Modesto City Council
January 3, 1967

The Council of the City of Modesto met in regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Smith, Mayor Johansen (Councilman Shastid arrived at 4:14 P.M.)

Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present.

Reverend Charles Lindberg gave the invocation.

LETTER FROM FRANK ANDREWS SUGGESTING PROJECTS FOR 1967

A letter from Frank Andrews dated January 2, 1967 listing subjects "High on our List for 1967" was entered into the record of the minutes.

Mr. Andrews spoke briefly, asking that the Council consider acquiring the M.I.D. The letter was ordered filed.

COMMUNICATION FROM DIVISION OF HIGHWAYS REGARDING COOPERATIVE AGREEMENT FOR IMPROVEMENT OF McHENRY AVENUE BETWEEN BOWEN AVENUE AND LEVELAND LANE

A letter from J. G. Meyer, District Engineer, dated December 27, 1966 enclosing copies of an agreement providing for joint participation of a second stage project between the State and the City of Modesto for the improvement of McHenry Avenue to Leveland Lane, and providing for a traffic control signal system and highway lighting at the Floyd Avenue intersection, was entered into the record of the minutes.

By order of the Chair, the matter was referred to the staff for report to the Council.

FURTHER DISCUSSION OF WESTSIDE NEIGHBORHOOD CENTER

Letter from Reverend Monroe Taylor thanking City for funds

A letter from Reverend Monroe Taylor dated December 28, 1966 thanking the Council for approving allocation of operational funds for a 90-day period for the Westside Neighborhood Center, was entered into the record of the minutes and ordered filed.

Appropriation transfer of $1,200 for Westside Neighborhood Center
Report for accounting of expenditures

A memorandum from the Acting Director of Finance dated December 29, 1966, subject, "Westside Neighborhood Center Accounting," was entered into the record of the minutes. Recommendation was made that the Center be required to submit to the Director of Finance a detailed report each month for the preceding 30-day period, showing actual expenditures based on a budget proposed by the Director of Parks and Recreation which included $240 wages, $100 rent, $40 telephone and utilities, and $20 for office supplies.

Upon questioning by Councilman Davies, the City Attorney stated that it was not the intent that the Center be bound to the above figures, but that it was meant to provide a guideline for expenditure of the funds appropriated by the Council. Councilman Davies objected to any implication that the Council was setting the salary of an individual at $240 a month.

The proposed allocation and accounting of the funds was discussed by the Council.

RESOLUTION NO. 67-2
A RESOLUTION APPROVING APPROPRIATION TRANSFER TO ASSIST WESTSIDE NEIGHBORHOOD CENTER ($1,200)

Introduced by Davies Seconded by Smith

Ayes: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: Hughes Absent: None

MOTION
That we give temporary assistance to the Westside Neighborhood Center at a rate not to exceed $400 per month for a period not to exceed three months, and their costs as accounted for during each month not to exceed $400

Moved by Shastid Seconded by Mitchell Unanimously carried

MOTION
That the above motion be amended to indicate that the Council may withdraw its support at the end of one month or two months; that the group be encouraged to continue to raise operating funds for the project, as it has publicly stated to the Council that it would do, and in view of its statement that it would not be calling on the City for funds to run the center

Moved by Shastid Seconded by Patton Unanimously carried

MATTERS FOR THE GOOD OF THE COMMUNITY

Resolution of Appreciation to Carlos Recio - Sister City Representative

RESOLUTION NO. 67-3
A RESOLUTION OF APPRECIATION TO CARLOS RECIO FOR HIS TIRELESS WORK IN CONNECTION WITH THE BARRANQUILLA-MODESTO SISTER CITY PROGRAM, AND COMMENDING HIM FOR THE ESTABLISHMENT OF THE SISTER CITY OF MODESTO SCHOOL IN BARRANQUILLA

Introduced by Mayor Johansen Seconded by Mitchell

Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

Mr. Recio spoke briefly to the Council, suggesting that interest in the sister city program be broadened, both in Modesto and Barranquilla. He cited an example where Modesto school children had sent Christmas cards to the Sister City of Modesto School in Barranquilla; in reply, the Barranquilla school children returned simple handwritten Christmas cards. He asked for new ideas toward expanding the program.

Councilman Mitchell, council liaison member of the Sister-City Committee, suggested that Mr. Recio speak with Police Chief Meester on an idea for broadening the program.

Resolution commending retired City Clerk Rex E. Gailfus

RESOLUTION NO. 67-1
A RESOLUTION COMMENDING REX E. GAILFUS FOR HIS LOYAL AND DEDICATED SERVICES TO THE CITY OF MODESTO

Introduced by Mayor Johansen Seconded by Patton

Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

Mayor Johansen stated that the resolution would be given to Mr. Gailfus at a luncheon to be held January 4, 1967.

Frank Andrews - Sound Permits

Mr. Andrews stated that it was his intention to obtain a sound permit, although in his opinion the permit was not necessary in view of Supreme Court decisions on free speech. Mr. Andrews was directed to apply for a sound permit in the City Clerk's office.

CONSIDER FURTHER REQUEST OF VECCO SUPPLY PJ SIGNS REGARDING TWO NON-CONFORMING SIGNS LOCATED ON 20TH CENTURY APARTMENT SITE, PARADISE ROAD

The request of Charles C. Coon, General Partner, Vecco Supply, P. J. Signs, for a non-conforming use permit to permit two signs located on the 20th Century Apartment site, Paradise Road, to remain, or that no action be taken on requiring conformance until such time as sign regulations are reviewed and amendments submitted to the Council for approval, was discussed at the December 27, 1966 meeting. A motion proposed by Councilman Smith, seconded by Councilman Patton, that the applicant be given until January 31, 1967 to conform the signs to code regulations unless evidence was available prior to that time that code regulations would be changed to cause the signs to become conforming, was tabled for one week.

A memorandum from the Director of Public Works dated December 29, 1966, subject, "Zoning Code Violation - 20th Century Apartments - Vecco Supply Co.," was entered into the record of the minutes. The memorandum set forth existing conditions and code violations in connection with the matter under consideration.

Upon questioning, Director of Public Works Campbell stated that the staff's interpretation of the Code in connection with the size of a sign permitted in an R-3 zone (4 square feet) was as follows: If the letters are mounted on a frame, the total area of the frame should not exceed four square feet; if letters by themselves are mounted on a building, no frame, the area of the letters is considered.

Mr. Coon spoke briefly in support of his request for a non-conforming use permit, or for additional time before the signs must be made conforming. He stated he also wished it entered into the record that he was not "fighting City Hall." He admitted that he had violated the code in the installation of the signs, but stated that this resulted from the fact that the regulations violated did not appear in the sign ordinance but were a part of the zoning text.

Mr. Coon said that the sign people wished the Council to consider the following changes in the sign ordinance: That any regulation pertaining to signs be placed in the sign ordinance to preclude the possibility of an error such as made in the installation under discussion; the section of the Code violated, Section 10-2.701 (3) adopted in 1955, permitting "One identification sign, not to exceed four (4) square feet in area, for a boarding house, lodging house, or multiple dwelling." He pointed out that when this section of the code was written it was meant to apply in strictly residential areas. He said the new type of multiple dwellings were actually commercial; that the 20th Century Apartments were surrounded by commercial property. He asked that this section of the code be reviewed. He said that removal of the signs would create a hardship on the owner.

The request was discussed by the Council.

MOTION

That the applicant be given until January 31, 1967 to conform the signs to code regulations unless evidence is available prior to that time that the code regulations will be changed to cause the signs to become conforming.

Moved by Smith Seconded by Patton

The motion carried, Councilman Shastid and Mayor Johansen dissenting.

AMENDMENT TO ABOVE MOTION

That the applicant be granted sixty days to conform the signs to code regulations

Moved by Hughes Seconded by Davies

The motion carried, Councilmen Shastid, Mitchell, and Mayor Johansen dissenting.

RECOMMENDATION THAT INSTALLATION OF WATER LINE IN McHENRY AVENUE 376 FEET SOUTH FROM ROBINHOOD DRIVE BE PERFORMED BY CITY FORCES

RESOLUTION NO. 67-4

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER LINE IN McHENRY AVENUE 376 FEET SOUTH FROM ROBINHOOD DRIVE

Introduced by Patton Seconded by Shastid

Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen

Noes: None Absent: None

CONSIDER LEASING OF CITY-OWNED PROPERTY (FORMER MANCINI PROPERTY)

RESOLUTION NO. 67-5

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NICHOLAS MARTINO FOR LEASING OF A PORTION OF THE MANCINI PROPERTY (EXHIBIT A) FOR A TERM COMMENCING DECEMBER 1, 1966 AND ENDING DECEMBER 1, 1967 ($1,200 payable in three installments)

Introduced by Patton Seconded by Shastid

Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

RESOLUTION REFERRING PETITION FOR ANNEXATION, EL VISTA NO. 2 ADDITION, TO THE PLANNING COMMISSION

RESOLUTION NO. 67-6

A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A REQUEST FOR CONSENT TO COMMENCE PROCEEDINGS TO ANNEX CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO DESIGNATED AS THE EL VISTA NO. 2 ADDITION

Introduced by Patton Seconded by Shastid

Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen

Noes: None Absent: None

CONSIDER REMOVAL OF PARKING METERS ON BOTH SIDES OF L STREET BETWEEN 10TH AND 11TH STREETS

ORDINANCE NO. 819-C.S. entitled

"AN ORDINANCE AMENDING THE PARKING METER ZONING MAP OF THE CITY OF MODESTO" (removing parking meters on both sides of L Street between 10th and 11th Streets)

was introduced and ordered published as required by the Charter.

Moved by Hughes Seconded by Shastid

Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen

Noes: None Absent: None

Director of Parking and Traffic Carmody stated that businesses located in this area would be notified of the Council's pending action pertaining to the removal of the parking meters.

CONSIDER AMENDMENT TO GRANT AGREEMENT FOR MODESTO SEWERAGE PROJECT

The following documents were entered into the record of the minutes: Letter from Assistant Secretary of Commerce Ross D. Davis, dated December 21, 1966; memorandum from Deputy City Manager dated December 28, 1966 indicating that the Economic Development Administration has submitted an offer to amend the grant agreement from the Modesto Sewerage Project to provide that "prior to the acquisition of any land or interest in land for any unit of the project, the grantee must obtain valid options and/or have instituted eminent domain proceedings to acquire all of the land and interests in land necessary for the successful completion of the project unit."

RESOLUTION NO. 67-7

A RESOLUTION APPROVING AMENDED GRANT AGREEMENT BETWEEN THE CITY OF MODESTO AND DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION, PROJECT NO. 07-1-00123, SEWER SYSTEM, MODESTO, CALIFORNIA

Introduced by Shastid Seconded by Hughes

Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

CONSIDER ADVERTISING IN SPECIAL ISSUE OF MODESTO BEE 6-25

The City Manager stated that the Modesto Bee was publishing a special edition of the newspaper covering Business-Agriculture-Industry reports, to be published January 29, 1967. Request was made that the City place an advertisement in this edition at the following cost: 1/4 page, $125; 1/2 page, $250; full page, $559.30.

Frank Andrews voiced his objection to the proposed advertisement.

Upon questioning, the City Manager stated there was not sufficient time to incorporate the City's annual report into the advertisement, since there was a January 16th deadline.

The Council discussed the following: The importance of keeping the populace informed, in view of the growth of the City; how the advertisement could be utilized since it was too late for inclusion of the annual report; whether or not the proposed ad would supplement Chamber of Commerce contributions to the edition, perhaps resulting in a duplication of effort.

MOTION

That the request that the City place an advertisement in the January 29th special edition of the Modesto Bee be denied

Moved by Hughes Seconded by Patton Unanimously carried

John Martin, Executive Director, Stanislaus County Taxpayers' Association, said he believed the intent of the special edition was a medium which could be used to advertise the City widely; that ordinarily, issues of this kind were mailed throughout the country.

Councilman Mitchell suggested that the staff release informational items to the Bee for use in the edition - pictures, interviews with staff members, etc.

Councilman Davies was excused from the meeting at 5:35 P.M.

CONSIDER TERMINATION OF LEASE AGREEMENT BETWEEN CITY OF MODESTO AND MODESTO FLYING SERVICE

This matter was brought to the attention of the Council by the Director of Public Works who indicated that Modesto Flying Service had become more than 30 days delinquent in its payment for hangar space at the Modesto

City-County Airport; that previous action taken by the Council on this matter (Resolution No. 66-256) provided that in the event of future delinquency, the matter of termination of the lease again be brought to the attention of the Council.

The City Manager reported that Modesto Flying Service had paid its rent this afternoon through the month of January 1967.

Terms of the lease were reviewed by the City Attorney.

Airport Manager Sham was questioned on billing procedures for airport facilities.

A resolution introduced by Councilman Shastid terminating the lease with Modesto Flying Service, effective today, in which case the rent would be returned for the month of January; or, effective at the end of January, the choice of separation date to be at the option of the lessor, died for the lack of a second.

A resolution was proposed containing the following terms: That payment of rental for the west one-half of Hangar No. 5 in the amount of $100 per month be payable to the City of Modesto each month in advance, between the 1st and 5th day of each month; that payment of rental be either by cash or cashier's check; that failure to comply with these conditions result in immediate staff referral of the breach to the Council for action to terminate the lease.

RESOLUTION NO. 67-8

A RESOLUTION SETTING FORTH TERMS FOR PAYMENT OF HANGAR RENTAL TO CITY OF MODESTO FLYING SERVICE, AND RESCINDING PRIOR RESOLUTIONS PERTAINING THERETO (incorporating the above conditions)

Introduced by Hughes Seconded by Smith

Ayes: Hughes, Mitchell, Patton, Smith, Mayor Johansen
Noes: Shastid Absent: Davies

By order of the Chair, the City Attorney was directed to have a resolution terminating the agreement prepared for immediate presentation to the Council in the event the above terms are not met by Modesto Flying Service.

APPROPRIATION TRANSFERS - None

REPORT ON ASSIGNMENT OF CITY OFFICIALS TO LEAGUE OF CALIFORNIA CITIES COMMITTEES

A memorandum from the Deputy City Manager dated December 29, 1966, subject, "League of California Cities Committees for 1967," listing the following appointments to League of California Cities Committees for 1967 was entered into the record of the minutes: Committee on Aviation Problems, Harry Sham; Committee on Constitutional Revision (Advisory), Elwyn L. Johnson; Committee on International Municipal Cooperation, William R. Mitchell, Councilman; Committee on Personnel and Training, John C. Keefe; Committee on Revenue and Taxation, Mayor Peter W. Johansen; Committee on Water Quality Control and Solid Waste Management, Marvin Ray.

The Council went into executive session at 5:55 P.M. to consider appointments to Boards and Commissions, reconvening in regular session at 6:02 P.M.

Planning Commission Appointments

RESOLUTION NO. 67-9

A RESOLUTION APPOINTING MEMBER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO (George A. Atherton), for a term expiring January 1, 1971)

Introduced by Smith Seconded by Patton

Ayes: Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Davies

RESOLUTION NO. 67-10
A RESOLUTION APPOINTING MEMBER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO (Clyde Dunlap, for a term expiring January 1, 1968)

Introduced by Shastid Seconded by Hughes

Ayes: Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Davies

Appointment to Board of Zoning Adjustment

RESOLUTION NO. 67-11
A RESOLUTION APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF MODESTO (Frank Muratore)

Introduced by Hughes Seconded by Mitchell

Ayes: Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Davies

Modesto Human Rights Commission

RESOLUTION NO. 67-12
A RESOLUTION APPOINTING PERRY REEL CHAIRMAN OF THE MODESTO HUMAN RIGHTS COMMISSION

Introduced by Smith Seconded by Mitchell

Ayes: Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Davies

RESOLUTION NO. 67-13
A RESOLUTION CONFIRMING APPOINTMENT TO THE MODESTO HUMAN RIGHTS COMMISSION (Dr. William A. Holloway)

Introduced by Mitchell Seconded by Patton

Ayes: Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Davies

Resolution of Commendation

RESOLUTION NO. 67-14
A RESOLUTION COMMENDING DEDRICK G. DENISON FOR SERVICE RENDERED TO THE CITY OF MODESTO AS A MEMBER OF THE PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT

Introduced by Hughes Seconded by Mitchell

Ayes: Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Davies

ADJOURNMENT

MOTION
That the meeting now in session be adjourned

Moved by Hughes Seconded by Smith Unanimously carried

The meeting adjourned at 6:05 P.M.

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY
Acting City Clerk

Modesto City Council
January 9, 1967

The Council of the City of Modesto met in regular session this date at 7:30 P.M. in the Council Chamber, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Mitchell, Patton, Mayor Johansen
Absent: Councilmen: Hughes, Shastid, Smith

The pledge of allegiance to the Flag was given by all present.

