost: $7,400 (Material $5,400; Labor $2,000). Funds budgeted in Account No. 6804-50-101, Water line extensions.

ACTION: Res. 68-787 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

6. Approve plans and specifications and call for bids for the installation of water lines in Northgate No. 5 subdivision. (Suggested bid opening: September 3, 1968, 10:00 A.M. Resolution approving plans and specifications and calling for bids needed. Preliminary Cost Estimates: Construction cost - $7,000; Connection charge - $4,140; Net Revenue per year - $576. Estimated cost: $7,000 (Material $4,750; Labor $2,250). Funds budgeted in Account No. 6804-50-101, Water line extensions.

ACTION: Res. 68-788 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

7. Consider waiver of formal bid procedure and authorize purchase of 127 used fire hydrants from East Bay Municipal Utility District. Memo with agenda. Resolution needed. Estimated cost: $10,285 Funds budgeted in Account No. 438/512, Revolving Fund (Stores) Not shown in Budget. Ultimately used in Water Line Extensions 6804/50/101. See Page 45 of Preliminary Budget.

ACTION: Dropped from agenda as 5 affirmative votes are required. Staff requested to prepare a report on the advantages of a hydrant replacement program. (Finance to handle)

8. Consider acceptance of bid for City Liability Insurance. (Report submitted with agenda.) Resolution awarding bid needed. Estimated cost: see report.

ACTION: Res. 68-789 adopted (Smith/Shastid, unan.) awarding bid to Great American Insurance Co. (Finance to handle)

Staff directed to make study to determine experiences of other cities in fire losses and maximum coverages they have to see whether or not Modesto is in line. (Finance to handle)

HEARINGS

9. Hearing on sidewalk, curb and gutter requirement on Kearney Avenue, at 1428 Del Monte Ave., Lot 8, Block 934 (Torres) 4:15 P.M.

ACTION: Res. 68-790 adopted (Hughes/Shastid, unan.) ordering work. (P/W to handle)

10. Hearing on sidewalk requirement on Kearney Ave. at 1426 Cherrywood Drive, Lot 7, Block 6017 (Price) 4:15 P.M.

ACTION: Res. 68-791 adopted (Hughes/Shastid, unan.) ordering work. (P/W to handle)

11. Hearing on sidewalk requirement on Kearney Avenue and Ashwood Drive at 1429 Ashwood Drive, Lot 11, Block 6035 (Biedenweg) 4:15 P.M.

ACTION: Res. 68-792 adopted (Hughes/Shastid, unan.) ordering work. (P/W to handle)

12. Hearing on request for sign variance, Francis Ruggieri (Ryan Sign Co.) 4:20 P.M.

ACTION: By Order of the Mayor this matter was continued to September 3, 1968 at 4:20 P.M. (Clerk to handle)

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

ACTION: Res. 68-793 adopted (Smith/Shastid, unan.) approving letter agreement with Southern Pacific Co. for relocation of crossing gates at G, H & I Streets. (C/Manager to handle)

ORDINANCES

14. Consider adoption of ordinance amending penalties on Business License and Transient Occupancy Tax.
(Memo with agenda.) Motion adopting ordinance needed.

ACTION: By motion (Hughes/Shastid, unan.) Ord. No. 918-C.S. introduced. (Clerk to handle)

15. Consider adoption of ordinance setting the tax rate for the 1968-69 fiscal year.
(A report on 1968-69 City Assessed Values and Tax Rates will accompany the agenda.) Motion adopting ordinance needed.

ACTION: By motion (Shastid/Hughes, unan.) Ord. No. 919-C.S. introduced and adopted setting tax rate. (Clerk to handle)

CONSENT

16. Ordinance Amending Section 12-4.103 of Article 1 of Chapter 4 of Title XII of the Modesto Municipal Code relating to general regulations for Mancini Bowl.
(This proposed change would permit the Director of Parks and Recreation to grant concession rights to users of the Bowl. This would be in keeping with the recent change permitting the Director to approve all uses of the bowl.) Introduction of an ordinance needed.

ACTION: Ord. No. 920-C.S. introduced. (Clerk to handle)

OLD BUSINESS

17. Determine parking fees for new lot on 11th between I and J Streets.
(A report by the Director of Parking and Traffic has been sent with the agenda. He recommends a 20¢ per hour charge with a three hour limit.) Motion indicating the parking fee and time limit needed.
Estimated cost: None at this time. Funds budgeted in Account No. 6230-57-209, Parking Lot #28 - 11th between I & J (west side).

ACTION: By motion (Shastid/Hughes, unan.) a motion (Shastid/Hughes) to set fees at 20¢ per hour with a 3-hour limit was tabled for one week. (Clerk to handle)

18. Actuarial Valuation.
(To consider adding the additions to the Retirement Contract which would increase the benefits of the present retired City employees.)
Resolution of Intent needed. Estimated cost: $1535 per month (General Fund). To be requested later from Fund No. 425, P.E.R.S. Contribution.

ACTION: Res..68-794 adopted (Smith/Hughes, unan.) declaring intention to increase benefits. (Personnel to handle)

CONSENT

19. Approval of agreement with Department of Finance for census.
(On April 22, 1968 the Council directed that a special enumeration of population of the City of Modesto be made. The formal agreement has now been received. Copy of agreement with agenda.)
Resolution approving agreement and authorizing execution by designated City Officials needed. Estimated cost: $415 estimate fee plus $1,000 card processing. Funds budgeted in Account No. 421-65, Miscellaneous Unclassified - Special Surveys.

ACTION: Res. 68-795 adopted approving agreement. (Clerk to handle)

CONSENT

20. A resolution approving the final map of the Northgate No. 5 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. Northgate No. 5 subdivision is located on the North side of Leveland Lane between TWSRR and McHenry Avenue. It contains 10.63 Acres.)
Resolution approving final map and authorizing execution of agreement by City needed.

ACTION: Res. 68-796 adopted approving final map. (Clerk to handle)

CONSENT

21. A resolution approving the final map of the Woodrow Manor 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. Woodrow Manor No. 1 subdivision is located on the North side of Woodrow Avenue, west of McHenry Avenue. It contains 5.01 Acres.)
Resolution approving final map and authorizing execution of agreement by City needed.

ACTION: Res. 68-797 adopted approving final map. (Clerk to handle)

CONSENT

22. Consider agreement with Robert P. Bomberger and Muriel F. Bomberger, husband and wife, for the installation of water mains in Rose Terrace No. 1 subdivision located on the East side of Rose Avenue North of Celeste Drive.
(See memo of explanation) Resolution approving agreement needed.

ACTION: Res. 68-798 adopted approving agreement. (Clerk to handle)

23. Requests for Waiver of Penalties and Interest on Business License Tax (three separate requests - memo with agenda)
Three resolutions granting or denying requests needed.

ACTION: A resolution (Hughes/Smith) to grant the requests failed as Councilman Shastid and Mayor Davies voted no. (Finance to handle)

The Council retired to executive session at 5:37 P.M. and returned at 5:44 P.M.

ACTION: Res. 68-799 adopted (Hughes/Shastid, unan.) approving right of way contract with Amedeo and Judith Loretelli for property on McHenry and Leveland. (Clerk to handle)

24. Consider Division of Highways' proposal of McHenry Avenue between Bowen and Leveland.
(Report with agenda.) Motion needed.

ACTION: By motion (Hughes/Shastid, unan.) proposal approved. (C/Manager to handle)

CONSENT

25. Approve a service contract with the State Division of Highways for the installation of 5 water services.
(The service contract calls for the City to install 5 metered water services for the freeway landscaping project. After the services have been installed and final costs have been determined, the State will pay for the actual costs incurred. Memo to be distributed with agenda.) Resolution approving service contract and resolution approving appropriation transfer needed. Estimated cost: $14,000.

ACTION: Res. 68-800 adopted approving appropriation transfer of $14,000 from General Fund of General Reserve to Account 5301-50-101 (New Services). (Finance to handle)
Res. 68-801 adopted approving service contract. (Clerk to handle)

REPORTS

CONSENT

26. Report on procedure for writing off uncollectible bills.
(Memo with agenda.) Motion accepting report needed.

ACTION: By motion report accepted.

APPROPRIATION TRANSFERS

MISCELLANEOUS

27. Legislative matters
(a) Further consideration of AB-1465
(Information with agenda)

ACTION: By motion (Shastid/Smith, unan.) Mayor authorized to write Governor in support of AB-1465. (C/Manager to handle)

(b) House resolution 18371
(Information with agenda)

ACTION: By motion (Shastid/Smith, unan.) Mayor authorized to write our representatives in Congress in support of H.R. 18371. (C/Mgr to handle)

28. Appointments.

None.

ADJOURNMENT at 5:55 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 26, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Shastid, Simon, Smith, and Mayor Davies
Absent: Mitchell and Robinson

Pledge of allegiance to the Flag
Invocation: Reverend A. P. Gregory, Church of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 7, 8, 9, 11, 12, 13, 14, 15, ~~16~~, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34a, b, c, d, ~~36~~, ~~37~~, 38, 40

Items 16 and 37 removed from agenda. (Shastid/Simon, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of August 19, 1968.

ACTION: Minutes approved.

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

CONSENT
2. Resignation of C. J. Winton from the Committee to Study Crime. (Resolution accepting with regret needed)

ACTION: Res. 68-802 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
3. Request of Seymour Coey, et al for hearing on driveway variance on Yosemite Boulevard.
(Resolution setting hearing needed. Suggested date September 3, 1968 at 4:25 P.M.

ACTION: Res. 68-803 adopted setting hearing. (Clerk to handle)

CONSENT
4. Request of C. V. Coey, et al, for hearing on driveway variance on Yosemite Boulevard.
(Suggested hearing date September 3, 1968 at 4:25 P.M. Resolution setting hearing needed)

ACTION: Res. 68-804 adopted setting hearing. (Clerk to handle)

CONSENT
5. Resignation of Ben Mitchell from Downtown Improvement District Board.
(Resolution accepting with regret needed)

ACTION: Res. 68-805 adopted accepting resignation with regret. (Clerk to handle)

BIDS

6. (a) Consider waiver of formal bid procedure and authorize purchase of 127 used fire hydrants from East Bay Municipal Utility District.. (Memo with agenda. Resolution needed. Estimated cost $10,285; funds budgeted in Account 438-512, Revolving Fund (Stores). Not shown in budget. Ultimately used in Water Line Extensions 6804-50-101. See page 45 of preliminary budget)

ACTION: Res. 68-806 adopted (Smith/Simon, unan.) waiving formal bid procedure and authorizing purchase of used fire hydrants. (Finance to handle)

(b) Report on hydrant replacement program.

ACTION: Report received.

CONSENT

7. Consider accepting low bid of Hersey Sparling Meter Co. for annual needs of water meters and authorize agreement to be executed covering one-year period commencing September 1, 1968.
(Memo and tabulation with agenda. Resolution needed. Estimated cost $21,994; funds budgeted in Account 438-512, Revolving Fund. Ultimately used in new services Account 5301-50-101, Page 45)

ACTION: Res. 68-807 adopted accepting bid of Hersey Sparling Meter Co. (Finance to handle)

CONSENT

8. Consider awards to lowest bidders for annual requirements for water pipe beginning September 1, 1968:

(a) United States Pipe & Foundry Co. - Cast Iron Pipe;
(Resolution awarding needed)

ACTION: Res. 68-808 adopted awarding bid to United States Pipe & Foundry Co. (Finance to handle)

(b) Voss International Corporation - Asbestos Cement Pipe.
(Resolution awarding needed. A memo and bid tabulation accompanies agenda. Estimated cost $103,334; funds budgeted in Account 438-512, Revolving Fund. Ultimately used for new services and water line extensions Accts. 5301 and 6804-50-101. See Page 45 budget)

ACTION: Res. 68-809 adopted awarding bid to Voss International Corporation. (Finance to handle)

CONSENT

9. Approve plans and specifications and call for bids for the improvement of Granger Avenue between McHenry Avenue and the east city limits. (Suggested bid opening September 10, 1968 at 10:15 a.m. Resolution approving plans, specifications and call for bids needed. Estimated cost, contract $29,500; Engr & Insp. $4,500; total, $34,000. Funds budgeted in Account 6699-1-207, Granger, McHenry to east city limits; Special Gas Tax Street Impr. Fund. If additional funds required, request for transfer from Fund No. 207 will be made after bids are received).

ACTION: Res. 68-810 adopted approving plans and specifications and call for bids. (Clerk to handle)

10. Consider award of bid for construction of improvements in Marshall Park.
(It is recommended by the Public Works and Parks and Recreation Departments that all bids be rejected. Memo of explanation with agenda. Resolution rejecting all bids needed)

ACTION: Res. 68-811 adopted (Shastid/Hughes, unan.) rejecting all bids. (P/W to handle)

Staff to proceed as fast as possible. (P/W and P & R to handle)

CONSENT

11. Approve plans and specifications and call for bids for the improvement of Paradise Road from Franklin Street to west city limits.
(Suggested bid opening date: September 10, 1968, 10:00 a.m. Resolution approving plans, specifications and call for bids needed. Estimated cost $16,500; contract $14,300; Engr. & Insp. $2,200. Funds budgeted in Account 6748-1-207, Paradise, Franklin to W. City Limits, Special Gas Tax. If additional funds required transfer of funds from Fund No. 207 will be requested following opening of bids)

ACTION: Res. 68-812 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

12. Consider award of bid for construction of water lines in Woodrow Manor No. 1 Subdivision.
(Bids were opened August 19, and the low bid submitted by Valley Construction Company, which is 17% over the Engineer's Estimate is considered acceptable because of city forces work load and the urgency of the Subdivider's progress. Therefore, it is recommended by Public Works Department that the bid be awarded to Valley Construction Company. Resolution awarding bid needed. Estimated cost $4,953 (Materials $2,760; Labor $2,193. Funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-813 adopted awarding bid to Valley Construction Co. (P/W to handle)

CONSENT

13. Consider award of bid for construction of water line in Alum Rock Estates.
(Bids were opened August 19 and the low bid submitted by Valley Construction Company, which is 30% under the Engineer's estimate is considered acceptable; therefore, it is recommended by Public Works Department that the bid be awarded to Valley Construction Company. Resolution awarding bid needed. Estimated cost $3,335.50 (Materials $1,810.00; labor, $1,535.50). Funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-814 adopted awarding bid to Valley Construction Co. (P/W to handle)

CONSENT

14. Recommendation that water lines in Greenwood Estates No. 5 be performed by city forces.
(Bids were opened August 19. The low bid submitted by Valley Construction Company is 55% over the Engineer's estimate; therefore the City Manager recommends that the work be done by city forces. Resolution authorizing work be done by city forces needed. Estimated cost $2,170; materials $1,650; labor, $1060. Funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-815 adopted authorizing work to be done by City forces. (P/W to handle)

CONSENT

15. Approve plans and specifications and call for bids for installation of water lines in Tully Manor No. 4 Subdivision.
(Suggested bid opening: September 10, 1968 at 10:30 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost $10,200 (Materials $7,150; labor $3,050; funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-816 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

16. Approve plans and specifications and call for bids for the installation of water lines in Highland Manor No. 4 subdivision.
(Suggested bid opening, September 10, 1968 at 10:40 a.m. Resolution approving plans, specifications and call for bids needed. Estimated cost $7,800 (Materials $5,450; Labor, $2350.) Funds budgeted in Account 6804-50-101, Water Line Extension)

DROPPED FROM AGENDA

HEARINGS

17. Further consideration of amendment to Section 8-3-9 of zoning map (Art Wylie). 7:45 P.M.
(Continued from August 12, 1968 meeting)

ACTION: A resolution (Shastid/Smith) to refer back to Planning Commission failed as Hughes and Simon voted no.

By motion (Hughes/Simon, unan.) September 16, 1968 at 5:15 P.M. set as time for further consideration. (Clerk to handle)

18. Hearing on amendment to Section 6-4-9 of zoning map. (El Casa Verde, Inc.) 8:00 P.M.

ACTION: Ord. No. 921-C.S. introduced (Shastid/Smith, unan.) amending Sec. 6-4-9 of zoning map (from R-1 to PD). (Clerk to handle)
Res. 68-817 adopted (Shastid/Simon, unan.) approving development plan. (Planning to handle)

19. Hearing on request of Geiger, Inc. for driveway variance 8:05 P.M.

ACTION: Res. 68-818 adopted (Hughes/Shastid, unan.) granting request. (P/W to handle)

20. Matters for the good of the community. 8:10 P.M.
(These may be presented by citizens in the audience)

Bud Fountain, Hawke Flying Service, reported that the City Public Works Department was requiring increased electrical service in the building occupied by Hawke Flying Service. Mr. Fountain asked that this be a City expense. The staff was instructed to prepare a written report on this matter for submission to the Council on September 3. (P/W to handle)

ORDINANCES

21. Motion (Shastid/Simon) to reconsider final adoption of Ordinance No. 911-C.S. (Sign regulations).
(This motion was made at the August 12th meeting)

ACTION: By motion (Shastid/Simon, unan.) reconsideration of final adoption of Ord. No. 911-C.S. approved.

By motion (Shastid/Simon, majority - Hughes, no) Ord. No. 911-C.S. adopted (Clerk to handle)

Staff directed to meet with sign companies to work out procedure for further study of sign ordinance. (C/Mgr to handle)

CONSENT
22. Final adoption of Ord. No. 913-C.S. (amendment to Section 28-3-9 of zoning map, Octomedent)
(Motion adopting needed)

ACTION: By motion Ord. No. 913-C.S. adopted. (Clerk to handle)

CONSENT
23. Final adoption of Ord. 914-C.S. (amendment to Section 21-3-9 of zoning map, Modesto Professional Center)
(Motion adopting needed)

ACTION: By motion Ord. No. 914-C.S. adopted. (Clerk to handle)

CONSENT
24. Final adoption of Ord. 915-C.S. (amendment to Section 22-3-9 of zoning map, Bastron)
(Motion adopting needed)

ACTION: By motion Ord. No. 915-C.S. adopted. (Clerk to handle)

CONSENT
25. Final adoption of Ord. No. 916-C.S. (amendment to Section 16-3-9 of zoning map, Modesto Racquet Club)
(Motion adopting needed)

ACTION: By motion Ord. No. 916-C.S. adopted. (Clerk to handle)

CONSENT

26. Final adoption of Ord. No. 917-C.S. (amendment to Section 5-4-9 of zoning map, Hoyle)
(Motion adopting needed)

ACTION: By motion Ord. No. 917-C.S. adopted. (Clerk to handle)

CONSENT

27. Final adoption of Ord. 918-C.S. (business licenses).
(Motion adopting needed)

ACTION: By motion Ord. No. 918-C.S. adopted. (Clerk to handle)

CONSENT

28. Final adoption of Ord. No. 920-C.S. (Mancini Bowl regulations)
(Motion adopting needed)

ACTION: By motion Ord. No. 920-C.S. adopted. (Clerk to handle)

OLD BUSINESS

29. Determine parking fees for new lot on 11th between I and J Streets.
(Motion (Shastid/Hughes) to set fees for new parking lot on 11th between I and J at 20¢ per hour with a three hour limit. This motion was tabled at the August 19th meeting.)

ACTION: By motion (Smith/Shastid, unan.) further consideration of above motion continued to September 16. (Clerk to handle)

30. Further report by Planning Commission on rezoning application - northeast corner of Tully Road and Briggsmore Avenue (Mineni, Galas & Gargotto, et al).
(The City Council referred back to the Planning Commission the application for rezoning from one-family residential zone, R-1 to Planned Development Zone, P-D, property located at the northeast corner of Tully Road and Briggsmore Avenue requested by Joe Mineni Jr., Emanual C. Galas, and Chas. M. Gargotto, et al. On August 6, 1968 the Planning Commission reconsidered the application at which time a motion to deny the application resulted in a 3-3 vote as did a motion to recommend approval of it. Resolution needed)

ACTION: Res. 68-819 adopted (Shastid/Smith, majority - Hughes, no) denying application for rezoning. (Clerk to handle)

NEW BUSINESS

31. Consider sharing cost of crossing gates at Woodland Avenue - Southern Pacific crossing.
(The P.U.C. has asked the City to pay one-fourth the cost of gates to be installed at this crossing. Since the crossing is not in the City, the City is not required to pay. A report by the Director of Parking and Traffic has been sent with agenda. Motion approving or disapproving financial participation is needed. Estimated cost $4,000; to be requested later from Fund No. 321, Spec. Fund for Capital Outlay when agreement is ready for approval)

ACTION: By motion (Simon/Smith, unan.) recommendation of staff that City not share in costs approved. (P & T to handle)

CONSENT
32. A resolution determining that the public interest and convenience require that Leveland Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing.
(The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date October 7, 1968 at 4:15 p.m. Resolution setting hearing needed (2/3 affirmative vote)

ACTION: Res. 68-820 adopted setting hearing. (Clerk to handle)

CONSENT
33. Accept improvements in Sutter Glen Subdivision and authorize City Clerk to file notice of completion and release bond upon expiration of statutory lien period.
(Sutter Glen Subdivision is located on the westerly side of Sutter Avenue at Nian Way. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 68-821 adopted accepting improvements. (Clerk to handle)

CONSENT
34. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below:
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done, therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters)

CONSENT
(a) Curb and gutter at 337 Yosemite Ave., Lots 23 and 24, Block 350 (Dorothy Corriea)

ACTION: Res. 68-822 adopted setting September 16, 1968 at 4:20 P.M. as time for hearing. (P/W to handle)

CONSENT

(b) Sidewalk on Sycamore Avenue and curb and gutter on Mensinger Avenue at 1100 Sycamore Avenue, Lots 13, 14, and 15, Block 743 (Rose C. O'Conner)

ACTION: Res. 68-823 adopted setting September 16, 1968 at 4:20 P.M. as time for hearing. (Clerk to handle)

CONSENT

(c) Sidewalk, curb, and gutter on Sycamore Avenue and sidewalk on Griswold Avenue at 901 Sycamore Avenue, Lots 22, 23 and 24, Block 723 (Anton W. Hanneman)

ACTION: Res. 68-824 adopted setting September 16, 1968 at 4:20 P.M. as time for hearing. (Clerk to handle)

CONSENT

(d) Sidewalk on Kearney Avenue at 1437 Oakwood Drive, Lot 15, Block 6042 (Stephen Odell)

ACTION: Res. 68-825 adopted setting September 16, 1968 at 4:20 P.M. as time for hearing. (Clerk to handle)

35. Approve right of way contracts for sewer outfall line.
(It is anticipated that by Council meeting time we will have some additional right of way contracts for the sewer outfall line. If these are received as anticipated, the Council will be asked to adopt the necessary resolutions to approve the contracts.)
Adoption of resolutions needed.

ACTION: Res. 68-826 adopted (Shastid/Hughes, unan.) approving right of way contract with Dr. Walker Halliday and rescinding Res. No. 68-745. (Clerk to handle)

CONSENT

37. Consider agreement between City of Modesto and Lance E. and Carol L. Ellis for the installation of water lines in Highland Manor No. 4 Subdivision.
(Developer wishes to install street improvements before filing final subdivision map. He has agreed to grant City the necessary easements and has posted a bond in the amount of $12,700 to cover the cost of labor and materials.) Resolution approving agreement and authorizing City Manager to execute agreement on behalf of City needed.

DROPPED FROM AGENDA

CONSENT

38. Consider agreement between City of Modesto and Tully Manor Enterprises for the installation of water lines in Tully Manor No. 4 Subdivision.
(Developer wishes to install street improvements before filing final subdivision map. He has agreed to grant City the necessary easements and has posted a bond in the amount of $16,000 to cover cost of labor and materials.) Resolution approving agreement and authorizing City Manager to execute agreement on behalf of City needed.

ACTION: Res. 68-827 adopted approving agreement. (Clerk to handle)

REPORTS

39. Special insurance consideration. Further report on fire coverage on vehicles costing $5,000 or more and a disappearing deductible feature on our present fire insurance policy.
(Memo with agenda. Motion against coverage or resolution requesting coverage needed)

ACTION: By motion (Shastid/Simon, unan.) disappearing deductible feature not to be included in City's insurance but staff directed to ascertain cost and availability of comprehensive coverage for vehicles costing more than $5,000. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

40. Recommend amendment to Section 13-3-8 of the zoning map (Gene Thomas Trailer Sales)
(By resolution 68-105 adopted August 20, 1968 the Planning Commission recommends an amendment to Section 13-3-8 of the zoning map as requested by Gene Thomas Trailer Sales, to prezone from County R-A, to Planned Development Zone, P-P-D, to accommodate development of a mobile home park, on property located at the southwest corner of Rumble and Prescott Roads. Resolution setting date for public hearing needed. Suggested date September 16, 1968 at 4:15 P.M.)

ACTION: Res. 68-828 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

None.

MISCELLANEOUS

41. Legislative matters.

None.

42. Appointments

ACTION: Res. 68-829 adopted (Shastid/Smith, unan.) establishing a committee to explore feasibility of a community foundation in Modesto and appointing ten members as follows:

Jack Jones (Chairman) 1008 Twelfth Street	Dr. Robert Moon 817 Tenth Street	Kenneth Marple 217 Lois Ave.
John Beard 2700 MacDougal	John M. Trimbur 812 Thirteenth Street	
James Dowd 850 Tenth Street	George Gagos 225 El Rio	Dr. Merrill Alexander 801 - 17th Street
Edward Soderlund 819 Tenth Street	Ray Whitgrove 1120 K Street	

ACTION: Res. 68-830 adopted (Shastid/Simon, unan.) appointment of Ray Langley as a member of the AB-103 Advisory Board (D.I.D.) to replace Ben Mitchell for a term expiring March 28, 1971 approved. (Clerk to handle)

Adjournment at 11:00 P.M.

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

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 3, 1968 AT 4:00 P.M.

Roll Call Present: Robinson, Simon, Smith, and Mayor Davies
Absent: Hughes, Mitchell, and Shastid

Pledge of allegiance to the Flag.
Invocation: Reverend Paul Miller, Grace Brethren Church

CONSENT ITEMS- ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 18, 20, 21
Item 8 dropped from agenda.
(Smith/Robinson, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of August 26, 1968.
(Motion approving needed)

ACTION: Minutes approved.

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

CONSENT
2. Request of Squadron #50 Modesto Civil Air Patrol for waiver of tie down charges at Airport.
(Resolution needed. Suggested hearing date September 9, 1968 at 7:40 P.M.

ACTION: Res. 68-831 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT
3. Consider acceptance of negotiated quotation and authorize purchase of a used scoopmobile front end bucket loader from Edward R. Bacon Company.
(Memo with agenda. Resolution needed. Estimated cost $10,448; funds budgeted in Account 5418-48-512 Front End Bucket Loader, Service Capital Outlay, p. 67)

ACTION: Res. 68-832 adopted authorizing purchase. (Finance to handle)

CONSENT
4. Approve plans and specifications on the construction of concrete bins for material storage in City Service Yard, Block 434.
(Bid opening: September 17, 1968 at 10:20 A.M. Resolution approving plans, specifications and call for bids needed. Funds budgeted in Account 6516-41-321, Corporation Yard Construction) Estimated cost: $5,000.

ACTION: Res. 68-833 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

5. Approve plans and specifications and call for bid for installation of freeway sprinkler system services.
(Service contract with State Highway approved by Council on August 19, 1968, to provide water service for freeway landscaping. Bid opening September 17, 1968 at 10:00 A.M. Resolution approving plans and specifications and call for bids needed. Estimated cost $14,000 (Materials $9,245; labor, $ 4,755; funds budgeted in account 5301-50, New Services)

ACTION: Res. 68-834 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

6. Approve plans and specifications and call for bids for installation of water lines on Downey Avenue between McHenry and Scenic.
(This is a vital water main connection in the central area and is needed before the fire grading in October. Bid opening September 17, 1968 at 10:10 A.M. Resolution approving plans and specifications and call for bids needed. Estimated cost $16,600 (Materials $5,200; Labor $11,400). Funds budgeted in Account 6828-101-50, Strengthening System various locations)

ACTION: Res. 68-835 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

7. Accept as complete Standard Materials, Inc. contract for improvement of Floyd Avenue between McHenry Avenue and Coffee Road.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize City Clerk to file notice of completion. This was a cooperative project with the County of Stanislaus. Resolution accepting work and authorizing City Clerk to file notice of completion needed. Final cost, $69,486.87 (City $65,803.04; County, $3,683.83). Funds budgeted in Account 6673-207 (1967-68 budget; account name, Floyd, McHenry to Coffee (Sp. Gas Tax Street Improvement Fund)

ACTION: Res. 68-836 adopted accepting contract. (Clerk to handle)

~~CONSENT~~

8. Consider award of bid for renovation of the Carver-Scott Sewage Lift Station.
(Bids were opened August 27 and the lowest bid meeting specifications was 81% above the Engineer's Estimate. It is recommended that all bids be rejected and city forces be authorized to perform the work. Resolution rejecting all bids and authorizing city forces to perform the work needed. Estimated cost $3,241; funds budgeted in Account 5303-52-101, Carver-Scott Lift Station Renovation (Sewers Div.)

DROPPED FROM AGENDA AS 5 AFFIRMATIVE VOTES ARE NEEDED.

CONSENT

9. Approve plans and specifications and call for bids for improvement of Marshall Park - grading, paving and drainage. (This is the first of three units. Suggested bid opening September 17, 1968 at 10:30 A.M. Resolution approving plans and specifications and call for bids needed. Estimated cost $22,500 (Const. $19,600; Engr. & Cont. $2,900; funds budgeted in Account 6274-31-321, Marshall Park Development Spec. Fund for Capital Outlays)

ACTION: Res. 68-837 adopted approving plans and specifications and call for bids. (Clerk to handle)

HEARINGS

10. Hearing on amendment to Section 18-3-9 of the zoning map (Meek) 4:15 P.M.

ACTION: By Order of the Mayor, the public hearing continued to September 16, 1968 at 4:30 P.M. (Clerk to handle)

11. Hearing on request for sign variance - Francis Ruggieri for Ryan Signs. 4:20 P.M.

ACTION: Res. 68-838 adopted (Smith/Robinson, unan.) denying request. (P/W to handle)

12. Hearing on request of Seymour Coey et al for driveway variance. 4:25 P.M.

ACTION: Res. 68-839 adopted (Simon/Robinson, unan.) denying request. (City Manager to handle)

13. Hearing on request of C. V. Coey et al for driveway variance. 4:25 P.M.

ACTION: Res. 68-840 adopted (Simon/Robinson, unan.) denying request. (City Manager to handle)

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

ACTION: Res. 68-841 adopted (Smith/Robinson, unan.) opposing boycott of California grapes. (Clerk to handle)

NEW BUSINESS

CONSENT

15. Consider agreement between the City and Interservice Fund, Inc., for car rental service and concession at City-County Airport. (Memorandum of explanation distributed with agenda. Resolution approving agreement and authorizing City Manager to execute agreement on behalf of the City)

ACTION: Res. 68-842 adopted approving agreement. (Clerk to handle)

CONSENT

16. Consider agreement between City and Robert P. and Muriel F. Bomberger for temporary sewer service to Northgate No. 5 subdivision. (Memo with agenda. Resolution approving agreement and authorizing City Manager to sign agreement on behalf of City)

ACTION: Res. 68-843 adopted approving agreement. (Clerk to handle)

17. Consider Highway 99 proposal between Shoemake and Pelandale Avenues.
(The State has asked for city comments before a public hearing on this freeway route. The route is outside but near the City. A report by the Director of Parking and Traffic has been sent with the agenda pointing out certain inadequacies. Motion directing staff to inform State of City's comments at this time needed. The possibility of additional comments after the hearing should also be mentioned. No cost to City)

ACTION: By motion (Robinson/Simon, unan.) staff directed to inform State of City's comments. (These are to be the four comments made by the Director of Parking & Traffic, a copy of which is on file with the City Clerk.) (P & T to handle)

CONSENT

18. Request by State Department of Housing and Community Development for notice that local ordinances are equal to or exceed certain provisions of Health and Safety Code.
(This has been checked by the staff and found to be in order. Resolution authorizing issuance of notice needed)

ACTION: Res. 68-844 adopted authorizing issuance of notice. (Clerk to handle)

REPORTS

19. Report on electrical system at Hangar No. 2 (Hawke Flying Service Lease), Modesto City-County Airport.
(Memorandum with agenda)

ACTION: By motion (Smith/Robinson, unan.) staff directed to proceed as follows:

Lessee to reduce load to amount which is compatible with present 60 amp. service

or

Lessee to revamp electrical distribution system and City to provide 100 amp. service including panel.

(P/W to handle)

APPROPRIATION TRANSFERS

CONSENT

20. Two appropriation transfer to clarify amounts transferred for census.

(a) $11,700 from 60-101, General Reserve, to 421-65-101, Misc. Unclassified, Special Surveys.
(Resolution approving needed)

ACTION: Res. 68-845 adopted authorizing appropriation transfer. (Finance to handle)

(b) $9,400 from 491-14-101 City Clerk, Service Credits, to *122-14-101, City Clerk, Census Salaries.
(*Temporary Account. Memo with agenda. Resolution approving needed)

ACTION: Res. 68-846 adopted authorizing appropriation transfer. (Finance to handle)

CONSENT

21. Consider appropriation transfer from General Fund, General Reserve to Planning Account 120-18-101, Salaries and Wages (Part-Time).
(To hire three girls on Work Experience Program on a 7-hour day basis, at a rate of $1.50 an hour, until school begins and after school, until work on Land Use Survey is completed (Approximately 350 hours). Resolution approving transfer needed).

ACTION: Res. 68-847 adopted authorizing appropriation transfer. (Finance to handle)

MISCELLANEOUS

21. Appointments.

NONE.

Adjournment at 7:00 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 9, 1968 AT 7:30 P.M.

Councilman Mitchell was elected chairman pro tem (Shastid/Smith, unan.)

Roll Call Present: Mitchell, Shastid, Simon, and Smith
Absent: Hughes and Robinson
Mayor Davies arrived at 8:30 P.M.

Pledge of allegiance to the Flag
Invocation: Reverend Roy Blakely, Modesto Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, ~~5~~, 6, ~~7~~, 8, ~~9~~, 15, 16, 18a, b, 19, 21
Item 9 dropped from agenda and 5 & 7 dropped from consent.
(Smith/Simon, unan. - Hughes, Robinson, and Mayor Davies absent)
(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of September 3, 1968.
(Motion approving needed)

ACTION: By motion minutes approved.

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

CONSENT
2. Request of Rudy Bonzi Enterprises for limited franchise for removal of waste products from industrial plants.
(Motion referring to City Manager for investigation and report needed)

ACTION: By motion referred to City Manager. (C/Mgr to handle)

3. Letter from Stanley W. Smith offering to sell property at 1515 H Street.
(Motion directing staff needed)

ACTION: By Order of the Chair, staff authorized to obtain appraisal of property. (C/Mgr to handle)

4. Proposal of AZO Research Associates to purchase dogs and cats from city pound.
(Motion directing staff needed)

ACTION: Informal hearing to be held at 4:20 P.M. on October 7, 1968. (Clerk to handle)

BIDS

~~CONSENT~~
5. Consider rejection of bids for renovation of the Carver-Scott Sewage Lift Station.
(Bids were opened August 27 and the lowest bid meeting specifications was 81% above Engineer's Estimate. It is recommended that all bids be rejected and city forces be authorized to perform work. Resolution rejecting all bids and authorizing city forces to perform work needed. Estimated cost $3,241; funds budgeted in Account 5303-52-101, Carver-Scott lift station renovation (Sewers Div.)

ACTION: Res. 68-848 adopted (Smith/Simon, unan. - Hughes & Robinson absent) rejecting all bids and authorizing city forces to perform work. (P/W to handle)

CONSENT

6. Consider award of bid for the installation of water lines in Northgate No. 5 subdivision.
(Bids were opened on September 3. The low bid submitted by Industrial Electric Co., which is 4.6% over the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Contract cost $2,383; funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-849 adopted awarding contract to Industrial Electric Co. (P/W to handle)

~~XXXXXXXXX~~

7. Recommendation that installation of water lines in Rose Terrace No. 1 Subdivision be performed by city forces.
(Bids were opened September 3rd. The low bid submitted by Industrial Electrical Company is 21% over the Engineer's Estimate. In the opinion of the City Manager the work can be performed most economically by city forces. Therefore, he recommends that the work be done accordingly. Resolution needed. Estimated cost $7,400 (Material $5,400 - Labor $2,000). Funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-850 adopted (Smith/Simon, unan. - Hughes & Robinson absent) rejecting all bids and authorizing work to be performed by City forces. (P/W to handle)

CONSENT

8. Approve plans and specifications and call for bids for the construction of 910 foot runway extensions at Modesto City-County Airport.
Suggested bid opening: October 1, 1968 at 10:00 A.M. Resolution approving plans, specifications and call for bids needed. Estimated project cost $164,000 (Contract $132,000; Engr. and Cont. $32,000). Funds budgeted in Account 6527-46-230, Runway Extension South Airport Fund p. 62)

ACTION: Res. 68-851 adopted approving plans and specifications and call for bids. (Clerk to handle)

~~CONSENT~~

9. Approve plans and specifications and call for bids for construction of Runway 29R lighting systems at Modesto City-County Airport.
(Includes high intensity runway lighting, approach lights, and taxiway edge lighting on taxiway extensions. Bid opening date October 1, 1968 at 10:30 A.M. Resolution approving plans, specifications and call for bids needed. Estimated cost $109,000 (Contract $89,500; Engr. & Cont. $19,5000). Funds budgeted in Account 6510-46-230 Airport Approach Lights; 6531-46-230, High Intensity Runway Lights, Airport Fund p. 62. If additional funds required after receipt of bids, transfer will be requested)

DROPPED FROM AGENDA.

HEARINGS

10. Hearing on request of Modesto Civil Air Patrol for waiver of tie down fees. 7:40 P.M.

ACTION: Res. 68-852 adopted (Simon/Shastid, unan. - Hughes, Robinson, and Mayor Davies absent) waiving $12.00 per month tie-down fee. (P/W to handle)

11. Hearing on Airport No. 2 Addition annexation to Sewer District. 7:45 P.M.

ACTION: Res. 68-853 adopted (Shastid/Mitchell, unan. - Hughes and Robinson absent) annexing area. (Clerk to handle)

12. Hearing on Legion Park Addition annexation to Sewer District. 7:50 P.M.

ACTION: Res. 68-854 adopted (Simon/Shastid, unan. - Hughes and Robinson absent) annexing area. (Clerk to handle)

13. Discussion re one-way streets (G, H & I). 8:00 P.M.

ACTION: At the request of the G & H Street Merchants and Property Owners this matter was re-set for September 23 at 8:00 P.M.

14. Matters for the good of the Community. (These may be presented by citizens in the audience) 8:05 P.M.

Henry Kamps of the Farm-City Committee was introduced.

The Clerk was instructed to have the appointment of alternates for Councilman Mitchell and Smith as members of the Community Action Committee on the agenda for September 16.

It was mentioned that the Tour de Graceada held on Sunday morning, September 8, conflicted with church services.

ORDINANCES

CONSENT

15. Final adoption of Ord. No. 921-C.S. - amendment to Section 6-4-9 of zoning map - El Casa Verde, Inc.)

ACTION: By motion Ord. No. 921-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

16. Approve project application for:
(a) Construction of 910-foot extension and blastpad on Runway 29R;
(b) Construction of high intensity runway lights on Runway 29R 11L;
(c) Construction of approach light system designated by FAA as MALS/SF;
(d) Construction of taxiway edge lighting system on extension to 29R taxiway.
(A request for federal aid has been approved by the Federal Aviation Agency. Plans and specifications have been completed and it would now be in order for the City Council to approve submission of a project application to the FAA. Since this will be a City-County cooperative project, the County Board of Supervisors will be asked to approve the project application at its September 10th meeting. Project cost is estimated to be $273,000 (City share, $57,677; County share $57,677; federal share $157,646. Resolution authorizing the City Manager to sign the project application on behalf of the City of Modesto needed. Funds budgeted in Accounts 6510-46-230, 6527-46-230, and 6531-46-230 - Airport Approach Lights, Runway Extension South, High Intensity Runway Lights, Airport Fund, p. 62. If additional fund required, a fund transfer will be requested later from Fund No. 321, Special Fund for Capital Outlays, General Reserve, after receipt of bids)

ACTION: Res. 68-855 adopted approving submission of project application. (P/W to handle)

17. Request for waiver of penalty and interest on business license tax.
(Report submitted with agenda. Resolution approving or denying motion request needed)

ACTION: By motion (Shastid/Smith, unan.) request denied. (Finance to handle.) By motion (Shastid/Simon, unan.) staff to investigate possibility of a Board or some other body to hear zoning, planning, license fee and other appeals. (C/Attorney - C/Mgr. to handle)

CONSENT

18. Resolutions instructing Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Suggested hearing date September 23, 1968 at 7:55 P.M.)

CONSENT

(a) Sidewalk, curb and gutter at 911 Sycamore Ave., Lot 16 and portions of Lots 15 and 17. (Louise Long), Block 723. (Resolution setting hearing needed)

ACTION: Res. 68-856 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalk, curb and gutter at 905 Sycamore Ave., Lots 18 through 21 and portion of 17, Block 723 (Francis P. Atteberry). (Resolution setting hearing needed)

ACTION: Res. 68-857 adopted setting hearing. (P/W to handle)

CONSENT

19. Agreements with landscape architects, Ribera and Sue.
(Agreement with landscape architect to prepare finished master plans of Moose and Sherwood Parks. Negotiations were authorized by Council August 12, 1968. Estimated cost Moose Park, $2,750; Sherwood Park $3,675. Funds budgeted in Account 6352-31-321, Moose - General Plans and Studies; 6301-31-321, Sherwood Park, Stage I. Two resolutions approving two agreements needed)

ACTION: Res. 68-858 adopted approving agreement for Moose Park.
Res. 68-859 adopted approving agreement for Sherwood Park.
(P & R to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. A resolution annexing uninhabited territory to the City of Modesto known as the Rose Acres No. 2 Addition.
(The Planning Commission has reviewed and recommends annexation of uninhabited territory known as Rose Acres No. 2 Addition to the City of Modesto, and the Local Agency Formation Commission has authorized the annexation without notice or public hearing. Resolution needed)

ACTION: Res. 68-860 adopted annexing Rose Acres No. 2 Addition to City of Modesto. (Clerk to handle)

MISCELLANEOUS

22. Appointments

None.

Adjournment at 8:40 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 16, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None

Pledge of allegiance to the Flag.
Invocation: Reverend A. B. Christian

1. Presentation by California State Auto Association of special citation for pedestrian program activities in the 1968 AAA pedestrian safety inventory program.

ACTION: R. E. Sparks, District Manager of California State Auto Association presented a plaque to Mayor Davies.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 22, 24, 25, 27, 29, 30, 31a, b, c, d, 33, 34, 35, 36
Remove items 5 & 34 from consent.
(Smith/Simon, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
2. Minutes of September 9, 1968.
(Motion approving needed)

ACTION: Minutes approved.

CONSENT
3. Letter of appreciation from Modesto State Hospital for swimming passes provided for adolescent program.
(Motion ordering filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

CONSENT
4. Letter from residents of Danbury Court requesting additional street lighting.
(Motion referring to staff needed)

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

CONSENT
5. Request of Downtown Improvement District for closure of 10th Street between I and K Streets on October 12.
(Motion granting request needed)

ACTION: Res. 68-861 adopted (Smith/Hughes, unan.) approving closure of Tenth Street and granting permit for displays of merchandise on sidewalks and street during the period of street closure. (Police and P & T to handle)

CONSENT

6. Request of Division of Highways for adoption by Council of resolution declaring September 22 - 28, 1968 as National Highway Week. (Resolution needed)

ACTION: Res. 68-862 adopted declaring Sept. 22 - 28, 1968 as National Highway Week. (Clerk to handle)

BIDS

CONSENT

7. Approve plans and specifications and call for bids for construction of Runway 29R lighting systems at Modesto City-County Airport. (Includes high intensity runway lighting, approach lights, and taxiway edge lighting on taxiway extension. October 3, 1968 at 10:00 A.M. set for bid opening date. Resolution approving plans, specifications and call for bids needed. Funds budgeted in Accounts 6510-46-230, Airport Approach Lights; 6531-46-230, High Intensity Runway Lights, Airport Fund p. 62. Estimated cost, project $109,000 (Contract $89,500; Engr. & Cont. $19,500). If additional funds are needed after opening bids, an appropriation transfer will be requested)

ACTION: Res. 68-863 adopted approving plans and specifications and call for bids. (Clerk to handle)

8. Consider approval of specifications and call for applications for CATV franchise. (Material with agenda. Suggested time for receiving applications, October 30, 1968 at 2:00 P.M. Resolution approving specifications and call for applications needed)

ACTION: Res. 68-864 adopted (Shastid/Hughes, unan.) approving specifications and call for applications. (C/Mgr. and City Clerk to handle)

CONSENT

9. Consider award of bid for improvement of Paradise Road from Franklin Street to west city limits. (Bids were opened September 10th. The low bid submitted by George Reed, Inc., which is 21% above the Engineer's Estimate, is considered acceptable. Memo of explanation with agenda. Resolution awarding bid and resolution approving appropriation transfer of $9,100 needed. Estimated cost $20,000 (contract $17,305; Engr. and Insp. $2,695). Funds budgeted in Account 6748-1-207, Paradise, Franklin to west City Limits (Sp. Gas Tax Funds) p. 58)

ACTION: Res. 68-865 adopted awarding bid to George Reed, Inc. (P/W to handle)

Res. 68-866 adopted approving appropriation transfer of $18,500 from Fund 207 (Sp. Gas Tax Street Improvement Fund - General Reserve) to Account 6699-01-207 (Granger, McHenry to East City Limits) - $9,400 and to Account 6748-01-207 (Paradise, Franklin to West City Limits) - $9,100. (Finance to handle)

CONSENT

10. Consider award of bid for improvement of Granger Avenue from McHenry Avenue to east city limits.
(Bids were opened on September 10. The low bid submitted by George Reed, inc., which is 1% above the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid and resolution appropriating funds needed. Estimated cost $33,000 (contract $29,791; Engr. & Insp. $3,209). Funds budgeted in Account 6699-1-207, Granger, McHenry to E. City Limits (Sp. Gas Tax) p. 58. Appropriation transfer of $9,400 needed)

ACTION: Res. 68-867 adopted awarding bid to George Reed, Inc. (P/W to handle)
(Note: See Res. 68-866 for appropriation transfer)

CONSENT

11. Accept as complete the contract for modernization of the 12th and I Parking Lot (southeast corner) and authorize City Clerk to file notice of completion.
(The work is complete and it would be in order to accept the job as complete. The contract price was $8,179 and there was one change order for $312.22 for a total cost of $8,491.22. Resolution accepting contract as complete needed. Estimated cost $8,491.22; funds budgeted in Account 5301-57-209, Present Lot Development. $8,179 was encumbered in the 67-68 budget, Account 5301-57-209. The $312.22 for the change order is available in the 68-69 budget account 5301-57-209).

ACTION: Res. 68-868 adopted accepting contract with B. G. Construction Co. (Clerk to handle)

CONSENT

12. Accept as complete Emerald Construction Company, Inc. contract for construction of a comfort station at Beard Brook Park.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work needed. Contract cost $7,089; funds budgeted in Account 6306-321, Beard Brook Restroom #2)

ACTION: Res. 68-869 adopted accepting contract. (Clerk to handle)

CONSENT

13. Consider award of bid for installation of water lines in Tully Manor No. 4 subdivision.
(Bids were opened on September 10, 1968 at 10:30 a.m. and the low bid of Industrial Electrical Co., Inc. which is 7% over the Engineer's Estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $10,378 (Materials $7,150; labor, $3,228). Funds budgeted in Account 6804-50-101, Water Line Extensions)

ACTION: Res. 68-870 adopted awarding bid to Industrial Electrical Co. (P/W to handle)

HEARINGS

14. Hearing on amendment to Section 13-3-8 of zoning map (Gene Thomas Trailer Sales) 4:15 P.M.

ACTION: Ord. No. 922-C.S. introduced (Shastid/Smith, unan.) amending Sec. 13-3-8. (Clerk to handle)

Res. 68-871 adopted (Shastid/Smith, unan.) approving development plan. (Planning to handle)

15. Curb and gutter requirement at 337 Yosemite, Lots 23 and 24, Block 350 (Mrs. Dorothy Corriea) 4:20 P.M.

ACTION: Res. 68-872 adopted (Hughes/Mitchell, unan.) ordering work done. (P/W to handle)

16. Sidewalk requirement on Sycamore and curb and gutter requirement on Mensinger at 1100 Sycamore, Lots 13, 14, 15; Block 743 (Mrs. Rose O'Conner) 4:20 P.M.

ACTION: Res. 68-873 adopted (Hughes/Mitchell, unan.) ordering work done with provision that 90-day extension of time be granted to owner. (P/W to handle)

17. Sidewalk, curb and gutter requirement on Sycamore and sidewalk requirement on Griswold at 901 Sycamore, Lots 22, 23, and 24; Block 723 (Anton Hanneman) 4:20 P.M.

ACTION: Res. 68-874 adopted (Hughes/Mitchell, unan.) ordering work done. (P/W to handle)

18. Sidewalk requirement on Kearney at 1437 Oakwood, Lot 15, Block 6042 (Steven Odell) 4:20 P.M.

ACTION: Res. 68-875 adopted (Hughes/Mitchell, unan.) ordering work done. (P/W to handle)

19. Further consideration of amendment to Section 18-3-9 of zoning map (Meek) (Continued from 9/3/68 meeting) 4:30 P.M.

ACTION: Following extensive discussion a motion was made (Robinson/Smith) to refer this application back to the Planning Commission with instructions that Dr. Meek be permitted to amend his application to request P-D Zoning (vacant land to be a medical facility and the balance to remain as it is now) and that Dr. Meek not be required to pay another filing fee to

A motion (Mitchell/Hughes) to substitute a motion/follow the recommendation of the Planning Commission and grant the rezoning failed as Robinson, Shastid, Smith, and Mayor Davies voted no.

A motion (Mitchell/Shastid) to hold for one week and to vote on the main motion at that time carried. (Clerk to handle)

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

By motion (Hughes/Simon, unan.) P & R Department authorized to permit harvesting of olives in Mellis Park on a first-come, first-served basis. (P & R to handle)

Frank Damrell, Jr. Assistant City Attorney was introduced.

It was reported that Robert Marshall, West Roseburg, had complained that an auto race had been held at the Big C Shopping Center. The staff was directed to see if this is legal. (C/Mgr to handle)

21. Further consideration of amendment to Sec. 8-3-9 of zoning map (Art Wylie)
(Continued from 8/26/68 meeding) 5:15 P.M.

ACTION: Res. 68-876 adopted (Shastid/Smith, majority - Hughes, Mitchell, and Davies, no) referring petition back to Planning Commission. (Planning to handle)

ORDINANCES

CONSENT

22. An ordinance repealing Sections 3-1.235.1 and 3-1.235.2 of Article 2 of Chapter 1 of Title III of the Modesto Municipal Code relating to incinerators.
(Memorandum of explanation with agenda. Introduction of ordinance needed)

ACTION: By motion Ord. No. 923-C.S. introduced. (Clerk to handle)

OLD BUSINESS

23. Motion (Shastid/Hughes) to set fees for new parking lot on 11th Street between I & J at 20¢ per hour with a three-hour limit.
(This motion was made and tabled at the meeting of August 19. On August 26 a motion was made to give further consideration to this motion on September 16)

ACTION: Motion failed as Robinson, Simon, Smith, and Mayor Davies voted no.
By motion (Robinson/Smith, majority - Shastid, no) fees set at 10¢ per hour with three-hour limit. (P & T to handle)

NEW BUSINESS

CONSENT

24. Consider authorization of public auction to be conducted Saturday September 28, 1968 to sell certain surplus personal property of the city and unclaimed and confiscated personal property held by the Police Department over the required six month period.
(List of items to be sold on file in the office of the City Clerk. Resolution needed. Estimated cost $100 (auctioneer fees). Funds budgeted in Account 235-15-101, Services, Prof. & Other, p. 26)

ACTION: Res. 68-877 adopted authorizing public auction.
(Finance to handle)

CONSENT

25. Agreement between City and Modesto City School District of Stanislaus County whereby city agrees to operate the Modesto Elementary School District playgrounds on an afterschool basis to commence on or about September 17, 1968 and to extend to on or about June 7, 1969.
(District is to pay City $7,206 for these services. This agreement is the usual agreement which has been entered into previously with the Modesto City School District whereby City agrees to operate the playgrounds on an afterschool basis. Resolution authorizing agreement needed)

ACTION: Res. 68-878 adopted approving agreement. (Clerk to handle)

26. Court overtime by Policemen.
(To pay for court tim e instead of allowing time off. See attached memo. Motion either rejecting or approving report, and resolution approving transfer of $3,966 if report is accepted)

ACTION: By motion (Mitchell/Simon, unan.) report approved. (Personnel to handle)

Res. No. 68-879 adopted (Mitchell/Simon, unan.) approving appropriation transfer of $3,966 from Account 60-101 (General Reserve) to Account 130-22-101 (Police - Salaries and Wages, overtime). (Finance to handle)

CONSENT
27. Accept improvements in Coffee Plaza No.2 Subdivision and authorize City Clerk to file notice of completion and release bond upon expiration of statutory lien period.
(Coffee Plaza No. 2 Subdivision is located on the east side of Coffee Road at Celeste Drive. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements and authorizing City Clerk to file notice of completion and release bond upon expiration of statutory lien period needed)

ACTION: Res. 68-880 adopted accepting improvements. (Clerk to handle)

28. Councilman Dale Smith requests that the City Council discuss proposed resolution on occupational deferment which he received from the C.A.C.
(Copies of the resolution sent with agenda)

ACTION: Discussion held - no direction given by Council to Councilman Smith.

CONSENT
29. Consider amendment to agreement with Tully Manor Enterprises for temporary sewer service to Tully Manor No. 3 subdivision.
(Amendment provides for service to 18 additional lots. The temporary arrangment of pumping holding tanks has worked satisfactorily and it is recommended that amendment be approved. Resolution approving amendment needed)

ACTION: Res. 68-881 adopted approving amendment to agreement. (Clerk to handle)

CONSENT
30. A resolution approving final map of Coleman Acres 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. Coleman Acres No. 1 subdivision is located between Sylvan Avenue and Parkwood Drive east of Claremont Ave. It contains 7.5 acres. Resolution approving final map needed)

ACTION: Res. 68-882 adopted approving final map. (Clerk to handle)

CONSENT
31. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed on reverse side.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolution setting hearing needed. Suggested hearing date October 7, 1968 at 4:30 P.M.)

CONSENT
(a) Curb and gutter, Lots 11 and 12, Block 355 (Lein).
(Resolution setting hearing needed)

ACTION: Res. 68-883 adopted setting hearing. (P/W to handle)

CONSENT
(b) Sidewalk on Sycamore Ave. at 319 Griswold Ave., Lots 18-21, Block 725, (Joe Howard).
(Resolution setting hearing needed)

ACTION: Res. 68-884 adopted setting hearing. (P/W to handle)

CONSENT
(c) Curb and gutter at 423 Rosedale Ave., Lots 13 and 14, Block 358, (Edna P. Robison).
(Resolution setting hearing needed)

ACTION: Res. 68-885 adopted setting hearing. (P/W to handle)

CONSENT
(d) Sidewalk at 930 Virginia Ave., Lot 7, Block 718, (C. K. Casey).
(Resolution setting hearing needed)

ACTION: Res. 68-886 adopted setting hearing. (P/W to handle)

REPORTS

32. Report on group life insurance bids.
(Quotations received on August 30, 1968. Resolution awarding group life insurance coverage needed; resolution approving appropriation transfer of $3,492 needed)

ACTION: Res. 68-887 adopted (Shastid/Robinson, unan.) awarding coverage to Crown Life Insurance Co. (Personnel to handle)

Res. 68-888 adopted (Shastid/Robinson, unan.) approving appropriation transfer of $3,492 as follows:

From			To	
$3,361	60-101	(Gen. Reserve)	423-64-101	(Ins. & Retirement)
$ 27	60-209	(" ")	423-57-209	(Parking)
$ 24	60-230	(" ")	423-46-230	(Airport)
$ 80	60-512	(" ")	423-48-512	(Service)

(Finance to handle)

CONSENT
33. Presentation of financial statement for July and August 1968. (Copies of report submitted with agenda. Motion accepting needed)

ACTION: By motion report accepted. (Finance to handle)

~~CONSENT~~
34. Presentation of annual inventory of the City of Modesto fixed assets.
(The City Charter, Sec. 801(n) requires that the City Manager shall annually "inventory and place a value on all real estate, buildings, furniture and fixtures, supplies and movable property - belonging to the City" and file one copy of the inventory with the City Council and one with the City Auditor. Motion accepting inventory needed)

ACTION: By motion annual inventory accepted. (Finance to handle)

By motion: (Shastid/Mitchell, unan.) Finance Director authorized to make "sample inventories" on a continuous basis throughout the year. Report to be made to Council on results. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT
35. El Terino Addition (Inhabited) annexation - for referral to Planning Commission.
(Annexation has been requested by residents in the unincorporated "island" located between Coffee Road and M.I.D. Lateral #4, an area which is now completely surrounded by the City. Water service is provided by Del Este Water Company. The area is within the McHenry Dry Creek Fire District from which it will be withdrawn and in the Modesto Elementary School District in which it will remain. If referred to the Planning Commission, the Planning staff will gather additional information. Resolution referring to Planning Commission needed)

ACTION: Res. 68-889 adopted referring to Planning Commission. (Planning to handle)

CONSENT
36. Vacation and abandonment of "O" Street between 10th Street and Needham Avenue.
(By Resolution 68-115 adopted at the meeting of September 3, 1968 the Modesto Planning Commission recommended to the City Council, the vacation and abandonment of "O" Street between 10th Street and Needham Avenue. Resolution of Intention to vacate and abandon and setting a date for public hearing needed)

ACTION: Res. of Intention 307 (1058-S.P.)adopted setting Oct. 7, 1968 at 4:25 P.M. as time for hearing. (Clerk to handle)

Planning Commission requested to hold public hearings on street abandonments. (Planning to handle)

37. Appointment of alternates for Councilman Mitchell and Councilman Smith as members of the Board of Community Action Agency.