Reverend Arthur Brohm gave the invocation.

APPROVAL OF MINUTES

The minutes of the regular meetings of December 12 and December 19, 1966 were approved.

LETTER FROM MR. LAMON WRIGHT RELATIVE TO CONTRACT WITH CITY OF MODESTO (DOWNEY PARK SITE)

A letter from Mr. Lamon Wright dated December 19, 1966 requesting that interest only be paid to him by the City on a contract for the purchase of land for a portion of Downey Park site was entered into the record of the minutes.

MOTION

That Mr. Wright's request for payment of interest only at the January 15, 1967 due date on contract between the City and Mr. Wright for purchase of land for Downey Park site be approved; that the staff be directed to prepare the necessary agreement

Moved by Mitchell Seconded by Patton Unanimously carried

TELEGRAM FROM DICK LUBIC, TIME, INC., REQUESTING APPEARANCE BEFORE THE COUNCIL FOR PROPOSAL FOR C.A.T.V. FRANCHISE APPLICATION

A telegram from Dick Lubic, Time, Inc., requesting permission to appear before the Council to present a proposal for a C.A.T.V. Franchise was entered into the record of the minutes.

City Manager Keefe stated that a phone call had been received from Mr. Lubic requesting that he be permitted to appear before the Council at the January 23rd meeting.

By order of the Chair, the staff was directed to place this matter on the agenda of the January 23rd meeting.

COMMUNICATION FROM SAFETY COORDINATOR, STANISLAUS COUNTY, REGARDING EXECUTION OF AGREEMENT FOR 49-99 COOPERATIVE LIBRARY SYSTEM

RESOLUTION NO. 67-15

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO, THE CITY OF LODI, THE CITY OF TURLOCK, AND THE CITY OF STOCKTON; THE COUNTY OF AMADOR, THE COUNTY OF CALAVERAS, THE COUNTY OF TUOLUMNE, AND THE COUNTY OF STANISLAUS FOR 49-99 COOPERATIVE LIBRARY SYSTEM

Introduced by Mitchell Seconded by Patton

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

APPROVE PLANS AND SPECIFICATIONS AND CALL FOR BIDS FOR THE INSTALLATION OF AUTOMATIC SPRINKLER SYSTEMS AT (1) JOHN MUIR PARK, (2) GRACEADA PARK, (3) WHITMORE PARK

RESOLUTION NO. 67-16
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF AUTOMATIC SPRINKLER SYSTEMS AT JOHN MUIR PARK, GRACEADA PARK, AND WHITMORE PARK

Introduced by Mitchell Seconded by Patton

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

January 24, 1967 at 10:00 A.M. in the City Clerk's office was set as the time and place for opening of bids.

AGREEMENT RENEWING LEASES AT THE MODESTO COMMUNITY SERVICE CENTER

RESOLUTION NO. 67-17
A RESOLUTION APPROVING LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND LEAGUE OF WOMEN VOTERS OF MODESTO FOR A PERIOD OF FIVE YEARS, BEGINNING JANUARY 1, 1967 AND ENDING DECEMBER 31, 1971

Introduced by Mitchell Seconded by Patton

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

RESOLUTION NO. 67-18
A RESOLUTION APPROVING LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND YOSEMITE AREA COUNCIL OF BOY SCOUTS OF AMERICA FOR A PERIOD OF TWO YEARS, BEGINNING JANUARY 1, 1967

Introduced by Mitchell Seconded by Patton

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

ADOPTION OF RESOLUTION RELATING TO SALE OF SCRAP METALS

RESOLUTION NO. 67-19
A RESOLUTION AUTHORIZING DISPOSAL OF SCRAP METAL

Introduced by Mitchell Seconded by Patton

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

CONSIDER LEASING SHERWOOD PARK SITE TO NORTON COLEMAN FOR RANCHING PURPOSES

RESOLUTION NO. 67-20
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NORTON COLEMAN FOR THE LEASING OF PREMISES CONSISTING OF FUTURE SHERWOOD PARK SITE

Introduced by Mitchell Seconded by Patton

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

REFERRAL OF EAST BRIGGSMORE ADDITION (INHABITED) TO PLANNING COMMISSION

RESOLUTION NO. 67-21
A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A REQUEST FOR CONSENT TO COMMENCE PROCEEDINGS TO ANNEX CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO DESIGNATED AS THE EAST BRIGGSMORE ADDITION

Introduced by Mitchell Seconded by Patton

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

COMMUNICATION CONCERNING PROPOSED ADVERTISEMENT IN MODESTO BEE SPECIAL ISSUE

A letter from Mel Parsons, Advertising Manager, Modesto Bee, dated January 5, 1967 suggesting that the City consider a small ad with a more general message for inclusion in the special edition of the Modesto Bee to be published January 29, was entered into the record of the minutes. Attached for Council consideration was a half-page ad at a cost of $279.65, and the same message in a quarter-page ad at a cost of $139.83. This matter was considered at the January 3rd meeting; since there was not time to prepare the City's annual report for publication in the edition, the Council, by motion, denied the request for an advertisement.

Frank Andrews spoke briefly in opposition to the proposed advertisement.

Upon questioning, Mr. Parsons said that it was proposed that the ad appear in city-county section of the paper, and placed in the righthand four columns of the page.

Mr. Parsons explained the intent of the special edition - to give industry, agriculture, and governmental agencies an opportunity to express their story in their own words, and not through those of reporters. He said that extra copies of the edition would be available for distribution through industrial channels.

The request was discussed by the Council.

MOTION

That a one-half page ad be approved

Moved by Patton Seconded by Mitchell Unanimously carried

The staff was directed to furnish the proper information for the advertisement.

CONSIDER AGREEMENT BETWEEN CITY OF MODESTO AND DR. ROBERT BURNS, DR. GORDON PYLES, MR. JACK FLOYD, DR. ROBERT VOGELZANG, MR. LAWRENCE MEEKER, AND DR. CARL RYERSON - CLOSING OF ALMA AVENUE TO VEHICULAR TRAFFIC (Between Orangeburg and Marian Avenues)

The closing of Alma Avenue between Orangeburg and Marian Avenues was considered at a public hearing of the Council on December 12, 1966, and by motion the matter referred back to the Planning Commission, and the staff directed to prepare a resolution declaring the Council's intent to close Alma Avenue; by separate motion, the Council approved the closure of the street in principle, leaving the final details to be worked out by the staff, to be submitted to the Council for final approval.

The City Manager recommended that the matter be referred back to the Planning Commission in view of evidence received from the Fire Department that it would be necessary to install two fire hydrants at a cost of $1,000 if the barrier is constructed.

MOTION

That the matter be referred back to the Planning Commission for consideration of evidence that two additional fire hydrants will be needed if the barrier is constructed

Moved by Mitchell Seconded by Patton Unanimously carried

The staff was directed to notify interested parties when the matter is considered by the Planning Commission.

CONSIDER COMMUNITY PARK DEVELOPMENT 3-18

The following documents were entered into the record of the minutes:

Memorandum from Director of Parks and Recreation dated January 5, 1967, subject, "Community Park Development;" memorandum from City Manager dated January 9, 1967, subject, "Community Park Development - Item 8, Agenda, 1/9/67." Recommendation was made by the staff that the Council consider developing Davis High Park site instead of Downey Park site this fiscal year, in view of the fact that development of a ballfield at Downey Park site would require access from the east side of the park for entry and parking. This access would necessitate the development of the park side of Brighton Avenue from Coffee Road to Wylie Drive at an approximate cost of $60,000, which could not possibly be completed in time to serve the park area during the coming season.

MOTION

That the staff recommendation that Davis High Park site be developed this fiscal year with funds allocated for development of Downey Park site be approved

Moved by Mitchell Seconded by Patton Unanimously carried

MATTERS FOR THE GOOD OF THE COMMUNITY

Introductions from the Audience:

Mayor Johansen introduced Joe Hart, Chairman, Farm City Advisory Committee; and Norrine Coyle, Secretary to the City Manager and the Mayor.

Appointment of Marvin Ray as Head Librarian of the City of Modesto's Public Library

RESOLUTION NO. 67-22

A RESOLUTION APPOINTING MARVIN RAY AS HEAD LIBRARIAN OF THE CITY OF MODESTO'S PUBLIC LIBRARY FOR THE PURPOSE OF SERVING ON THE EXECUTIVE COMMITTEE PROVIDED FOR IN AGREEMENT FOR 49-99 COOPERATIVE LIBRARY SYSTEM

Introduced by Patton Seconded by Davies

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

Reconstruction of Dennett Dam

Frank Andrews requested that the Council take steps to reconstruct Dennett Dam.

The staff was directed to furnish the Council a progress report on the Tuolumne River Area Park at the January 23, 1967 meeting.

DISCUSSION OF ANNUAL "REPORT TO THE PEOPLE"

The City Manager stated that the Annual Report was being prepared; that if the Council concurred, the report would be mailed to all water users along with the water bill. Costs involved would be envelopes and a fee for stuffing the envelopes.

Councilman Mitchell suggested that the report include not only the successes, but some of the City's problems and perhaps its failures. He asked that the Council and staff consider more frequent reports to the people along this line.

Mayor Johansen concurred, stating that he would not consider this an annual report, but presenting information from time to time on a regular basis, at least four times a year, on matters of interest to the public - for example, new parks, new traffic signals, etc.

Councilman Patton asked if the avenues of radio, television, or perhaps a monthly column in both newspapers written by staff heads, in turn, had been explored. Various avenues were discussed by the Council.

MOTION

That the City Manager be directed to contact local newspapers to see if space can be made available periodically for departmental reports, for report to the Council January 23, 1967

Moved by Patton Seconded by Mitchell Unanimously carried

The City Manager was directed to furnish more information on the cost of stuffing and mailing the annual report under preparation.

CONSIDERATION OF COUNCIL ADOPTION OF RESOLUTION CONCERNING SCHOOL BOND ELECTION TO BE HELD JANUARY 17, 1967

RESOLUTION NO. 67-23

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ENDORSING THE MODESTO CITY SCHOOLS SPECIAL TAX AND BOND ELECTION TO BE HELD TUESDAY, JANUARY 17, 1967

Introduced by Mitchell Seconded by Davies

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

RECOMMEND COMMENCEMENT OF ANNEXATION PROCEEDINGS - EL VISTA ADDITION NO. 1

Ray Mitchell, 325 Trask Lane, read into the record a letter dated January 6, 1967 addressed to the City Council, indicating that the residents in the area who were opposed to the annexation of El Vista Addition had met earlier in the evening and formed a Central Committee to oppose the annexation of the El Vista Additions Nos. 1 and 2; that the City should recognize at this time that the opponents to the annexation were ready and in sufficient number to make an all-out effort to defeat the annexation. A copy of the letter was filed with the City Clerk.

Planning Commission Resolution No. 67-2 recommending that the Council consent to the commencement of proceedings to annex El Vista Addition No. 1 to the City of Modesto was entered into the record of the minutes.

The City Attorney reviewed the steps required by law to annex inhabited areas to the City.

Mr. Mitchell said that the main purpose of his group at the present time was to let the Council know the feelings of the majority of the people in the area who oppose annexation, and thus save the City effort and money in proceeding further with the proposed annexation. He also complained that only the proponents of the annexation were notified by the City of its intent to bring the proposed annexation before the Council; that opponents were unaware of Council intent until news releases were read in the Modesto Bee.

Upon questioning, Mr. Mitchell said it was the feeling of the opponents that annexation proceedings were premature at this time.

RESOLUTION NO. 67-24

A RESOLUTION CONSENTING TO COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY DESIGNATED AS THE EL VISTA NO. 1 ADDITION TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913

Introduced by Davies Seconded by Patton

Ayes: Davies, Mitchell, Patton, Mayor Johansen
Noes: None Absent: Hughes, Shastid, Smith

APPROPRIATION TRANSFERS - None

ANNOUNCEMENT - QUARTERLY DINNER MEETING CENTRAL VALLEY DIVISION, LEAGUE OF CALIFORNIA CITIES

Mayor Johansen announced that the next regular quarterly dinner meeting would be held Thursday, January 26, 1967, at the War Memorial Auditorium, Turlock.

EXECUTIVE SESSION TO CONSIDER PURCHASE OF PROPERTY ON 9TH STREET

The Council went into executive session at 8:54 P.M. to consider purchase of property on 9th Street, returning to regular session at 9:30 P.M.

The City Manager reported that last Tuesday morning he was informed that a parcel of property on Ninth Street, between H and I Streets, was being offered for sale in probate court; that he appeared in Court the following Thursday morning and asked that the matter be held over until Tuesday, January 10, to permit the Council to consider purchase of the property by the City. It was the decision of the Council that the City not enter a bid for the property in question.

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Mitchell Seconded by Patton Unanimously carried

The meeting adjourned at 9:36 P.M.

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY
Acting City Clerk

Modesto City Council
January 16, 1967

The Council of the City of Modesto met in regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen

Absent: Councilmen: Hughes

The pledge of allegiance to the Flag was given by all present.

Reverend Luverne Sands gave the invocation.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

The Acting City Clerk noted the following correction to be made on Page 1 of the minutes of December 27, 1966:

That the action taken by the Council on the request of Vecco Supply - P. J. Signs, be changed to read as follows:

MOTION

That the applicant be given until January 31, 1967 to conform the signs to code regulations unless evidence is that the code regulations will be changed prior to that time to cause the signs to become conforming

Moved by Smith Seconded by Patton

MOTION

That voting on the above matter be tabled for one week

Moved by Davies Seconded by Mayor Johansen

The motion carried, Councilmen Hughes and Patton dissenting.

The minutes were approved as corrected.

The following consent items, marked with an asterisk, were adopted by one roll call vote as follows:

Introduced by Mitchell Seconded by Smith

Ayes: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Hughes

LETTER FROM COUNTY SUPERINTENDENT OF SCHOOLS REQUESTING CONSOLIDATION OF SCHOOL DISTRICT ELECTIONS WITH GENERAL MUNICIPAL ELECTION

* RESOLUTION NO. 67-25

A RESOLUTION GRANTING CONSENT FOR THE CONSOLIDATION OF CERTAIN SCHOOL DISTRICT ELECTIONS WITHIN THE BOUNDARIES OF THE MODESTO HIGH SCHOOL DISTRICT WITH THE MODESTO GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 18, 1967

LETTER FROM LARRY HERSEY RESIGNING FROM ADVISORY BOARD, DOWNTOWN IMPROVEMENT DISTRICT

* RESOLUTION NO. 67-26

A RESOLUTION COMMENDING LAWRENCE HERSEY FOR SERVICE RENDERED THE CITY OF MODESTO AS A MEMBER OF THE AB-103 ADVISORY BOARD

CONSIDER AWARD OF BID FOR CONSTRUCTION OF FENCE AT DEL WEBB FIELD

* RESOLUTION NO. 67-27

A RESOLUTION ACCEPTING THE BID OF U. S. STEEL, CYCLONE FENCE DIVISION, FOR CONSTRUCTION OF CHAIN LINK FENCE AT DEL WEBB FIELD

CONSIDER AWARD OF BID FOR FURNISHING LIGHTING FIXTURES AND APPURTENANCES FOR CONVERSION OF BARE BULB STREET LIGHTING SYSTEM TO MERCURY VAPOR LIGHTING

* RESOLUTION NO. 67-28

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL CO., INC., FOR FURNISHING LIGHTING FIXTURES AND APPURTENANCES FOR CONVERSION OF BARE BULB STREET LIGHTING SYSTEM TO MERCURY VAPOR LIGHTING

CONSIDER APPROVAL OF SPECIFICATIONS AND AUTHORIZE CALL FOR BIDS FOR OUR ANNUAL REQUIREMENTS OF MUNICIPAL LAMPS FOR STREETS, BUILDINGS, ETC.

* RESOLUTION NO. 67-29

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CITY OF MODESTO'S ANNUAL REQUIREMENTS OF MUNICIPAL LAMPS FOR STREETS, BUILDINGS, ETC. (Bid opening date, January 26, 1967 at 2:00 P.M. in City Clerk's office)

AMENDMENT TO AGREEMENT BETWEEN THE CITY OF MODESTO AND LAMON WRIGHT DATED MARCH 25, 1965 FOR PURCHASE OF PROPERTY FOR DOWNEY HIGH SCHOOL PARK SITE

* RESOLUTION NO. 67-30

A RESOLUTION APPROVING AMENDMENT TO AGREEMENT BETWEEN THE CITY OF MODESTO AND LAMON WRIGHT RELATING TO PURCHASE OF REAL PROPERTY FOR DOWNEY PARK SITE

* RESOLUTION NO. 67-31

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,168 FOR ADDITIONAL INTEREST REQUIRED BY AMENDED AGREEMENT BETWEEN CITY OF MODESTO AND LAMON WRIGHT

CONSIDER INSTALLATION OF TWO MERCURY VAPOR STREET LIGHTS AT STANDIFORD AVENUE AND TIDEWATER SOUTHERN CROSSING

* RESOLUTION NO. 67-32

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR THE INSTALLATION OF MERCURY VAPOR STREET LIGHTS AT STANDIFORD AVENUE AND TIDEWATER SOUTHERN CROSSING

RESIGNATION OF VERNON S. MULLEN AS CHAIRMAN AND MEMBER OF THE MODESTO BEAUTIFICATION COMMITTEE

* RESOLUTION NO. 67-33

A RESOLUTION COMMENDING VERNON S. MULLEN FOR SERVICE RENDERED THE CITY OF MODESTO AS A MEMBER OF THE MODESTO BEAUTIFICATION COMMITTEE

APPROPRIATION TRANSFER OF $40,000 FROM ACCOUNT 6290 - DOWNEY PARK - SPRINKLER, LAWN, LANDSCAPE, RESTROOMS, TO DAVIS PARK DEVELOPMENT

* RESOLUTION NO. 67-34

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $40,000 FOR DAVIS PARK DEVELOPMENT

APPROPRIATION TRANSFER OF $59,500 FROM ACCOUNT 6304 - DOWNEY PARK DEVELOPMENT AND BALL FIELD LIGHTING, TO DAVIS PARK DEVELOPMENT

* RESOLUTION NO. 67-35

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $59,500 FOR DAVIS PARK DEVELOPMENT

LETTER FROM CITY CLERK, WASCO, CALIFORNIA, REQUESTING COUNCIL SUPPORT IN REPEAL OF "MATCHING FUNDS" PROVISION, COLLIER-UNRUH TRANSPORTATION DEVELOPMENT ACT

A letter from V. W. Steinberg, City Clerk, City of Wasco, dated January 4, 1967 requesting that the City adopt a resolution requesting repeal of the "Matching Funds" provision of the Collier-Unruh Local Transportation Development Act, was entered into the record of the minutes.

By order of the Chair, the letter was ordered filed until such time as legislative action on the matter is pending.

LETTER FROM WYLIE DEVELOPMENT COMPANY RELATIVE TO ABANDONMENT OF SIX-FOOT PEDESTRIAN LANE, LOTS 14 and 15, BLOCK 6612, SARATOGA MANOR NO. 5

A letter from Arthur J. Wylie dated January 11, 1967 requesting that the six-foot pedestrian lane adjoining the side property line of Lots 14 and 15, Block 6612, Saratoga Manor No. 5 be abandoned and equally divided between the two above-mentioned lots, was entered into the record of the minutes.

MOTION

That the letter be referred to the Planning Commission for report and recommendation

Moved by Smith Seconded by Shastid Unanimously carried

AN ORDINANCE AMENDING THE MODESTO MUNICIPAL CODE RELATING TO MUSIC IN PUBLIC PLACES 1-28

At the request of the City Manager, and with the unanimous consent of the Council, this matter was removed from the agenda, to be placed on the agenda again at a later date.

ADOPTION OF ORDINANCE NO. 819-C.S., AMENDING THE PARKING METER ZONING MAP OF THE CITY OF MODESTO

ORDINANCE NO. 819-C.S. entitled "AN ORDINANCE AMENDING THE PARKING METER ZONING MAP OF THE CITY OF MODESTO" introduced January 3, 1967 and having been published as required by the Charter, was adopted

Moved by Shastid Seconded by Smith

Ayes: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Hughes

APPLICATION FOR AMENDMENT TO SECTION 17-3-9 OF THE ZONING MAP FILED BY JAMES TISMENAKIS, GEORGE DAMAS, MICHAEL DAMAS, AND EVANGELINE BALL

(a) Discuss entering into an agreement providing for annual in lieu payments of taxes on the property for elderly housing project 1-38

The following documents were entered into the record of the minutes: Letter from Spanos & Hakeem, Attorneys at Law, Stockton, California dated January 4, 1967 agreeing to a contract whereby the applicant for the rezoning would agree to a contract paying 80% of the city taxes to be assessed against the real property in question as determined by the Stanislaus County Assessor; memorandum from the City Attorney dated January 4, 1967 subject, "Elderly Housing Project P-D Application - Tismenakis, et al.", outlining results of meetings with Mr. John Markey relative to terms for an agreement.

John Markey, representing the applicant, stated that it would be well if approval of the Housing and Urban Development was obtained before proceeding with the agreement, since all of the money for the project is to be borrowed.

John Quaresma, 1215 Trinity Avenue, spoke briefly in support of projects for elderly housing under the FHA 202 program.

MOTION

That the in lieu payment be 100% of the city taxes, to commence on the date that exemption from regular taxes is granted

Moved by Shastid Seconded by Smith Unanimously carried

AGREEMENT WITH COUNTY OF STANISLAUS FOR CONDUCT OF CITY ELECTIONS

A memorandum from the City Attorney dated January 12, 1967 subject, "City Elections," was entered into the record of the minutes.

RESOLUTION NO. 67-36

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS TO CONTRACT WITH THE CITY OF MODESTO TO FURNISH SERVICES, FACILITIES, SUPPLIES, AND EQUIPMENT OF THE REGISTRATION AND ELECTION DEPARTMENT OF THE COUNTY CLERK'S OFFICE IN CONNECTION WITH ALL FUTURE CITY ELECTIONS

Introduced by Mitchell Seconded by Davies

Ayes: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Hughes

HEARING - APPEAL TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT - PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TULLY AND ROSEBURG (Quaresma property)

Mayor Johansen announced that the hour of 4:30 P.M. had arrived, the time set for consideration of the appeal to the decision of the Board of Zoning Adjustment in granting a variance to John Quaresma to extend a commercial use to property located at the southeast corner of Roseburg Avenue and Tully Road for a proposed service station, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was published in the Modesto Bee on December 29, 1966; notice of the hearing posted in the area on January 5th and distributed in the area on January 12, 1967. No correspondence pertaining to the appeal was received by the City Clerk.

The following documents were entered into the record of the minutes: The appeal to the decision of the Board of Zoning Adjustment filed by Robert C. Bienvenu in the office of the City Clerk on December 15, 1966; Board of Zoning Adjustment Resolution No. 296 adopted December 1, 1966 granting a variance to John Quaresma to extend a commercial use into adjacent residential zones on property located at the southeast corner of Roseburg Avenue and Tully Road.

An oral report pertaining to the history of the property in connection with prior actions taken by the Board of Zoning Adjustment, Planning Commission, and Council resulting from prior rezoning applications, and actions required by the City for acquisition of rights of way, was made by Deputy Manager Ray.

The following spoke in support of the appeal: Robert Bienvenu, 1214 Cecil Way.

The following spoke in support of the variance granted by the Board of Zoning Adjustment: John Quaresma, owner of the property; Monte Lukov, Executive Secretary, Home Builders' Association; W. W. Russell, 1205 Cecil Way; Carmen Sabatino, 1231 West Roseburg Avenue.

Mr. Quaresma displayed slides of various substandard and desirable types of gas stations which could be placed on the property.

A representative of the Union Oil Company said his company had a binding contract with Mr. Quaresma to build a service station on the property in the event of Council approval of the variance.

A resolution introduced by Councilman Shastid, seconded by Councilman Smith, upholding the appeal and reversing the decision of the Board of Zoning Adjustment in granting the variance on the basis the Board of Zoning Adjustment did not show in its Resolution No. 296 that the variance was necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, and denied to the property in question, failed to carry by the following vote:

Ayes: Davies, Shastid, Smith
Noes: Mitchell, Patton, Mayor Johansen
Absent: Hughes

A resolution introduced by Councilman Mitchell, seconded by Patton, affirming the decision of the Board of Zoning Adjustment in granting the variance, and denying the appeal on the basis that all of the requirements of Section 10-2.2002 of the municipal code were met, failed to carry by the following vote:

Ayes: Mitchell, Patton, Mayor Johansen
Noes: Davies, Shastid, Smith
Absent: Hughes

The City Clerk was directed to place this item on the agenda each week until such time as action could be taken by a full council.

APPROVAL OF AGREEMENT - WILLIS AND ASSOCIATES - DOWNTOWN BEAUTIFICATION STUDY

A letter from Director of Finance Bird dated January 12, 1967, subject, "Agreement for Downtown Beautification Plan," reviewing the financial terms of the agreement, was entered into the record of the minutes.

John Hoge, Chairman, Downtown Improvement District Advisory Board, reviewed the terms of the proposed agreement.

Miss Beverly Willis was questioned by the Council on various provisions of the agreement.

MOTION

That the agreement be referred to the City Attorney to work with Miss Willis and Mr. Hoge to clarify the language of Par. 3, Step 2 to provide that Miss Willis will meet regularly and submit additional drawings if the ones required in Step 1 are not satisfactory to the Committee; that there be no deadline on the Committee to accept the drawings until such time as the Committee is satisfied with the results; that the amended agreement be returned to the Council for further consideration at the January 23rd meeting.

Moved by Shastid Seconded by Smith

The motion carried, Councilman Davies dissenting.

MATTERS FOR THE GOOD OF THE COMMUNITY

Councilman Hughes able to receive visitors

Councilman Mitchell reported that Councilman Hughes, recently injured in an accident due to a fall, was now able to receive visitors.

Consent to leave country - Councilman Davies

MOTION

That Councilman Davies' absence from the Country for a one-week period beginning February 4th be approved

Moved by Shastid Seconded by Mitchell Unanimously carried

The City Attorney stated that an Opinion on the absence of councilmen from the State and Country, and also because of illness or injury, would be furnished the Councilmen soon.

Preliminary Sketches to be presented by Willis and Associates

Upon questioning, Thorne Gray, Modesto Bee reporter, was assured by the Council that the public would be able to view the preliminary sketches to be submitted by Willis and Associates under Step 1 of its agreement with the City.

Acceptance of resignation of Lee H. Davies from Human Rights Commission

RESOLUTION NO. 67-37
A RESOLUTION COMMENDING LEE H. DAVIES FOR SERVICE RENDERED THE CITY OF MODESTO AS A MEMBER OF THE HUMAN RIGHTS COMMISSION

Introduced by Shastid Seconded by Patton
Ayes: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Hughes

Location of Ponding Site - Sewer District

In answer to many personal queries from the public, Mayor Johansen said he wished to assure the public that the City of Modesto had no intention of selecting a ponding site unless it was a proper site; that the City was cognizant of the fact that engineering studies were needed to indicate a proper location. Deputy Manager Ray stated that a report on the study being made on proposed site No. 5 would be available by the end of the month.

John Martin, Executive Secretary, Stanislaus County Taxpayers' Association, suggested that the City clear apparent misconceptions among various interested groups as to how outfall lines to the site will affect properties.

The staff was directed to contact Mr. Fred Thiemann on staff attendance at a Farm Bureau meeting to be held on this subject later in the month.

CONSIDER PERSONNEL COMMISSION RECOMMENDATION THAT COOPERATIVE PERSONNEL SERVICES CONDUCT A SALARY REVIEW

The following documents were entered into the record of the minutes: Memorandum from the Personnel Commission dated January 12, 1967 recommending that the Council approve a contract with Cooperative Personnel Services to conduct a salary review; Personnel Commission minutes of meeting of January 10, 1967; letter from Cooperative Personnel Services dated January 3, 1967 outlining a work plan and cost estimate for a comprehensive salary review and salary recommendations for the City; letter from Griffenhagen-Kroeger, Inc. dated December 22, 1966 submitting a proposal for a salary survey.

RESOLUTION NO. 67-38
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COOPERATIVE PERSONNEL SERVICE FOR SALARY REVIEW (Not to exceed $1,300, accepting local Chamber of Commerce survey)

Introduced by Mitchell Seconded by Davies

Ayes: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Hughes

RESOLUTION NO. 67-39
A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,300 TO PROVIDE FUNDS FOR SALARY REVIEW TO BE CONDUCTED BY COOPERATIVE PERSONNEL SERVICES

Introduced by Mitchell Seconded by Davies

Ayes: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Hughes

Floyd Pierson, Executive Secretary, Modesto City Employees' Association, thanked the Council for approving the survey, stating that it was hoped the survey would eliminate the tremendous differences between the salaries paid some city classifications as compared to salaries paid by the thirteen cities chosen by the City for comparison purposes; that he believed the survey would tend to lessen the dissatisfaction on the part of these employees.

STATEMENT BY THE MAYOR REGARDING PROPOSED ADDITIONAL TASKS TO BE ASSIGNED TO THE HUMAN RIGHTS COMMISSION

A statement by Mayor Johansen dated January 12, 1967 reaffirming the basic tasks of the Human Rights Commission was entered into the record of the minutes.

MOTION

That the Mayor be authorized to assigned the proposed tasks to the Human Rights Commission

Introduced by Smith Seconded by Patton Unanimously carried

Councilman Shastid was excused from the meeting.

APPROPRIATION TRANSFER EMPLOYMENT OF ANNEXATION ASSISTANT

RESOLUTION NO. 67-40

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,440 TO PROVIDE FUNDS TO EMPLOY A PART-TIME PERSON TO CONTINUE WORK ON ANNEXATIONS

Introduced by Davies Seconded by Mitchell

Ayes: Davies, Mitchell, Patton, Smith, Mayor Johansen
Noes: None Absent: Hughes, Shastid

CONSIDER APPOINTMENTS TO BOARDS AND COMMISSIONS

Advisory Board - Downtown Improvement District

RESOLUTION NO. 67-41

A RESOLUTION CONFIRMING THE APPOINTMENT OF BEN S. MITCHELL TO THE AB-103 ADVISORY BOARD (Area D)

Introduced by Patton Seconded by Smith

Ayes: Davies, Mitchell, Patton, Smith, Mayor Johansen
Noes: None Absent: Hughes, Shastid

No action was taken on an appointment to the Human Rights Commission.

PRESENTATION OF FINANCIAL STATEMENT - DECEMBER 31, 1966

MOTION

That the financial statement for December 1966 be accepted

Moved by Shastid Seconded by Mitchell Unanimously carried

ANNOUNCEMENT

The Council was reminded of the quarterly dinner meeting of the Central Valley Division of the League of California Cities to be held January 26, 1967 at the War Memorial Auditorium Center at Turlock.

EXECUTIVE SESSION

MOTION

That the Council adjourn to executive session to discuss applications for the position of City Clerk

Moved by Patton Seconded by Mayor Johansen Unanimously carried

The meeting adjourned at 8:34 P.M.

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY
Acting City Clerk

Modesto City Council
January 23, 1967

The Council of the City of Modesto met in regular session this date at 7:30 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present.

Reverend H. C. Rasske gave the invocation.

AWARD BID FOR AUTOMOTIVE EQUIPMENT

A memorandum from the Director of Finance dated January 18, 1967 subject, "Bids on Automotive Equipment," was entered into the record of the minutes.

RESOLUTION NO. 67-42
A RESOLUTION ACCEPTING THE BID OF GRISWOLD & WIGHT, MODESTO, FOR AUTOMOTIVE EQUIPMENT (Five 4-door sedans and one 2-ton dump truck, Items 2 and 7 of Schedule "A", FOR A NET AMOUNT OF $15,217.12)

Introduced by Hughes Seconded by Shastid
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

RESOLUTION NO. 67-43
A RESOLUTION ACCEPTING THE BID OF FRONTIER DODGE, MODESTO, FOR AUTOMOTIVE EQUIPMENT (Twelve 4-door patrol and one 4-door station wagon, Items 1 and 3 of Schedule "A") FOR A NET AMOUNT OF $21,502.12

Introduced by Hughes Seconded by Shastid
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

RESOLUTION NO. 67-44
A RESOLUTION ACCEPTING THE BID OF HELM CHEVROLET CO., MODESTO, FOR AUTOMOTIVE EQUIPMENT (Two 1/2 Ton pickups, two 3/4 Ton pickups, and one 2-ton cab and chassis, Items 4, 5, 6, and 8 of Schedule "A")FOR A NET AMOUNT OF $11,764.22

Introduced by Hughes Seconded by Shastid
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

RESOLUTION NO. 67-45
A RESOLUTION ACCEPTING THE BIDS OF M. R. SAYERS, D. B. TINGLE, AND GRISWOLD & WIGHT FOR USED AUTOMOTIVE EQUIPMENT IN THE AMOUNT OF $1,127.50 (OUTRIGHT SALE IN LIEU OF TRADE-INS) (as described in memorandum from Director of Finance dated January 18, 1967)

Introduced by Hughes Seconded by Shastid
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

FURTHER CONSIDERATION OF APPEAL TO DECISION OF BOARD OF ZONING ADJUSTMENT - VARIANCE TO PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TULLY AND ROSEBURG (QUARESMA)

This matter was considered by the Council at the January 16, 1967 meeting, council action resulting in a resolution affirming the decision of the Board of Zoning Adjustment in granting the variance failing to carry by a 3-3 vote of the Council; a resolution upholding the appeal and reversing the decision of the Board of Zoning Adjustment in granting the variance, failing to carry

by a 3-3 vote of the Council; the City Clerk directed to place the matter on the agenda each week for consideration until such time as action could be taken by a full Council.