ACTION: Mayor Davies appointed Councilman Hughes as alternate for Councilman Mitchell and Councilman Simon as alternate for Councilman Smith. Both nominees indicated inability to accept.

38. Other appointments. ACTION: Res. 68-890 adopted (Shastid/Simon, unan.) appointing Roger Marks to succeed Charles Winton as a member of the Crime Study Committee for a term expiring May 13, 1971. (Clerk to handle)

Adjournment at 7:00 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 23, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None

Pledge of allegiance to the Flag

Invocation: Reverend Herbert Rasske, Modesto Union Gospel Mission

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 20, 23, 24, 26, 27
Item 1 removed from consent.
Robinson/Shastid, unan.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT

1. Minutes of September 16, 1968.

ACTION: Minutes approved (Robinson/Mitchell, unan.). Councilmen Hughes and Simon indicated that they could and would accept nomination as alternate members of Community Action Agency. (Clerk to notify C.A.A.)

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

2. Request of League of California Cities for appointment of voting representative and alternate voting representative for annual league conference.

ACTION: By motion (Shastid/Smith, unan.) Mayor Davies appointed as voting representative, Vice Mayor Robinson as alternate voting representative, and Councilman Mitchell as second alternate. (C/Mgr to handle)

CONSENT

3. Letter of appreciation from Stanislaus County Farm Bureau for action of Council in opposing grape boycott.
(Motion ordering letter filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

4. Request of Referee in Bankruptcy, Frederick Reyland, for use of 2nd floor conference room approximately two or three days a month from about December 1, 1968 to April 1, 1969.

ACTION: By motion (Shastid/Simon, unan.) request granted.
(P/W to handle)

CONSENT

5. Approve plans and specifications and call for bids on Airport Security Lighting.
(Funds are budgeted for airport security lighting around the hangars to reduce vandalism and increase traffic safety at night. Bid opening October 8, 1968 at 10:10 A.M. Resolution approving plans and specifications and call for bids needed. Estimated cost $14,000 (contract $12,569; Engr. & Cont. $1,431). Funds budgeted in Account 6512-230-46, Security Lighting Revision, p. 62)

ACTION: Res. 68-891 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

6. Approve plans, specifications and call for bids for construction of the Claremont Avenue subtrunk sewer in Coleman Acres No. 1 Subdivision.
(Suggested bid opening October 8, 1968 at 10:00 a.m. Resolution approving plans, specifications and call for bids needed. Estimated cost $15,500 (contract $13,200, Engr. & Insp. $2,300). Funds budgeted in Account 6561-52-212, Extend Subtrunk and Perimeter Sewers, Sewer Service Fund, p. 60)

ACTION: Res. 68-892 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

7. Approve plans and specifications and call for bids for installation of water lines in Lorenzen Park No. 4 subdivision.
(Bid opening October 8, 1968 at 10:20 a.m. Preliminary cost estimates $6,200; connection charge, $1,650; net revenue per year, $240. Resolution approving plans, specifications and call for bids needed. Funds budgeted in Account 6804-50-101, Water line extension. Estimated cost $6,200;(materials $3,800; labor $2,400)

ACTION: Res. 68-893 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

8. Approve plans, specifications and call for bids for installation of water lines in Coleman Acres subdivision.
(Bid opening October 8, 1968 at 10:25 a.m. Preliminary cost estimates: Construction cost, $7,800; connection charge, $3,000; net revenue per year, $480. Resolution approving plans, specifications and call for bids needed. Estimated cost $7,800 (Mat. $5,400; labor $2,400). Funds budgeted in Account 6804-50-101, Water Line Extension).

ACTION: Res. 68-894 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT
9. Consider award of bid for construction of concrete bins for storage at city corporation yard to Modesto Precast Stone.
(Bids were opened September 17, 1968 at 10:20 a.m. Memo with agenda. Resolution awarding bid and resolution approving appropriation transfer of $1,232 from General Reserve to Account No. 6516-41-321 needed)

ACTION: Res. 68-895 adopted awarding bid to Modesto Precast Stone. (P/W to handle)

Res. 68-896 adopted approving appropriation transfer. (Finance to handle)

CONSENT
10. Consider award of bid for installation of water line in Downey Avenue between Scenic and McHenry.
(Bids were opened September 17 and the low bid submitted by Valley Construction Co. which is 4.5% below the Engineer's Estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $16,105 (Mat. $5,200; labor $10,905). Funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-897 adopted awarding bid to Valley Construction Co. (P/W to handle)

CONSENT
11. Consider award of bid for construction of grading, paving and drainage in Marshall Park.
(Bids were opened September 17 and the low bid of Elrich Construction Co., which is 29% under the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $16,785 (Contr. $13,885; Engr. & Con. $2,900). Funds budgeted in Account 6274-31-321, Marshall Park Development, Special Fund for Capital Outlays).

ACTION: Res. 68-898 adopted awarding bid to Elrich Construction Co. (P/W to handle)

CONSENT
12. Consider award of contract for construction of Outfall Sewer, Project Unit No. 2, Sewerage Works Improvements, to Frontier Contractors, Inc., of South Lake Tahoe, California, in the total amount of $1,490,783.64.
(Eleven bids were received, as shown on the summary tabulation of bids distributed with agenda. The low bid was 24% below the Engineer's Estimate of $1,969,520. It is anticipated that approval of the award of contract will be received from Economic Development Administration prior to council meeting. Resolution awarding contract needed. Estimated total project cost $1,655,000, including engineering and rights of way. Funds budgeted in Account 6553-405, Muni, Sewer District Improvements)

ACTION: Res. 68-899 adopted awarding contract to Frontier Contractors, Inc. (P/W to handle)

CONSENT

13. Consider award of bid for installation of freeway sprinkler system services to Bibens Nursery Co.
(Bids were opened September 17, 1968 at 10:00 a.m. Memorandum with agenda. Resolution awarding bid needed. Estimated cost $7,002. Funds budgeted in Account 5301-50-101, New Services)

ACTION: Res. 68-900 adopted awarding bid to Bibens Nursery Co. (P/W to handle)

HEARINGS

14. Hearing on East Orangeburg No. 2 annexation to Sewer District No. 1. 7:45 P.M.

ACTION: Res. 68-901 adopted (Shastid/Robinson, unan.) annexing area. (Clerk to handle)

15. Hearing on East Orangeburg No. 3 annexation to Sewer District No. 1. 7:50 P.M.

ACTION: Res. 68-902 adopted (Hughes/Mitchell, unan.) annexing area. (Clerk to handle)

16. Sidewalk, curb and gutter requirement at 911 Sycamore Avenue, Lot 16 and portions of Lots 15 and 17, Block 723 (Mrs. Louise Long) 7:55 P.M.

ACTION: Res. 68-903 adopted (Simon/Robinson, unan.) ordering work done with tree near curb line to be retained. (P/W to handle)

17. Sidewalk, curb and gutter requirement at 905 Sycamore Avenue, Lots 18 through 21 and a portion of 17, Block 723 (Mrs. Francis Atteberry) 7:55 P.M.

ACTION: Res. 68-904 adopted (Simon/Robinson, unan.) ordering work done with two trees near curb line to be retained. (P/W to handle)

18. Discussion of G, H & I Streets traffic pattern. 8:00 P.M.

ACTION: Following the discussion it was ordered by the Mayor that an informal, informational meeting be held in the Council Chambers at 7:30 P.M. on September 30. All interested parties are invited to attend. This will not be a Council meeting and no action will be taken.

19. Matters for the good of the community. 8:05 P.M.
(These may be presented by citizens in the audience)

Councilman Mitchell informed the Council that the Community Action Commission was studying a plan whereby this area would be declared eligible for a Concentrated Employment Program.

The Mayor mentioned Safety Town which is presently in Briggsmore Shopping Center and complimented the Junior Women's Club for sponsoring it.

The Mayor expressed the thought that there should be more painted cross-walks.

John deBoer, member of the Farm-City Committee was introduced.

ORDINANCES

CONSENT

20. Final adoption of Ordinance No. 923-C.S. (Incinerators)

ACTION: By motion Ord. No. 923-C.S. adopted. (Clerk to handle)

OLD BUSINESS

2. Motion (Robinson/Smith) to refer application of Dr. Meek for amendment to Section 18-3-9 of zoning map from R-3 to PO back to Planning Commission with instructions that Dr. Meek be permitted to amend his application to request PD zoning with the vacant land to be a medical facility and the balance of the subject property to remain as it is at present, and that Dr. Meek not be required to pay another filing fee. (The vote on this motion was held over for one week at the September 16 council meeting)

ACTION: Motion withdrawn by Councilman Robinson with the consent of Councilman Smith. Ord. 924-C.S. introduced (Robinson/Shastid, majority - Davies, no) amending Sec. 18-3-9 of zoning map. (Clerk to handle) Res. 68-905 adopted (Shastid/Robinson, unan.) requesting Planning Commission to study possibility of amending code to permit P-D zoning on less than one-acre plots. Res. 68-906 adopted (Shastid/Robinson, unan.) requesting Planning Commission to study possibility of requiring Use Permits for most uses permitted in P-O zones. (Planning to handle)

NEW BUSINESS

22. Request for waiver of business license penalty and interest for late payment.
(A request for waiver of penalty and interest for late payment has been submitted by Standard Oil Company of California. Memo with agenda. Resolution approving or denying request needed)

ACTION: Res. 68-907 adopted (Simon/Shastid, majority - Hughes & Robinson, no) denying request. (Finance to handle)

CONSENT

23. Resolution of intention to call special election for annexation of Strathmore Addition to the City of Modesto.
(A petition containing 135 valid signatures and requesting that the Strathmore Addition be annexed to the City of Modesto has been filed with the City Clerk. This represents 33.92% of the registered voters. Resolution setting time and place for hearing protests to this annexation needed. Suggested hearing date October 28, 1968 at 7:45 P.M.)

ACTION: Res. 68-908 adopted setting time and place for hearing protests. (Clerk to handle)

CONSENT

24. A resolution approving the final map of Lorenzen Park No.4 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 Lorenzen Park No. 4 Subdivision is located on the West side of Rose Avenue between Irene Ave. and Wylie Drive. It contains 3.97 acres. Resolution approving final map and authorizing execution of agreement by city needed)

ACTION: Res. 68-909 adopted approving final map. (Clerk to handle)

25. Dedication of excess property on southwest corner of Tully Road and Northern Boulevard to original property owner.
(The subject property was dedicated by the owner to the City in September, 1958 for the proposed construction of Northern Boulevard. Final studies on the Northern Boulevard alignment resulted in the adoption of a location farther north than originally proposed; therefore, this property is no longer needed for street development. The owner has asked that this excess property be returned to him and it is the recommendation of the Public Works Department that this be done. Resolution deeding excess property to original owner needed)

ACTION: Res. 68-910 adopted (Hughes/Robinson, unan.) authorizing Mayor and Clerk to sign deed returning excess property to Joe Nunes, Jr. and Kathryn Nunes. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

26. Recommend the granting of an unclassified use permit to Modesto City Hospital for expansion of existing hospital facilities at the east corner of 17th and H Streets.
(By Resolution No. 68-119 adopted at its regular meeting on September 17, 1968 the Planning Commission recommends the granting of an unclassified use permit to the Modesto City Hospital for expansion of existing facilities at 17th and H Streets. Resolution setting date for public hearing needed. Suggested date October 14, 1968 at 7:30 P.M., to be adjourned to 4:15 P.M. October 17, 1968)

ACTION: Res. 68-911 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

27. Resolution appropriating $2,504 to cover the cost of automobile and fire insurance costs.
$2,486 - Automobile Insurance; $18, Fire Insurance. Memorandum with agenda. Resolution needed)

ACTION: Res. 68-912Aadopted approving appropriation transfer of $2,486 from 60-48-512 (Gen. Reserve) to 412-48-512 (Service Div., Auto. Ins.) and $18 from 415-64-101 (Ins. & Retirement, Public Liability Ins.)to 413-64-101 (Ins. & Ret., Fire Ins.) (Finance to handle)

MISCELLANEOUS

28. Appointments.

None.

Adjournment at 10:05 P.M.

ATTEST: W. T. Chynowcth
W. T. CHYNOWCTH, CITY CLERK

Modesto City Council
September 30, 1968

The Council of the City of Modesto met in special session this date at 7:30 P.M., in the Council Chambers, City Hall, 801 - 11th Street, Modesto, California, as provided by Section 2-1.02 of the Modesto Municipal Code for the purpose of holding an informal hearing on "Downtown Traffic Plan."

Present: Councilmen: Mitchell, Robinson, Simon, Smith, Mayor Davies

Absent: Councilmen: Hughes, Shastid

Following a statement by Mayor Davies of the purpose for the meeting, Russell Fey, Director of Planning, outlined the history of Planning Commission and Council deliberations and actions concerning Downtown traffic. Members of the audience then presented statements and asked questions on this subject. The questions were answered by members of the Council and the staff. No formal action was taken by the Council.

The meeting adjourned at 9:40 P.M.

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

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 7, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None.
Councilman Shastid was excused at 7:30 P.M.

Pledge of allegiance to the Flag
Invocation: Reverend Arthur Brohm, Grace Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 11, 12, 12A, 13, 14, 15, 16, 17, 26, 27, 28, 29, 30, 31, 32, 35a, b, c, d, e, 36, 37, 38, 39a, b, c, 40, 41, 42, 43, 44, 45, ~~46~~, 47, 48, 49, 50, 51

Item 46 removed from Consent.
Shastid/Robinson, unan.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items.)

Mayor Davies welcomed Scoutmaster Mrs. Doris Mitchell and members of Cadet Troop #565.

PRESENTATION OF SUGGESTION AWARDS

1. Suggestion awards:
   (a) Curtis Holley, for suggesting a modified circuit on the high water alarm; $25 award;

   (b) $20 award to Sammy Rushing for suggesting a valve box puller when installing the new meter mains.
   (Mayor to present awards. Estimated cost $45; funds budgeted in Account 236-17, Suggestion System).

ACTION: Awards presented by Mayor Davies.

CONSENT
2. Confirmation of canvass of votes in the Harte Tract Addition annexation election.
   (The canvass by the City Clerk indicates that the election carried by a vote of 48 yes and 37 no. A resolution confirming the canvass and an ordinance annexing the area is required.)

ACTION: Res. 68-912 adopted confirming canvass of votes.
Ord. 925-C.S. introduced and adopted annexing Harte Tract Addition to the City of Modesto. (Clerk to handle)

APPROVAL OF MINUTES

CONSENT
3. Minutes of September 23 and 30, 1968.

ACTION: Minutes approved.

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

CONSENT
4. Resignation of Joe Mineni, Jr. from Modesto Human Rights Commission.
   (Resolution accepting with regret needed).

ACTION: Res. 68-913 adopted accepting resignation with regret.
(Clerk to handle)

CONSENT

5. Letter from Division of Highways re bus stops on Route 132. (Staff has been in contact with bus company but has not received answer. Motion referring to staff needed).

ACTION: By motion referred to staff. (P & T to handle)

6. Letter from Library and Culture Commission suggesting that a committee be appointed if centennial celebration of founding of Modesto is to be held.

ACTION: Referred to Public Relations Committee. (C/Mgr to handle)

7. Letter from Beautification Committee suggesting that inquiry concerning California Bicentennial Celebration be referred to historically oriented groups.

ACTION: Referred to Public Relations Committee. (C/Mgr to handle)

8. Resolution from Modesto City Schools opposing Proposition No. 9.

No formal action taken by Council as some Councilmen have not had an opportunity to study. An informal polling indicated that the majority of the Council opposed Proposition No. 9.

9. Letter from "Californians for Modern Hospitals" urging support for Proposition No. 5.

ACTION: Staff directed to prepare report for Council on pros and cons on Proposition No. 5. (C/Atty to handle)

10. Letter from Mayor Edmiston of Tehachapi concerning proposed legislation to require harsher penalties for assault upon policemen or firemen.

ACTION: No action required at this time but action may be requested when legislation is introduced.

CONSENT

11. Appeal by Wolverine Building Service on discontinuance of walkway north of Lafayette Ave. in Cranbrook Colony. (Resolution setting hearing needed. Suggested hearing date October 28, 1968 at 7:45 P.M.).

ACTION: Res. 68-914 adopted setting hearing. (Clerk to handle)

CONSENT

12. Request of Chamber of Commerce for payment of annual appropriation. (Motion granting request needed).

ACTION: By motion payment of $15,000 budgeted in Account 447-61 approved. (Finance to handle)

CONSENT
12A. Request from D.I.D. for two-week extension of Saturday free on-street parking program.
(Motion granting request needed)

ACTION: By motion free Saturday on-street parking program extended to include October 12 and 19. (P & T and Police to handle)

BIDS

CONSENT
13. Accept as complete furnishing and installation of hardwood floor in Maddux Youth Center.
(The work has been completed to the satisfaction of the Parks and Recreation Department on September 24, 1968. Resolution accepting work needed. Funds budgeted in Account 7902-31-321, Maddux Youth Center Floor).

ACTION: Res. 68-915 adopted accepting work. (Clerk to handle)

CONSENT
14. Consider award of bid for construction of Airport Runway 29R Extension.
(Bids were opened on October 1 and the low bid submitted by Thomas Construction Company of Fresno, which is 3% above the Engineer's Estimate, is considered acceptable. Therefore it is recommended by the Public Works Department that the bid be awarded to them subject to receipt of grant offer from Federal Aviation Agency. Resolution awarding bid needed. Estimated cost $164,000 (Contract $136,061; Engr. & Cont. $27,939). Funds budgeted in Account 6527-46-230, Runway Extension South Airport Fund, p. 62)

ACTION: Res. 68-916 adopted awarding bid to Thomas Construction Co. subject to receipt of Grant Offer from Federal Aviation Agency. (P/W to handle)

CONSENT
15. Approve plans and specifications and call for bids for installation of water lines in Tradewinds No. 3 Subdivision.
(Bid opening October 22, 10:05 a.m. Preliminary Costs: Construction $2,800; connection charges, $1,382.75; net annual revenue, $170. Resolution approvings plans, specifications and call for bids needed. Estimated cost $2,800; materials $1,550; labor, $1,250. Funds budgeted in Account 6804-50-101, Water line extension).

ACTION: Res. 68-917 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT
16. Approve plans and specifications and call for bids for installation of water lines in Highland Manor No. 4.
(Bid opening October 22, 1968 at 10:00 a.m. Preliminary costs: Construction, $7,800; connection charges, $4,900; Net annual revenue, $784. Resolution approving plans, specifications and call for bids needed. Estimated cost $7,800 (Materials $5,450; labor, $2,350; funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-918 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

17. Consider award of bid for construction of airport runway 29R lighting systems.
(Bids were opened on October 3 and the lowest qualified bid submitted by Ferrero Electric Co., which is 11% below the Engineer's Estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them subject to receipt of grant offer from FAA. See attached memo. Resolution awarding bid needed. Estimated cost $99,241; construction $79,741; Engr. & Cont. $19,500. Funds budgeted in Account 6510-46-230, Airport Approach Lights & High Intensity Runway Lights, Airport Fund, also Account 6531-46-230, p. 62)

ACTION: Res. 68-919 adopted awarding bid to Ferrero Electric Co. (P/W to handle)

18. Hearing on annexation of Leveland Addition to Modesto Municipal Sewer District No. 1. 4:15 p.m.

ACTION: Res. 68-920 adopted (Shastid/Simon, unan.) annexing Leveland Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

19. Informal hearing on request of AZO Research Associates for permission to purchase cats and dogs from city pound. 4:20 p.m.

ACTION: By motion (Simon/Robinson, majority - Hughes, no) requests of AZO Research Associates and Knudsen's Laboratory of Lathrop for permission to purchase cats and dogs from City Pound denied. (Clerk to handle)

20. Hearing on abandonment of portion of "O" Street. 4:25 p.m.

ACTION: By motion (Shastid/Mitchell, majority - Simon, no) request for abandonment of portion of "O" Street denied. By Order of the Mayor staff directed to study use of this property as well as adjacent properties. (Planning to handle)

21. Curb and gutter requirement at 421 Leon Avenue, Lots 11 and 12, Block 355 (Ambrose J. Lein) 4:30 p.m.

ACTION: Res. 68-921 adopted (Hughes/Robinson, unan. - Shastid absent) ordering work done. (P/W to handle)

22. Sidewalk requirement on Sycamore Avenue at 319 Griswold Ave., Lots 18 - 21, Block 725 (Joe Howard) 4:30 p.m.

ACTION: Res. 68-922 adopted (Hughes/Robinson, unan. - Shastid absent) ordering work done. (P/W to handle)

23. Curb and gutter requirement at 423 Rosedale Avenue, Lots 13 and 14, Block 358 (Mrs. Edna P. Robison). 4:30 p.m.

ACTION: Res. 68-923 adopted (Hughes/Robinson, unan. - Shastid absent) ordering work done. (P/W to handle)

24. Sidewalk requirement at 930 Virginia Ave., Lot 7, Block 718 (C. K. Casey) 4:30 p.m.

ACTION: Res. 68-924 adopted (Hughes/Robinson, unan. - Shastid absent) ordering work done. (P/W to handle)

25. Matters for the good of the community.
(These may be presented by citizens in the audience) 4:35 p.m.
Frank Andrews spoke on a variety of subjects.

ACTION: Res. 68-925 adopted (Mitchell/Robinson, unan. - Shastid absent) approving permit from State Lands Division for crossing of Tuolumne River by sewer outfall line. (Clerk to handle)

ORDINANCES

CONSENT
26. Final adoption of Ord. No. 922-C.S. (amendment to Section 13-3-8 of zoning map - Gene Thomas Trailer Sales).

ACTION: By motion Ord. No. 922-C.S. adopted. (Clerk to handle)

CONSENT
27. Final adoption of Ord. No. 924-C.S. (Amendment to Section 18-3-9 of zoning map - W. Lawrence Meek, D.C.).

ACTION: By motion Ord. No. 924-C.S. adopted. (Clerk to handle)

CONSENT
28. Consider ordinance amending the Title of Article 3 of Chapter 1 of Title IV of the Modesto Municipal Code and amending Section 4-1.301 of Article 3 of Chapter 1 of Title IV relating to permits for amusement activities.
(Memo relating to this sent to Mayor and councilmen with agenda. Introduction of ordinance needed)

ACTION: By motion Ord. No. 926-C.S. introduced. (Clerk to handle)

CONSENT
29. Consider amendment to City of Modesto contract with Public Employees Retirement System.
(To provide present retirees with increased pensions as previously approved by the City Council, and to be effective January 1, 1969. (Introduction of ordinance and adoption of resolution approving appropriation transfer of $9210 from Account 60-101 (General Reserve). Estimated cost $1,535 per month).

ACTION: By motion Ord. No. 927-C.S. introduced. (Clerk to handle)
Res. 68-926 adopted approving appropriation transfer of $9,210 from Account 60-101 (Gen. Reserve) to Account 425-64-101 ($8,910), 57-209 ($66), 46-230 ($65) and 48-512 ($169) P.E.R.S. Contributions. (Finance to handle)

NEW BUSINESS

CONSENT
30. Resolution determining that the public interest and convenience require that Rose Acres No. 2 Addition be annexed to Modesto Municipal Sewer District No. 1 and naming time and place for hearing.
(Rose Acres No. 2 Addition has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Resolution with 2/3 affirmative vote needed setting hearing. Suggested hearing date November 18, 1968 at 4:15 P.M.)

ACTION: Res. 68-927 adopted setting hearing. (Clerk to handle)

CONSENT
31. Request council permission to conduct Junior Fire Marshall Program in all elementary schools in the City during fire prevention week October 6 - 12, 1968.
(See attached copy of memorandum to City Manager. Motion approving program needed. No cost to city).

ACTION: By motion program approved. (Fire to handle)

CONSENT

32. Consider approval of allocation offer and preliminary agreement from California Aeronautics Division.
(The California Aeronautics Board has allocated $8,922 for fiscal year 1969-70 toward construction of taxiway overlay, holding aprons, and tiedown overlays at the City-County Airport. These projects are in the Capital Improvement budget to be constructed in 1969-70. Resolution approving allocation offer and authorizing the City Manager to sign the preliminary agreement in behalf of City needed)

ACTION: Res. 68-928 adopted approving offer and agreement. (P/W to handle)

33. Consider agreement between City and Austin, Field & Fry for architectural services in connection with the City-County library building.
(Memo with agenda. Resolution approving agreement and authorizing City Manager to execute agreement on behalf of City needed)

ACTION: Res. 68-929 adopted (Hughes/Simon, unan. - Shastid absent) approving agreement. (Clerk to handle)

34. Consider agreement between City and County of Stanislaus to consolidate library functions in one single operating unit as the Stanislaus County Free Library System.
(The Board of Supervisors executed this agreement at its meeting held October 1, 1967, and it would now be appropriate for the City Council to authorize execution of the agreement by the City. Resolution authorizing execution of agreement needed).

ACTION: Res. 68-930 adopted (Smith/Robinson, unan. - Shastid absent) approving agreement. (Clerk to handle)

CONSENT

35. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at the properties listed below.
(The amounts assessed against the properties will be included in reports distributed with the agenda for the hearing date. The City Clerk will set date for hearing. Resolution needed. Suggested hearing date October 21, 1968 at 4:15 P.M. Funds budgeted in Account 5302-51-101, Curbs and gutters, special)

CONSENT

(a) Curb and gutter at 413 Leon Ave., Lots 7 and 8, Block 355, Cost, $126.75 - Mrs. Katie Keck).
(Resolution setting hearing needed)

ACTION: Res. 68-931 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalk at 438 Leon Ave., Lots 29 and 30, Block 354, Cost $129.25 - Mr. Harold Parker).
(Resolution setting hearing needed)

ACTION: Res. 68-932 adopted setting hearing. (P/W to handle)

CONSENT
35. (c) Curb and gutter at 310 Colorado Ave., Lots 1 and 2, Block 350, Cost - $387.33 - Mr. Elzie Hall.
(Resolution setting hearing needed)

ACTION: Res. 68-933 adopted setting hearing. (P/W to handle)

(d) Sidewalk on Enslen Avenue at 1205 Enslen Avenue, Lot 13, Block 6006; cost - $259.30 - Leland Brewer.
(Resolution setting hearing needed)

ACTION: Res. 68-934 adopted setting hearing. (P/W to handle)

(e) Curb and gutter at 325 Yosemite Avenue, Lots 17 and 18, Block 350; Cost, $161.38 - Lucas A. Ayala.
(Resolution setting hearing needed)

ACTION: Res. 68-935 adopted setting hearing. (P/W to handle)

CONSENT
36. Consider approval of proposal for engineering services by Ralph Morgan, Civil Engineer, to provide engineering services for the design of new office building at City-County Airport.
(Memorandum with agenda. Resolution approving proposal of Ralph Morgan, Civil Engineer needed. Estimated cost $1,600; funds budgeted in Account 6513-46-230, New Office Building, p. 62 Airport Fund).