Councilman Hughes, absent at the previous consideration of the matter, stated that he had read the belt transcript of the Board of Zoning Adjustment, and had listened to the tapes of the last council meeting pertaining to the hearing.

RESOLUTION NO. 67-46

A RESOLUTION AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT GRANTING A VARIANCE TO JOHN QUARESMA TO EXTEND A COMMERCIAL USE TO PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ROSEBURG AVENUE AND TULLY ROAD (proposed service station)

Introduced by Hughes Seconded by Mitchell
Ayes: Hughes, Mitchell, Patton, Mayor Johansen
Noes: Davies, Shastid, Smith

APPROVAL OF AGREEMENT WITH WILLIS AND ASSOCIATES PROVIDING FOR A DOWNTOWN BEAUTIFICATION STUDY

An agreement between the City and Willis & Associates, amended in accordance with instructions from the Council at the January 16th meeting, was reviewed by the City Attorney.

RESOLUTION NO. 67-47

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIS AND ASSOCIATES FOR A DOWNTOWN BEAUTIFICATION STUDY

Introduced by Smith Seconded by Mitchell
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

CONSIDER RECOMMENDATION OF PLANNING COMMISSION ON ALMA AVENUE CLOSURE TO VEHICULAR TRAFFIC 1-80

A memorandum from the Secretary of the Planning Commission dated January 19, 1967 with a revised text of basic standards for street closures attached and containing a recommendation from the Fire Chief that an additional condition be required in approving the closure - that the proponents bear the cost of an additional fire hydrant plus its installation at an approximate cost of $500, was entered into the record of the minutes.

A motion proposed by Councilman Shastid, seconded by Councilman Smith, that the staff be directed to prepare the necessary agreement for the closing of Alma Avenue, was tabled by the following amending motion:

MOTION

That the motion be tabled pending report from the staff on Conditions 3, 4 and 7 listed in Report to Planning Commission, Standards for Street Abandonments, Diversions and Barriers; that the matter be placed on the agenda in two weeks (February 14th meeting)

Moved by Hughes Seconded by Patton

The motion carried, Councilmen Mitchell, Shastid and Smith dissenting.

DISCUSSION OF NATIONAL LEAGUE OF CITIES' CAMPAIGN CONCERNING AUTO THEFTS 2-55

A proposed ordinance making it a misdemeanor to leave keys in an unattended motor vehicle and requiring that brakes be set, was reviewed by the City Attorney.

MOTION

That the staff be directed to prepare an ordinance as discussed for presentation to the Council for consideration and public hearing

Introduced by Smith Seconded by Patton Unanimously carried

FURTHER REPORT BY PLANNING COMMISSION ON REZONING APPLICATION - OID OAKDALE ROAD AND CELESTE DRIVE (LANCE ELLIS) 2-120

MOTION

That the matter be held over to the February 13, 1967 meeting

Moved by Mitchell Seconded by Shastid Unanimously carried

MATTERS FOR THE GOOD OF THE COMMUNITY

Frank Andrews - Dennett Dam

Frank Andrews asked that Dennett Dam be reconstructed as a benefit to the general public.

Report by Councilman Mitchell

Councilman Mitchell reported that proceedings of the National League of Cities, 1966 Congress, would be made available to the City Manager and councilmen.

Statement by Mayor Johansen

Mayor Johansen read into the record of the minutes a statement dated January 23, 1967 indicating that he would not run for Mayor in the April 18, 1967 election.

CONSENT ITEMS

The following consent items, marked with an asterisk, were adopted by the Council by resolution with one roll call vote as follows:

Introduced by Shastid Seconded by Patton
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

LETTER FROM CHARLES W. THROSSELL RESIGNING FROM BOARD OF ZONING ADJUSTMENT

* RESOLUTION NO. 67-48

A RESOLUTION COMMENDING CHARLES W. THROSSELL FOR SERVICES RENDERED THE CITY OF MODESTO AS A MEMBER OF THE BOARD OF ZONING ADJUSTMENT

LETTER FROM VIRGINIA THROSSELL RESIGNING FROM CITIZENS' COMMITTEE TO STUDY CRIME

* RESOLUTION NO. 67-49

A RESOLUTION COMMENDING MRS. VIRGINIA THROSSELL FOR SERVICES RENDERED THE CITY OF MODESTO AS A MEMBER OF THE CRIME STUDY COMMITTEE

CONSIDER ISSUANCE OF PURCHASE ORDER FOR CONSTRUCTION OF CONCRETE BLOCK WALL ADJACENT TO GOTTSCHALK FLIGHT CENTER OFFICE BUILDING AT CITY-COUNTY AIRPORT

* RESOLUTION NO. 67-50

A RESOLUTION AUTHORIZING ISSUANCE OF PURCHASE ORDER TO SCRANTON & QUALLE FOR CONSTRUCTION OF CONCRETE BLOCK WALL ADJACENT TO GOTTSCHALK FLIGHT CENTER OFFICE BUILDING AT MODESTO CITY-COUNTY AIRPORT

* RESOLUTION NO. 67-51

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $815 FOR CONSTRUCTION OF CONCRETE BLOCK WALL ADJACENT TO GOTTSCHALK FLIGHT CENTER OFFICE BUILDING AT MODESTO CITY-COUNTY AIRPORT

ACCEPT AS COMPLETE A. P. RASMUSSEN'S CONTRACT FOR THE CONSTRUCTION OF 12" RCCP STORM SEWER ON EAST ORANGEBURG AVENUE BETWEEN MCHENRY AVENUE AND EAST CITY LIMITS

* RESOLUTION NO. 67-52

A RESOLUTION ACCEPTING THE CONSTRUCTION OF 12" R.C.C.P. STORM SEWER ON EAST ORANGEBURG AVENUE BETWEEN MCHENRY AVENUE AND THE EAST CITY LIMITS

CONSIDER AUTHORIZING PURCHASE OF 79 FIRE HYDRANTS FROM EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD) AT REDUCED PRICES

* RESOLUTION NO. 67-53
A RESOLUTION WAIVING FORMAL BID PROCEDURE FOR THE PURCHASE OF 79 FIRE HYDRANT BODIES FROM EAST BAY MUNICIPAL UTILITY DISTRICT

* RESOLUTION NO. 67-54
A RESOLUTION AUTHORIZING PURCHASE OF 79 FIRE HYDRANT BODIES FROM EAST BAY MUNICIPAL UTILITY DISTRICT

APPROVE SUBDIVISION AGREEMENT AND FINAL MAP OF GREENWOOD ESTATES NO. 2 SUBDIVISION

* RESOLUTION NO. 67-55
A RESOLUTION APPROVING THE FINAL MAP OF THE GREENWOOD ESTATES NO. 2 SUBDIVISIO OF THE CITY OF MODESTO

CONSIDER EXTENSION OF LEASES ON 10TH NEAR K STREET LOT

* RESOLUTION NO. 67-56
A RESOLUTION APPROVING EXTENSION OF LEASES FOR THE TENTH STREET NEAR K STREET PARKING LOT (Losher, Trueblood)

RECOMMEND COMMENCEMENT OF ANNEXATION PROCEEDINGS - EAST BRIGGSMORE ADDITION

* RESOLUTION NO. 67-57
A RESOLUTION CONSENTING TO THE COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY DESIGNATED AS THE EAST BRIGGSMORE ADDITION TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913

APPROPRIATION TRANSFER - STREET LIGHTING, STANDIFORD ROAD AND TWSRR

* RESOLUTION NO. 67-58
A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,200 FOR INSTALLATION OF TWO 20,000 LUMEN MERCURY VAPOR STREET LIGHTS AT STANDIFORD AVENUE AND TIDE-WATER SOUTHERN CROSSING

LETTER FROM JUNIOR CHAMBER OF COMMERCE RELATIVE TO ANNUAL OUTSTANDING YOUNG MAN BANQUET

A letter from the Modesto Junior Chamber of Commerce dated January 18, 1967 inviting the Council to attend the annual Outstanding Young Man Banquet on the evening of January 28, 1967 in the Fable Room of the Hotel Covell, was entered into the record of the minutes and ordered filed.

REPORT FROM DIRECTOR OF PUBLIC WORKS CONCERNING USE OF THE OLD POLICE BUILDING

A memorandum from the Director of Public Works dated January 12, 1967 subject, "Use of Old Police Building," indicating that the building was unsafe for occupancy, was entered into the record of the minutes. Request for use of the building for a temporary museum was made by Heidi L. Warner, Chairman, Citizen's Cultural Center Committee, in a letter to the Council dated December 1, 1966.

The staff was directed to take care of a complaint submitted by Frank Andrews pertaining to torn awnings on the old police building.

MOTION
That the staff report to the Council on the cost of demolishing the old police building

Moved by Shastid Seconded by Patton Unanimously carried

REQUEST OF DICK LUBIC, TIME, INC., FOR PRESENTATION OF PROPOSAL FOR C.A.T.V. PROJECT

A letter from Gerald Douglas, attorney, representing Modesto Cable Television, Inc., formed specifically to apply for a franchise for a cable

antenna in the City of Modesto, was read into the record of the minutes by City Manager Keefe.

Dick Lubic read into the record a proposal for community antenna television submitted by Central Valley Cable Television, Inc. A copy of the proposal was filed with the City Clerk.

MOTION

That the staff be instructed to come back with a recommendation in four weeks as to how the Council should proceed to bring cable antenna service to the City

Moved by Hughes Seconded by Shastid Unanimously carried

CONSIDER PERSONNEL COMMISSION RECOMMENDATION TO ELIMINATE THE PARKING & TRAFFIC OFFICER CLASSIFICATION AND AUTHORIZE THE STAFF TO PREPARE A PARKING ENFORCEMENT OFFICER SPECIFICATION

The following documents were entered into the record of the minutes: Memorandum from Chief of Police dated January 4, 1967 subject, "Parking Enforcement Officer"; memorandum from City Manager dated January 4, 1967 subject, "Parking Enforcement Officer"; letter from Chairman, Personnel Commission, dated January 18, 1967 recommending that the Council approve elimination of the present Parking and Traffic Officer classification to be effective on a "phase-out" basis following approval of a Barking Enforcement Officer classification by the City Council.

MOTION

That the staff be directed to prepare a Parking Enforcement Officer specification as outlined in memos from the Chief of Police and City Manager

Moved by Shastid Seconded by Hughes Unanimously carried

CONSIDER PERSONNEL COMMISSION RECOMMENDATION TO RECLASSIFY FROM PATROLMAN TO POLICE SERGEANT THAT POSITION TO WHICH THE VICE INVESTIGATION DUTIES ARE ASSIGNED

The following documents were entered into the record of the minutes: Memorandum from Chief of Police dated November 17, 1966 subject, "Request for Reclassification of Vice Investigator Position"; memorandum from City Manager dated December 13, 1966 subject, "Request for Reclassification of Vice Investigator Position"; letter from Chairman, Personnel Commission, dated January 18, 1967 recommending that the City Council approve the recommendation of the City Manager that the Patrolman position to which vice investigation activities are assigned be classified as Police Sergeant.

MOTION

That the staff be directed to reclassify from Patrolman to Police Sergeant that position to which the vice investigation duties are assigned

Introduced by Shastid Seconded by Smith Unanimously carried

CONSIDER PERSONNEL COMMISSION'S RECOMMENDATION TO RECLASSIFY SIX POSITIONS AND THE CITY MANAGER'S PROPOSED REVISIONS TO THE CLASSIFICATION PLAN

The following documents were entered into the record of the minutes: Memorandum from City Manager dated December 12, 1966 subject, "Review of Classification Changes," with attached list of recommendations concerning the study made; memorandum from the Chairman, Personnel Commission, dated January 18, 1967 recommending that the Council approve certain reclassifications.

MOTION

That the Personnel Commission's recommendation to reclassify six positions and the City Manager's proposed revisions to the Classification Plan be approved

Moved by Hughes Seconded by Mitchell Unanimously carried

CONSIDER PERSONNEL COMMISSION RECOMMENDATION TO COMBINE "PATROLMAN" AND "PATROLMAN WITH INCENTIVE PAY" CLASSIFICATIONS INTO ONE CLASSIFICATION ENTITLED "POLICEMAN," WITH FIVE -STEP PAY RANGE

The following documents were entered into the record of the minutes: Memorandum from Police Chief Meester dated January 4, 1967 subject, "Proposed Revision of Patrolman Classifications"; memorandum from City Manager dated January 4, 1967 subject, "Patrolman and Patrolman with Incentive Pay Classifications"; letter from Chairman, Personnel Commission, dated January 18, 1967 recommending the proposed combining of Patrolman and Patrolman with Incentive Pay classifications into one classification entitled "Policeman", with a salary range of $576-605-635-667-700, to be effective April 1, 1967.

MOTION

That the proposed combining of Patrolman and Patrolman with incentive pay into one classification entitled "Policeman" be approved as recommended

Moved by Hughes Seconded by Mitchell Unanimously carried

RECOMMEND COMMENCEMENT OF ANNEXATION PROCEEDINGS, EL VISTA ADDITION NO. 2 7-96

Ray Mitchell, 325 Trask Lane, protested the lack of communication between the City and opponents to the proposed annexation. He asked that the City run an accurate survey of residents in the area, and not just those that the City knew were in favor of the annexation.

RESOLUTION NO. 67-59

A RESOLUTION CONSENTING TO COMMENCEMENT OF PROCEEDINGS TO ANNEX INHABITED TERRITORY DESIGNATED AS THE EL VISTA NO. 2 ADDITION TO THE CITY OF MODESTO UNDER THE ANNEXATION ACT OF 1913

Introduced by Mitchell Seconded by Davies

Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

CONTINUED DISCUSSION REGARDING ANNUAL REPORT 8-95

The proposed format of the City Manager's annual report was presented to the Council for consideration. The City Manager said it was proposed to mail the report to city residents with the forthcoming water bill, if arrangements could be made with the County for envelope stuffing.

MOTION

That the staff be directed to proceed with the format of the annual report as presented, but that it be shown to the Council in its final form before mailing

Moved by Hughes Seconded by Shastid Unanimously carried

PROGRESS REPORT ON TUOLUMNE RIVER AREA PARK 9-20

A memorandum from the Director of Parks and Recreation dated January 19, 1967 subject, "Progress Report - Tuolumne River Regional Park," was entered into the record of the minutes. Recommendation was made that the following steps be taken as soon as the County Board of Supervisors indicates its interest in sharing cost of the design: Complete the topo; hire a landscape designer to develop the plan; approve the plan; that these steps be taken to permit submission of an application for financing from State Park Bond funds by September 1, 1967.

MOTION

That the Mayor be authorized to write a follow-up letter to the Chairman of the Board of Supervisors requesting the joint sharing of costs for the design of the proposed park

Moved by Shastid Seconded by Smith Unanimously carried

Frank Andrews asked that work be speeded up on restoration of Dennett Dam.

A statement prepared by Mr. Andrews relating to former Mayor Dennett was presented to the press by Mayor Johansen.

PRESENTATION OF REPORT ON BUSINESS LICENSE ENFORCEMENT

A memorandum from the Director of Finance dated January 18, 1967 subject, "Report on Business License Enforcement," with a recap of responsibilities for business license enforcement attached, was entered into the record of the minutes.

Business license enforcement was generally discussed by the Council.

William Fox, 1302 Princeton, suggested that general contractors be required to list their subs when applying for a building permit.

By order of the Chair, the staff was directed to continue to work on business license enforcement, and to bring back to the Council in three weeks recommendations pertaining to the furnishing of names of subcontractors by general contractors.

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Shastid Seconded by Smith Unanimously carried

The meeting adjourned at 10:08 P.M.