ACTION: Res. 68-936 adopted approving proposal. (P/W to handle)

CONSENT
37. Consider approval of proposal by Ralph Morgan, Civil Engineer, to provide preliminary engineering and cost estimates for expansion of the United Airlines Terminal Building at City-County Airport.
(Memorandum with agenda. Resolution approving proposal needed. Estimated cost $250. Appropriation transfer to be requested later from Fund 230-5304, Expand Parking Area, United Airlines, if Council approves proposal)

ACTION: Res. 68-937 adopted approving proposal. (P/W to handle)

CONSENT
38. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the location listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolution setting hearing needed. Suggested date October 21, 1968 at 4:20 P.M.)
(a) Sidewalk on Western Way at 1421 Western Way, portion of Lots 25, 26 and 27, Block 353.(Mrs. Pauline B. Simms).

ACTION: Res. 68-938 adopted setting hearing. (P/W to handle)

CONSENT
39. Resolutions approving final maps and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreements have been signed and all fees paid. Adoption of resolutions approving final maps and authorizing execution of agreements by City needed)

CONSENT
(a) Highland Manor No. 4 Subdivision, located south of Celeste Drive between Rose Avenue and Old Oakdale Road, containing 9.54 acres.
(Resolution needed)

ACTION: Res. 68-939 adopted approving final map. (Clerk to handle)

CONSENT
(b) Tradewinds No. 3 Subdivision, located on the south side of Celeste Drive between Rose Avenue and Old Oakdale Road, containing 3.63 acres.
(Resolution needed)

ACTION: Res. 68-940 adopted approving final map. (Clerk to handle)

CONSENT
(c) Rose Terrace No. 1 Subdivision, located on the east side of Rose Avenue north of Celeste Drive, containing 5.56 acres.
(Resolution needed)

ACTION: Res. 68-941 adopted approving final map. (Clerk to handle)

CONSENT
40. Consider designating speed limits on recently annexed portions of River Road and Oakdale Road.
(In view of the small amount of development on the annexed portions, it is recommended that the county speek limits of 35 MPH on River Road west of Herndon and 50 MPH on Oakdale at Celeste be adopted. Ordinance amending Section 3-2.1401 of Municipal Code needed)

ACTION: Ord. No. 928-C.S. introduced. (Clerk to handle)

CONSENT
41. Consider request for sewer service to property at 1405 Garden Avenue located on the north side of Garden Avenue between Sutter Avenue and Colorado Avenue.
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City; however, a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 68-942 adopted approving agreement with Jesse and Pairlee O'Daniel. (P/W to handle)

CONSENT

42. Consider hiring an appraiser to appraise properties which are needed for the Tuolumne River Regional Park.
(County of Stanislaus has already agreed to pay one-half of the estimated $2,500 appraisal cost. It is anticipated that application will be made for state bond funds to acquire the six parcels of property needed for the Tuolumne River Regional Park. Motion directing staff to proceed with appraisals needed. Estimated cost $1,250; funds budgeted in Account 6329-31-321, Tuolumne Regional Park, Land Acquisition, p. 63, 1968-69 budget).

ACTION: By motion staff directed to proceed with appraisals. (C/Mgr to handle)

CONSENT

43. Consider revised letter agreement from Orrick, Herrington, Rowley and Sutcliffe, Attorneys at law, which provides for payment of legal fees for services rendered by said legal counsel in connection with Sunrise Improvement District.
(Memorandum with agenda. Resolution approving revised letter agreement and rescinding Resolution 68-375 adopted April 22, 1968 needed)

ACTION: Res. 68-943 adopted approving revised letter agreement and rescinding Res. 68-375. (Clerk to handle)

CONSENT

44. Consider right of way contract from Harold A. Knowles and Dena W. Knowles, together with grant deed for Parcel 3094-1 for widening of Paradise Road and consider right of way agreement and quitclaim deed from Standard Oil Company of California, a corporation, for the same parcel of property.
(The terms and conditions of both the right of way contract and the right of way agreement are that the city, at no expense to grantors, shall cause the installation of curbs and gutters along the Paradise Road frontage of the property, said curbs and gutters to include the radius at the intersection of Sutter Avenue. City shall also cause the installation of two 41 foot driveway approaches along the Paradise Road frontage of the subject property. Adoption of two resolutions needed - 1 approving the right of way contract from Harold A. and Dena W. Knowles, and 1 approving the right of way agreement from Standard Oil Company of California).

ACTION: Res. 68-944 adopted approving right of way contract from Harold A. and Dena W. Knowles.

Res. 68-945 adopted approving right of way agreement from Standard Oil Co. of California. (C/Attorney to handle)

REPORTS

CONSENT

45. Report on application for license to collect garbage - Bonzi.
(Resolution setting date for hearing needed - Suggested date October 21, 1968 at 4:25 P.M.

ACTION: Res. 68-946 adopted setting hearing. (Clerk to handle)

XXXXXXXX

46. Presentation of annual financial audit.
(The fiscal records of the City of Modesto have been audited by Nattinger, Lowry & Martin. The audit report will be presented to Council. Motion accepting audit and authorizing payment needed. Estimated cost $2,100; funds budgeted in Account 65-235,Misc. Unclass.)

ACTION: By motion (Mitchell/Robinson, unan.) report accepted. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

47. Morris Addition - for referral to Planning Commission.
(Uninhabited annexation. Information with agenda. Resolution referring to Planning Commission needed)

ACTION: Res. 68-947 adopted referring to Planning Commission. (Planning to handle)

CONSENT

48. Recommend commencement of proceedings for the annexation to the City of inhabited territory - El Terino Addition.
(On October 1, 1968 the Planning Commission adopted Resolution No. 68-126 recommending to the Council the commencement of proceedings for the annexation to the City of inhabited territory (El Terino Addition). Resolution consenting to commencement of proceedings needed).

ACTION: Res. 68-948 adopted consenting to commencement of proceedings. (Planning to handle)

CONSENT

49. Consider amendments to Chapter 2 of Title X of Modesto Municipal Code (zoning regulations).
(On October 1, 1968 the Planning Commission adopted Resolution No. 68-121, recommending to the City Council amendments to Chapter 2 of Title X of the Modesto Municipal Code - amendment to the parking requirements section of the zoning regulations). Resolution setting dated for public hearing needed. Suggested date October 28, 1968 at 7:50 P.M.)

ACTION: Res. 68-949 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

50. Consider appropriating funds for installation of flasher lights at Roseburg and Kearney.
(Accidents continue to occur at this intersection even after installation of double stop signs, stop ahead signs and painted stop and stop ahead markings. It is recommended that the flasher light now at 14th and K be installed with two new signal poles. A transfer is needed to provide funds for the poles and labor for installation. Resolution approving transfer needed. Estimated cost $1,100)

ACTION: Res. 68-950 adopted approving appropriation transfer of $1,100 from Account 60-101 (Gen. Reserve) to Account 5306-56-101 (P & T - Flashing Lights - Roseburg - Kearney). (Finance to handle)

CONSENT

51. Appropriation transfer for a temporary employee at Modesto Community Service Center.
(The regular employee is off on extended sick leave. Therefore, it was necessary to hire a temporary replacement which was not anticipated at budget time. Resolution approving transfer from General Fund, General Reserve (101-60) to 120-34-101, Modesto Community Service Center, Salaries & Wages, part-time. Estimated cost $1,700)

ACTION: Res. 68-951 adopted approving appropriation transfer of $1,700 from Account 60-101 (Gen. Reserve) to Account 120-34-101 (Modesto Community Center, Salaries & Wages, Part-Time). (Finance)

MISCELLANEOUS

52. Appointments.

None.

53. Executive session to consider purchase of Chalet Homes property at 1515 H Street for use as part of proposed library site.

The Councilmen retired to executive session at 7:47 P.M. with the announcement that they would not return to open session.

Adjournment at 7:47 P.M.

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

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 14, 1968 AT 7:30 P.M.
(NOTE: This meeting will be adjourned to October 17, 1968 at 4:00 P.M. and all matters scheduled for October 14 will be considered on October 17)

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation: Reverend W. Yeager, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, ~~14~~, 15, 16, 20, 21, 22, 23a, b, c, d, e, f, g, h, i, j, k; 24 ~~26~~, 27a, b, c, d, e, f, g, h, i; 29, 30
Items 14 & 26 removed from consent.
(Smith/Robinson, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items.)

APPROVAL OF MINUTES

CONSENT
1. Minutes of October 7, 1968.
ACTION: Minutes approved.

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

CONSENT
2. Petition from residents of Shaftesbury Court requesting light not be installed. (Motion referring to staff needed)
ACTION: By motion referred to staff. (P/W to handle)

3. Request of Chief Administrative Officer of Stanislaus County that agreement whereby the County pays the City $500 per year for maintaining street lights around Court House square, be terminated as of June 30, 1968.
ACTION: By motion (Robinson/Shastid, unan.) request granted. (C/Mgr & Finance to handle)

CONSENT
4. Letter of appreciation from Mrs. Joan Truslow re AZO Research Associates hearing. (Motion ordering letter filed needed)
ACTION: By motion letter ordered filed. (Clerk to handle)

CONSENT
5. Request by residents of Crestwood Dr., Bel Passi Dr., Terrace Place, Packwood Dr. and Heartwood Way for formation of improvement district. (Motion referring to staff needed)
ACTION: By motion referred to staff. (C/Atty & P/W to handle)

CONSENT

6. Accept as complete Don L. Davis Painting contract for the painting of City of Modesto elevated water Tank No. 1.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept this work as complete and authorize the City Clerk to file a Notice of Completion. Resolution accepting the work as complete and authorizing the City Clerk to file a Notice of Completion needed. Estimated cost: $3,990; funds budgeted in Account No. 6832-50-101; Tank No. 1.)

ACTION: Res. 68-952 adopted accepting contract. (Clerk to handle)

CONSENT

7. Consider award of bid for installation of water lines in Coleman Acres Subdivision.
(Bids were opened October 8th, and the low bid of Industrial Electrical Co. is 11% over the Engineer's Estimate. This is in excess of the established 10% limitation but is considered acceptable, and the Public Works Department recommends the contract be awarded to them because of the heavy City Forces work load. Resolution awarding bid needed. Estimated cost: $8,051 (Material $5,400; Labor $2,651); Funds budgeted in Account No. 6804-50-101; Water Line Extension.)

ACTION: Res. 68-953 adopted awarding bid to Industrial Electrical Co. (P/W to handle)

CONSENT

8. Consider award of bid for installation of water lines in Lorenzen Park No. 4 Subdivision.
(Bids were opened October 8 and the low bid of Valley Construction Co. which is 4% over the Engineer's Estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost: $6,325.50 (Material $3,800; Labor $2,525.50); Funds budgeted in Account No. 6804-50-101; Water Line Extension.)

ACTION: Res. 68-954 adopted awarding bid to Valley Construction Co. (P/W to handle)

CONSENT

9. Consider award of bid for Construction of Claremont Avenue Subtrunk Sewer in Coleman Acres No. 1.
(Bids were opened October 8 at 10:00 A.M. and the low bid of D. A. Parrish & Sons of Stockton, which is 11% below the Engineer's Estimate is considered acceptable. Therefore it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost: $14,014.30 (Contract $11,714.30; Engr. & Insp. $2,300); Funds budgeted in Account No. 6561-52-212; Account Name, Extend Subtrunk and Perimeter Sewers.)

ACTION: Res. 68-955 adopted awarding bid to D. A. Parrish & Sons. (P/W to handle)

CONSENT

10. Consider award of bid for Construction of Airport Security Lighting. (Bids were opened October 8 at 10:10 A.M. and the low bid of Ferrero Electric Company which is 1.5% over the Engineer's Estimate is considered acceptable. Therefore it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost: $14,000 (Contract $12,757.80; Engr. & Cont. $1,242.20); Funds budgeted in Account No. 6512-230-46, Security Lighting Revisions, p. 62.)

ACTION: Res. 68-956 adopted awarding bid to Ferrero Electric Co. (P/W to handle)

CONSENT

11. Approve plans and specifications and call for bids of the Improvement of Montclair Drive between Royalton Avenue and Tully Road. (Bid Opening: November 5, 1968 at 10:00 A.M. Developers have paid City the estimated cost of completing the improvements on Montclair Drive as per agreement between City of Modesto and developers. Resolution approving plans and specifications and call for bids needed. Estimated cost: $15,500 (Contract $13,500 - Engr. $2,000); Funds budgeted in Account No. 6659-41-321; Montclair Drive Improvement. If after bids are opened and additional funds are needed, we will make application for appropriation transfer.)

ACTION: Res. 68-957 adopted approving plans and specifications and call for bids. (Clerk to handle)

HEARINGS

12. Hearing on unclassified use permit application of Modesto City Hospital 4:15 P.M.

ACTION: Res. 68-958 adopted (Shastid/Simon, unan.) granting unclassified use permit. (Planning and P/W to handle)

13. Matters for the good of the Community (These may be presented by citizens in the audience) 4:20 P.M.

ACTION: Res. 68-959 adopted (Smith/Robinson, unan.) opposing Proposition #9. Staff to publicize the bad effects of this Bill. (C/Mgr to handle)

Staff to furnish information on Proposition #1A. (C/Atty to handle)

It was reported that Ryan Signs have been given until October 30 to remove the over-height sign located on J St. at 17th.

Chief Ammerman reported on police procedures in connection with stolen bikes. It was pointed out that a "Letter to the Editor of the Modesto Bee" was in error as there was no serial number of the bike which was mentioned in the letter.

Frank Andrews spoke on the matter of attendance at conferences. He indicated opposition to this.

Robert Young, member of Farm-City Committee, was introduced.

ORDINANCES

CONSENT
14. Final adoption of Ord. No. 926-C.S. (Permits for Amusement Activities)

ACTION: Consideration continued to meeting of October 21. (Clerk to handle)

CONSENT
15. Final adoption of Ord. No. 927-C.S. (Retirement)

ACTION: By motion Ord. No. 927-C.S. adopted. (Clerk to handle)

CONSENT
16. Final adoption of Ord. No. 928-C.S. (Speed limits)

ACTION: By motion Ord. No. 928-C.S. adopted. (Clerk to handle)

OLD BUSINESS

17. Consideration of determination of site for proposed new library. (Motion approving site location needed)

ACTION: By motion (Robinson/Smith, unan.) block bounded by 15th, 16th, H and I Streets approved. Staff to contact Citizens' Cultural Center Committee concerning this. (C/Mgr to handle)

18. Authorization of Austin, Field & Fry to proceed with preparation of necessary drawings and documents to present to California State Library Board for purposes of obtaining a Federal grant. (Motion authorizing Austin, Field & Fry to proceed as outlined in the agreement approved 10-7-68 needed.)

ACTION: By motion (Simon/Smith, unan.) Austin, Field & Fry authorized to proceed. (C/Mgr to handle)

19. Consider proposal to purchase property owned by Chalet Homes, 1515 H Street. (Motion directing staff needed)

ACTION: Res. 68-960 adopted (Robinson/Smith, unan.) approving agreement with Stanley W. and Charlotte E. Smith for purchase of property at 1515 H Street. (C/Mgr. to handle)

NEW BUSINESS

CONSENT
20. Permission for Councilman William Mitchell to attend the annual Congress of Cities Conference (National League of Cities) in New Orleans, December 7-11, 1968, and to leave two days early to attend meeting of the Town Affiliation Assoc. of the U. S., Inc. (People-to-People program). (Motion granting request needed.)

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

CONSENT

21. Accept improvements in Skylane Park No. 4 Subdivision and authorize City Clerk to file a Notice of Completion and release bond upon expiration of the statutory lien period.
(Skylane Park No. 4 Subdivision is located between Mount Vernon and Hunt and Prescott Road and Carver Road. All improvements have been completed to the satisfaction of the Department of Public Works and all fees have been paid. Resolution accepting improvements and authorizing City Clerk to file a Notice of Completion and release the bond upon expiration of the statutory lien period needed.

ACTION: Res. 68-961 adopted accepting improvements. (Clerk to handle)

CONSENT

22. Approve agreement with State for revision of signals and interconnection-coordination equipment on McHenry Ave.
(The intersections from Roseburg to Floyd, inclusive, are to be improved with more traffic responsive equipment. Report by the Director of Parking and Traffic sent with agenda. Resolution approving the agreement with the State needed. Estimated cost: Total cost - $40,000, City's share - $18,000. Funds budgeted in Account No. 6229-56, McHenry Signal System, p. 63 of budget.)

ACTION: Res. 68-962 adopted approving agreement. (Clerk to handle)

CONSENT

23. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at the properties listed below. Resolution setting date for hearing: November 4, 1968 at 4:15 P.M. needed. Estimated cost: Contract costs as listed with each item. Funds budgeted in Account No. 5302-51-101, Curbs & Gutters, Special.)

CONSENT

(a) Sidewalk, curb and gutter on Las Palmas at 225 Las Palmas, Lots 17 and 18, Block 259 ($289.91) (Estate of Beulah Thomas)

ACTION: Res. 68-963 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalk on La Loma at 334 La Loma, Lot 2, Block 206 ($214.00) (Leland E. Thiel)

ACTION: Res. 68-964 adopted setting hearing. (P/W to handle)

CONSENT

(c) Curb and gutter on Tebbutt Avenue at 1329 Teresa Avenue, Lot 16, Block 6083 ($364.66) (Jack Paul Ventimiglia)

ACTION: Res. 68-965 adopted setting hearing. (P/W to handle)

CONSENT

(d) Sidewalk on Jefferson Street at 201 Maple Street, Lots 13 and 14, Block 416 ($320.80) (Intercounty Homes Sales Company)

ACTION: Res. 68-966 adopted setting hearing. (P/W to handle)

CONSENT

(e) Curb and gutter on Pine Street at 302 Pine Street, Lots 15 and 16, Block 414 ($126.75) (Mr. Ben E. Moore)

ACTION: Res. 68-967 adopted setting hearing. (P/W to handle)

CONSENT

(f) Sidewalk, curb and gutter on Western Way at 402 Leon Avenue, Lots 47 and 48, Block 354 ($654.21) (Mr. Harry S. Paul)

ACTION: Res. 68-968 adopted setting hearing. (P/W to handle)

CONSENT

(g) Curb and gutter at 210-212 California Avenue, Lots 19 and 20, Block 401 ($66.70) (Mr. Rue Carley)

ACTION: Res. 68-969 adopted setting hearing. (P/W to handle)

CONSENT

(h) Sidewalk on Grape Avenue at 1404 Grape Avenue, Lot 1, Block 6253, ($239.68) (Mr. Bill Lenser)

ACTION: Res. 68-970 adopted setting hearing. (P/W to handle)

CONSENT

(i) Sidewalk, curb and gutter at 413 Maple Street, Lot 4, Block 4094, ($266.73) (Mr. Floyd E. Ward)

ACTION: Res. 68-971 adopted setting hearing. (P/W to handle)

CONSENT

(j) Curb and gutter at 405 Maple Street, Lots 2 and 3, Block 4094, ($273.50) (Mrs. Canella Pepelis)

ACTION: Res. 68-972 adopted setting hearing. (P/W to handle)

CONSENT

(k) Curb and gutter on South side of Maple Street at the Southwest corner of Franklin Street, Lot 1, Block 4094 ($139.12) (Mrs. Demetria Pepelis)

ACTION: Res. 68-973 adopted setting hearing. (P/W to handle)

REPORTS

CONSENT

24. Presentation of Financial Statement for September, 1968. (Motion accepting Financial Statement needed.)

ACTION: By motion Financial Statement accepted. (Finance to handle)

25. Report on Meyers - Milias - Brown Act as amended in 1968. (Labor relations (This concerns public employee organizations. An oral report will be made at the Council meeting. No Council action needed.

No action.

CONSENT
26. Report concerning fall leaf pickup to be handled by the Public Works Department.
(Memo with agenda. No Council action needed.)

ACTION: By motion (Robinson/Simon, unan.) report received. (P/W to handle)

CONSENT
27. Report on cost of installation of water mains.
(No Council action needed.)

(a) Tully Road between Woodrow Avenue and Standiford Avenue.
(b) Pelton Avenue and Hammond Street.
(c) Greenwood Estates No. 2 Subdivision.
(d) Elm Avenue and Carpenter Road.
(e) Sherwood Manor No. 3 Subdivision.
(f) McHenry Avenue between Norwegian and Bowen Avenues.
(g) Scenic Manor Subdivision.
(h) Campos Verdes Subdivision.
(i) Block 6007 between Orangeburg and Roseburg.

No action.

28. Further report by Planning Commission on rezoning application - property located west of Woodrow Avenue School between West Rumble Road and Woodrow Avenue (Arthur Wylie).
(The City Council referred back to the Planning Commission the application for rezoning from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, property located west of Woodrow Avenue School between West Rumble Road and Woodrow Avenue requested by Arthur J. Wylie. On October 1, 1968, the Planning Commission reconsidered the application at which time a resolution reaffirming the Planning Commission's previous recommendation in favor of the rezoning was adopted with a 5 to 1 vote. Resolution needed.

Further consideration continued to meeting of October 21, 1968.
(Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT
29. Appropriation transfer for repair of damage to Modesto Community Service Center caused by recent vandalism.
(Additional water damage to restroom on second floor of Modesto Community Service Center was discovered. The cost of repair can be recovered from insurance coverage. Resolution approving appropriation transfer from General Fund, General Reserve 60-101, to 5301-34-101, M.C.S.C. Building Renovation, $120 needed.)

ACTION: Res. 68-974 adopted approving appropriation transfer.
(Finance to handle)

CONSENT
30. Request for appropriation transfer of $2,300 from General Reserve, Special Fund for Capital Outlays to Relocation of Fire Station No. 3, Special Fund for Capital Outlays.
(Board of Zoning Adjustment Resolution No. 324 granted a conditional use permit for the construction of the El Vista Fire Station subject to the construction of a 6' decorative masonry wall. The cost of the wall was not included in either the contract or the budget. Resolution approving transfer needed. Estimated cost: $2,300.)

ACTION: Res. 68-975 adopted approving appropriation transfer.
(Finance to handle)

31. Appointments.

None.

Adjournment at 5:20 P.M.

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

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 21, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Smith, and Mayor Davies
Absent: Simon

Pledge of allegiance to the Flag
Invocation: Reverend Gary Christopherson - Orangeburg Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 16, 18, 19, 20, 21, 23, 24, 25
(Robinson/Mitchell, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

PETITIONS, REMONSTRANCES AND COMMUNICATIONS

CONSENT
1. Resignation of Harold L. McKee from Personnel Commission and Mayor Youth Opportunity Committee.
(Resolution accepting with regret needed)

ACTION: Res. 68-976 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
2. Letter from Frank Andrews.
(Motion ordering letter filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

CONSENT
3. Request of Ancient Egyptian Order of Sciots for courtesy parking stickers for convention November 13 - 17, 1968.
(Motion granting request needed)

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

BIDS

CONSENT
4. Accept as complete Valley Construction Co. contract for the installation of water lines in Woodrow Manor No. 1 Subdivision.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution needed. Actual cost $2,221.01; funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-977 adopted accepting contract. (Clerk to handle)

CONSENT

5. Accept as complete Industrial Electrical contract for installation of water lines in Northgate No. 5 Subdivision. (All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution needed. Actual cost $2,360.03; funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-978 adopted accepting contract. (Clerk to handle)

HEARINGS

6. Cost of installation, curb and gutter at 413 Leon Avenue, Lots 7 and 8, Block 355 (Mrs. Katie Keck) 4:15 P.M.

ACTION: Res. 68-979 adopted (Hughes/Shastid, unan.) approving report, assessing costs and directing method of collection. (Finance to handle)

7. Cost of installation, sidewalk, 438 Leon Avenue, Lots 29 and 30, Block 354 (Harold Parker) 4:15 P.M.

ACTION: Res. 68-980 adopted (Hughes/Shastid, unan.) approving report, assessing costs and directing method of collection. (Finance to handle)

8. Cost of installation, curb and gutter, 310 Colorado Ave., Lots 1 and 2, Block 350.(Elzie Hall) 4:15 P.M.

(a) Letter from Mr. Hall requesting consolidation of liens for sidewalk, curb and gutter construction costs.

ACTION: Res. 68-981 adopted (Hughes/Shastid, unan.) approving report, assessing costs and directing that assessment be consolidated with previous assessment and entire assessment be payable over a period of ten years. (Finance to handle)

9. Cost of installation of sidewalk on Enslen Avenue at 1205 Enslen Avenue, Lot 13, Block 6006 (Leland Brewer) 4:15 P.M.

ACTION: Res. 68-982 adopted (Hughes/Shastid, unan.) approving report, assessing costs and directing method of collection. (Finance to handle)

10. Cost of installation curb and gutter at 325 Yosemite Ave., Lots 17 and 18, Block 350 (Lucas A. Ayala) 4:15 P.M.

ACTION: Dropped from agenda as costs have been paid.

11. Sidewalk requirement at 1421 Western Way, Portion of Lots 25, 26 and 27, Block 353 (Mrs. Simms) 4:20 P.M.

ACTION: Res. 68-983 adopted (Robinson/Hughes, unan.) ordering work done. (P/W to handle)

12. Hearing on garbage license application of Rudy Bonzi, Inc. 4:25 P.M.

ACTION: By motion (Mitchell/Smith, unan.) application approved in principle and referred to staff to work out details of payment of fees. (C/Mgr to handle)

13. Downtown Beautification Report. 4:30 P.M.

ACTION: By motion (Hughes/Shastid, unan.) report referred to staff and Nov. 4, 1968 at 5:00 P.M. set for informal hearing. (C/Mgr to handle)
By motion (Hughes/Smith, unan.) Nov. 25, 1968 at 8:00 P.M. set as time for informal hearing on construction of 10th Street Mall. (Clerk to handle)

13A. Request for free parking on Saturdays.

ACTION: By motion (Hughes/Robinson, unan.) continuation of free Saturday on-street parking program to end of year at expense of Downtown Improvement District approved. (P & T to handle)

13B. Report on 8-week trial of free Saturday on-street parking.
(Report with agenda. No action needed. Information only)

No action.

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

ACTION: Res. 68-984 adopted (Shastid/Hughes, unan.) approving appropriation transfer of $4,249 from Account 60-101 (General Fund) to 5401-26-101 Civil Defense, Radio ($3,849) and Account 5404-26-101 (Civil Defense, Tear Gas Dispensers ($400). (Finance to handle)

It was reported that AZO Research Associates had been charged with cruelty to animals and unsanitary conditions.

ORDINANCES

15. Final adoption of Ordinance No. 926-C.S. (Permits for amusement activities)
(Continued from October 17th meeting)

ACTION: By motion (Shastid/Hughes, unan.) further consideration continued to November 4, 1968.
Staff to meet with interested parties in attempt to work out problems prior to November 4 meeting. (C/Mgr to handle)

OLD BUSINESS

CONSENT

16. Consider acceptance of grant offer from FAA for construction of airport runway extension and lighting systems.
(The FAA will participate in the above projects in the maximum amount of $143,283 upon execution of the offer by the City and the County. The final amount of participation will depend on actual construction costs and is based on 53.63% for runway extension and approach lights and 75% for high intensity runway lights. Resolution accepting grant offer and authorizing City Manager to sign documents needed. Estimated cost $243,800; funds budgeted in Account No. 6527-46-230, Runway Extension and Lighting. Funds are available in the above account to cover the entire construction cost since the federal aid funds are not available to the City until the project is completed)

ACTION: Res. 68-985 adopted accepting grant offer. (P/W to handle)

17. Further report by Planning Commission on rezoning application - property located west of Woodrow Avenue School between West Rumble Road and Woodrow Avenue (Arthur Wylie).
(The City Council referred back to the Planning Commission the application for rezoning from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, property located west of Woodrow Avenue School between West Rumble Road and Woodrow Avenue requested by Arthur J. Wylie. On October 1, 1968 the Planning Commission reconsidered the application at which time a resolution reaffirming the Planning Commission's previous recommendation in favor of the rezoning was adopted with a 5 to 1 vote. Resolution needed)

ACTION: By Order of the Mayor, and with the consent of opponents and proponents, further consideration of this matter to be continued until the entire Council is present. (Clerk to handle)

CONSENT

18. Further consideration of letter from "Californians for Modern Hospitals" urging support for Proposition No. 5.
(The Council considered this request at its meeting of October 7, 1968 and referred it to the staff for more information. Additional information has been distributed with the agenda. City Attorney recommends that no action be taken by Council.)

No. action.

NEW BUSINESS

CONSENT

19. Resolutions withdrawing certain described territories from the following fire protection districts by reason of their annexation to the City of Modesto:

(a) Burbank-Paradise Fire Protection District;
ACTION: Res. 68-986 adopted withdrawing Robertson No. 5, Rouse and Roselawn Additions. (Clerk to handle)

(b) Empire Fire Protection District;
ACTION: Res. 68-987 adopted withdrawing Legion Park, Dry Creek No. 2 and Airport No. 2 Additions. (Clerk to handle)

(c) Industrial Fire Protection District;
ACTION: Res. 68-988 adopted withdrawing Legion Park Addition. (Clerk to handle)

(d) McHenry-Dry Creek Fire Protection District;
ACTION: Res. 68-989 adopted withdrawing Pine Cone, Milo, East Orangeburg Nos. 2 & 3, Claremont, Leveland, Rose Acres No. 2, and Harte Tract Additions. (Clerk to handle)

(e) Salida Fire Protection District;
ACTION: Res. 68-990 adopted withdrawing Greenwood Estates No. 3 Addition. (Clerk to handle)

(f) Woodland Fire Protection District.
ACTION: Res. 68-991 adopted withdrawing Garver addition. (Clerk to handle)

(The City Clerk's Office has been advised that these annexations have been approved by the Secretary of State during the year 1968. These annexations are now considered complete and it is, therefore, in the best interests of the City that these territories be withdrawn from the above-mentioned fire district. Adoption of resolutions needed).

CONSENT

20. Consider participation in the Work Incentive Program. (Explanation with agenda. Motion approving participation (Form contract to be approved later)

ACTION: By motion participation in Work Incentive Program approved. (Personnel to handle)

CONSENT

21. Consider a request from Ray E. Houghton and Bart Bartoni to amend the lease agreement previously entered into between Messrs. Houghton and Bartoni and the City relating to an arcade from Tenth Street to the alley between Ninth and Tenth Streets. (Copies of the request are transmitted with agenda to Mayor and Councilmen. Staff recommends that City Manager be authorized to sign amended agreement. Resolution needed)

ACTION: Res. 68-992 adopted approving amended agreement. (Clerk to handle)

REPORTS

22. Report on 13 cities used for salary comparison purposes. (Letter from Personnel Commission recommending use of present 13 cities for salary comparison purposes. Approval of recommendation needed)

ACTION: Action postponed indefinitely. C/Mgr to meet with Councilmen Hughes, Smith and Robinson to discuss.

CONSENT

23. Report from Salvation Army for the previous three months welfare activities, and request for apyment of the annual allocation. (In conformance with agreement dated April 2, 1952, the attached quarterly report from the Salvation Army is submitted with agenda. Motion accepting report and authorizing payment of annual allocation needed. Cost, $300; funds budgeted in Account 423/65-101, Salvation Army Service)

ACTION: By motion report accepted and payment of annual allocation authorized. (Finance to handle)

APPROPRIATION TRANSFERS

CONSENT

24. Consider approval of appropriation transfer in the amount of $750 with which to purchase a High-Pressure Power Washer Unit for washing City vehicles at the Corporation Yard. (Memorandum with agenda. Funds being transferred from savings in Account 5418-48-512, Front-end bucket loader. Resolution approving appropriation transfer needed. Estimated cost $750)

ACTION: Res. 68-993 adopted approving appropriation transfer of $750.00 from Account 5418-48-512 (Service Division, Front End Loader) to Account 5435-48-512 (Service Division, High-Pressure Power Washer). (Finance to handle)

CONSENT

25. Appropriation transfer for CATV application review expenses, and authorization to retain consultant.
(Memo with agenda. Resolution approving appropriation transfer of $500 needed. Funds to be transferred from General Fund, General Reserve (101-60) to Misc. Unclassified, Cable TV Franchise, 233-65-101)

ACTION: Res. 68-994 adopted approving appropriation transfer. (Finance to handle)

MISCELLANEOUS

26. Appointments.

None.

Adjournment at 6:10 P.M.

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, CITY CLERK

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 28, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Smith, and Mayor Davies
Absent: Simon

Pledge of allegiance to the Flag.
Invocation: Reverend Glen Moore, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 7, 8, 9, ~~15~~, 16, 17, 18, 19, 21, 22, 23, 24
Shastid/Robinson, unan.
Item 15 removed from consent.

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

1. Presentation of certificate to League of Women Voters of Modesto in appreciation of public service in promoting observance of United Nations Day, 1968.
ACTION: Held to November 4.

APPROVAL OF MINUTES

CONSENT
2. Minutes of October 17 and 21, 1968.
ACTION: Minutes approved.

PETITIONS, REMONSTRANCES AND COMMUNICATIONS

CONSENT
3. Application of William J. Willett for license to collect swill.
(Motion referring to City Manager for investigation and report needed)
ACTION: By motion referred to City Manager for investigation and report. (C/Mgr to handle)

CONSENT
4. Application of United Air Lines, Inc. for permission to use Modesto City-County Airport for serving Merced.
(Information only - no action needed. Motion ordering application filed needed)
ACTION: By motion application ordered filed. (Clerk to handle)

CONSENT
5. Letter from Frank Andrews.
(Motion ordering letter filed needed)
ACTION: By motion letter ordered filed. (Clerk to handle)

6. Resume' of projects of three local Key Clubs and request for resolution declaring week of October 29 - November 4 as International Key Club Week.

ACTION: Donald Mitchell, Jim Beard, and Gary Mistlin, Presidents of the Key Clubs at Downey, Modesto, and Davis High Schools, outlined their club projects. Mayor Davies commented on the fine community service projects these young people were engaged in. Res. 68-995 adopted (Smith/Mitchell, unan.) declaring week of October 27 - November 2 as International Key Club Week. (Clerk to handle)

CONSENT

7. Letter from Community Action Commission stating that the Office of Economic Opportunity will not fund West Side Neighborhood Center program.
(No action needed. Motion ordering letter filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

7A. Letter from D.I.D. re continuation of free Saturday on-street parking and policing of downtown area.

ACTION: By motion (Robinson/Hughes, unan.) referred to staff for report on foot patrolman in downtown area. (C/Mgr to handle)

BIDS

CONSENT

8. Consider award of bid for installation of water lines in Highland Manor No. 4.
(Bids were opened on October 22, and the low bid of Industrial Electrical Company which is 1% below the Engineer's Estimate is considered acceptable. Therefore it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $7,838 (Materials $5,450; labor $2,388. Funds budgeted in Account 6804-50-101, Water Line Extension.)

ACTION: Res. 68-996 adopted awarding bid to Modesto Industrial Electrical Company. (P/W to handle)

CONSENT

9. Consider award of bid for installation of water lines in Tradewinds No. 3 Subdivision.
(Bids were opened on October 22, and the low bid of Industrial Electrical Company which is 36% below the Engineer's Estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $2,352 (Materials $1,550; labor $802). Funds budgeted in Account 6804-50-101, Water Line Extensions)

ACTION: Res. 68-997 adopted awarding bid to Modesto Industrial Electrical Company. (P/W to handle)

HEARINGS

10. Hearing on proposed annexation of Strathmore Addition to City of Modesto. 7:45 P.M.

ACTION: By motion (Robinson/Mitchell, unan.) hearing continued to November 12 at 7:50 P.M. as protests have been filed. (Clerk to handle)

11. Hearing on appeal filed by Wolverine Building Service on discontinuance of walkway north of Lafayette Avenue in Cranbrook Colony. 7:45 P.M.

ACTION: Res. 68-998 adopted (Robinson/Shastid, unan.) granting appeal and approving tentative map of Greenbrier No. 3 & 4 revised to provide for walkway extending from walkway in Cranbrook 1 & 2 to Rockford Ave. (Planning to handle). By motion (Hughes/Smith, unan.) Planning Commission requested to study policy on walkways and/or street lengths in subdivisions and to also consider whether or not a six-foot walkway may be too narrow. (Planning to handle)

12. Hearing on amendments to Chapter 2 of Title X (parking requirements) 7:50 P.M.

ACTION: By motion (Mitchell/Smith, unan.) Ord. No. 929-C.S. introduced. (Clerk to handle)

13. Matters for the good of the Community. (These may be presented by citizens in the audience) 7:55 P.M.

Frank Andrews spoke.

It was announced that the Division of Highways planned to call for bids on November 25, 1968 for the improvement of McHenry Avenue, bids to be received December 18, 1968.

OLD BUSINESS

14. Further report by Planning Commission on rezoning application - property located west of Woodrow Avenue School between West Rumble Road and Woodrow Avenue (Arthur Wylie)
(The City Council referred back to the Planning Commission the application for rezoning from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, property located west of Woodrow Avenue School between West Rumble Road and Woodrow Ave. requested by Arthur J. Wylie. On October 1, 1968 the Planning Commission reconsidered the application at which time a resolution reaffirming the Planning Commission's previous recommendation in favor of the rezoning was adopted with a five to one vote. Resolution needed) (Note: This matter will be considered only if all members of the Council are present.)

ACTION: By Order of the Mayor this matter continued to November 25, 1968 at 7:45 P.M. at which time a decision must be made.

Staff to study possibility and legality of change in procedure whereby rezoning applications are denied. (C/Atty to handle)

~~CONSENT~~

15. A resolution determining that the public interest and convenience require that Harte Tract Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date December 9, 1968 at 7:45 P.M. Resolution setting hearing needed (2/3 affirmative vote)

ACTION: Res. 68-999 adopted (Robinson/Mitchell, unan.) setting December 9, 1968 at 7:45 P.M. as time for hearing. (Clerk to handle)

CONSENT

16. Resolutions instructing the Superintendent of Street to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below:
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolutions setting hearing needed. Suggested hearing date November 12, 1968 at 7:45 P.M.)

CONSENT

(a) Sidewalk at 701 Griswold Ave., portions of Lots 1 and 2, Block 718 (Silveira).
(Resolution setting hearing needed)

ACTION: Res. 68-1000 adopted setting hearing. (P/W to handle)

CONSENT

(b) Curb and gutter at 435 Griswold, portion of Block 721 (Mrs. B. E. Doern)
(Resolution setting hearing needed)

ACTION: Res. 68-1001 adopted setting hearing. (P/W to handle)

CONSENT

17. Consider deed of easement and sewer easement contract from Carl and Evelyn Christianson for the purpose of granting to the City of Modesto an easement 15 feet in width on, over and through the real property described in said documents to construct, operate and maintain sewer pipelines and appurtenances necessary for Project 66-18, Project No. 9.
(The City agrees to pay grantors the sum of $700 within 30 days after acceptance of the sewer easement contract. Resolution approving deed of easement and authorizing City Manager to sign sewer easement contract needed. Estimated cost $700; funds budgeted in Account 6553 (sewer construction, Municipal Sewer District Fund 405)

ACTION: Res. 68-1002 adopted approving deed of easement and authorizing City Manager to sign sewer easement contract. (Clerk to handle)

CONSENT

18. Consider right of entry agreement and sewer easement contract from the Rector, Wardens and Vestrymen of St. Paul's Parish in Modesto, California, for the purpose of constructing a sewer pipeline on the real property described in said documents - Project LA 66-18 (Unit 9)
(The City agrees to pay grantor the sum of $60 within 30 days after acceptance of the sewer easement contract by City. Resolution approving right of entry contract and authorizing the City Manager to sign the sewer easement on behalf of the City. Estimated cost $60; funds budgeted in Account 6553 (Sewer Construction) Municipal Sewer District Fund No. 405)

ACTION: Res. 68-1003 adopted approving right of entry contract and sewer easement contract. (Clerk to handle)

REPORTS

CONSENT

19. Report on bus patronage for third quarter.
(A two-page report sent with the agenda shows patronage up 17% and profitable. No action required; for informational purposes only. Motion ordering filed needed)

ACTION: By motion report ordered filed. (Clerk to handle)

20. Report to Council on mandatory curb, gutter and sidewalk program.
(Memorandum distributed with agenda)

No action.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. Recommend amendment to Section 17-3-9 of the zoning map (Commission Initiated)
(By Resolution 68-129 adopted October 22, 1968 the Planning Commission recommends an amendment to Section 17-3-9 of the zoning map as requested by Planning Commission, to rezone from Planned Development Zone, P-D(28)to One-Family Residential Zone, R-1, property located on the south side of Northern Boulevard, west of Sherwood Avenue. Resolution setting date for public hearing needed. Suggested date November 18, 1968 at 4:20 P.M.)

ACTION: Res. 68-1004 adopted setting hearing. (Clerk to handle)

CONSENT

22. Recommend amendment to Section 20-3-9 of zoning map (Loretelli). (By Resolution 68-133 adopted on October 22, 1968 the Planning Commission recommends an amendment to Section 20-3-9 of the zoning map as requested by Amedeo Loretelli, to rezone from single-family residential zone, R-1 to two-family residential zone, R-2, Lots 29, 30, 31 and 32 of Block 6068 of Arbor Villa Tract No. 2 located on the south side of Granger Avenue immediately east of the Tidewater Southern RR tracks, to develop an apartment complex. Resolution setting date for public hearing needed. Suggested date November 18, 1968 at 4:25 P.M.)

ACTION: Res. 68-1005 adopted setting hearing. (Clerk to handle)

CONSENT

23. Recommend amendment to Section 22-3-9 of the zoning map (Flory). (By Resolution 68-135 adopted on October 22, 1968 the Planning Commission recommends an amendment to Section 22-3-9 of the zoning map as requested by Alfred L. Flory, to prezone to two-family residential zone, R-2, to accommodate a duplex development, located on the east side of Rose Avenue approximately 500 feet south of M.I.D. Lateral #3. Resolution setting date for public hearing needed. Suggested hearing date November 18, 1968 at 4:30 P.M.)

ACTION: Res. 68-1006 adopted setting hearing. (Clerk to handle)

CONSENT

24. A resolution annexing uninhabited territory to the City of Modesto known as the Morris Addition.
(The Planning Commission has reviewed and recommends annexation of uninhabited territory known as the Morris Addition to the City of Modesto, and the Local Agency Formation Commission has authorized the annexation without notice or public hearing. Resolution needed)

ACTION: Res. 68-1007 adopted annexing Morris Addition to City.

APPROPRIATION TRANSFERS

25. Appropriation transfers.

(a) None.

MISCELLANEOUS

26. Appointments.

None.

Adjournment at 9:25 P.M. to executive session for the purpose of evaluating the three Council appointees. It was announced that the Council would not reconvene in open session.

Adjournment at 9:25 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 4, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Simon, Smith, and Mayor Davies
Absent: Shastid

Pledge of allegiance to the Flag.
Invocation: Reverend Donald Weston, St. John's Chapel of the Valley

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9, 23, 24, 25, 26, ~~27~~, 28
Item 27 removed from agenda.
(Smith/Mitchell, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

1. Presentation of certificate to League of Women Voters of Modesto in appreciation of public service in promoting observance of United Nations Day, 1968.

ACTION: Certificate presented by Mayor Davies to Mrs. Osner as the representative of the League of Women Voters.

APPROVAL OF MINUTES

CONSENT
2. Minutes of October 28, 1968.

ACTION: Minutes approved.

PETITIONS, REMONSTRANCES AND COMMUNICATIONS

CONSENT
3. Request of Lex Lockard that the cost of installation of sidewalk, curb and gutter ($743.15) at 208 Oak Street be put on the installment plan ($74.32 plus interest each year for ten years. Resolution granting request needed).

ACTION: Res. 68-1008 adopted amending Res. No. 68-353 to provide for payment over a ten-year period. (Finance to handle)

CONSENT
4. Request of Title Insurance and Trust Co. for permission to add a title exception to the title policy issued in connection with the acquisition of property from Bart Bartoni and Ray E. Houghton. (Resolution granting request needed)

ACTION: Res. 68-1009 adopted granting request. (Clerk to handle)

CONSENT
5. Letter from Frank Andrews re recall of Council. (Motion ordering filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

BIDS

CONSENT

6. Modification of traffic signals on G, H, and I Streets.
(Funds for this project have been budgeted in account 6211-56-321. The project consists of modifying 23 signalized intersections and the installation of new signals at two intersections.
(Resolution approving plans and specifications and call for bids on December 3, 1968 at 2:00 P.M. needed)

ACTION: Res. 68-1010 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

7. Accept as complete the Valley Construction Co. contract for the installation of water lines in Downey Avenue between McHenry and Scenic.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work needed. Actual cost $11,200.23. Funds budgeted in Account 6804-50-101, Water Line Estension)

ACTION: Res. 68-1011 adopted accepting work. (Clerk to handle)

CONSENT

8. Accept as complete the Valley Construction Co. contract for the installation of water lines in Alum Rock Estates No. 1 Subdivision.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion.
Resolution accepting work as complete and authorizing City Clerk to file notice of completion needed. Actual cost $1,535; funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-1011A adopted accepting work. (Clerk to handle)

CONSENT

9. Accept as complete Collins Electrical Co., Inc. contract for the electrical work for Fire Station No. 1.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. Resolution accepting work needed. Actual cost $3,490; funds budgeted in Account 6110-41-321, Remodeling Fire Station No. 1)

ACTION: Res. 68-1012 adopted accepting work. (Clerk to handle)

HEARINGS

10. Cost of installation of sidewalk, curb and gutter on Ias Palmas, Lots 17 and 18, Block 259. (Estate of Beulah Thomas) (Resolution assessing costs needed) 4:15 P.M.

ACTION: Res. 68-1013 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

11. Cost of installation of sidewalk at 334 LaLoma, Lot 2, Block 206. (Leland E. Thiel) 4:15 P.M.
(Resolution assessing costs needed)

ACTION: Res. 68-1014 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

12. Cost of installation of curb and gutter on Tebbutt Ave. at 1329 Teresa Ave., Lot 16, Block 6083 (Ventimiglia) 4:15 P.M.
(Resolution assessing costs needed)

ACTION: Res. 68-1015 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Assessment to be spread over an eight-year period.) (Finance to handle)

13. Cost of installation of sidewalk on Jefferson Street at 201 Maple Street, Lots 13 and 14, Block 416. (Intercounty Home Sales Co.)
(Resolution assessing costs needed)

ACTION: Res. 68-1016 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

14. Cost of installation of curb and gutter at 302 Pine Street, Lots 15 and 16, Block 414 (Ben E. Moore) 4:15 P.M.
(Resolution assessing costs needed)

ACTION: Res. 68-1017 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

15. Cost of installation of sidewalk, curb and gutter on Western Way at 402 Leon Avenue, Lots 47 and 48, Block 354, (Harry S. Paul) 4:15 P.M.
(Resolution assessing costs needed)

ACTION: Res. 68-1018 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

16. Cost of installation of curb and gutter at 210-212 California Ave., Lots 19 and 20, Block 401 (Rue Carley) 4:15 P.M.
(Resolution assessing costs needed)

ACTION: Res. 68-1019 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

17. Cost of installation of sidewalk on Grape Avenue at 1404 Grape Avenue, Lot 1, Block 6253. (Bill Lenser) 4:15 P.M.
(Resolution assessing costs needed)

ACTION: Res. 68-1020 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

18. Cost of installation of sidewalk, curb and gutter at 413 Maple Street, Lot 4, Block 4094 (Floyd E. Ward). 4:15 P.M.
(Resolution assessing costs needed)

ACTION: Res. 68-1021 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

19. Cost of installation of curb and gutter at 405 Maple Street, Lots 2 and 3, Block 4094. (Mrs. Canella Pepelis) 4:15 P.M.
(Resolution assessing costs needed)

ACTION: Res. 68-1022 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

20. Cost of installation of curb and gutter on south side of Maple Street at the Southwest corner of Franklin Street, Lot 1, Block 4094. (Mrs. Demetria Pepelis) 4:15 P.M.
(Resolution assessing costs needed)

ACTION: Res. 68-1023 adopted (Smith/Robinson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

21. Matters for the good of the community. 4:20 P.M.
(These may be presented by citizens in the audience)

Morada Parlor No. 199, Native Daughters of the Golden West requested that organizations other than Senior Citizens be allowed more use of the Senior Citizens' Building. Staff directed to work with the various organizations in attempt to solve scheduling problems. (P & R to handle)

Councilman Mitchell announced that Julio Gerlein, a former Mayor of Barranquilla had been in Modesto earlier today. He was especially impressed by the over-all cleanliness. Staff directed to ascertain whereabouts of identification portion of plaque from Barranquilla. (C/Mgr to handle)

Following a discussion concerning the previously requested abandonment of a portion of O Street it was ordered by the Mayor that normal procedures be followed in the event an abandonment of any portion of O Street is requested.

It was reported that the special census resulted in a population of 55,349.

22. Informal hearing on Downtown Beautification Plan 5:00 P.M.

ACTION: By motion (Robinson/Simon, unan.) the following six recommendations were approved with priority to be given to No. 1:

1. P & R to make study of cost and time schedule for tree planting and report to Council. (P & R to handle)
2. P/W to make study of feasibility and cost of Eye St. center Strip.
3. P & T to make study of cost and location for bus stops.
4. P & R to make study of cost and location of kiosks.
5. P & R to make study of feasibility and cost of flags and hanging flower baskets.
6. P & T to make study of cost of construction of trash collection points on 11th Street parking lot.

ORDINANCES

CONSENT

23. Further consideration of final adoption of Ordinance No. 926-C.S. (Permits for amusement activities)
(Continued from October 21, 1968. Motion continuing for one week needed)

ACTION: By motion further consideration continued to November 12, 1968. (Clerk to handle)

CONSENT

24. Final adoption of Ordinance 929-C.S. (parking spaces).

ACTION: By motion Ord. No. 929-C.S. adopted. (Clerk to handle)

OLD BUSINESS

CONSENT

25. Agreement between City of Modesto and State of California Department of Employment - Work Incentive Program.
(Participation in this program was authorized by the City Council on October 21, 1968. Resclution approving the Agreement and authorizing the Manager to sign agreement needed)

ACTION: Res. 68-1024 adopted approving agreement. (Clerk to handle)

NEW BUSINESS

CONSENT

26. Resolution withdrawing the Morris Addition from the McHenry-Dry Creek Fire Protection District by reason of its annexation to the City of Modesto.
(The City Clerk's Office has been advised that this annexation has been approved by the Secretary of State. This annexation is now considered complete and it is, therefore, in the best interest of the City that this territory be withdrawn from the above-mentioned fire district. Resolution needed)

ACTION: Res. 68-1025 adopted withdrawing Morris Addition from McHenry-Dry Creek Fire Protection District. (Clerk to handle)

CONSENT

27. Consider resolution requesting consent of Board of Supervisors of the County of Stanislaus to formation of Improvement District No. 11 as assessment district under improvement Act of 1911.
(The Council previously agreed to the formation of Improvement District No. 11 for the installation of sanitary sewers in the Sunrise Addition. The District now includes sewers in the Sunrise Addition, Orangeburg No. 2, Hawthorne Avenue, Block 6711, and North 9th Street area which is north of the freeway overpass, and in addition, construction of Corson Avenue between Kimball Street and Melrose Avenue. The Engineer is now ready to proceed and inasmuch as part of the work on Clayton Avenue and North 9th Street is in the Modesto Municipal Sewer District, but outside of the city limits, it is necessary to obtain the approval of the Board of Supervisors. Resolution needed)

DROPPED FROM AGENDA.

REPORTS

CONSENT

28. Report on request by property owners for a sanitary sewer improvement district in an area east of Claremont Avenue and north of Rumble Road.
(Memo with agenda. Motion directing staff to proceed needed)

ACTION: By motion staff directed to proceed with formation of District. (P/W to handle)

29. Report concerning meeting on Friday, November 8, at County Center No. 3 by Water Quality Control Board concerning standards.
(An oral report will be made the meeting. No council action needed)

Report made by Deputy City Manager. No action taken.

30. Report on receipt of CATV proposals.
(An oral report will be made at the meeting. No council action needed)

No Council action.

APPROPRIATION TRANSFERS

31. Appropriation transfers.

(a) None.

MISCELLANEOUS

32. Appointments.

None.

Adjournment at 5:45 P.M. to November 12, 1968 at 4:00 P.M.

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, CITY CLERK

MINUTES OF MODESTO CITY COUNCIL MEETING - NOVEMBER 12, 1968

There being no members of the Modesto City Council present at 7:30 P.M. the meeting is hereby adjourned to and until November 13, 1968 at the hour of 4:00 P.M.

The hearings scheduled for November 12, 1968 are continued to and until November 13, 1968 at the hour of 4:00 P.M., to wit:

Sidewalk requirement, 701 Griswold, portions of Lots 1 & 2, Block 718 (Silveira)

Curb and gutter requirement, 435 Griswold, portion of Block 721 (Mrs. Doern)

Continued hearing on proposed Strathmore Addition to the City of Modesto

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

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR ADJOURNED REGULAR MEETING OF NOVEMBER 12, 1968 AT 4:00 P.M.
(Adjourned from November 4, 1968)

Roll Call Present: Mitchell, Shastid, Simon, Smith, Mayor Davies
Absent: Hughes, Robinson

Pledge of allegiance to the Flag
Invocation: Reverend A. P. Gregory, North Modesto Church of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17
Item 8 removed from consent
Mitchell/Smith, unan.
(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 the consent items is set forth in the explanation for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of November 4, 1968.
ACTION: Minutes approved

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

CONSENT
2. Notice by Frank Andrews of intent to circulate recall petition.
(Motion ordering filed needed)
ACTION: By motion, notice ordered filed.(Clerk to handle)

CONSENT
3. Petition requesting improvement of 1900 block of Pearl Street.
(Motion referring to staff needed)

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

BIDS

CONSENT
4. Consider approval of plans and specifications and call for bids for piping of M.I.D. Lateral No. 3 east of McHenry.
(Suggested bid opening date November 26, 1968 at 10:00 A.M. 700 feet of M.I.D. Lateral No. 3 requires piping to provide for street construction on the revised alignment of Briggsmore-Northern. Construction must be done during winter months when canal is empty. Resolution approving plans and specifications and call for bids needed. Estimated cost $68,000 (Contract $60,000; Engr. & Cont. $8,000. Funds budgeted in Account 6714-1-207, Briggsmore, McHenry to Coffee (P. 58)

ACTION: Res. 68-1026 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

5. Consider award of bid for the improvement of Montclair Drive from Royalton Avenue to Tully Road.
(Bids were opened on November 5, 1968. The low bid submitted by Elrich Construction Co., which is 8.0% over the Engineer's Estimate is considered acceptable. Therefore, it is the recommendation of the Public Works Department that the bid be awarded to them. Resolution awarding bid reeded. Resolution approving appropriation transfer needed. Estimated cost $17,027.50 (Contract $14,827.50; Engr. $2,200. Funds budgeted in Account 6659-41-321, Montclair Drive Improvement)

ACTION: Res. 68-1027 adopted awarding bid to Elrich Construction Co. (P/W to handle)
Res. 68-1027A adopted approving appropriation transfer of $2,200 from Account 6631-41-321 to Account 6659-41-321; (Finance to handle)

CONSENT

6. Accept as complete Grason Electric Company's contract for the modernization of the Ninth Street Bridge Lighting.
(All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work needed. Actual cost $7,889. Funds budgeted in Account 6626-41-321, Modernize City Lighting Stage 2, Special Fund for Capital Outlays 1967-68 budget)

ACTION: Res. 68-1028 adopted accepting contract. (Clerk to handle)

6A. Matters for the good of the community. 4:10 P.M.
(These may be presented by citizens in the audience)

Res. 68-1029 adopted (Shastid/Simon, unan) approving substitution of Bradberry Associates in place of Terry Construction Co. as subcontractors on Sewer Project Unit No. 2; said approval to be subject to Federal Government approval of substitution. (P/W to handle)

ORDINANCES

7. Further consideration of Ord. No. 926-C.S. (permits for amusement activities).
(Continued from November 4, 1968 meeting)

ACTION: By motion (Shastid/Smith, unan) amendment to Ord. No. 926-C.S. introduced. (The amendment substitutes the phrase "vehicular racing on a closed course" for "vehicular racing, vehicular skill driving".)
(Clerk to handle)

NEW BUSINESS

CONSENT

8. Consider the adoption of the following resolutions regarding improvement district No. 11 - Sunrise Addition
(Adoption of resolutions M11-1 through M11-6 needed)

(a) M11-1 - Resolution of preliminary determination relative to 1931 Act and fixing time and place of hearing thereof;

ACTION: Res. 1059-S.P. adopted (Mitchell/Smith, unan.) making preliminary determination that public convenience and necessity require construction of public improvements to be paid for by special assessments without compliance with the provisions of special assessment investigation, limitation and majority protest Act of 1931; describing the proposed improvements and the district proposed to be assessed to pay therefor, and setting December 16, 1968 at 5:00 P.M. for hearing thereon.