ATTEST: Pauline P. Stanley
Pauline P. Stanley
Acting City Clerk

Modesto City Council
February 6, 1967

The Council of the City of Modesto met in regular session this date at 4:00 P.M. in the Council Chambers, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Hughes, Mitchell, Patton, Shastid, Mayor Johansen (Councilman Smith arrived at 4:05 P.M.)
Absent: Councilmen: Davies

The pledge of allegiance to the Flag was given by all present. Reverend William Moore gave the invocation.

Introduction of Jack Dempsey

Former heavyweight boxing champion Jack Dempsey was introduced by Mayor Johansen.

APPROVAL OF MINUTES

The minutes of the regular meetings of January 3 and 9, 1967 were approved.

CONSENT ITEMS

The following consent items, marked with an asterisk, were adopted by resolution of the Council with one roll call vote as follows:

Introduced by Shastid Seconded by Patton
Ayes: Hughes, Mitchell, Patton, Shastid, Mayor Johansen
Noes: None Absent: Davies, Smith

AWARD OF BID FOR CONSTRUCTION OF AUTOMATIC SPRINKLER - GRACEADA PARK

* RESOLUTION NO. 67-60
A RESOLUTION ACCEPTING THE BID OF JOHN BIRGES FOR CONSTRUCTION OF AUTOMATIC SPRINKLER SYSTEM IN GRACEADA PARK

AWARD OF BID FOR CONSTRUCTION OF AUTOMATIC SPRINKLER - WHITMORE PARK

* RESOLUTION NO. 67-61
A RESOLUTION ACCEPTING THE BID OF BIBENS NURSERY FOR CONSTRUCTION OF AUTOMATIC SPRINKLER SYSTEM IN WHITMORE PARK

AWARD OF BID FOR CONSTRUCTION OF AUTOMATIC SPRINKLER - JOHN MUIR PARK

* RESOLUTION NO. 67-62
A RESOLUTION ACCEPTING THE BID OF ALBERT M. BIEHL FOR CONSTRUCTION OF AUTOMATIC SPRINKLER SYSTEM AT JOHN MUIR PARK

AWARD OF BID FOR FURNISHING OF ANNUAL REQUIREMENTS FOR MUNICIPAL LIGHTING

* RESOLUTION NO. 67-63
A RESOLUTION ACCEPTING THE BID OF WILLE ELECTRIC SUPPLY COMPANY, INC., FOR LAMPS FOR MUNICIPAL LIGHTING FOR A ONE-YEAR PERIOD COMMENCING FEBRUARY 1, 1967

APPROVE PLANS AND SPECIFICATIONS AND CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN GREENWOOD ESTATES NO. 2 SUBDIVISION

* RESOLUTION NO. 67-64
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN GREENWOOD ESTATES NO. 2 SUBDIVISION (bid opening date, February 21, 1967 at 10:00 A.M.)

APPROVE SUBMISSION OF APPLICATION TO P.U.C. FOR HALF THE CITY'S COST OF CROSSING GATES ALONG SOUTHERN PACIFIC CROSSINGS

* RESOLUTION NO. 67-65
A RESOLUTION AUTHORIZING AN APPLICATION FOR STATE AID FOR GRADE CROSSING PROTECTION IMPROVEMENT

ADOPTION OF REVISED POSITION CLASSIFICATION PLAN FOR CITY OF MODESTO

* RESOLUTION NO. 67-66
A RESOLUTION ADOPTING A REVISED POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO

ESTABLISH SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN CITY SERVICE

* RESOLUTION NO. 67-67
A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING THE COMPENSATION FOR POSITIONS IN THE CITY SERVICE

AGREEMENT BETWEEN CITY AND DAVE HANNAH AND ANGELO MEANZA FOR WATER SERVICE TO PROPERTY LOCATED AT NORTHEAST CORNER OF KANSAS AVENUE AND CARPENTER RD.

* RESOLUTION NO. 67-68
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DAVE HANNAH AND ANGELO MEANZA FOR WATER SERVICE TO PROPERTY LOCATED AT NORTHEAST CORNER OF KANSAS AVENUE AND CARPENTER ROAD

APPROVAL OF LEASE AGREEMENT BETWEEN CITY AND RAY BIEDENWEG FOR PORTION OF DOWNEY PARK SITE

* RESOLUTION NO. 67-69
A RESOLUTION APPROVING LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND RAY BIEDENWEG FOR A PORTION OF DOWNEY PARK SITE, CONTAINING OPEN LAND, FOR ONE-THIRD OF REVENUE FROM CROP

POLICE RESERVE COMMENDED FOR CONTRIBUTION TO COMMUNITY WELFARE AND SAFETY

* RESOLUTION NO. 67-70
A RESOLUTION COMMENDING THE RESERVE POLICE FOR CONTRIBUTIONS TO COMMUNITY WELFARE AND SAFETY

CONSIDER REQUEST FOR SEWER SERVICE TO PROPERTY AT 1438 LORRY AVE.

* RESOLUTION NO. 67-71
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THOMAS D. LYONS AND BECKLEY A. LYONS FOR SEWER SERVICE TO PROPERTY LOCATED AT 1438 LORRY AVENUE

REQUEST FOR SEWER SERVICE TO PROPERTY AT 1113 GARDEN AVENUE

* RESOLUTION NO. 67-72
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BENNY DOUGLAS AND GLADYS DOUGLAS FOR SEWER SERVICE TO PROPERTY LOCATED AT 1113 GARDEN AVENUE

REQUEST FOR SEWER SERVICE TO PROPERTY AT 410 SPRUCE STREET

* RESOLUTION NO. 67-73
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LOTTIE H. BARTON FOR SEWER SERVICE TO PROPERTY LOCATED AT 410 SPRUCE STREET

RESOLUTIONS INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICES REQUIRING CONSTRUCTION OF SIDEWALKS AND/OR CURB AND GUTTER AT THE FOLLOWING LOCATIONS:

Sidewalk, Tully Road along north half of Lot 14, Block 911

*
RESOLUTION NO. 67-74
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF TULLY ROAD) (Hearing, 2/20/67 at 4:15 P.M.)

Sidewalk, Tully Road along south half of Lot 14, Block 911

*
RESOLUTION NO. 67-75
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF TULLY ROAD) (Hearing, 2/20/67 at 4:20 P.M.)
Sidewalk,
/Curb and gutter at southeast corner of Block 937 along Tully Road

*
RESOLUTION NO. 67-76
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK, CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF TULLY ROAD BLOCK 937) (Hearing, 2/20/67 at 4:25 P.M.)

Curb, gutter and sidewalk, Lots 6, 7, 8 and 9, Block 133, on west side of LaLoma

*
RESOLUTION NO. 67-77
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK, CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF LA LOMA) (Hearing date, 2/20/67 at 4:30 PM)

CONSENT FOR CONSOLIDATION OF SPECIAL HIGH SCHOOL DISTRICT BOND ELECTION WITH MODESTO GENERAL MUNICIPAL ELECTION OF APRIL 18, 1967

*
RESOLUTION NO. 67-78
A RESOLUTION GRANTING CONSENT FOR THE CONSOLIDATION OF A SPECIAL HIGH SCHOOL DISTRICT BOND ELECTION WITHIN THE BOUNDARIES OF MODESTO HIGH SCHOOL DISTRICT WITH THE MODESTO GENERAL MUNICIPAL ELECTION TO BE HELD APRIL 18, 1967

APPROVAL OF LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM E. RUX FOR PORTION OF DOWNEY PARK SITE FOR FARMING PURPOSES

*
RESOLUTION NO. 67-79
A RESOLUTION APPROVING LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM E. RUX FOR PORTION OF DOWNEY PARK SITE FOR FARMING PURPOSES (peach orchard, for 7 per cent of the gross proceeds of crop)

"CANDIDATE'S STATEMENT OF QUALIFICATIONS" - AMOUNT ESTABLISHED

*
RESOLUTION NO. 67-80
A RESOLUTION ESTABLISHING AMOUNT OF DEPOSIT FOR "CANDIDATE'S STATEMENT OF QUALIFICATIONS" FOR GENERAL MUNICIPAL ELECTION OF THE CITY OF MODESTO

AMENDMENT OF RESOLUTION 64-283, AUTHORIZING FILING OF APPLICATION WITH HHFA FOR GRANT FOR FOURTH HIGH SCHOOL PARK SITE

*
RESOLUTION NO. 67-81
A RESOLUTION AMENDING RESOLUTION NO. 64-283 ENTITLED "RESOLUTION AUTHORIZING FILING OF APPLICATION WITH THE HOUSING AND HOME FINANCE AGENCY, UNITED STATES OF AMERICA, FOR GRANT TO ACQUIRE OPEN-SPACE LAND FOR THE 'FOURTH HIGH SCHOOL COMMUNITY PARK SITE '"

RECOMMENDED AMENDMENT TO SECTION 19-3-9 OF ZONING MAP (SWENSON)

*
RESOLUTION NO. 67-82
A RESOLUTION SETTING TIME AND PLACE FOR PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON PROPOSED AMENDMENT TO SECTION 19-3-9 OF ZONING MAP (SWENSON) (Hearing date, March 6, 1967 at 4:15 P.M.)

AGREEMENT WITH FLOYD THOMAS BERGLUND - EXECUTIVE SECRETARY FOR BUSINESS IMPROVEMENT DISTRICT AREA A

*
RESOLUTION NO. 67-83
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FLOYD THOMAS BERGLUND AS EXECUTIVE SECRETARY OF THE DOWNTOWN IMPROVEMENT DISTRICT FOR ONE YEAR (FEBRUARY 1, 1967 TO JANUARY 31, 1968)

*
RESOLUTION NO. 67-84
A RESOLUTION APPROVING APPROPRIATION TRANSFER - $500 TO COVER ADDITIONAL AMOUNT FOR THE PAYMENT OF SALARY TO EXECUTIVE SECRETARY OF BUSINESS IMPROVEMENT DISTRICT AREA A (FLOYD THOMAS BERGLUND)

LETTER FROM MRS. EVA M. RUSHFORD REQUESTING INSTALLATION OF STREET LIGHT - VILLAGE ROAD

MOTION
That the letter from Mrs. Rushford requesting street light on Village Road be referred to the staff for report and recommendation

Moved by Shastid Seconded by Patton Unanimously carried

LETTER FROM D. DWIGHT WAIT REQUESTING PARKS AND RECREATION DEPARTMENT ASSISTANCE - CAMELLIA SHOW TO BE HELD MARCH 18 AND 19

MOTION
That the request of Mr. Wait contained in letter dated January 25, 1967 be approved

Moved by Shastid Seconded by Patton Unanimously carried

LETTER FROM GREATER MODESTO CHAMBER OF COMMERCE ACCOUNTING FOR FUNDS EXPENDED FROM CONVENTION FUND DURING 1966

MOTION
That the report from Greater Modesto Chamber of Commerce dated January 23, 1967 regarding funds expended from Convention Fund during 1966 be accepted and filed
Moved by Shastid Seconded by Patton Unanimously carried

LETTER FROM MINENI AND THOMPSON REQUESTING WITHDRAWAL OF BOND

MOTION
That the letter from Mineni and Thompson dated January 30, 1967 requesting withdrawal of bond, Red Barn Corporation, be referred to the staff for report

Moved by Shastid Seconded by Patton Unanimously carried

PRESENTATION OF QUARTERLY REPORT BY GREATER MODESTO CHAMBER OF COMMERCE

MOTION
That the report of Greater Modesto Chamber of Commerce for quarter ending December 31, 1966 be accepted and filed

Moved by Shastid Seconded by Patton Unanimously carried

ACCEPTANCE OF FINANCIAL STATEMENT FOR JANUARY 31, 1967

MOTION
That the financial statement for January 1967 be accepted

Moved by Shastid Seconded by Patton Unanimously carried
Councilman Smith arrived at 4:05 P.M.

LETTER FROM JOSEMITE AREA BOY SCOUTS OF AMERICA REQUESTING OPPORTUNITY TO DISCUSS ACQUISITION OF LAND FOR A BOY SCOUTS' CENTER

A letter from John Mensinger, Chairman, Yosemite Area Council Building

Committee, dated December 15, 1966 requesting a site upon which to construct a Scout Center, was entered into the record of the minutes. Mr. William H. Hofmann, Scout Executive, stated that funds for construction of the building have been donated by Mrs. Grace Covell. The request was discussed by the Council.

MOTION

That the Council declares its intent to donate a site for a Boy Scout Center compatible to all concerned, and that the site be selected within thirty days; that a report be made back to the Council at the February 20th meeting

Moved by Patton Seconded by Shastid Unanimously carried

Director of Finance Bird reported that portions of the Downey Park site under consideration as a possible site for the center, had been approved by the Council earlier in the meeting for farming purposes (Items 17 and 27)

By order of the Chair, the staff was directed to amend the lease agreements, giving the City the right to withdraw a portion of the park site from the lease, and to reimburse the lessors for out-of-pocket expenses in such change [illegible].

PRESENTATION TO CITY COUNCIL OF IDENTIFICATION CARDS BY MODESTO CITIZENS OPERATION CRIME STOP COMMITTEE

Identification cards from the Modesto Citizens Operation Crime Stop Committee were presented to each council member, the City Manager and City Attorney by Robert Stewart, Chairman.

MATTERS FOR THE GOOD OF THE COMMUNITY

Request for action on reconstruction of Dennett Dam

Frank Andrews requested that the Council proceed without delay with the reconstruction of Dennett Dam.

WESTSIDE NEIGHBORHOOD CENTER, INC. BUDGET

MOTION

That the second installment of $400, operational funds for Westside Neighborhood Center, Inc. be authorized

Moved by Shastid Seconded by Mitchell

The motion carried, Councilman Hughes dissenting.

APPLICATION FOR AN AMENDMENT TO SECTION 17-3-9 OF THE ZONING MAP FILED BY JAMES TISMENAKIS, GEORGE DAMAS, MICHAEL DAMAS AND EVANGELINE BALL

RESOLUTION NO. 67-85

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STOCKTON YMI ELDERLY HOUSING, INC. PROVIDING FOR ANNUAL IN LIEU PAYMENTS OF TAXES ON THE PROPERTY FOR AN ELDERLY HOUSING PROJECT

Introduced by Smith Seconded by Shastid Unanimously carried
Absent: Davies

ORDINANCE NO. 820-C.S. entitled

"AN ORDINANCE AMENDING SECTION MAP 17-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON (TISMENAKIS, DAMAS, DAMAS AND BALL)"

was introduced and ordered published as required by the Charter.

Moved by Michell Seconded by Patton Unanimously carried
Absent: Davies

RESOLUTION NO. 67-86
A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE P-D(28)

Introduced by Smith Seconded by Shastid Unanimously carried
Absent: Davies

CONSIDER ESTABLISHING 40-MILE SPEED LIMIT ON CARPENTER ROAD BETWEEN CALIFORNIA AND MAZE

ORDINANCE NO. 821-C.S. entitled
"AN ORDINANCE AMENDING SECTION 3-2.1401 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO"

was introduced and ordered published as required by the Charter.

Moved by Shastid Seconded by Patton Unanimously carried
Absent: Davies

RESOLUTION CLARIFYING THE DISPOSITION OF FUNDS POSTED AS SECURITY PURSUANT TO SECTION 947 OF THE GOVERNMENT CODE PROVIDING FOR THE POSTING OF SECURITY BY A PLAINTIFF FOR THE RECOVERY BY A PUBLIC ENTITY OF ALLOWABLE COSTS INCURRED IN AN ACTION BROUGHT AGAINST THE PUBLIC ENTITY

A memorandum from the City Attorney dated January 27, 1967 subject, "Resolution Clarifying the Disposition of Funds Posted as Security Pursuant to Section 947 of the Government Code" was entered into the record of the minutes.

By order of the Chair, the matter was referred back to the staff with direction to meet with the County Board of Supervisors and representatives of the insurance company for reconsideration of distribution; that it be placed back on next week's agenda.

RULES GOVERNING STARTING TIMES AT CITY GOLF COURSES

A memorandum from the Director of Parks and Recreation dated February 2, 1967 subject, "Rules governing starting times at Municipal Golf Courses," was entered into the record of the minutes.

Miss Grogan stated that in addition to the rules outlined in the memorandum, she wished to following rule to be considered: That starting times will be taken on Monday for Monday through the following Sunday starting at 7:30 A.M. in person, and 7:45 A.M. by phone. She recommended that the rules as outlined be formalized.