(b) M11-2 - Resolution directing Engineer to prepare plans, specifications and cost estimate and appointing Engineer to act in lieu of Superintendent of Streets;

ACTION: Res. 1060-S.P. adopted (Mitchell/Smith, unan.) appointing engineer and directing preparation of plans and specifications for work and improvements, together with estimates of costs and expenses thereof, and appointing such engineer to act in lieu of superintendent of streets.

(c) M11-3 - Resolution approving contract documents and specifications, map, plans and profiles and cost estimate;

ACTION: Res. 1061-S.P. adopted (Mitchell/Smith, unan.) adopting and approving contract documents and specifications, map, plans and profiles and estimate of costs and expenses of improvement.

(d) M11-4 - Resolution of Intention - fixes hearing date for December 16, 1968 at 5:00 P.M.

ACTION: Res. of Intention 308 (1062-S.P.) adopted (Mitchell/Smith, unan.) relative to construction of sanitary sewers, street, curbs, gutters, sidewalks, irrigation and drainage facilities in Improvement District No. 11, (Hearing December 16, 1968 at 5:00 P.M.).

(e) M11-5 - Resolution designating newspaper for publication of notices.

ACTION: Res. 1063-S.P. adopted (Mitchell/Smith, unan.) designating the Modesto Bee as the newspaper in which the City Clerk of said city is ordered to publish any notice, resolution, order or other matter relating to Improvement District No. 11.

(f) M11-6 - Resolution fixing compensation for attorneys.

ACTION: Res. 1064-S.P. adopted (Mitchell/Smith, unan.) fixing compensation for attorneys employed for improvement proceedings.

(Clerk, P/W, and C/Atty to handle)

CONSENT

9. Consider request for sewer service to property at 1202 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado Avenue.
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 68-1030 adopted approving agreement with Raymond L. and Jeanet Brown for sewer service to property at 1202 Garden Ave. (P/W to handle)

CONSENT

10. Consider requesting State Controller for early population estimate for Morris Addition.
(Sec. 2107 of the Streets and Highways Code provides, in part, "In the case of uninhabited unincorporated territory being annexed to a city subsequent to the last census, the Controller (5) shall ascertain the population of the annexed territory, by the use of any federal decennial or special census or an estimate pursuant to Secton 2107.2(7) by which the population of the annexed territory was counted, or, if no such other estimate or census was made, by multiplying the number of registered electors therein by three two years after the completion of annexation proceedings or at such earlier time as the legislative body may request." As there is no likelihood of any more growth in the Morris Addition, it is recommended that this estimate be requested so that Modesto may receive the State subventions earlier than the normal two-year period. Resolution needed)

ACTION: Res. 68-1031 adopted requesting estimate of population in Morris Addition. (Clerk to handle)

CONSENT

11. Consider authorizing submission of application for request for aid for four projects proposed in 1969-70 CIP program. It is necessary to submit application before FAA deadline of November 22, 1968. (Memo of explanation distributed with agenda. Stanislaus County has been contacted relative to this matter on October 22. County Administrator will review with Airport Committee. Resolution approving submission of application and authorizing City Manager to execute on behalf of City needed)

ACTION: Res. 68-1032 adopted authorizing submission of application for grant assistance to FAA. (P/W to handle)

12. Request for refund of business license tax.
(Gottschalk Music Center requests this refund because they erroneously included income from their Airport business along with retail sales at their music store for the quarters ending 12/31/65 through 9/30/68, when reporting gross receipts. (Refunds over $100 must have council approval. Resolution approving or denying request needed)

ACTION: Res. 68-1033 adopted (Simon/Smith, unan) authorizing refund of $190.23. (Finance to handle)

REPORTS

CONSENT

13. Presentation of financial statement for October 1968.
(Copies to be distributed at meeting. Motion accepting report needed)

ACTION: By motion report accepted. (Finance to handle)

CONSENT

14. Presentation of Chamber of Commerce Quarterly Report.
(Motion accepting needed)

ACTION: By motion report accepted. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

15. Vacation and abandonment of portion of public utility easements in Block 6192 of Campos Verdes Subdivision.
(By Planning Commission Resolution No. 68-124 adopted 10/1/68, the Planning Commission recommended to the Council the vacation and abandonment of a portion of public utility easements in Block 6192 of Campos Verdes Subdivision. Resolution of Intention to vacate and abandon and setting date for public hearing needed. Suggested date 12/2/68 at 4:15 P.M.)
ACTION: Res. of Intention 309 (1065-S.P.) adopted setting 12/2/68 at 4:15 P.M. as time for hearing. (Clerk to handle)

CONSENT

16. Recommend the granting of an unclassified use permit to Modesto Medical Development Company for a 4-story expansion of Doctors' Hospital and rescinding an unclassified use permit previously granted for a 3-story expansion at 333 West Orangeburg Avenue. (By Resolution 68-149 adopted at its regular meeting on November 5, 1968 the Planning Commission recommends the granting of an unclassified use permit to the Modesto Medical Development Company for a 4-story expansion of Doctors' Hospital and rescinding an unclassified use permit previously granted for a 3-story expansion at 333 West Orangeburg Avenue. Resolution setting date for public hearing needed. Suggested date December 9, 1968 at 7:55 P.M.)

ACTION: Res. 68-1034 adopted setting December 9, 1968 at 7:55 P.M. for hearing. (Clerk to handle)

CONSENT

17. Recommend amendment to Section 26-3-9 of the zoning map (K & R Homes). (By Resolution 68-148 adopted on November 5, 1968 the Planning Commission recommends an amendment to Section 26-3-9 of the zoning map as requested by K & R Homes, to prezone to two-family residential zone, R-2, to accommodate a subdivision development on property located at the northwest corner of Riverside Drive and the extension of Haddon Avenue. Resolution setting date for public hearing needed. Suggested date December 9, 1968 at 7:50 P.M.)

ACTION: Res. 68-1035 adopted setting December 9, 1968 at 7:50 P.M. for hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

None

MISCELLANEOUS

18. Appointments.

ACTION: Res. 68-1036 adopted (Mitchell/Shastid, unan.) appointing Reverend Ben Jennings as a member of the Modesto Human Rights Commission for a term expiring May 1, 1970 to succeed Joe Mineni, Jr. (Clerk to handle)

Res. 68-1037 adopted (Mitchell/Shastid, unan.) appointing the following to the Mayor's Council on Youth Opportunity for term expiring October 31, 1970:

Modesto High School

Thomas Alvarez
1733 Huron
Modesto 95351

Annette Blake
416 Marshall Ave.
Modesto 95351

Downey High School

Linda Boring
313 E. Roseburg
Modesto 95350

Valerie Churchill
309 E. Coolidge
Modesto 95350

Davis High School

Karen Johnson
1022 Mt. Vernon Drive
Modesto 95350

Brian Robinson
1232 Brady Ave.
Modesto 95350

(Replacing Gary Bridges, Tana Conway, Bill Genasci, Phil Joiner, Doug Ludlow, and Elizabeth Stone)

Adjournment at 4:20 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 12, 1968 AT 7:30 P.M.

(This meeting will be adjourned to and until November 13, 1968 at 4:00 P.M.)

Roll Call Present: Hughes, Mitchell, Simon, Smith, Mayor Davies
Absent: Robinson and Shastid

Pledge of allegiance to the Flag

HEARINGS

1. Hearing on sidewalk requirement, 701 Griswold, portions of Lots 1 and 2, Block 718 (Silveira) 7:45 P.M.
(This will be continued to 4:00 P.M. on November 13, 1968)

ACTION: Res. 68-1038 adopted (Hughes/Mitchell, unan.) ordering work done. New owner, Carl Von Rotz allowed to delay to April 1, 1969. (P/W to handle)

2. Hearing on curb and gutter requirement, 435 Griswold, portion of Block 721 (Mrs. Doern) 7:45 P.M.
(This will be continued to 4:00 P.M. on November 13, 1968)

ACTION: Res. 68-1039 adopted (Hughes/Mitchell, unan.) ordering work done. (P/W to handle)

3. Continued hearing on proposed Strathmore Addition Annexation to the City of Modesto. 7:50 P.M.
(This will be continued to 4:00 P.M. on November 13, 1968)

ACTION: Res. 68-1040 adopted (Hughes/Simon, unan.) declaring that a majority protest has not been made.

Res. 68-1041 adopted (Hughes/Simon, unan.) calling a Special Election to be held January 21, 1969 concerning annexation of Strathmore Addition to City of Modesto.

Adjournment at 5:00 P.M.

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

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 18, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Shastid, Simon, Smith, Mayor Davies
Absent: Robinson (Councilman Hughes arrived at 4:05 P.M.)

Pledge of allegiance to the Flag
~~Invocation by Reverend Theodore Ness, Bethel Church~~
A moment of silent prayer was observed.
CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, ~~7~~, 13, 14, 17, 18, 19, 20
(Smith/Mitchell, unan. - Hughes and Robinson absent)
Item 7 dropped from agenda.
(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of adjourned regular meetings of November 12, 1968 and November 13, 1968.

ACTION: Minutes approved. (Clerk to handle)

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

CONSENT
2. Request of Downtown Improvement District for use of two parking spaces between J and K Streets, east side, to place Santa's house from November 21, 1968 to January 4, 1969.
(Resolution granting encroachment permit needed)

ACTION: Res. 68-1042 adopted granting encroachment permit for two parking spaces on the south side of the midblock crosswalk on the east side of Tenth Street between J and K Streets. (P & T to handle)

CONSENT
3. Request of Downtown Improvement District for use of two high ranger trucks and personnel for installation of Christmas decorations on November 24, 1968 and removal on January 5, 1969.
(Motion granting request needed)

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

CONSENT
4. Request of Ira Kinchion for permission to pay assessment for curb and gutter in eight installments.
(Resolution granting request needed)

ACTION: Res. 68-1043 adopted amending Res. No. 68-273 to provide for payment over an eight-year period. (Finance to handle)

BIDS

CONSENT

5. Accept as complete George Reed, Inc. contract for improvement of Paradise Road from west city limits to Franklin Street. (All work on this contract has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file a notice of completion. Resolution accepting work as complete and authorizing City Clerk to file notice of completion needed. Estimated cost $19,314 (contract $16,619, Engr. $2,695). Funds budgeted in Account 6748-1-207, Paradise, Franklin to West City Limits, Special Gas Tax Funds, p. 58)

ACTION: Res. 68-1044 adopted accepting contract. (Clerk to handle)

CONSENT

6. Approve plans and specifications and call for bids for improvement of "G" Street from 16th Street to Burney St. and the reconstruction of return at First Street and "G" Street. (Bid opening, December 3, 1968 at 10:00 A.M. This project is in connection with the "H" and "G" Street couplet. Resolution approving plans and specifications and call for bids needed. Estimated cost $17,055 (Contract $14,830, Engr. $2,225). Funds will be requested later after review of bids from Fund No. 207, General Reserve)

ACTION: Res. 68-1045 adopted approving plans and specifications and call for bids. (Clerk to handle)

~~CONSENT~~

7. Approve plans and specifications and call for bids for construction of oxidation ponding system, Project Unit No. 3 of the Sewerage Works Improvement Program. (This is the last of three contracts directly involved with the treatment of our domestic and industrial waste. The proposed oxidation ponding system will be located on 1,200 acres the City recently acquired, approximately seven miles southwest of the community on the San Joaquin River. Bid opening December 20, 1968 at 2:00 P.M. Resolution approving plans and specifications and authorizing call for bids needed. Project Cost $2,500,000.00. Funds budgeted in Account 6553-405, Muni. Sewer District Improvements)

DROPPED FROM AGENDA AS E.D.A. APPROVAL HAS NOT BEEN RECEIVED.

7A. Consider award of franchise for CATV. (Report with agenda)

ACTION: By motion (Shastid/Mitchell, majority - Simon, no - Robinson absent) minor irregularities in bid of Cablecom - General of Modesto waived; intention declared to award franchise to Cablecom - General of Modesto subject to furnishing, within two weeks, written guarantee from RKO - General and up-to-date financial statements for Cablecom - General, Inc. and RKO-General; and staff instructed to prepare necessary documents for awarding franchise to Cablecom - General of Modesto, Inc. and place on agenda December 2, 1968. (C/Atty to handle)

HEARINGS

8. Annexation of Rose Acres No. 2 to Sewer District 4:15 P.M.

ACTION: Res. 68-1046 adopted (Shastid/Hughes, unan. - Robinson, absent) annexing area. (Clerk to handle)

9. Hearing on amendment to Sec. 17-3-9 of zoning map (Commission initiated) 4:20 P.M.

ACTION: By motion (Smith/Simon, unan. - Robinson absent) Ord. No. 930-C.S. introduced. (Clerk to handle)

10. Hearing on amendment to Section 20-3-9 of zoning map (Loretelli) 4:25 P.M.

ACTION: By motion (Hughes/Shastid, unan. - Robinson absent) Ord. No. 931-C.S. introduced. (Clerk to handle)

11. Hearing on amendment to Section 22-3-9 of zoning map (Flory) 4:30 P.M.

ACTION: By motion (Smith/Simon, unan. - Robinson absent) hearing continued to November 25, 1968 at 8:05 P.M. (Clerk to handle)

12. Matters for the good of the Community. (These may be presented by citizens in the audience) 4:35 P.M.

Pete Mills, representing a sports car club, spoke concerning Ord. No. 926-C.S. which had been adopted earlier in the meeting.

By motion (Shastid/Hughes, unan.) Councilman Mitchell appointed as the voting delegate of the City of Modesto at the Town Affiliation Association meeting to be held in Hollywood, Florida, December 4 - 6, 1968.

The City Manager announced that at 2:00 P.M. today the El Vista fire station went into operation and Downey Avenue ceased.

ORDINANCES

CONSENT

13. Final adoption of Ordinance No. 926-C.S. (permits for amusement activities) (Motion needed)

ACTION: By motion Ord. No. 926-C.S., as amended, adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Consider letter agreement from Orrick, Herrington, Rowley & Sutcliffe, Attorneys at Law, which provides for payment of legal fees for services rendered by said legal counsel in connection with Modesto Improvement District No. 13 - Sanitary Sewer Improvement District in area east of Claremont Avenue and north of Rumble Road. Resolution approving letter agreement needed)

ACTION: Res. 68-1047 adopted approving letter agreement. (Clerk to handle)

15. Request for waiver of penalty on business license tax. (L. W. Zimmerman, owner states: "L. W. Zimmerman (owner) and Mrs. Carole Thompson (bookkeeper) made out checks for all of our taxes due October 31, 1968 and same were to be placed in the mail the evening of October 28. Our bookkeeper passed away on the morning of October 29. The owner thought all of these checks had been mailed out, but same were located "unmailed" on November 7. Mrs. Thompson had not been ill and her sudden death was a shock to all concerned." The staff recommends that this waiver be granted. Resolution approving or denying request needed)

ACTION: Res. 68-1048 adopted (Hughes/Simon, unan. - Robinson absent) granting request. (Finance to handle)

16. Notification that Modesto will receive an award for the best People-to-People single program in cities between 25,000 and 50,000 population for the year 1967. (The health and medical program in Barranquilla sponsored by Modesto's Sister City Committee was entered in the Sixth Annual Town Affiliation Awards Competition sponsored by the Reader's Digest Foundation and conducted by the Town Affiliation Association of the United States, Inc. The award will be presented on December 5 during the Town Affiliation Association and People to People joint conference being held in Hollywood, Florida.)

NO ACTION NEEDED.

CONSENT

17. Consider lease agreement between Calcagno Farms and City of Modesto for rental of 40 acres at City-County Airport. (This is a renewal of a lease agreement approved by Council last year. Term of the lease is Dec. 4, 1968 to June 3, 1969, with a rental of 25% of the revenue from the crop. Resolution authorizing City Manager to execute lease agreement on behalf of the City needed)

ACTION: Res. 68-1049 adopted approving lease agreement. (Clerk to handle)

CONSENT

18. Approve agreement between the City of Modesto and the Southern Pacific Railroad Company providing a grant of easement to the City of Modesto for a proposed extension to the water system. (Memo to be distributed. Resolution approving agreement needed)

ACTION: Res. 68-1050 adopted approving agreement. (Clerk to handle)

REPORTS

CONSENT

19. Presentation of the annual financial report for 1967-68 fiscal year. (Copies of the report submitted with agenda. Motion accepting report needed)

ACTION: By motion report accepted. (Finance to handle)

CONSENT

20. Report on proposed bus stops along Highway 132 freeway (Kansas Avenue) when built.
(Such bus stops do not seem necessary. A report by the Director of Parking and Traffic has been sent with the agenda. Motion directing staff to report to the State the findings from the Director of Parking and Traffic memo needed)

ACTION: By motion staff directed to inform Division of Highways that:

1. The area is still entirely outside the City. Since the freeway agreement was handled with the County, the bus stops should be too. The first interchange west of Highway 99 is Carpenter Road, and the next one is Dakota Avenue. At a staff level, the County doesn't see the need for bus stops.

2. The local bus service, for which Modesto provides the buses, has no intention of using the 132 Freeway.

3. The Division of Highways is part of the California Transportation Agency. As such it is in a good position to determine whether inter-city carriers such as Greyhound will need such bus stops for inter-city travelers of the future.

(P & T to handle)

21. Report by staff concerning the Downtown Improvement District Advisory Board request for walking patrolmen in the downtown area. (A report is distributed with agenda. Motion directing staff needed)

ACTION: By motion (Simon/Shastid, unan. - Robinson absent) staff directed to proceed in the manner recommended by Police Chief. (Personnel and Police to handle)

22. Report on tree planting for the Downtown Improvement District. (Memorandum with agenda. Resolution authorizing transfer and appropriation of funds if Council desires to proceed needed. Estimated cost $20,000)

ACTION: Res. 68-1051 adopted (Hughes/Shastid, unan. - Robinson absent) authorizing the transfer of up to $10,000 from General Fund (No. 101) to D.I.D. Fund (No. 218). (Finance to handle)

Res. 68-1052 adopted (Hughes/Shastid, unan. - Robinson absent) authorizing appropriation transfer of $10,000 from D.I.D. - Contingency Reserve (61-218) to D.I.D. - Beautification (5399-218). (Finance to handle)

APPROPRIATION TRANSFERS

None.

MISCELLANEOUS

23. Appointments

ACTION: Res. 68-1053 adopted (Shastid/Hughes, unan. - Robinson absent) appointing the following additional members to the Committee to Study Crime (all terms expire April 30, 1971):

Armando Flores, Student, Modesto High School; Chuck Hefer, Student, Modesto Junior College; Beth Kenworthy, Student, Downey High School; Doug McNeil, Student, Davis High School; Leslie Patrick, Student, Modesto High School; Tom Welch, Student, Modesto Junior College

Adjournment at 7:10 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 25, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None
Pledge of allegiance to the Flag
Invocation: Reverend William Stewart, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 12, 13, 14, 15, 16, 17, 18a, b, c, d, 19, 20, 21, 22, 23
Items 4, 16 & 17 removed from Consent.
(Smith/Simon, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 the consent items is set forth in the explanation for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of November 18, 1968.

ACTION: Minutes approved. (Clerk to handle)

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

2. Notice of application by Southern Pacific Co. for authority to maintain passenger fares between the San Francisco-Oakland-Sacramento and Los Angeles areas on no lower a level than fares between other points.
(Motion referring to staff needed if Council wishes more information).

ACTION: By Order of Mayor referred to staff. (P & T to handle)

CONSENT
3. Request of Earl Reneaux for permission to pay cost of installation of sidewalk, curb and gutter over a ten-year period.
(Resolution granting request needed)

ACTION: Res. 68-1054 adopted amending Res. No. 68-354 to provide for payment over a period of 10 years. (Finance to handle)

CONSENT
4. Letter from Golden Pacific Airlines, Inc. stating that they have been granted authority to serve Modesto.
(Motion ordering letter filed needed)

ACTION: By motion (Shastid/Mitchell, unan.) staff directed to acknowledge receipt of letter and to request information as to when service to Modesto will start and what the schedules will be. (C/Mgr to handle)

BIDS

CONSENT

5. Accept as complete George Reed, Inc. contract for the improvement of East Granger Ave. from McHenry Ave. to east city limits.
(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 authorize the City Clerk to file notice of completion. Resolution accepting work needed. Cost: Total, $34,111.35 (contract $29,611.35; Eng., $4,500.00) Funds budgeted in Account 6699-1-207, Granger, McHenry to east city limits, Special Gas Tax St. Impr. Fund)

ACTION: Res. 68-1055 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of sewer extension on McHenry Ave. - Floyd Ave. to Cavil Drain.
(Suggested bid opening December 10, 1968 at 10:00 A.M. This sewer lateral should be installed in advance of the State Division of Highways project for the widening of upper McHenry Ave. City will be reimbursed as benefitted properties connect in the future. Resolution approving plans and specifications and call for bids needed. Estimated cost $5,900 (Contract $5,355; Engr. $535). Funds budgeted in Account 6561-52-212, Extend Subtrunk & Perimeter Sewers, p. 60)

ACTION: Res. 68-1056 adopted approving plans and specifications and call for bids. (Clerk to handle)

HEARINGS

7. Further consideration of Wylie rezoning petition. 7:45 P.M.
(On October 28, 1968 it was ordered that this matter be continued to this time. This is the last day this matter can be acted upon.)

ACTION: Res. 68-1057 adopted (Smith/Shastid, majority - Hughes, no) denying petition. (Planning to handle)

8. Informal hearing on proposed mall. 8:00 P.M.

ACTION: By motion (Shastid/Robinson, unan.):

1. 1911-1913-1960 assessment procedures approved;
2. canopy over mall approved;
3. size of mall as recommended by D.I.D. approved subject to City staff re-evaluation;
4. spread of costs as recommended by D.I.D. approved subject to City staff re-evaluation;
5. payment in 20 years at 6% approved;
6. non-assessment of City-owned parking lots; and
7. circulation of petitions for formation of mall (to be accompanied by fact sheet) approved.

(C/Mgr. to handle)

9. Continued hearing on amendment to Section 22-3-9 of the zoning map (Flory). 8:05 P.M.
(Continued from November 18th meeting)

ACTION: By motion (Shastid/Hughes, unan.) Ord. No. 932-C.S. introduced. (Clerk to handle)

10. Matters for the good of the community. 8:10 P.M.
(These may be presented by citizens in the audience)

ACTION: Res. 68-1058 adopted (Hughes/Shastid, unan.) waiving formal bid procedures for purchase of trees for Downtown Beautification, and authorizing purchase. (P & R to handle)

ORDINANCES

11. Consider permanent removal of meters on both sides of 14th Street north of J Street, and temporary removal of meters on the north side of H Street between 9th and 10th Streets, and the east side of 9th Street between H and I Streets.
(A report by the Director of Parking and Traffic has been sent with the agenda. Meter revenue at these locations has dropped below or is on the border line of the amount needed for upkeep of the meters. It is recommended that the 14th Street meters be permanently removed and authority granted for temporary removal of all or part of those meters on the north side of H Street between 9th and 10th and the east side of 9th Street between H and I Streets. Ordinance amending parking meter zoning map in Section 3-2.1501 of the municipal code, and resolution authorizing temporary removal of parking meters. Estimated cost, $20 to remove meter heads. Funds budgeted in Account 110-56-101, Salaries and Wages)

ACTION: Res. 68-1059 adopted (Smith/Robinson, unan.) authorizing temporary removal of meters.

Ord. No. 933-C.S. adopted (Smith/Robinson, unan.) amending parking meter zoning map.

(P & T to handle)

NEW BUSINESS

CONSENT
12. Resolution authorizing extension of lease for Broughton Branch Library.
(Under terms of lease dated May 25, 1964 the City may, at a rental of $150 per month, exercise option for extension of lease for a one-year period upon giving written notice to lessor. Resolution authorizing exercise of option to extend lease of premises for a period of one year beginning June 1, 1969 and ending May 31, 1970 needed)

ACTION: Res. 68-1060 adopted authorizing extension of lease. (Clerk to handle)

CONSENT
13. Report of Superintendent of Streets on the cost of installation of sidewalk at 520 Griswold Avenue, Lot 8 and 15 feet of Lot 7, Block 714 (Irene Hirschl).
The amount assessed against the property ($133.75) will be included in a report distributed with the agenda for the hearing date. The City Clerk will set date for the hearing. Resolution setting date needed. Suggested time 12/9/68 at 8:00 P.M. Funds budgeted in Account 5302-51-101, Curbs & Gutters, Special)

ACTION: Res. 68-1061 adopted setting hearing. (P/W to handle)

CONSENT

14. Agreement between Southern Pacific Company and the City of Modesto whereby Southern Pacific grants to city, subject to certain reservations, covenants and conditions contained therein, the right to construct, reconstruct, maintain and operate two 27-inch reinforced concrete Class IV sewer pipe lines beneath the crossings of the railroad at certain locations specified therein. Permission for such construction was previously asked for by the City of the Southern Pacific Railroad Co. Installation of the sewer pipe lines is required by the City in connection with its sewerage works improvements - Project No. 6. Resolution authorizing execution of agreement needed)

ACTION: Res. 68-1062 adopted approving agreement and authorizing execution. (Clerk to handle)

CONSENT

15. Revocable permit to City of Modesto for the purpose of installing, maintaining and using a 39" R.C.P. sanitary sewer line across Hetch Hetchy Parcel No. 675 located in Stanislaus County.
(The City of Modesto previously requested permission to cross the City of San Francisco's San Joaquin pipelines right of way with a sanitary trunk sewer. The revocable permit is being given to the City of Modesto pursuant to a resolution of the Public Utilities Commission of the City and County of San Francisco, and will enable the City to install, maintain and use a 39" reinforced concrete pipe sanitary sewer line in connection with sewerage works improvements - Project Unit No. 10. Resolution authorizing City Manager to sign revocable permit on behalf of City needed)

ACTION: Res. 68-1063 adopted authorizing City Manager to sign revocable permit. (Clerk to handle)

CONSENT

16. Consider agreement between City and Lawrence Kennedy whereby City agrees to purchase property from Mr. Kennedy for the purpose of constructing a parking lot for the Westside Neighborhood Center, which is a HUD project.
(The property which the City is purchasing has been appraised by an M A I appraiser, and the price which the City agrees to pay for the property is consistent with the appraisal. Construction of the parking lot is required in conjunction with the construction of the Westside Neighborhood Center, and the parcel covered by this agreement is one of the two parcels which the City will need to complete the parking lot. Resolution approving agreement needed. Estimated cost $10,200 (which includes miscellaneous costs and City's share of prorated taxes.) Funds budgeted in Account 6375 - Dept. 31, Westside Neighborhood Center - Fund 321)

ACTION: Res. 68-1064 adopted (Smith/Shastid, unan.) approving agreement. (Clerk to handle)

CONSENT

17. A resolution committing the City of Modesto to reimburse the Great American Insurance Company, under certain circumstances, all or part of the settlement being paid the City of Modesto for loss by fire of a small cottage on the Mancini property.
(Memorandum of explanation with agenda. Resolution needed)

ACTION: Councilman Simon was excused from consideration of this item. By motion (Shastid/Robinson, unan.) settlement accepted without commitment to repay insurance company in any case. Staff directed to prepare report for Council on status of the Mancini property. (P & R to handle)

CONSENT

18. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install sidewalks and/or curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Adoption of resolutions needed. Suggested hearing date December 9, 1968 at 8:05 P.M.)