RESOLUTION NO. 67-87
A RESOLUTION ESTABLISHING RULES GOVERNING STARTING TIMES AT THE MODESTO MUNICIPAL GOLF COURSE AND THE DRYDEN PARK MUNICIPAL GOLF COURSE IN THE CITY OF MODESTO

Introduced by Shastid Seconded by Hughes Unanimously carried
Absent: Davies

A REVIEW OF COUNCIL RESOLUTION AUTHORIZING FREE PRACTICE SESSIONS AND MATCHED PLAY FOR STUDENTS AT CITY GOLF COURSES

A memorandum from the Director of Parks and Recreation dated February 2, 1967 subject, "Resolution 60-85 - Authorizing free practice sessions and matched play for student golfers at Dryden Park Municipal Golf Course" was entered into the record of the minutes. Recommendation was made that the proposed changes be permitted for a thirty-day trial period, and if no problems arise during that period, the Council be requested to amend Resolution No. 60-85 accordingly.

MOTION

That the recommendation of the Director of Parks & Recreation contained in memorandum dated February 2, 1967 be approved

Moved by Shastid Seconded by Smith Unanimously carried

APPROPRIATION TRANSFERS - None

REPORT ON MODESTO MUNICIPAL COURT

A memorandum from the Director of Finance dated January 26, 1967 subject, "Modesto Municipal Court," with study relative to Municipal Court income and costs, plus statistical data on other county revenues paid by city residents attached, was entered into the record of the minutes.

MOTION

That the report be accepted by the Council and submitted to the county staff for verification before final decision is made by the City Council and Board of Supervisors

Moved by Shastid Seconded by Smith Unanimously carried

SUMMARY BY CITY MANAGER OF CONFERENCE HELD BE FEDERAL AUTHORITIES IN REGION IV CONCERNING MODEL CITIES PROGRAM

The City Manager reported briefly on a conference concerning Model Cities Program which he recently attend in San Francisco with Director of Planning Fey. He said it was learned that Modesto could not apply for funds under the Model Cities Program because of the defeat of the Urban Renewal Program by referendum.

MOTION

That the Council indicates that no application will be made for federal funds under the Model Cities Program

Moved by Hughes Seconded by Mitchell Unanimously carried

APPOINTMENTS TO FILL VACANT POSITIONS ON CITY COMMISSIONS, BOARDS AND COMMITTEES

To Board of Zoning Adjustment

RESOLUTION NO. 67-88

A RESOLUTION APPOINTING MEMBER OF BOARD OF ZONING ADJUSTMENT - PHIL HUMPHREYS (PLANNING COMMISSION REPRESENTATIVE)

Introduced by Hughes Seconded by Patton Unanimously carried
Absent: Davies

ACCEPT RESIGNATION OF TOM BERGLUND FROM DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD

RESOLUTION NO. 67-89

A RESOLUTION COMMENDING THOMAS BERGLUND FOR SERVICE RENDERED THE CITY OF MODESTO AS MEMBER OF THE AB-103 ADVISORY BOARD

Introduced by Shastid Seconded by Smith Unanimously carried
Absent: Davies

EXECUTIVE SESSION TO CONSIDER CITY CLERK APPLICANTS

MOTION

That the Council adjourn to executive session to consider applicants for position of City Clerk, and appointments to fill vacant positions on city boards and commissions

Moved by Smith Seconded by Hughes Unanimously carried

The meeting adjourned at 5:23 P.M.

Pauline P Stanley
Acting City Clerk

Modesto City Council
February 13, 1967

The Council of the City of Modesto met in regular session this date at 7:30 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present, Reverend A. B. Christian gave the invocation.

LETTER FROM E. THOMPSON REGARDING FREE PARKING IN DOWNTOWN BUSINESS AREA

By order of the Chair, a letter from E. Thompson dated February 2, 1967 requesting that free parking be established in the downtown area, was referred to the Downtown Improvement District Advisory Board for consideration.

LETTER FROM BARTLE WELLS ASSOCIATES REGARDING SALE OF SEWER BONDS

A letter from Bartle Wells Associates dated February 3, 1967 setting May 8, 1967 as the tentative date for sale of the sewer bonds, was entered into the record of the minutes.

MOTION

That the staff be directed to prepare the necessary documents as outlined in the letter from Bartle Wells Associates

Moved by Smith Seconded by Patton Unanimously carried

LETTER FROM ALFRED BIESEMEIER REQUESTING CANCELLATION OF PARKING LOT AGREEMENT

A letter from Alfred Biesemeier dated February 7, 1967 requesting cancellation of parking agreement for $5 per month support of Parking Lot No. 12 was entered into the record of the minutes.

MOTION

That the request of Mr. Biesemeier for cancellation of parking agreement be denied

Moved by Mitchell Seconded by Shastid Unanimously carried

LETTER FROM MODESTO SENIOR CITIZENS REGARDING POSSIBLE LOCATION OF SENIOR CITIZENS' CENTER

A letter from Margaret L. Adams, President, Modesto Senior Citizens, dated February 8, 1967 listing two acceptable locations for a site for a Senior Citizens Center - T. B. Scott Park on East Morris Avenue, and Enslen Park on Stoddard Avenue, was entered into the record of the minutes.

MOTION

That the staff be directed to work with the Senior Citizens towards the location of a site in Enslen Park
Moved by Shastid Seconded by Patton Unanimously carried

COMMUNICATION FROM NATIONAL LEAGUE OF/CITIES REGARDING CONSOLIDATION OF CALIFORNIA NATIONAL LEGISLATIVE CONFERENCE STATE OF CALIFORNIA GAS TAX PROGRAMS

An excerpt from a League of California Cities bulletin entitled "Consolidation of the Collier-Unruh Gas Tax and 5/8 Cent (Section 2107 Streets and Highways Code) Programs," was entered into the record of the minutes.

MOTION

That the Mayor write letters to Senator Teale and Assemblyman Veneman informing them that the Council supports the changes contemplated by the consolidation of the two existing gas tax programs

Moved by Shastid Seconded by Smith Unanimously carried

COMMUNICATION FROM NATIONAL LEAGUE OF CITIES REGARDING NATIONAL LEGISLATIVE CONFERENCE

A letter from Mayor Harold M. Tollefson, Tacoma, Washington, advising that the third Annual National Legislative Conference will be held March 12-14 in Washington, D.C. was entered into the record of the minutes.

Council members were advised to contact the City Manager if they were interested in attending.

CONSENT ITEMS

The following consent items, marked with an asterisk, were adopted by resolution of the Council with one roll call vote as follows:

Introduced by Smith Seconded by Shastid
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

CONSIDER REQUEST OF MRS. EVA M. RUSHFORD FOR INSTALLATION OF STREET LIGHT MID-BLOCK ON VILLAGE ROAD

* RESOLUTION NO. 67-90

A RESOLUTION AUTHORIZING THE INSTALLATION OF A STREET LIGHT ON VILLAGE ROAD, ABOUT MID-BLOCK, AT NO COST TO THE RESIDENTS

REPORT OF COST OF INSTALLATION OF CURB AND GUTTER ON EAST SIDE OF BLOCK 6108 ON CARVER ROAD

* RESOLUTION NO. 67-91

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REPORT OF SUPERINTENDENT OF STREETS ON COST OF INSTALLATION OF CURB AND GUTTER ON EAST SIDE OF BLOCK 6108 ON CARVER ROAD (Hearing date, February 20, 1967 at 4:15 P.M.)

SALE OF OBSOLETE ELECTRIC TRAFFIC SIGNAL ASSEMBLY AUTHORIZED

* RESOLUTION NO. 67-92

A RESOLUTION AUTHORIZING SALE OF ONE OBSOLETE ELECTRIC TRAFFIC SIGNAL ASSEMBLY TO CENTRAL VALLEY DRAG AND SKI BOAT ASSOCIATION, MODESTO, CALIFORNIA ($35 plus tax)

NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN CITY OF MODESTO (LOT 13, BLOCK 6074)

* RESOLUTION NO. 67-93

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (EAST SIDE OF TULLY ROAD)(Hearing date, February 27, 1967 at 7:45 P.M.)

NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER AT LOT 12, BLOCK 6074

* RESOLUTION NO. 67-94

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (EAST SIDE OF TULLY ROAD) (Hearing date, February 27, 1967 at 7:50 P.M.)

NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 1, BLOCK 6015, CORNER TULLY - GREENWOOD DRIVE)

* RESOLUTION NO. 67-95

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (SOUTHWEST CORNER OF TULLY ROAD -BLOCK 6015) (Hearing date, 2/27/67 at 7:55 P.M.)

AGREEMENT BETWEEN CITY AND CITIZENS CULTURAL CENTER COMMITTEE, INC., FOR USE OF BUILDING NO. 3 IN BLOCK 71 OF THE CITY OF MODESTO

* RESOLUTION NO. 67-96

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CITIZENS CULTURAL CENTER COMMITTEE, INC. FOR USE OF BUILDING NO. 3 IN BLOCK 71 OF THE CITY OF MODESTO (From February 14, 1967 to February 13, 1968)

HEARING SET, UNCLASSIFIED USE PERMIT TO SILVANO GELSOMINI FOR RETAIL SALES AND LETTERING OF STONE MONUMENTS AT 515 SCENIC DRIVE

* RESOLUTION NO. 67-97

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REGARDING A REQUEST FOR AN UNCLASSIFIED USE PERMIT FOR A STONE MONUMENT LETTERING AND RETAIL SALES ESTABLISHMENT AT LOTS 11 AND 12, BLOCK 587 (515 SCENIC DRIVE) IN THE CITY OF MODESTO (SILVANO GELSOMINI) (Hearing date, March 13, 1967 at 7:45 P.M.)

RESOLUTION INSTRUCTING SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 1, BLOCK 6013, SE CORNER TULLY AT COLLEGE COURT)

At the request of the City Manager, and with the unanimous consent of the Council, this item was removed from the agenda.

ADOPTION OF ORDINANCE 821-C.S.SETTING 40-MILE SPEED LIMIT ON CARPENTER BETWEEN CALIFORNIA AND MAZE 2-15

ORDINANCE NO. 821-C.S. entitled

"AN ORDINANCE AMENDING SECTION 3-2.1401 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO"

introduced February 6, 1967 and having been published as required by the Charter, was moved and adopted.

Moved by Shastid Seconded by Mitchell Unanimously carried

CONSIDER ORDINANCE AMENDING SECTION 3-2.814 OF ARTICLE 8 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE - UNATTENDED MOTOR VEHICLES

ORDINANCE NO. 822-C.S. entitled

"AN ORDINANCE AMENDING SECTION 3-2.814 OF ARTICLE 8 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO REGULATION OF UNATTENDED MOTOR VEHICLES"

was introduced and ordered published as required by the Charter.

Moved by Davies Seconded by Shastid Unanimously carried

Method of enforcement was discussed with Chief Meester.

MATTERS FOR THE GOOD OF THE COMMUNITY 3-30

Introductions

Mayor Johansen introduced AFS Student Guilliarmo Las Flores from Lima, Peru, and Paul LaVine, member of the Farm-City Advisory Committee.

Federal Grant, Westside Neighborhood Center, approved

The City Manager reported that word has been received that $154,975 has been approved for the Westside Neighborhood Center (federal grant).

Invitation from Exchange Club

Council members were invited by Councilman Mitchell to attend an Exchange Club luncheon February 16, Fable Room, Hotel Covell, guest speaker, Honorable Thomas Lynch.

Request for Recess at Council meetings

Councilman Mitchell suggested that council meetings be recessed for five minutes at the end of a two hour period - afternoon meetings at 6:00 P.M., and evening meetings at 9:30 P.M.

Mayor Johansen stated that if the Council so desired, a poll would be taken at each meeting to determine if a recess was warranted.

REPLY FROM P.U.C. ON CITY REQUEST FOR BUS SERVICE STUDY

The following documents were entered into the record of the minutes: Memorandum from Director of Parking and Traffic dated 2/6/67, subject, "P.U.C. Reply to Request for Bus Service Study"; letter from William W. Dunlop, Secretary, P.U.C., dated 2/3/67 advising that he did not believe it proper for the P.U.C. to make such a study due to no formal proceeding before the Commission involving the Modesto Motor Bus Company at this time, and the P.U.C. staff not equipped to perform general consulting engineering services such as would be required.

MOTION

That the decision of the P.U.C. not to make the survey be appealed by a personal visit of the Mayor, a councilman and members of the staff; that the matter be placed on next week's agenda for a progress report and determination as to whether or not the staff should proceed with the study

Moved by Hughes Seconded by Shastid Unanimously carried

CONSIDER REQUEST BY MINENI AND THOMPSON FOR WAIVER OF SIDEWALK BOND AT RED BARN, HANEY AND NORTH 9TH STREET

A letter from Mineni and Thompson, 1030 Yale Avenue, requesting release of bond posted by Red Barn Savings Center, Inc. for a variance to the municipal code to permit construction of a temporary blacktop sidewalk on the Haney & Princeton Avenue frontages of the Center, was entered into the record of the minutes.

By order of the Chair, no action was taken until review of sidewalk standards by the Planning Commission and Beautification Committee.

FURTHER CONSIDERATION OF ALMA AVENUE CLOSURE TO VEHICULAR TRAFFIC 4-65

A memorandum from the Planning Director dated February 9, 1967 subject, "Alma Avenue Barrier," was entered into the record of the minutes. The proposed barrier was discussed by the Council.

RESOLUTION NO. 1036-S.P.

A RESOLUTION CLOSING TO VEHICULAR TRAFFIC ALMA AVENUE BETWEEN ORANGEBURG AND MARIAN AVENUES, IN THE CITY OF MODESTO (Per map dated 1/4/67 on file in the office of the City Clerk)

Introduced by Shastid Seconded by Smith

The resolution carried, Councilman Hughes and Mayor Johansen dissenting.

RESOLUTION NO. 67-98

A RESOLUTION APPROVING AGREEMENT BETWEEN CITY OF MODESTO AND DR. ROBERT BURNS, DR. GORDON PYLES, MRS.JACK H.FLOYD, DR. ROGER VOGELZANG, MR.LAWRENCE MEEKER, AND DR. CARL RYERSON FOR CLOSING TO VEHICULAR TRAFFIC OF ALMA AVENUE AT THE SOUTH LINE OF THE ALLEY BETWEEN ORANGEBURG AND MARIAN AVENUES (to include provision for cost of installation of one fire hydrant by applicants)

Introduced by Smith Seconded by Shastid

The resolution carried, Councilman Hughes and Mayor Johansen dissenting.

FURTHER REPORT BY PLANNING COMMISSION ON REZONING APPLICATION - OLD OAKDALE ROAD AND CELESTE DRIVE (LANCE E. ELLIS)

The application of Lance Ellis for an amendment to Section 15-3-9 of the zoning map, to rezone from P-D (23) and R-1, to R-2 and C-1, a 4-acre parcel of property located at the southwest corner of Old Oakdale Road and Celeste Drive, was considered by the Council at its December 5, 1966 meeting, and by Resolution No. 66-721 the matter referred back to the Planning Commission for further study and report in accordance with Section 10-2.2114 of the Municipal Code.

The following documents were entered into the record of the minutes: Letter from Russell C. Fey, Secretary, Planning Commission, dated January 10, 1967 indicating that further consideration of the application by the Planning Commission resulted in a motion recommending denial of the application failed to carry for lack of a majority vote; letter from Attorney Gerald R. Douglas dated February 10, 1967 relative to an opinion from the City Attorney as to the propriety of discussing zoning matter with individual councilmen at times and places other than the formal public hearing; "Applicant's Statement" submitted by Attorney Douglas.

The City Attorney was directed to furnish the Council a report on rules governing the Council members while acting in a quasi-judicial capacity, to be placed on the agenda in about two or three weeks.

Director of Planning Fey was questioned by the Council.

Paul Birmingham, Civil Engineer, spoke in support of the application for rezoning on the basis that it was an ideal location of commercial zoning. Attorney Gerald Douglas spoke briefly in behalf of the applicant.

Oliver Bauman, 3045 Merle Avenue, owner of property in the general area, stated he did not believe the property under consideration was a good site for a commercial development at this time, although it might be at a later date.

RESOLUTION NO. 67-99

A RESOLUTION DENYING THE APPLICATION OF LANCE E. ELLIS AND DENYING THE PLANNING COMMISSION'S RECOMMENDATION OF OCTOBER 25, 1966 RESCINDING P-D (23) AND AN AMENDMENT TO SECTION 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO

Introduced by Shastid Seconded by Mitchell

The motion carried, Councilmen Hughes and Patton dissenting.

The staff was directed to place on next week's agenda a report on future guidelines to make commercial zoning more compatible with surrounding residential areas.

The meeting was recessed for a five-minute period at 10:06 P.M.

REPORT ON BUSINESS LICENSE ENFORCEMENT

The following documents were entered into the record of the minutes: Memorandum from Director of Public Works dated February 9, 1967, subject "Business License Enforcement"; memorandum from Chief Building Official dated January 31, 1967, same subject; memorandum from Chief of Police Meester dated February 9, 1967, same subject; memorandum from Director of Finance dated January 18, 1967 subject, "Report on Business License Enforcement."

The staff was directed to report to the Council within sixty days

as to the number of general contractors submitting lists of their sub-contractors, to determine whether the procedures established are effective.

RECOMMEND CHANGE FROM WHITE PATROL CARS TO BLACK AND WHITE PATROL CARS

A memorandum from the Chief of Police dated 2/7/67, subject "Recommended Change from White Patrol Cars to Black and White Patrol Cars," was entered into the record of the minutes.

MOTION

That the recommended change from white patrol cars to black and white patrol cars be approved

Moved by Hughes Seconded by Smith Unanimously carried

OFFER OF PROPERTY ON 11TH STREET - WHERRY FURNITURE AND FORMER PENNEY ANNEX

A letter from Carter H. Harrison dated 2/7/67 offering for sale to the City two buildings immediately south of the Beaty Building, fronting on 11th Streets (Lots 5, 6, 7 and 8, Block 68) at a total cost of $166,500 was entered into the record of the minutes.

Mr. Harrison was questioned by the Council on the assessed value of the property.

Jack Wherry, tenant of one of the buildings offered for sale, said that in his opinion the building was not worth anywhere near its assessed value; that the asking price was too high. He suggested that vacant property in the vicinity be considered for acquisition for parking rather than an active business.

MOTION

That the matter be referred to the staff for report and recommendation

Moved by Smith Seconded by Hughes Unanimously carried

CONSIDER ESTABLISHING GUIDELINES TO BE USED IN CONSIDERING APPLICATIONS FOR NEW COMMERCIAL OPERATIONS AT THE MODESTO CITY-COUNTY AIRPORT

RESOLUTION NO. 67-100

A RESOLUTION ESTABLISHING GUIDELINES TO BE USED IN CONSIDERING APPLICATIONS FOR PERMISSION TO ESTABLISH NEW COMMERCIAL OPERATIONS AT THE MODESTO CITY-COUNTY AIRPORT

Introduced by Shastid Seconded by Hughes Unanimously carried

APPOINTMENTS TO BOARDS AND COMMISSIONS

To Beautification Committee

RESOLUTION NO. 67-101

A RESOLUTION APPOINTING MEMBER OF THE MODESTO BEAUTIFICATION COMMITTEE (William E. Rudhman)

Introduced by Smith Seconded by Shastid Unanimously carried

Chairman, Beautification Committee

RESOLUTION NO. 67-102

A RESOLUTION APPOINTING MRS. IRENE ANGELO CHAIRMAN OF THE MODESTO BEAUTIFICATION COMMITTEE

Introduced by Shastid Seconded by Patton Unanimously carried

Appointment to Human Rights Commission

RESOLUTION NO. 67-103

A RESOLUTION APPOINTING MEMBER OF THE MODESTO HUMAN RIGHTS COMMISSION (Joe Mineni, Jr.)

Introduced by Smith Seconded by Hughes Unanimously carried

Appointment to Board of Zoning Adjustment

RESOLUTION NO. 67-104
A RESOLUTION APPOINTING MEMBER OF THE MODESTO BOARD OF ZONING ADJUSTMENT (Rowland H. Gum)

Introduced by Shastid Seconded by Mitchell Unanimously carried

Appointment to Downtown Improvement District Advisory Board

RESOLUTION NO. 67-105
A RESOLUTION APPOINTING MEMBER OF THE AB-103 ADVISORY BOARD (AREA D) (Mrs. Myrne Madonna)

Introduced by Smith Seconded by Hughes Unanimously carried

ADJOURNMENT

MOTION
That the meeting now in session be adjourned

Moved by Shastid Seconded by Smith Unanimously carried

The meeting adjourned at 10:35 P.M.

ATTEST: Pauline P. Stanley
Pauline P. Stanley
Acting City Clerk

Modesto City Council
February 20, 1967

The Council of the City of Modesto met in regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Absent: Councilmen: Hughes

The pledge of allegiance to the Flag was given by all present. Reverend Glen Moore gave the invocation.

LETTER FROM GRISWOLD AND WIGHT REQUESTING SIGN VARIANCE

MOTION

That the request of Griswold and Wight for a sign variance contained in letter dated February 14, 1967 be denied

Moved by Shastid Seconded by Mitchell Unanimously carried

LETTER FROM MODESTO DOWNTOWN IMPROVEMENT DISTRICT REQUESTING FREE PARKING, ON-STREET AND OFF-STREET, ON WASHINGTON'S BIRTHDAY

MOTION

That the request of the Downtown Improvement District for free parking to shoppers on Washington's birthday contained in letter dated February 15, 1967 be approved

Moved by Smith Seconded by Shastid Unanimously carried

LETTER FROM STANISLAUS COUNTY CHIEF ADMINISTRATIVE OFFICER REGARDING POSSIBLE ACQUISITION OF MOOSE PROPERTY

By order of the Chair, a letter from C. E. Dixon, Chief Administrative Officer, dated February 14, 1967 regarding the possibility of the County acquiring the Moose property from the City, was referred to the staff for report and recommendation.

CONSENT ITEMS

The following items, marked with an asterisk, were adopted by resolution of the Council with one roll call vote as follows:

Moved by Shastid Seconded by Smith
Ayes: Davies, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: Hughes

SPECIFICATIONS AND CALL FOR BIDS, TRAFFIC SIGNALS AND STREET LIGHTING AT 12TH AND K STREETS APPROVED

* RESOLUTION NO. 67-106

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT 12TH AND K STREETS

PLANS, SPECIFICATIONS, CALL FOR BIDS, 113 MERCURY VAPOR UNITS APPROVED

* RESOLUTION NO. 67-107

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF 113 MERCURY VAPOR UNITS TO REPLACE A PORTION OF BARE BULB STREET LIGHTING SYSTEM

DEEDING OF CITY PROPERTY TO JAMES AND MELBA PRICE AUTHORIZED (DOWNEY PARK)

* RESOLUTION NO. 67-108

A RESOLUTION AUTHORIZING EXECUTION OF DEED CONVEYING REAL PROPERTY OWNED BY CITY TO JAMES AND MELBA PRICE, AND AUTHORIZING RECORDATION OF DEED

TENNIS COURT LIGHTS, GRACEADA PARK, WORK ACCEPTED AS COMPLETE

* RESOLUTION NO. 67-109
A RESOLUTION ACCEPTING THE CONSTRUCTION OF TENNIS COURT LIGHTS AT GRACEADA PARK BY FERRERO ELECTRIC, INC., MERCED, CALIFORNIA

BUSINESS LICENSE TAX REFUND - MODESTO SAVINGS AND LOAN ASSOCIATION

* RESOLUTION NO. 67-110
A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF BUSINESS LICENSE TAX TO MODESTO SAVINGS AND LOAN ASSOCIATION FOR FIVE QUARTERS, BEGINNING 3/31/65 AND ENDING 3/31/66

RESOLUTION RESCINDING LEASE AGREEMENT BETWEEN CITY AND RAY BEIDENWEG-PORTION OF DOWNEY PARK SITE

* RESOLUTION NO. 67-111
A RESOLUTION RESCINDING RESOLUTION NO. 67-69 APPROVING AGREEMENT FOR RENTAL OF PORTION OF DOWNEY PARK SITE FOR FARMING PURPOSES TO RAY BIEDENWEG

NOTIFICATION TO STATE DEPARTMENT OF HOUSING THAT CITY IS ENFORCING LOCAL BUILDING ORDINANCES RE GENERAL STANDARDS EQUAL TO STATE HOUSING LAW

* RESOLUTION NO. 67-112
A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO NOTIFYING THE STATE DIVISION OF HOUSING OF THE STATE OF CALIFORNIA THAT THE CITY HAS AND IS ENFORCING LOCAL BUILDING ORDINANCES PRESCRIBING IN GENERAL, STANDARDS EQUAL TO OR GREATER THAN THE STATE HOUSING LAW WHICH BECAME EFFECTIVE AUGUST 8, 1963

RESOLUTIONS INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALKS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

3101 Tully Road (Berchem)

* RESOLUTION NO. 67-113
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF TULLY ROAD BETWEEN RUMBLE ROAD AND MORADA DRIVE - 3101 Tully) (Hearing date, 3/6/67 at 4:20 P.M.)

Block 6601, N/W corner Tully - Briggsmore (Fulford)

* RESOLUTION NO. 67-114
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6601 - NORTHWESTERN CORNER OF TULLY ROAD AT BRIGGSMORE AVENUE) (Hearing date 3/6/67 at 4:25 P.M.)

3201 Tully Road (McClurg)

* RESOLUTION NO. 67-115
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF TULLY BETWEEN MORADA DRIVE AND HIGBEE DRIVE - Lot 23, Block 13220) (Hearing date, 3/6/67 at 4:30 P.M.)

3205 Tully Road, Lot 24, Block 13220 (Higbee)

At the request of the Director of Public Works, and with the unanimous consent of the Council, this item was removed from the agenda.

Block 6701, N/E Corner Tully-Briggsmore (Stockton)

* RESOLUTION NO. 67-116
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (EAST SIDE OF TULLY ROAD AT BRIGGSMORE AVENUE - Lot 14, Block 6701) (Hearing date, 3/6/67 at 4:40 P.M.)

PROPOSED ANNEXATION OF NORTH 99 ADDITION NO. 2 REFERRED TO PLANNING COMMISSION

* RESOLUTION NO. 67-117
A RESOLUTION REFERRING TO THE MODESTO CITY PLANNING COMMISSION A PETITION FOR ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS NORTH 99 NO. 2 ADDITION

ADOPTION OF ORDINANCE 820-C.S.

ORDINANCE NO. 820-C.S. entitled
AN ORDINANCE AMENDING SECTION MAP 17-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON (TISMENAKIS, DAMAS, DAMAS AND BALL)

introduced 2/6/67 and having been published as required,was moved and adopted.

Moved by Mitchell Seconded by Smith Unanimously carried
Absent: Hughes

ADOPTION OF ORDINANCE NO. 822-C.S.

ORDINANCE NO. 822-C.S. entitled
AN ORDINANCE AMENDING SECTION 3-2.801 OF ARTICLE 8 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO REGULATION OF UNATTENDED MOTOR VEHICLES

introduced 2/12/67 and having been published as required, was moved and adopted

Introduced by Mitchell Seconded by Smith Unanimously carried
Absent: Hughes

REPORT ON PROCEDURES FOR C.A.T.V. FRANCHISES

The staff was directed to furnish the Council the following information within thirty days: What cities in California have awarded franchises for C.A.T.V.; how the City of Fresno has handled this matter and whether it worked with a consultant; names of consultants and cost of hiring. The staff was also asked to consider preparation of a specific ordinance covering C.A.T.V. franchises.

REQUEST OF YOSEMITE AREA BOY SCOUTS FOR BUILDING SITE 1-91

The City Manager reported that a final decision had not as yet been reached on a site for the Boy Scouts center; that negotiations would continue.

CONSIDER BUS SERVICE STUDY

The City Manager reported that no word had as yet been received from the Public Utilities Commission concerning the City's further request for a survey of the Modesto Motor Bus Company operation contained in letter dated February 16, 1967.

REPORT ON WESTSIDE NEIGHBORHOOD CENTER, INC. 1-100

A letter from the Department of Housing and Urban Development was read into the record by the City Manager. The letter indicated that a federal grant in the amount of $154,975 had been approved for the Westside Neighborhood Center; that the reservation would expire six months from the date of the letter unless an acceptable Part II application is submitted.

The Council discussed the following: Hiring of an architect; operational costs for the center.

MOTION
That the hiring of an architect be referred to the Public Projects Committee; that the staff submit names of architects for consideration of the Committee; that the staff prepare a report on operations costs for the proposed center

Moved by Shastid Seconded by Patton Unanimously carried

HEARING ON REPORT OF COSTS FOR INSTALLATION OF CURBS AND GUTTERS, BLOCK 6108, CARVER ROAD

Mayor Johansen announced that the hour of 4:15 P.M. had arrived, the time set for consideration of costs for the curb and gutter requirement ($195.88) on property located at 1533 Carver Road, (Block 6108, Lot 1) and opened the hearing.

The Acting City Clerk reported that notice of hearing and report of costs was mailed to the property owner on February 14, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-118

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF THE AMOUNT OF SAID LIEN (1533 CARVER ROAD)

Introduced by Smith Seconded by Patton Unanimously carried Hughes absent

HEARING ON REQUIREMENT FOR CONSTRUCTION OF SIDEWALK, NORTH HALF OF LOT 14, BLOCK 911, TULLY ROAD

Mayor Johansen announced that the hour of 4:15 P.M. had arrived, the time set for consideration of the requirement for construction of sidewalk on the north half of Lot, 14, Block 911, Tully Road, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on February 7, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-119

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF TULLY ROAD) (NORTH HALF OF LOT 14, BLOCK 911)

Introduced by Mitchell Seconded by Davies Unanimously carried Hughes Absent

HEARING ON REQUIREMENT FOR CONSTRUCTION OF SIDEWALK ON SOUTH HALF OF LOT 14, BLOCK 911, TULLY ROAD

Mayor Johansen announced that the hour of 4:20 P.M. had arrived, the time set for consideration of the requirement for construction of sidewalk on the south half of Lot 14, Block 911, Tully Road, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on February 7 , 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-120

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF TULLY ROAD - SOUTH HALF OF LOT 14, BLOCK 911)

Introduced by Shastid Seconded by Smith Unanimously carried Absent:Hughes

HEARING ON REQUIREMENT FOR CONSTRUCTION OF SIDEWALK, CURB AND GUTTER AT THE SOUTHEAST CORNER OF BLOCK 937, TULLY ROAD

Mayor Johansen announced that the hour of 4:25 P.M. had arrived, the time set for consideration of the requirement for construction of curb, gutter and sidewalk at the southeast corner of Block 937, Tully Road, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed to the property owner, and the property posted on February 7, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-121

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK, CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF TULLY ROAD - SOUTHEAST CORNER OF BLOCK 937)

Introduced by Shastid Seconded by Smith Unanimously carried Absent:Hughes

HEARING ON REQUIREMENT FOR CONSTRUCTION OF CURB, GUTTER AND SIDEWALK, LOTS 6,7,8, and 9, Block 133, WEST SIDE OF La loma

Mayor Johansen announced that the hour of 4:30 P.M. had arrived, the time set for consideration of the proposed requirement for construction of curb, gutter and sidewalk, Lots 6, 7, 8 and 9, Block 133, on the west side of LaLoma, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed to the property owner, and the property posted on February 7, 1967.

Edward Keller, attorney representing Mr. Mathew Bruno, lessee of LaLoma Liquor Store, said that his client had no object to the installation of a gutter and sidewalk, but did object to installation of a curb since this would make it impossible for cars to get in and out of the parking lot.

The staff was directed to submit alternative plans to the Council for the curb installation.

RESOLUTION NO. 67-123

A RESOLUTION SETTING TIME AND PLACE FOR CONTINUATION OF HEARING ON REQUIREMENT FOR CONSTRUCTION OF CURB, GUTTER AND SIDEWALK, LOTS 6, 7, 8 AND 9, BLOCK 133 (West side of LaLoma) (Continued to 3/6/67 at 4:30 P.M.)

Introduced by Mitchell Seconded by Shastid Unanimously carried
Absent: Hughes

RESOLUTION APPROVING AGREEMENT WITH STANISLAUS COUNTY FOR ENVELOPE INSERTING SERVICE

RESOLUTION NO. 67-122

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE COUNTY OF STANISLAUS FOR ENVELOPE INSERTING SERVICES

Introduced by Shastid Seconded by Smith Unanimously carried
Absent: Hughes

MATTERS FOR THE GOOD OF THE COMMUNITY

COUNTY DRAINAGE STUDY

MOTION

That the Council offers its cooperation and authorizes that a letter be written encouraging the County to proceed with the county drainage study and offering the City's cooperation

Moved by Mitchell Seconded by Patton Unanimously carried

EMPLOYMENT OF LANDSCAPE ARCHITECT TO DESIGN DAVIS AND MARSHALL PARK SITES

A memorandum from the Director of Parks and Recreation dated February 16, 1967 subject, "Employment of Landscape Architect to design Davis and Marshall Park sites," was entered into the record of the minutes.