CONSENT

(a) Sidewalk at 1506 Oakwood Drive, Lot 10, Block 6036,(Walker W. Reed)
(Resolution setting hearing needed)

ACTION: Res. 68-1065 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalk at 929 Sycamore Avenue, Lots 1, 2 & 3, Block 723, Melvin A. Ballerini)
(Resolution setting hearing needed)

ACTION: Res. 68-1066 adopted setting hearing. (P/W to handle)

CONSENT

(c) Curb and gutter on Tuolumne Blvd., at 401 Tuolumne Blvd., Lots 23, 24 & 25, Block 312,(Charles E. Erickson).
(Resolution setting hearing needed)

ACTION: Res. 68-1067 adopted setting hearing. (P/W to handle)

CONSENT

(d) Sidewalk on Center at 201 Fresno, Lots 1 and 2, Block 317, (Julius Tognacca)
(Resolution setting hearing needed)

ACTION: Res. 68-1068 adopted setting hearing. (P/W to handle)

CONSENT

19. Letter from Salvation Army.
(The Salvation Army has requested permission to pick oranges from trees located in city parks. They plan to use the oranges in their Christmas baskets. The Council approved this request last year. Motion granting request needed)

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

CONSENT

20. Accept improvements in Elmwood Estates No 2 Subdivision and authorize City Clerk to file notice of completion and release the bond upon expiration of the statutory lien period.
(Elmwood Estates No. 2 Subdivision is located on Elm Avenue between Carpenter Road and Emerald 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. 68-1069 adopted accepting improvements. (Clerk to handle)

REPORTS

CONSENT

21. Report on application to collect swill - Julius Emery and William Willett.
(Memo with agenda. Resolution setting public hearing needed. Suggested date December 16, 1968 at 4:20 P.M. needed)

ACTION: Res. 68-1070 adopted setting hearing. (Clerk to handle)

CONSENT

22. Notice of request of Transcontinental Bus (Trailways) for a 4% fare increase in California.
(A memo from Director of Parking and Traffic with agenda. No action needed unless Council wants staff to investigate matter further)

NO ACTION.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

23. Consider amendments to the zoning map as requested by Haig Berberian to prezone to a total of twelve (12) Planned Development (P-PD) Zones, property consisting of 43.1 acres, located on both sides of Coffee Road, north of Sylvan Avenue.
(Resolution setting date for public hearing needed. Suggested hearing date December 16, 1968 at 4:15 P.M.)

ACTION: Res. 68-1071 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

NONE.

MISCELLANEOUS

24. Appointments.

ACTION: Res. 68-1072 adopted (Robinson/Mitchell, unan.) appointing Leo Dugan as a member of the Personnel Commission to replace Harold McKee. (Clerk to handle)

Res. 68-1073 adopted (Robinson/Mitchell, unan.) appointing Robert Tacy as a member of the Mayor's Council on Youth Opportunity to replace Harold McKee. (Clerk to handle)

Adjournment at 10:40 P.M.

ATTEST: W. T. Chynowath

W. T. CHYNOWATH, CITY CLERK

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 2, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: None
Pledge of allegiance to the Flag
Invocation: by Councilman Hughes

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 6, 7, 8B, 9, 10, 11, 12, 15, 16, 20, 21
Item 9 dropped from agenda.
(Robinson/Simon, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of November 25, 1968.
ACTION: Minutes approved. (Clerk to handle)

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

2. Request of Modesto City Schools to have Council deed triangular piece of land at intersection of Rosedale Ave. and First Street and portion of Rosedale Avenue to Modesto High School District for the purpose of constructing a student center at Modesto High School.
(Motion referring to staff needed)
ACTION: By motion (Mitchell/Robinson, unan.) referred to staff for study. (P & T to handle)

3. Request of the City of National City for adoption of resolution urging legislation to close U.S.-Mexican border to American minors.
ACTION: By Order of the Mayor referred to staff with instructions to keep Council informed as to any development in this matter. (C/Atty to handle)

CONSENT
4. Appeal of Jack Ball, et al, from action of Planning Commission in granting use permit to Mark Randy for apartment building on McHenry Avenue.
(Resolution setting hearing needed. Suggested hearing date December 23, 1968 at 7:40 P.M.
ACTION: Res. 68-1074 adopted setting hearing. (Clerk to handle)

CONSENT

5. Request of West Modesto Opportunity program for termination of agreement for use of Maddux Youth Center effective July 15, 1968. (Resolution granting request needed)

ACTION: Res. 68-1075 adopted terminating agreement effective July 15, 1968. (Clerk to handle)

CONSENT

6. Letter from Frank Andrews. (Motion ordering letter filed needed)

ACTION: By motion letter ordered filed.

CONSENT

7. Request of James Sheppard for permission to pay assessment for cost of curb and gutter over a ten year period. (Resolution granting request needed)

ACTION: Res. 68-1076 adopted amending Res. Nos. 67-841 and 68-274 to provide for payment over a ten-year period. (Finance to handle)

8. Proposal of Skymark Airlines to initiate air service between Modesto and San Francisco.

ACTION: Staff to meet with representatives of Skymark Airlines to obtain more information. (P/W to handle)

8A. Letter from Ray Houghton and Bart Bartoni re planter in Arcade.

ACTION: Res. 68-1077 adopted (Hughes/Shastid, unan.) granting request for permission to reduce net paved width of arcade from 12 feet to 11 feet 4 inches. (C/Atty to handle)

CONSENT

8B. Memo from City Clerk suggesting that communications addressed to Council but meant for specific departments and/or not concerning city government be handled at staff level and not placed on agenda. (Motion approving suggestion needed)

ACTION: By motion Clerk authorized to proceed as suggested. (Clerk to handle)

CONSENT

9. Approve plans and specifications and call for bids for the drilling, casing, testing, and development of one deep well for the City of Modesto - Well No. 37. (Bid opening December 17, 1968 at 10:00 a.m. Well No. 37 is to be located in the new park site on the north side of Celeste, East of Vera Cruz Drive, in the northeast section of Modesto. Resolution approving plans and specifications and call for bids needed. Estimated cost $6,500 (depending on depth of well). Funds budgeted in Account 6809-50-101, Well Pump Station, Rose Avenue Area)

DROPPED FROM AGENDA.

CONSENT

10. Consider approval of plans and specifications and call for bids for installation of water line on west side of McHenry between Bowen and Leveland.
(See accompanying memo. Resolution approving plans and specifications and call for bids needed. Bid opening date December 17, 1968 at 10:15 A.M. Estimated cost $9,050 (Labor $3,650; materials, $5,400). Funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 68-1078 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

11. Consider award of bid for piping of M.I.D. Lateral No. 3 east of McHenry.
(Bids were opened on November 26 and the low bid of Frontier Contractors, which was 4.5% below the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $62,000 (Contract $57,200; Engr. & Insp. $4,800.) Funds budgeted in Account 6714-1-207, Briggsmore, McHenry to Coffee)

ACTION: Res. 68-1079 adopted awarding bid to Frontier Contractors. (P/W to handle)

CONSENT

12. Accept as complete Valley Engineers, Inc., contract for the construction of Tenaya Trunk Sewer, Project Unit No. 4.
(This is the first of our Sewerage Works Improvement Projects to be completed. Completion date for the project was Jan. 6, 1969. Contractor has completed the work well ahead of schedule. Final inspection of the project was made by representatives of EDA, J & A, and the City on October 25. Resolution accepting work as complete and authorizing City Clerk to file notice of completion needed. Actual contract cost $632,366.95. Funds budgeted in Account 6553-405, Muni Sewer Dist. Impr.)

ACTION: Res. 68-1080 adopted accepting contract. (Clerk to handle)

HEARINGS.

13. Abandonment of portion of public utility easement in Campos Verdes Subdivision. 4:15 P.M.

ACTION: By motion (Robinson/Hughes, unan.) abandonment approved in principle and further consideration continued to January 6, 1969 to permit completion of certain items. (C/A and P/W to handle)

14. Matters for the good of the community.
(These may be presented by citizens in the audience) 4:20 P.M.

ACTION: Res. 68-1081 adopted (Hughes/Shastid, unan.) approving agreement with Ryan Outdoor Advertising providing that Ryan Outdoor Advertising will make the illegal sign at the Chuckwagon on J Street conform by March 1, 1969 and will dismiss the injunctive action brought against the City. (Clerk to handle)

ORDINANCES

CONSENT

15. Final adoption of Ordinance 930-C.S. (Amendment to section map 17-3-9) (Commission initiated).
(Motion adopting needed)

ACTION: By motion Ord. No. 930-C.S. adopted. (Clerk to handle)

CONSENT

16. Final adoption of Ord. 931-C.S. (Amendment to section map 20-3-9 (Loretelli).
(Motion adopting needed)

ACTION: By motion Ord. No. 931-C.S. adopted. (Clerk to handle)

OLD BUSINESS

17. Award of CATV franchise.

ACTION: Ord. No. 934-C.S. introduced (Hughes/Smith, unan.) awarding CATV franchise to Cable Com General of Modesto. (Clerk to handle)

NEW BUSINESS

18. Approve condemnation proceedings for acquisition of easements required for construction of Sewerage Works Improvement trunk sewers.
(Number of parcels involved in each project unit are as follows: Project Unit No. 6 - 5 parcels; Project Unit No. 9 - 4 parcels; Project Unit No. 10 - 16 parcels. Resolutions authorizing condemnation proceedings needed)

ACTION: Res. Nos. 68-1082 - 68-1103 adopted (Robinson/Smith, unan. - Shastid absent) authorizing condemnation actions as follows:

(Note: Councilman Shastid was excused from consideration of this item due to a possible conflict of interest.)

Res. No.	Name	Parcel No.
68-1082	William J. Podesto, et al.	106-4-1
68-1083	Maria Podesto, et al " " " " " " " "	106-2-1 105-29-1 106-9-1
68-1084	Floyd R. Stanley, et al.	33-02-5
68-1085	Albert L. Schmidt, et al.	13-01-10
68-1086	James Luther Welch, et al.	33-11-4
68-1087	Gallo Vineyards, Inc.	35-16-9
68-1088	La Mas	33-26-8
68-1089	George F. Santos, et al.	
68-1090	Frank F. Santos, Jr.	
68-1091	Harold Jerome Santos	

Res. No.	Name	Parcel No.
68-1092	Quistini and Stanwood	
68-1093	Rudy Bonzi, et al.	
68-1094	Oliver Stanton Moore, Jr.	
68-1095	Louis L. Bispo, et al.	
68-1096	Fred E. Wilson, et ux	
68-1097	C. J. Rumble and Sons, Inc.	
68-1098	H. L. and Ward B. Rumble, Inc.	
68-1099	Department of Veterans Affairs of the State of California	10-W4
68-1100	Department of Veterans Affairs of the State of California	10-W5
68-1101	Louis A. Witt, et al.	
68-1102	George Gagos	
68-1103	American Lumber Company	

(C/Atty to handle)

The City Manager stated that the Director of Public Works will attempt to have a complete report on the sewer project for the December 9 meeting and that a trip to view the entire project will be scheduled for the afternoon of December 10 if possible.

19. Sample inventory report per Council's request of September 9, 1968. (Memo and report with agenda. Motion accepting report needed)

ACTION: By motion (Hughes/Robinson, unan.) accepting report. (Finance to handle)

REPORTS FROM PLANNING COMMISSION

CONSENT

20. Proposed uninhabited annexation, Prescott No. 2 Addition, for referral to Planning Commission.
(Information with agenda. Resolution referring to Planning Commission needed)

ACTION: Res. 68-1104 adopted referring to Planning Commission. (Planning to handle)

CONSENT

21. Proposed uninhabited annexation, Scenic No. 2 Addition, for referral to Planning Commission.
(Information with agenda. Resolution referring to Planning Commission needed)

ACTION: Res. 68-1105 adopted referring to Planning Commission. (Planning to handle)

APPROPRIATION TRANSFERS

22. Appropriation transfers.

NONE.

MISCELLANEOUS

23. Appointments.

NONE.

24a. Executive session to consider acquisition of neighborhood park - Floyd Neighborhood.

b. Consider application to HUD for federal assistance in acquiring neighborhood park - Floyd Neighborhood.

The Council retired to executive session at 5:03 P.M. and returned to open session at 5:33 P.M.

ACTION: By motion (Mitchell/Smith, majority - Hughes, no) staff authorized to make application to HUD for Federal assistance in acquiring neighborhood park in the Floyd Neighborhood. (P & R to handle)

Adjournment at 5:35 P.M.

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, CITY CLERK

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 9, 1968 AT 7:30 PM

Roll Call Present: Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: Hughes and Mitchell

Pledge of allegiance to the Flag
Invocation:

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 5, 6, 7, 9, 10, 11, 12, 23, 24, 25, 26, 30, 31, 32a, b, c, 33, 34, 35, 36, 37, 38
Items 6 and 8 droppad from agenda, and item 33 removed from consent.
(Robinson/Smith, unan.)
(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of December 2, 1968.

ACTION: Minutes approved.

PETITIONS, REMONSTRANCES AND CORRESPONDENCE

2. Claim of Dorothy's for $39.75 for damage to suit which was held as evidence by Police.

ACTION: By motion (Robinson/Shastid, unan.) City Attorney directed to write to claimant and explain reasons why staff denied this claim. (C/Atty to handle)

CONSENT
3. Letter from State Controller expressing appreciation for services of C. V. Bird, Director of Finance, as a member of Controller's Advisory Committee.
(Motion ordering letter filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

4. Letter from California Roadside Council concerning Bureau of Public Roads policy on public hearings on route locations and design and including right of appeal.

ACTION: By Order of the Mayor referred to staff. (C/Mgr to handle)

BIDS

CONSENT
5. Accept as complete Elrich Construction Company's contract for [illegible] paving, and drainage improvements in Marshall Park [illegible] work on this contract has been completed to the satisfaction of the Parks and Recreation Department. It would be in the City's best interest to accept this contract as complete and authorize the City Clerk to file a Notice of Completion. Resolution accepting work needed. Estimated cost $15,755 (Contract $13,885, Engr. $2,900). Funds budgeted in Account 6274-31-321, Marshall Park Development)

ACTION: Res. 68-1165 adopted accepting contract. (Clerk to handle)

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CONSENT

6. Approve plans and specifications and call for bids for construction of East Intercepting and Seventh Street Trunk Sewer, Project Unit No. 6 of the Sewerage Works Improvement Program.
(This project unit provides for a new trunk sewer paralleling our existing industrial waste trunk sewer from Dry Creek, paralleling the Tuolumne River, to a point on the Dryden Golf Course. Also provided in this project unit is a trunk sewer which will permit the removal of all industrial waste from the 9th Street storm drain and allow the 9th Street storm drain to be used exclusively for storm drainage. Bid opening January 14, 1969 at 2:00 P.M. Resolution approving plans, specifications and call for bids needed. Estimated project cost $687,500; funds budgeted in Account 6553-405, Muni. Sewer Dist. Impr.)

DROPPED FROM AGENDA.

CONSENT

7. Approve plans and specifications and call for bids for construction of oxidation ponding system, Project Unit No. 3 of the Sewerage Works Improvement Program.
(This is the last of three contracts directly involved with the treatment of our domestic and industrial waste. The proposed oxidation ponding system will be located on 1,200 acres the City recently acquired, approximately seven miles southwest of the community on the San Joaquin River. Bid opening January 15, 1969 at 2:00 P.M. Resolution approving plans, specifications and authorizing call for bids needed. Estimated project cost $2,500,000.00; funds budgeted in Account 6553-405, Muni. Sewer District Impr.)

ACTION: Res. 68-1107 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

8. Approve plans and specifications and call for bids for construction of Scenic-Sonoma Trunk Sewer, Scenic-Lakewood Trunk Sewer, and pump stations, Project Unit No. 9, Sewerage Works Improvement.
(This provides trunk sewer facilities for the area east of Old Oakdale Road between Dry Creek and MID Lateral 3. Bid opening January 15, 1969 at 2:00 P.M. Resolution approving plans, specifications and authorizing call for bids needed. Project cost $713,643; funds budgeted in Account 6553-405, Muni. Sewer District Impr.)

DROPPED FROM AGENDA.

9. Presentation by staff of review of entire sewer project.

ACTION: Report presented by Director of Public Works Campbell on status of sewer project. The Mayor commended Mr. Campbell and his staff for the excellent progress.

CONSENT

10. Award contract for traffic signal work for G, H, and I Streets changeover.
(Ferrero Electric, Inc., is low bidder at $84,965. Bid tabulation sent with agenda. Memo from Director of Parking and Traffic with agenda. Resolution awarding contract to Ferrero Electric, Inc. needed. Estimated cost $89,000; funds budgeted in Account 6211-56-321, Modernize Downtown)

ACTION: Res. 68-1108 adopted awarding contract to Ferrero Electric, Inc. (P & T to handle)

CONSENT

11. Consider award of bid for the improvement of "G" Street from 16th Street to Burney Street and the Reconstruction of Return at First Street and "G" Street.
(Bids were opened on December 3. The low bid submitted by B & G Construction Company, which is 20% below the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $14,449.80 (Contract $12,274.80; Engr. $2,225). Resolution approving appropriation transfer of $15,000 needed).

ACTION: Res. 68-1109 adopted awarding contract to B G Construction Co. (P/W to handle). Res. 68-1109A adopted approving appropriation transfer of $15,000 - Special Gas Tax Street Improvement Fund (207) from General Reserve (60-01) to G Street - 16th to Burney (6746-01). (Finance to handle)

CONSENT

12. Acceptance of traffic signal modernization and modification work on 10th Street, 11th Street, and at 7th and G Streets.
(Ferrero Electric, Inc., has completed all work necessary on this job. Final contract costs are $59,907.50. This completes the traffic signal work for the change of 10th and 11th Streets from one-way to two-way and the modification of 7th and G Streets. Resolution accepting the 10th Street, 11th Street, and 7th and G Streets traffic signal work as complete needed)

ACTION: Res. 68-1110 adopted accepting work as complete. (Clerk to handle)

HEARINGS

13. Hearing on annexation of Harte Tract Addition to Sewer District. 7:45 P.M.

ACTION: Res. 68-1111 adopted (Sheerid/Rothrock, unan.) overruling objections and annexing area to Modesto Municipal Sewer District No. 1. (Clerk to handle)

14. Hearing on amendment to Sec. 26-3-9 of zoning map (K & R Homes). 7:50 P.M.

ACTION: By motion (Smith/Simon, unan.) Ord. No. 68-[illegible] introduced. (P & H to handle)

15. Hearing on unclassified use permit application of Doctor's Hospital. 7:55 P.M.

ACTION: Res. 68-1112 adopted (Shastid/Simon, unan.) granting an unclassified use permit to Modesto Medical Development Co. for a four-story expansion of Doctors' Hospital and rescinding Res. No. 68-353. (City Clerk to handle)

16. Hearing on cost of installation of sidewalk on Enslen Ave. at 520 Griswold Ave., Lot 8 and 15 feet of Lot 7, Block 714, (Mrs. Irene Hirschl). 8:00 P.M.

ACTION: Res. 68-1113 adopted (Smith/Simon, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

17. Sidewalk requirement at 1506 Oakwood Drive, Lot 10, Block 6036 (Walker W. Reed). 8:05 P.M.

ACTION: Res. 68-1114 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

18. Sidewalk requirement at 929 Sycamore Avenue, Lots 1, 2 and 3, Block 723 (Melvin A. Ballerini). 8:05 P.M.

ACTION: Res. 68-1115 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

19. Curb and gutter requirement on Tuolumne Blvd. at 401 Tuolumne Blvd., Lots 23, 24 and 25, Block 312 (Charles E. Erickson). 8:05 P.M.

ACTION: Res. 68-1116 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

20. Sidewalk requirement on Center at 201 Fresno, Lots 1 and 2, Block 317 (Mr. Julius Tognacca) 8:05 P.M.

ACTION: Res. 68-1117 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

21. Matters for the good of the community. (These may be presented by citizens in the audience) 8:10 P.M.

Frank Andrews spoke on a variety of subjects.

The City Manager reported that it was not planned to rebuild Dennett Dam but that two dams are planned for the Tuolumne River Regional Park.

Councilman Simon reported that the grading at Marshall Park created a very good appearance.

22. Executive session to consider acquisition of neighborhood park in Floyd neighborhood. Also to consider right of way acquisitions. 8:30 P.M.

The Council retired to executive session at 8:35 P.M. and returned to open session at 9:05 P.M. Councilman Shastid was excused due to a conflict of interest.

ACTION: Res. 68-1118 adopted (Smith/Robinson, unan. - Hughes, Mitchell and Shastid absent) approving sewer easement contract with James Luther Welch. (City Attorney to handle)

ACTION: Res. 68-1119 adopted (Smith/Robinson, unan. - Hughes, Mitchell and Shastid absent) approving sewer easement contract with Gallo Vineyards, Inc. (City Attorney to handle)

ACTION: Res. 68-1120 adopted (Smith/Robinson, unan. - Hughes, Mitchell and Shastid absent) approving sewer easement contract with Albert L. and Lorraine L. Schmidt. (City Attorney to handle)

ACTION: Res. 68-1121 adopted (Smith/Robinson, unan. - Hughes, Mitchell and Shastid absent) approving easement contract with Floyd R. and Viola M. Stanley. (City Attorney to handle)

ACTION: Res. 68-1122 adopted (Smith/Robinson, unan. - Hughes, Mitchell and Shastid absent) authorizing condemnation action against Turlock Irrigation District. (City Attorney to handle)

ACTION: Res. 68-1123 adopted (Smith/Robinson, unan. - Hughes, Mitchell and Shastid absent) authorizing condemnation action against Bette La Mas. (City Attorney to handle)

ORDINANCES

CONSENT
23. Final adoption of Ord. No. 932-C.S. (Sec. Map 22-3-9 - Flory). (Motion adopting needed)

ACTION: By motion Ord. No. 932-C.S. adopted. (Clerk to handle)

CONSENT
24. Final adoption of Ord. No. 933-C.S. (parking meter zone map). (Motion adopting needed)

ACTION: By motion Ord. No. 933-C.S. adopted. (Clerk to handle)

CONSENT
25. Final adoption of Ord. No. 934-C.S. (CATV franchise). (Motion adopting needed)

ACTION: By motion Ord. No. 934-C.S. adopted. (Clerk to handle)

OLD BUSINESS

CONSENT
26. License to collect garbage - Rudy Bonzi, Inc.
(Memo with agenda. Resolution granting limited license to collect garbage from industrial plants within City needed)

ACTION: Res. 68-1124 adopted granting limited license to Rudy Bonzi, Inc. (Clerk to handle)

27. Further consideration of schools' request for abandonment of Rosedale Avenue and other property at Rosedale and Sierra. (A report by the Director of Parking and Traffic has been sent with the agenda. Motion indicating Council's willingness, or unwillingness to consider request further needed)

ACTION: By motion (Robinson/Shastid, unan.) request referred to Planning Commission for study and recommendation with provision that schools furnish Preliminary Title Report. (Planning to handle)

NEW BUSINESS

28. Capital Improvement Projects recommended to be done this year in the Parks & Recreation Department.
(Memos with agenda. Motion approving projects, and resolution appropriating funds needed. Estimated cost $26,700)

ACTION: By motion (Simon/Robinson, unan.) following projects approved:

1. Beautification of the traffic island at La Loma, Haddon and Santa Barbara. The work will include curb, gutter, automatic sprinkler system and planting of the area. Cost: $1,700.

2. Beautification of sidewalk area on north side of Briggsmore from Winning Way to College Avenue. This work will include the installation of a chain link fence with Rustake screen between the alley and sidewalk, planting on the fence and landscaping of the park strip area. Cost: $12,000.

3. Landscaping of Modesto Senior Citizens Center. This project will include complete landscaping around the building and the outdoor area at the Senior Citizens Center. This will include the plans, the automatic irrigation system and all the planting. Cost: $10,000.

4. Paving the parking lot at the Modesto Senior Citizens Center. This would include an asphalt layer over the existing parking lot and the marking of the lanes and bumper stops. Cost: $3,000.

(P & R to handle)

ACTION: Res. 68-1125 adopted (Simon/Robinson, unan.) authorizing transfer of $26,700 from General Fund (10) to Special Fund for Capital Outlays (321).

(Finance to handle)

29. Request for waiver of penalty on late mill return.
(This waiver is requested by Gospel Music & Supply Company, Inc., on the attached letter signed by Edna S. Combs, Bookkeeper for Gospel Music. The staff recommends that this waiver not be granted. Resolution approving or denying request needed)

ACTION: Res. 68-1126 adopted (Shastid/Simon, unan.) denying request.
(Finance to handle)

CONSENT

30. A resolution authorizing the institution of condemnation proceedings to acquire certain real property in the City of Modesto to be used for municipal purposes.
(The property described in the resolution is owned by Charles Grosso, 432 Vine Street, and is adjacent to property which the City is purchasing from Lawrence Kennedy. Both parcels are required by the City in order to construct a parking lot in conjunction with the construction of the Westside Neighborhood Center. Resolution authorizing condemnation needed. Estimated cost $3,000; funds budgeted in Account 6375 - Dept. 31, Westside Neighborhood Center - Fund 321)

ACTION: Res. 68-1127 adopted authorizing condemnation proceedings.
(C/Atty to handle)

CONSENT

31. Consider request for sewer service to property at 421 El Vista Avenue located on the west side of El Vista Avenue between Encina Ave. and Roble Ave.
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 68-1128 adopted approving agreement with Mae J. Meek for sewer service to 421 El Vista. (P/W to handle)

CONSENT

32. Resolutions instructing the Superintendent of Streets to give notice requiring construction of curbs and gutters at the locations listed below.
(Informal requests were sent over thirty days ago to the property owners to install curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to give notice requiring construction of curbs and gutters. Resolutions needed. Suggested hearing date December 23, 1968 at 7:45 P.M.)

CONSENT

(a) Curb and gutter at 219 Ruberto Street, Lots 5 and 6, Block 340 (Bob C. Forster).
(Resolution setting hearing needed)

ACTION: Res. 68-1129 adopted setting hearing. (P/W to handle)

CONSENT

(b) Curb and gutter at 211 Ruberto Street, Lots 2 and portion of 3, Block 340 (Mrs. Margaret Stinson Erwin).
(Resolution setting hearing needed)

ACTION: Res. 68-1130 adopted setting hearing. (P/W to handle)

CONSENT

(c) Curb and gutter at 214 Rosemont Avenue, Lots 31 and 32, Block 328 (Clyde Dirickson)
(Resolution setting hearing needed)

ACTION: Res. 68-1131 adopted setting hearing. (P/W to handle)

REPORTS

CONSENT

33. Report on trash containers and bus stop canopies.
(A report by the Director of Parking and Traffic has been sent with the agenda. The D.I.D. executive secretary has decided against trash containers on the furniture stores parking lot on 11th Street and has also agreed that bus route and bus stop changes should await the 10th Street mall decision. Motion accepting report needed).

ACTION: By motion (Smith/Simon, unan.) report accepted. (P & T to handle)

CONSENT

34. Report on Southern Pacific application for fare increase.
(A report by the Director of Parking and Traffic has been sent with agenda. Motion directing staff to keep Council informed if events warrant needed)

ACTION: By motion staff directed to keep Council informed if future events warrant this. (P & T to handle)

CONSENT

35. Presentation of financial statement for November 1968.
(Copies of report distributed at Council meeting)

ACTION: By motion report ordered filed. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

36. Recommend amendment to Section 13-3-8 of the zoning map (James Fudenna).
(By resolution 68-156 adopted November 19, 1968 the Planning Commission recommends an amendment to Section 13-3-8 of the zoning map as requested by James Fudenna to prezone to Planned Development Zone, P-P-D, to accommodate a multiple-family and single-family dwelling complex on property located at west side of Prescott Road, north of Mt. Vernon Drive. Resolution setting date for public hearing needed. Suggested date January 6, 1969 at 4:15 P.M. needed)

ACTION: Res. 68-1132 adopted setting hearing. (Clerk to handle)

CONSENT

37. Recommend amendment to Section 26-3-9 of the zoning map (Wilbur Grant)
(By resolution 68-160 adopted December 3, 1968 the Planning Commission recommends an amendment to Section 26-3-9 of the zoning map as requested by Wilbur Grant to prezone to Planned Development Zone, P-P-D, to accommodate a multiple-family residential development, on property located at the southwest corner of Riverside Drive and Haddon Avenue extended. Resolution setting date for public hearing needed. Suggested date January 6, 1969 at 4:20 P.M.)

ACTION: Res. 68-1133 adopted setting hearing. (Clerk to handle)

CONSENT

38. Summary of prezoning actions.
(At the time the prezoning ordinance was adopted, the City Council requested that a report be filed periodically.
(Memorandum with agenda. Motion accepting report needed).

ACTION: By motion report accepted.

APPROPRIATION TRANSFERS

39.

NONE.

MISCELLANEOUS

40. Appointments.

NONE.

Adjournment at 9:15 P.M.

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, CITY CLERK

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 16, 1968 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None

Pledge of allegiance to the Flag.
Invocation: Reverend Gary Christopherson, Orangeburg Ave. Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, X, 8, 9, Item 10 dropped from agenda. XX, 15, 16a, b, 17, 19, XX, 21, Items 7 & 20 removed from consent. 25, 26, 27
(Simon/Smith, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT
1. Minutes of December 9, 1968.

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

BIDS

CONSENT
2. Accept as complete the contract with Valley Construction Company for the installation of water lines in Lorenzen Park No. 4 Subdivision. (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 authorize the City Clerk to file notice of completion. Resolution accepting work as complete needed. Actual cost $2,493.10; funds budgeted in Account 6804-50-101, Water Line Extension).

ACTION: Res. 68-1134 adopted accepting contract. (Clerk to handle)

CONSENT
3. Accept as complete the contract with D. A. Parrish & Son, Inc., for the construction of Claremont Avenue subtrunk sewer line in Coleman Acres No. 1 Subdivision.
(All work on the project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and authorize the City Clerk to file notice of completion. Resolution accepting work as complete needed. Actual cost $12,515.55; funds budgeted in Account 6561-52-212, Extend Subtrunk and Perimeter Sewers. Funds being added to this account - see Item 27)

ACTION: Res. 68-1135 adopted accepting contract. (Clerk to handle)

CONSENT

4. Consider award of bid for construction of sewer extension on McHenry Avenue - Floyd Avenue to Cavil Drain.
(Bids were opened on December 10, 1968 at 10:00 A.M. and the low bid of Industrial Electrical, which is 15% below the Engineer's Estimate is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Resolution awarding bid needed. Estimated cost $5,110 (Contract $4,574; Engr. $536). Funds budgeted in Account 6561-52-212, Extend Subtrunk & Perimeter Sewers, p. 60. Funds being added to this account - see Item 27)

ACTION: Res. 68-1136 adopted awarding contract to Modesto Industrial Electrical Co., Inc. (P/W to handle)

CONSENT

5. Accept as complete the contract with Modesto Precast Stone for the construction of concrete bins for material storage at City Service Yard.
(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 authorize the City Clerk to file notice of completion. Resolution accepting work as complete and authorizing City Clerk to file notice of completion needed. Actual cost $6,231.28; funds budgeted in Account 6516-41-321, Corporation Yard Construction).

ACTION: Res. 68-1137 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider approving plans and specifications and call for bids for construction of sewer extension on Coffee Road and East Orangeburg Avenue to serve Golden Years Nursing Home.
(Refer to agreement on agenda with Golden Years Nursing Home. Bid opening December 31, 1968 at 10:00 A.M. Resolution approving plans, specifications and call for bids needed. Estimated cost $7,700 (Contract $7,000; Engr. $700). Funds budgeted in Account 6561-52-212, Extend Subtrunk and Perimeter Sewers. Funds being added to this account - see Item 27).

ACTION: Res. 68-1138 adopted approving plans and specifications and call for bids. (Clerk to handle)

~~CONSENT~~

7. Approve plans and specifications and call for bids for demolition of the existing Penney Annex and Wherry Furniture Building and construction of a vehicular parking lot.
(Funds for this project have been included in Account 6320-57-209. The project includes the demolition of the existing Penney Annex and Wherry Furniture Building; filling the basement area; construction of a vehicular parking lot with planters, meter posts, lights and planter irrigation system; replacement of sidewalk, curb and gutter. Estimated cost $30,000. Resolution approving plans, specifications, call for bids on January 8, 1969 at 2:00 P.M. needed. Funds budgeted in Account 6320-57-209, Parking Lot 28).

ACTION: Res. 68-1139 adopted (Mitchell/Smith, majority - Shastid, no) approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

8. Approve plans and specifications and call for bids for construction of East Intercepting and Seventh Street Trunk Sewer, Project Unit No. 6 of the Sewerage Works Improvement Program.
(This project unit provides for a new trunk sewer paralleling our existing industrial waste trunk sewer from Dry Creek, paralleling the Tuolumne River, to a point on the Dryden Park Golf Course. Also provided in this project unit is a trunk sewer which will permit the removal of all industrial waste from the 9th Street storm drain and allow the 9th Street storm drain to be used exclusively for storm drainage. Bid opening January 14, 1969 at 2:00 P.M. Resolution approving plans, specifications and call for bids needed. Project cost $687,500; funds budgeted in Account 6553-405, Muni. Sewer Dist. Impr.)

ACTION: Res. 68-1140 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

9. Approve plans, specifications and call for bids for construction of Scenic-Sonoma Trunk Sewer, Scenic-Lakewood Trunk Sewer, and pump stations, Project Unit No. 9, Sewerage Works Improvement. (This provides trunk sewer facilities for the area east of Old Oakdale Road between Dry Creek and MID Lateral 3. Bid opening January 15, 1969 at 2:00 P.M. Resolution approving plans, specifications and authorizing call for bids needed. Estimated project cost $713,643. Funds budgeted in Account 6553-405, Muni. Sewer District Impr.)

ACTION: Res. 68-1141 adopted approving plans and specifications and call for bids. (Clerk to handle)

~~CONSENT~~

10. Approve plans, specifications and call for bids for construction of South Trunk Sewer, Project Unit No. 10 of the Sewerage Works Improvement Program.
(This project unit provides trunk sewer facilities in the area east of the freeway between Tuolumne River and Hatch Road, and in the South Modesto Industrial Park area and residential area west of Crows Landing Road between Whitmore and the Tuolumne River. Bid opening January 16, 1969 at 2:00 P.M. Resolution approving plans, specifications and authorizing call for bids needed. Project cost $937,000; funds budgeted in Account 6553-405, Muni. Sewer Dist. Impr.)

DROPPED FROM AGENDA.

HEARINGS

11. Hearings on amendments to Sections 9-3-9 and 10-3-9 of zoning map (Berberian). 4:15 P.M.
(Information with agenda)

ACTION: Ordinances 936-C.S. through 947-C.S. and Resolutions 68-1142 through 68-1153 were introduced or adopted upon motion by Mitchell, seconded by Smith, and by unanimous vote.

(a) Section 9-3-9 - prezone to P-P-D (service station).

ACTION: Ord. No. 936-C.S. introduced;
Res. 68-1142 adopted approving development plan.

(b) Section 9-3-9 - Prezone to P-P-D (Non-profit fraternal organization).

ACTION: Ord. 937-C.S. introduced;
Res. 68-1143 adopted approving development plan.

(c) Section 9-3-9 - prezone to P-P-D (parcel 3).

ACTION: Ord. 938-C.S. introduced;
Res. 68-1144 adopted approving development plan.

(d) Section 9-3-9 - prezone to P-P-D (parcel 4).

ACTION: Ord. 939-C.S. introduced;
Res. 68-1145 adopted approving development plan.

(e) Section 9-3-9 - prezone to P-P-D (parcel 5)

ACTION: Ord. 940-C.S. introduced;
Res. 68-1146 adopted approving development plan.

(f) Section 9-3-9 - prezone to P-P-D (parcel 6)

ACTION: Ord. 941-C.S. introduced;
Res. 68-1147 adopted approving development plan.

(g) Section 10-3-9 - prezone to P-P-D (Commercial shopping center).

ACTION: Ord. 942-C.S. introduced;
Res. 68-1148 adopted approving development plan.

(h) Section 10-3-9 - prezone to P-P-D (Parcel B)

ACTION: Ord. 943-C.S. introduced;
Res. 68-1149 adopted approving development plan.

(i) Section 10-3-9 - prezone to P-P-D (Parcel C)

ACTION: Ord. 944-C.S. introduced;
Res. 68-1150 adopted approving development plan.

(j) Section 10-3-9 - prezone to P-P-D (Parcel D)

ACTION: Ord. 945-C.S. introduced;
Res. 68-1151 adopted approving development plan.

(k) Section 10-3-9 - prezone to P-P-D (Parcel E)

Ord. 946-C.S. introduced;
Res. 68-1152 adopted approving development plan.

(l) Section 10-3-9 - prezone to P-P-D (Parcel F)

Ord. 947-C.S. introduced;
Res. 68-1153 adopted approving development plan.

(Ordinances to be handled by City Clerk; Resolutions to be handled by Planning)

(Planning Commission to study access near service station when specific site plan is discussed.)

12. Hearing on application of Julius Emery and William Willett to collect swill. 4:20 P.M.

ACTION: By Order of the Mayor this matter held over to permit applicant to obtain written approval from the businesses he will serve and to permit staff to determine whether or not applicant needs a permit from Dept. of Agriculture. This is to be placed back on the agenda when information has been obtained.

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

ACTION: Res. 68-1154 adopted (Robinson/Smith, unan.) designating maximum size and location of library. (C/Mgr to handle)

It was reported that in attempting to make an arrest a Police Officer was attacked by two men and that several motorists passed without making an attempt to assist him or to phone for help. The Police reported that this was not a usual thing and that citizen cooperation was usually excellent. The suggestion was made that the Committee to Study Crime might attempt to urge the citizens to assist in cases like this by phoning for help.

14. Hearing on formation of Improvement District No. 11. 5:00 P.M.

ACTION: By motion (Simon/Shastid, unan.) staff directed to make study of possible uses of Quartaroli property. (Planning to handle)

Res. 1066-S.P. adopted (Hughes/Shastid, unan.) determining that public convenience and necessity require public improvement without compliance with Majority Protest Act of 1931.

Res. 1067-S.P. adopted (Hughes/Shastid, unan.) adopted ordering work.

Res. 1068-S.P. adopted (Hughes/Shastid, unan.) calling for bids. Bid opening: January 21, 1969 at 2:00 P.M.
(Clerk to handle)

OLD BUSINESS

CONSENT
15. Consider approving renewal of lease agreements with A. O. Whitehead and A. C. Dickens for city property located on Riverside Drive. (Report with agenda. Two resolutions approving renewal of lease agreements needed)

ACTION: Res. 68-1155 adopted approving renewal of lease agreement with A. O. Whitehead.

Res. 68-1156 adopted approving renewal of lease agreement with A. C. Dickens.
(Finance to handle)

CONSENT:
16. (a) Charges for copies of public records.
(Memo with agenda. Resolution authorizing City Clerk to make charges for public records as recommended in memo dated 12/6/68 needed)

ACTION: Res. 68-1157 adopted approving charges for copy work at the rate of $.25 per page for the first copy and $.10 per page for subsequent copies made at the same time. (Clerk to handle)

CONSENT

16. (b) Charges for copies of fire reports.
(Resolution authorizing Fire Department to make charges for fire reports on same basis as the fees established for Police Department Accident reports, by Resolution No. 62-336 needed).

ACTION: Res. 68-1158 adopted approving charges for fire reports as follows:

Original reports (not more than 3 pages)	$2.00 per report
Additional pages	$1.00 each
Extra copies of report (3 pages)	$1.00 each
Extra copies of additional pages	$ .50 each

(Fire to handle)

CONSENT

17. Adoption of resolution acknowledging receipt of "Notice of Intention to Circulate Petition to Annex Territory Known as the El Terino Addition to the City of Modesto" and approving intention of proponents to circulate petitions.
(The notice has been published as required and it is now in order for the Council to adopt this resolution).

ACTION: Res. 68-1159 adopted acknowledging receipt of "Notice of Intention" and approving circulation of petitions. (C/Atty & Planning to handle)

18. Approve proposed master plans for Sherwood and Moose Parks.
(The proposed master plans for Sherwood and Moose Parks are ready for Council approval. A written report is attached, and an oral report will be made at the meeting. Motion approving plans and specifications needed).

Action withheld for one week to permit preparation of further report which will include comparison of present development costs with past costs. (P & R to handle)

CONSENT

19. Consider agreement with Golden Years Nursing Home (Owners J. L. McMillin and Katherine McMillin) for the construction of 10-inch subtrunk sewer on Coffee Road and a 6-inch sanitary sewer on East Orangeburg Avenue to serve Golden Years Nursing Home.
(City will prepare plans and specifications and call for bids. Golden Years Nursing Home will pay entire cost of constructing 6-inch line on East Orangeburg plus their connection and subtrunk sewer charge. The city share of the total cost is $4,700, which will be returned in connection and sub-trunk charges in the future. Resolution approving agreement needed. Estimated cost, $7,700 (Contract $7,000; Engr. $700). Funds budgeted in Account 6561-52-212, Extend Subtrunk & Perimeter Sewer. Funds being added to this account - see Item 27).

ACTION: Res. 68-1160 adopted approving agreement. (Clerk to handle)

CONSENT

20. Staff recommends that Downey Avenue Fire Station property be sold. Referral to Planning Commission is necessary if Council favors possible disposition.
(Motion referring to Planning Commission for recommendation needed)

Held over for one week.

CONSENT

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

ACTION: Res. 68-1161 adopted authorizing refund of $468.87 to 7-11 Store #531. (Finance to handle)

REPORTS

22. Report by Councilman Mitchell on the Joint Town Affiliation Association - People to People Conference in Hollywood, Florida, December 4-6, 1968; and report by Councilman Hughes and Councilman Mitchell on the annual Congress of Cities conference in New Orleans, Louisiana, December 7-11, 1968.

Held to December 23, 1968.

23. Report on request for paving 1900 Block of Pearl Street.
(On November 12, 1968 residents of the area petitioned the City Council to improve the 1900 block of Pearl Street. This request was referred to staff for review and report. Memorandum with agenda. Motion directing staff needed)

Held to December 23, 1968.

24. Report on Street Lighting - Shaftesbury Court.
(October 17, 1968 residents of nine properties on Shaftesbury Court petitioned the Council to abandon the requirement that a street light be installed at the closed end of the Shaftesbury Court cul de sac. Council referred the request to staff for review and report. Memorandum with agenda. Motion directing staff needed)

Held to December 23, 1968.

CONSENT

25. Report on County's proposal to make Briggsmore-Northern a part of the County's Federal Aid secondary system.
(Memorandum of explanation with agenda. Resolution concurring with County's proposal to make Briggsmore-Northern a Federal aid secondary route needed)

ACTION: Res. 68-1162 adopted concurring with proposal of Stanislaus County. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

26. Recommend amendment to Section 20-3-9 of the zoning map and denying a portion of the proposal (Commission Initiated - Doctors' Hospital Area)
(By resolution 68-159 adopted December 3, 1968 the Planning Commission recommends an amendment to Section 20-3-9 of the zoning map and denying a portion of proposal, as requested by Planning Commission, to reclassify property from R-A to R-1; R-1 to R-2; R-1 and R-A to P-O; R-1 and C-M to C-2, property bounded by West Granger Avenue on the north, West Orangeburg Avenue on the south, McHenry Avenue on the east, and Sherwood Avenue on the west. Resolution setting date for public hearing needed. Suggested date January 13, 1969 at 7:45 P.M.)

ACTION: Res. 68-1163 adopted setting January 13, 1969 at 7:45 P.M. as time for hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

27. Appropriation transfer.
(The $20,000 originally appropriated in Account No. 6561, Extend Subtrunk and Perimeter Sewers, is required to be increased because of subdivision connections to our sewer trunk lines. It is estimated at this time that this additional $30,000 will be a conservative figure. Resolution approving appropriation transfer of $30,000 needed).

ACTION: Res. 68-1164 adopted approving appropriation transfer of $30,000 from Account 60-212 (Sewer Service Fund - General Reserve) to Account 6561-212 (Extend Subtrunk and Perimeter Sewers). (Finance to handle)

MISCELLANEOUS

28. Appointments.

ACTION: Res. 68-1165 adopted (Robinson/Hughes, unan.) appointing Gerald Oberkamper as a member of the Farm-City Advisory Committee for a term expiring May 1, 1970.

Adjournment at 6:30 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 23, 1968 AT 7:30 P.M.

Roll Call Present: Hughes, Shastid, Simon, and Smith
Absent: Mitchell, Robinson, and Mayor Davies

In the absence of the Mayor and Vice Mayor, Councilman Shastid was elected Mayor Pro Tem (Smith/Hughes, unan.)

Pledge of allegiance to the Flag

Invocation: Reverend William Yeager, First Baptist Church

CONSENT ITEMS - Roll Call Vote Required: Items 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 29, 30, 31
Items 8 & 18 dropped from agenda.
Items 3, 9 & 19 dropped from consent.
(Simon/Smith, unan.)

(Information concerning the consent items listed above has been forwarded to each councilman prior to this meeting for his study. Unless some councilman or member of the audience has a question concerning a particular 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 for the individual items).

APPROVAL OF MINUTES

CONSENT

1. Minutes of December 16, 1968.

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

PETITIONS, REMONSTRANCES, AND CORRESPONDENCE

CONSENT

2. Notice that Western Union Telegraph Co. has requested rate changes for intrastate service.
(Motion ordering notice filed needed)

ACTION: By motion notice ordered filed. (Clerk to handle)

~~CONSENT~~

3. Letter from Home and Garden Club of Modesto requesting that development of Mancini Park be started.
(Motion referring to staff for report - to be discussed with report on Mancini Park on 1/6/69)

ACTION: By motion (Smith/Simon, unan.) referred to staff. Staff to answer letter. (C/Mgr to handle)

CONSENT

4. Request of owner and/or subdividers of land in Riverside Drive area for city water.
(Motion referring to staff needed)

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

CONSENT

5. Request for encroachment permit to allow facing of Old Modesto Tribune building at 910 - 12th Street to encroach approximately 8 inches into the street planting area at the ground and approximately 4 inches on the wall.
(Motion referring to staff for report needed)

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

6. Request for exception to requirement of Planning Commission that approval of tentative map of Grantland Manor include development of Miller Avenue to 60 feet width be changed to permit installation of redwood header board along southerly edge of pavement of Miller Ave.

ACTION: By motion (Hughes/Smith, unan.) requested development approved. Terms to be included in final subdivision agreement. (P/W to handle)

CONSENT

7. Letter from Frank Andrews re recall of all members of Council except Councilman Shastid.
(Motion ordering letter filed needed)

ACTION: By motion letter ordered filed. (Clerk to handle)

BIDS

~~CONSENT~~

8. Recommendation that installation of water line on McHenry Avenue between Bowen and Leveland be performed by city forces.
(Bids were opened December 17, 1968 and the low bid of Industrial Electric is 26% over the Engineer's Estimate. In the opinion of the City Manager, this work can be performed more economically by city forces and therefore he recommends that the work be done accordingly. Resolution authorizing work by city forces needed. Estimated cost $9,050 (Labor $3,650; materials $5,400). Funds budgeted in Account 6804-50-101, Water Line Extension)

DROPPED FROM AGENDA AS 5 affirmative votes are needed.

NOTE: The following was considered as a non-agenda item in connection with agenda item No. 9:

ACTION: Resolutions 68-1166 through 68-1182 adopted (Smith/Simon, unan.) approving 17 right of way contracts (Project Unit No. 10 of the Sewerage Works Improvement Program) as follows:

Res. No.	Name	Rescinds
68-1166	George F. Santos, et al	68-1089
68-1167	George F. Santos, et al	
68-1168	Frank F. Santos, Jr.	68-1090
68-1169	Harold Jerome Santos	68-1091
68-1170	Quistini and Stanwood	68-1092
68-1171	Rudy Bonzi, et al	68-1093
68-1172	Oliver Stanton Moore, Jr.	68-1094
68-1173	Louis L. Bispo, et al (Right of Entry)	68-1095
68-1174	Fred E. Wilson, et ux	68-1096
68-1175	C. J. Rumble and Sons, Inc.	68-1097
68-1176	H. L. and Ward B. Rumble, Inc.	68-1098
68-1177	Lawrence C. Krepela, et ux	68-1099
68-1178	Roger E. Fuller, et ux	68-1100
68-1179	Louis A. Witt, et al	
68-1180	George Gagos, Jr.	68-1102
68-1181	American Lumber Co. (Right of Entry)	68-1103
68-1182	Turlock Irrigation District (Right of Entry)	

(Clerk to handle)

CONSENT

9. Approve plans and specifications and call for bids for construction of South Trunk Sewer, Project Unit No. 10 of the Sewerage Works Improvement Program.
(This project unit provides trunk sewer facilities in the area east of the freeway between Tuolumne River and Hatch Road, and in the South Modesto Industrial Park area and residential area west of Crows Landing Road between Whitmore and the Tuolumne River. Bid opening January 22, 1969 at 2:00 P.M. Resolution approving plans, specifications and call for bids needed. Project cost $937,000; funds budgeted in Account 6553-405, Muni. Sewer Dist. Impr.

ACTION: Res. 68-1183 adopted (Hughes/Simon, unan.) approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

10. Approve plans, specifications and call for bids for construction of comfort station and terrace at Marshall Park.
(Bid opening January 21, 1969 at 10:00 A.M. This is the second phase of a three-phase development for Marshall Park. Resolution approving plans, specifications and bid call needed. Estimated cost $24,200 (Contract $22,000; Engr. & Cont. $2200; funds budgeted in Account 6274-31-321, Marshall Park Development, Spec. Fund for Capital Outlay)

ACTION: Res. 68-1184 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

11. Accept as complete the contract with Bibens Nursery Company for the installation of the freeway sprinkler system services.
(All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to authorize the City Clerk to file notice of completion. Resolution accepting work as complete needed. Actual cost $7,408; funds budgeted in Account 5301-50-101, 6804-50-101 ($406), New Services, Water Line Extension)

ACTION: Res. 68-1185 adopted accepting contract. (Clerk to handle)

CONSENT

12. Accept as complete the contract for installation of traffic signals and street lighting at Tully and Coldwell and 14th and K Streets.
(Grason Electric Company has satisfactorily completed all work necessary on this job. Final contract costs are $17,307.00. Resolution accepting the contract as complete needed)

ACTION: Res. 68-1186 adopted accepting contract. (Clerk to handle)

13. Hearing on appeal re use permit granted Northland Enterprises (Randy). 7:40 P.M.

ACTION: Res. 68-1187 adopted (Hughes/Smith, unan.) denying appeal and upholding decision of Planning Commission in granting use permit to Northland Enterprises (Planning to handle); Councilman Smith suggested that a study of left-turn lights on McHenry at Bowen be made (P & T to handle).

14. Curb and gutter requirement at 219 Ruberto Street, Lots 5 and 6, Block 340 (Bob C. Forster) 7:45 P.M.

ACTION: Res. 68-1188 adopted (Hughes/Simon, unan.) ordering work done. (P/W to handle)

15. Curb and gutter requirement at 211 Ruberto Street, Lots 2 and portion of 3, Block 340 (Mrs. Margaret Stinson Erwin) 7:45 P.M.

ACTION: Res. 68-1189 adopted (Hughes/Simon, unan.) ordering work done. (P/W to handle)

16. Curb and gutter requirement at 214 Rosemont Avenue, Lots 31 and 32, Block 328 (Clyde Dirickson) 7:45 P.M.

ACTION: Res. 68-1190 adopted (Hughes/Simon, unan.) ordering work done. (P/W to handle)

17. Matters for the good of the Community. (These may be presented by citizens in the audience) 7:50 P.M.

ACTION: Res. 68-1191 adopted (Hughes/Smith, unan.) authorizing sale of surplus furnishings acquired with buildings for 11th Street parking lot. (Report to be made to Council after sale.) (Finance to handle)

ACTION: Res. 68-1192 adopted (Simon/Hughes, unan.) authorizing C/Mgr to sign Order from State Reclamation Board for construction of oxidation ponding system. (Clerk to handle)

ORDINANCES

CONSENT

18. Final adoption of Ordinance No. 935-C.S. (Amendment to Section 26-3-9 of the zoning map - K & R Homes).

DROPPED FROM AGENDA AS CORRECT PUBLICATION HAS NOT BEEN MADE.

OLD BUSINESS

CONSENT

19. Staff recommends that Downey Avenue Fire Station property be sold. (Referral to Planning Commission is necessary if council favors possible disposition. Motion referring to Planning Commission for its recommendation needed)

ACTION: By motion (Smith/Simon, unan.) referred to Planning Commission for recommendation with instruction to investigate any and all possibilities of public use. (Planning to handle)

20. Consider sewer service to developing area east of El Vista between Yosemite Boulevard and Dry Creek.
(Memorandum with agenda. Motion directing staff needed)

ACTION: By motion (Hughes/Simon, unan.) construction of trunk and sub-trunk sewers within Municipal Sewer District or in the process of being annexed to City and District approved as a City responsibility subject to availability of funds. (P/W to handle)

CONSENT

21. Consider request for sewer service to property at 1725 Locke Road located on the North side of Locke Road between Roselene Avenue and Rose Avenue.
(Property owners George Russel Cosgrave and Patricia C. Cosgrave 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. 68-1193 adopted approving agreement with George Russel Cosgrave and Patricia C. Cosgrave. (P/W to handle)

CONSENT

22. Consider request for sewer service to property at 337 El Vista Avenue located on the west side of El Vista Avenue between Roble Avenue and Haddon Avenue.
(Owners James J. Christian and Mary V. Christian have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 68-1194 adopted approving agreement with James J. Christian and Mary V. Christian. (P/W to handle)

CONSENT

23. Consider granting of power line easement to Modesto Irrigation District across City-County property.
(Easement is required to construct electrical service to airport property for operating approach light system which is under contract. Map with agenda. Resolution authorizing granting of easement needed)

ACTION: Res. 68-1195 adopted authorizing Mayor and City Clerk to sign easement. (Clerk to handle)

24. Consider installation of 400 Data Switching Unit in the Police Department.
(Report with agenda. Motion indicating approval needed. Estimated cost $300 for installation plus approximately $210 per month, to be included in the 1969-70 budget)

ACTION: By motion (Hughes/Smith, unan.) installation approved. (Police to handle)

REPORTS

25. Report by Councilman Hughes on the annual Congress of Cities conference in New Orleans, Louisiana, December 7-11, 1968.

In his report Councilman Hughes remarked that it was too large a meeting and that most of the problems dealt with the very large cities. He stated that while the theme of the Congress was involvement of people in local affairs about 90 per cent of the time was spent in learning how to obtain more Federal funds.

26. Report on request for paving 1900 block of Pearl Street.
(On November 12, 1968 residents of the area petitioned the City Council to improve the 1900 block of Pearl Street. This request was referred to the staff for review and report. Memorandum distributed with agenda for December 16. Motion directing staff needed)

ACTION: By motion (Hughes/Simon, unan.) request denied. (City Clerk to handle)

27. Report on Street Lighting - Shaftesbury Court.
(October 17, 1968, residents of nine properties on Shaftesbury Court petitioned the Council to abandon the requirement that a street light be installed at the closed end of the Shaftesbury Court cul de sac. Council referred the request to staff for review and report. Motion directing staff needed. Memo with agenda for December 16)

ACTION: By motion (Hughes/Simon, unan.) street light at closed end of Shaftesbury Court ordered installed. (City Clerk & P/W to handle)

28. Report on progress on proposed library.
(An oral report will be made at the meeting)

Following the report the Councilmen were requested to inform the Manager's office if they have any questions concerning the library. The Manager will attempt to have any answers ready the next time this is discussed (likely January 6). It was requested that Mr. Smaalders, the Librarian, be present when this is brought up again. (C/Mgr to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

29. Recommend commencement of proceedings for the annexation of the City of Uninhabited Territory (Prescott No. 2 Addition).
(On December 17, 1968 the Planning Commission adopted Resolution No. 68-166 recommending to the Council the commencement of proceedings for the annexation to the City of uninhabited territory (Prescott No. 2 Addition). Resolution setting date for public hearing needed. Suggested hearing date February 10, 1969 at 7:45 P.M.)

ACTION: Res. 68-1196 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend commencement of proceedings for the annexation to the City of Uninhabited Territory (Scenic No. 2 Addition).
(On December 17, 1968 the Planning Commission adopted Resolution No. 68-167 recommending to the Council the commencement of proceedings for the annexation to the City of Uninhabited Territory (Scenic No. 2 Addition). Resolution setting date for public hearing needed. Suggested date February 10, 1969 at 7:50 P.M.)

ACTION: Res. 68-1197 adopted setting hearing. (Clerk to handle)

CONSENT

31. Request for appropriation transfer of $1,210 from General Fund, General Reserve (101-60) to Special Surveys - Misc. Unclassified (421-65) to pay final costs of census.
(Memo with agenda. Resolution authorizing appropriation transfer for $1,210 needed)

ACTION: Res. 68-1198 adopted authorizing appropriation transfer. (Finance to handle)

32. Consider transfer of $130,000 from the unappropriated reserve in the General Fund to the Service Division Revolving Fund.
(Memo with agenda. Resolution transferring $130,000 needed)

ACTION: Res. 68-1199 adopted (Hughes/Smith, unan.) transferring $130,000. (Finance to handle)

MISCELLANEOUS

33. Appointments.
None.

Adjournment at 9:07 P.M.

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