MOTION

That the hiring of the landscape architect firm of Ribera & Sue for the design of Davis and Marshall Park sites be approved; that the staff be authorized to negotiate the necessary agreement
Moved by Shastid Seconded by Smith Unanimously carried

CONSIDER REQUEST FOR FEDERAL AID FOR DEVELOPMENT OF AIRCRAFT PARKING APRON AT UNITED AIRLINES AND WARM-UP APRON AT NORTH END OF OLD 4,000 FOOT RUNWAY

RESOLUTION NO. 67-124

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION TO THE FEDERAL AVIATION AGENCY FOR FEDERAL AID PARTICIPATION AT MODESTO CITY-COUNTY AIRPORT ($15,000)

Introduced by Smith Seconded by Patton Unanimously carried Absent:Hughes

CONSIDER LANDSCAPING CITY-COUNTY AIRPORT CONTROL TOWER AREA

A memorandum from the Director of Public Works dated February 16, 1967 subject, "Landscaping - Control Tower Area, City-County Airport," indicating that funds in the amount of $700 have either been received or promised to the Airport Manager from individuals interested in seeing some type of landscaping developed at the control tower area, was entered into the record of the minutes. The estimated cost of the landscaping was $1,400, the City's share being $700.

MOTION

That the landscaping be approved as outlined in the memorandum from the Director of Public Works dated February 16, 1967

Moved by Smith Seconded by Patton Unanimously carried

STANDARDS FOR COMMERCIAL AREAS - REPORT FROM PLANNING DIRECTOR

A memorandum from the Planning Director dated February 16, 1967 subject, "Standards for Commercial Areas," was entered into the record of the minutes. The memorandum indicated that the purpose of the standards would be to minimize the conflict and friction existing between commercial areas and adjacent residential areas.

MOTION

That the matter be referred to the Planning Commission for report and recommendation

Introduced by Shastid Seconded by Smith Unanimously carried

LEGISLATIVE MATTERS

SB-133; AB-245 - Amendments to Brown Act: Introduced in the Senate and Assembly to extensively amend the present law requiring meetings of local legislative bodies to be open and public.

The staff was directed to place this item on the agenda of the next meeting; also, to furnish the council information on the various bills before expecting the Council to take action on them.

APPOINTMENT TO CITY-COUNTY TUOLUMNE RIVER REGIONAL PARK COMMITTEE

Mayor Johansen announced the appointment of Councilman Mitchell as a member of the City-County Tuolumne River Regional Park Committee, replacing former Councilman VanderWall.

APPOINTMENT TO MODESTO BEAUTIFICATION COMMITTEE

RESOLUTION NO. 67-125

A RESOLUTION CONFIRMING REAPPOINTMENT OF JOHN QUARESMA TO THE MODESTO BEAUTIFICATION COMMITTEE (For a term expiring January 1, 1971)

Introduced by Mitchell Seconed by Shastid Unanimously carried
Absent: Hughes

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Mitchell Seconded by Shastid Unanimously carried
The meeting adjourned at 5:16 P.M.

ATTEST: Pauline P. Stanley
Pauline P. Stanley, Acting City Clerk

Modesto City Council
February 27, 1967

The Council of the City of Modesto met in regular session this date at 7:30 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present. Reverend Orval Halley gave the invocation.

SUGGESTION AWARDS

The following awards were presented by Mayor Johansen: $15 to Raymond Duke for suggesting installation of turn signals on backhoes; $10 award to Roy Kehrer for suggesting adding sets of rollers to fire engines; $15 award to Tony Vieira for suggesting the installation of braces for draw bars on tractors; certificate of appreciation to Robert Lester for suggesting a way of expediting emergency orders.

APPROVAL OF MINUTES

The minutes of the January 16, 1967 meeting were approved.

LETTER FROM McGLASSON & ASSOCIATES REGARDING EASEMENTS ON SOUTHEAST CORNER OF TULLY ROAD AND ROSEBURG AVENUE

A letter from William R. Lawson, McGlasson & Associates, dated February 20, 1967 subject, "S.E. corner Tully Road & Roseburg Avenue, Modesto, California requesting the council to reconsider the action of the Board of Zoning Adjustment, and approve the inclusion of two easements to the east and south of the property, was entered into the record of the minutes.

RESOLUTION NO. 67-126
A RESOLUTION GRANTING DRIVEWAY VARIANCE TO JOHN QUARESMA ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TULLY ROAD AND ROSEBURG AVENUE

Introduced by Hughes Seconded by Mitchell
The resolution carried, Councilman Shastid dissenting.

LETTER FROM FRANK ANDREWS REGARDING SAFETY AND FIRE PROTECTION

A letter from Frank Andrews dated February 23, 1967, subject, "What Straw Broke the Camel's Back?" was entered into the record of the minutes and ordered filed.

NOTIFICATION FROM STATE OF CALIFORNIA OF RELINQUISHMENT OF HIGHWAY RIGHT OF WAY IN THE CITY OF MODESTO BETWEEN THE SOUTH CITY LIMITS AT TUOLUMNE RIVER AND NORTH CITY LIMITS NEAR PRESCOTT ROAD

A notification from the Division of Highways dated February 21, 1967 subject, "Relinquishment of Highway Right of Way" was entered into the record of the minutes and ordered filed.

CONSENT ITEMS

The following consent items, marked with an asterisk, were adopted by resolution by the council with one roll call vote as follows:

Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

INSTALLATION OF WATER LINES, GREENWOOD ESTATES NO. 2 SUBDIVISION-CITY FORCES

* RESOLUTION NO. 67-127
A RESOLUTION AUTHORIZING WORK TO BE PERFORMED BY CITY FORCES FOR INSTALLATION OF WATER LINES IN GREENWOOD ESTATES NO. 2 SUBDIVISION

RESOLUTIONS INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND/OR SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO

Block 412, Pine Street

* RESOLUTION NO. 67-128

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 14 & 16, BLOCK 412, PINE STREET) (Hearing date 3/13/67 at 7:50 P.M.

315 West Orangeburg

* RESOLUTION NO. 67-129

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 2, BLOCK 6061, WEST ORANGEBURG) (Hearing date, 3/13/67 at 7:55 P.M.

N.E. corner, Tully at Bowen

* RESOLUTION NO. 67-130

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6726, TULLY ROAD) (Hearing date 3/13/67 at 8:00 P.M.)

S.E. Corner of Orangeburg and Alma Ave.

* RESOLUTION NO. 67-131

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6000-A, WEST ORANGEBURG AVENUE) (Hearing date 3/13/67 at 8:05 P.M.)

CAR RENTAL SERVICE AT MODESTO CITY COUNTY AIRPORT - HERTZ CORPORATION

* RESOLUTION NO. 67-132

A RESOLUTION AUTHORIZING PREPARATION OF AN AGREEMENT BETWEEN THE CITY OF MODESTO AND HERTZ CORPORATION FOR CAR RENTAL SERVICES AT MODESTO CITY-COUNTY AIRPORT

AGREEMENT BETWEEN CITY OF MODESTO AND TILLIE LEWIS FOODS, INC. CONCERNING EXTENSION AND STRENGTHENING OF WATER SYSTEM IN VICINITY OF PLANT

* RESOLUTION NO. 67-133

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TILLIE LEWIS FOODS, INC. CONCERNING EXTENSION AND STRENGTHENING OF WATER SYSTEM IN THE VICINITY OF THEIR PLANT

PLANS, SPECIFICATION AND CALL FOR BIDS FOR ACTIVITIES BLDG., WESTSIDE PARK APPROVED

RESOLUTION NO. 67-134

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF ACTIVITIES BUILDING AT WESTSIDE PARK (storage building for recreational equipment) (Bid opening date 3/14/67 at 10:00 A.M.)

Introduced by Shastid Seconded by Patton Unanimously carried

ORDINANCE AMENDING SECTION 5-1.313 OF THE MODESTO MUNICIPAL CODE RELATING TO FOOD HANDLER'S CARDS

ORDINANCE NO. 823-C.S. entitled "AN ORDINANCE AMENDING SECTION 5-1.313 OF ARTICLE 3 OF CHAPTER 1 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO FOOD HANDLER'S CARDS"

was introduced and ordered published as required by the Charter.

Moved by Mitchell Seconded by Hughes Unanimously carried

HEARING ON REQUIREMENT OF INSTALLATION OF CURB AND GUTTER - LOT 13, BLOCK 6074 OF FREMONT GROVE

Mayor Johansen announced that the hour of 7:45 P.M. had arrived, the time set for consideration of the proposed requirement of installation of curb and gutter at Lot 13, Block 6074, Fremont Grove, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on February 14, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-135

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 13, BLOCK 6074, TULLY ROAD)

HEARING, REQUIREMENT OF INSTALLATION OF CURB AND GUTTER, LOT 12, BLOCK 6074, FREMONT GROVE

Mayor Johansen announced that the hour of 7:50 P.M. had arrived, the time set for consideration of the proposed requirement of installation of curb and gutter at Lot 12, Block 6074, Fremont Grove, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on February 14, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-136

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 12, BLOCK 6074, TULLY ROAD)

Introduced by Smith Seconded by Shastid Unanimously carried

HEARING ON REQUIREMENT OF SIDEWALK, LOT 1, BLOCK 6015 OF COLLEGE CENTER

Mayor Johansen announced that the hour of 7:55 P.M. had arrived, the time set for consideration of the proposed requirement of installation of sidewalk at Lot 1, Block 6015, College Center, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on February 14, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-137

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 1, BLOCK 6015 TULLY ROAD)

Introduced by Hughes Seconded by Shastid Unanimously carried

HEARING ON REQUIREMENT OF INSTALLATION OF SIDEWALK, LOT 1, BLOCK 6013(YOUNG)

At the request of the Public Works Director, and with the unanimous consent of the Council, this item was removed from the agenda. The work was performed by the property owner.

RESOLUTION APPROVING AGREEMENT WITH STATE DIVISION OF HIGHWAYS FOR IMPROVEMENT OF McHENRY AVENUE FROM BOWEN TO LEVELAND

The following documents were entered into the record of the minutes: Letter from C. E. Moffatt, District Design Engineer, dated December 27, 1966 relative to Agreement No. 261, progressive improvement of State Route 108, McHenry Avenue; letter from Deputy Manager Ray to Division of Highways dated January 20, 1967 regarding possible cooperative agreement for the improvement of McHenry Avenue from Bowen to Leveland Lane; memorandum from Deputy Manager Ray to City Manager dated February 17, 1967 subject, "Proposed Cooperative Agreement for Improvement of McHenry Avenue from Bowen to Leveland."

RESOLUTION NO. 67-138

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE DIVISION OF HIGHWAYS FOR IMPROVEMENT OF McHENRY AVENUE FROM BOWEN AVENUE TO LEVELAND LANE

Introduced by Hughes Seconded by Smith Unanimously carried

APPLICATION FOR COMMERCIAL RAILROAD FRANCHISE - MODESTO & EMPIRE TRACTION CO.

By order of the Chair, an application for a franchise to construct, maintain and operate one standard gage railroad track down the center line of B Street from the Easterly line of 12th Street to a point intersecting existing track West of 9th Street, filed by Modesto and Empire Traction Co. in the office of the City Clerk on February 23, 1967 was referred to the City Manager for report and recommendation.

CONSIDER PERSONNEL COMMISSION AND CITY MANAGER RECOMMENDATION TO CREATE A NEW CLASSIFICATION OF "PARKING ENFORCEMENT OFFICER" AT PAY RANGE 19.5

RESOLUTION NO. 67-139

A RESOLUTION AMENDING RESOLUTION NO. 67-67 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING THE COMPENSATION FOR POSITIONS IN THE CITY SERVICE"

Introduced by Shastid Seconded by Patton Unanimously carried

RESOLUTION NO. 67-140

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

Introduced by Shastid Seconded by Patton Unanimously carried

FURTHER CONSIDERATION OF OFFER TO SELL PENNEY ANNEX AND WHERRY BUILDING

A memorandum from the Director of Parking and Traffic dated February 23, 1967 subject, "Proposed Parking Area - 11th between I & J, West Side," was entered into the record of the minutes.

Carter Harrison said he would ask the court for an extension to sell the property contiguous to the Beaty Building if the City so desired.

Cost of the proposed parking lot site was discussed by Parking Director Carmody.

Walter Lawrence, 2326 Larkin St., San Francisco, co-owner of the Beaty Bldg., stated that until the downtown parking problem was solved, the Beaty Bldg. would continue to have a rental problem.

Jack Wherry, tenant in one of the buildings offered for sale to the City, questioned the advisability of removing active businesses in the downtown area.

Sam Smith, 313 Severin, owner of Mode O Day, Beaty Bldg., suggested that free transportation be provided shoppers from outlying parking lots, similar to the casino at Sparks, Nevada.

MOTION

That no action be taken pending review of reports from Willis & Associates and Development Research Associates

Moved by Shastid Seconded by Davies Unanimously carried

MATTERS FOR THE GOOD OF THE COMMUNITY

Frank Andrews - Mr. Andrews suggested that there be more policemen hired and less laws enacted for crime prevention.

Report to the People - The City Manager reported that the annual report to the people was being mailed to residents today and tomorrow.

Attendance at National League of Cities Conference

MOTION

That the attendance of Councilman Mitchell to the National League of Cities Conference in Washington D.C. in March 1967 be approved

Moved by Shastid Seconded by Smith Unanimously carried

Operation of business at 1258 Chadwick Court

By order of the Chair, the staff was directed to check reports of the alleged operation of a business at 1258 Chadwick Court.

Vecchio Sign, Non-conforming, 20th Century Apartments

The City Manager announced that the matter of the non-conforming signs installed at the 20th Century Apartments site would be placed on next week's agenda.

CONSIDER EMPLOYMENT OF CONSULTANT FOR ACQUISITION OF REMOTE DISPOSAL FACILITY

A memorandum from the Deputy City Manager dated February 24, 1967 subject, "Acquisition of Remote Disposal Waste Oxidation Ponding System - Consultant Services" was entered into the record of the minutes. Recommendation was made that the services of Mr. Clinton Henning, consulting engineer, be retained in connection with general consultation on pond site acquisition.

RESOLUTION NO. 67-141

A RESOLUTION APPROVING EMPLOYMENT OF CONSULTANT FOR ACQUISITION OF REMOTE DISPOSAL FACILITY (Mr. Clinton Henning)

Introduced by Mitchell Seconded by Hughes Unanimously carried

APPROPRIATION TRANSFERS - None

LEGISLATIVE MATTERS

SB-133 and AB-245 - Amendments to Brown Act

RESOLUTION NO. 67-142

A RESOLUTION AUTHORIZING MAYOR PETER W. JOHANSEN TO MEET WITH STATE LEGISLATORS TO DISCUSS SB-133 AND AB-245

Introduced by Hughes Seconded by Patton Unanimously carried

EXECUTIVE SESSION TO CONSIDER CITY CLERK CANDIDATES

MOTION

That the Council adjourn to executive session to consider City Clerk candidates

Moved by Hughes Seconded by Patton Unanimously carried

The meeting adjourned at 9:04 P.M.

ATTEST: Pauline P. Stanley
Pauline P. Stanley
Acting City Clerk

Modesto City Council
March 6, 1967

The Council of the City of Modesto met in regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Smith, Mayor Johansen
Councilman Shastid arrived at 4:05 P.M.

Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present.

Reverend R. Truman Northup gave the invocation.

The following consent items, marked with an asterisk, were adopted by resolution by the Council with one roll call vote as follows:

Introduced by Smith Seconded by Mitchell
Ayes: Davies, Hughes, Mitchell, Patton, Smith, Mayor Johansen
Noes: None Absent: Shastid

LETTER FROM EXECUTIVE MANAGER, DOWNTOWN IMPROVEMENT DISTRICT, REQUESTING CLOSURE OF 10TH STREET ON MARCH 18, 1967 FROM 6 A.M. TO 9:15 A.M. FOR ANNUAL EASTER EGG HUNT

* RESOLUTION NO. 67-143
A RESOLUTION APPROVING THE REQUEST OF MODESTO DOWNTOWN IMPROVEMENT DISTRICT FOR CLOSURE OF TENTH STREET BETWEEN K AND I STREETS ON MARCH 18, 1967 (FROM 6:00 A.M. TO 9:15 A.M. (Annual Easter Egg Hunt)

CONSIDER APPROVAL OF SPECIFICATIONS AND AUTHORIZE CALL FOR BIDS FOR 335 WATER METERS

* RESOLUTION NO. 67-144
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR 335 WATER METERS (ANNUAL NEEDS FOR PERIOD BEGINNING APRIL 3, 1967)

ACCEPT AS COMPLETE JOHN G. COWGER'S CONTRACT FOR THE INSTALLATION OF WATER LINES IN BLOCK 308-A AT ROSELAWN AVENUE

* RESOLUTION NO. 67-145
A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATER LINES IN BLOCK 308-A AT ROSELAWN AVENUE

ACCEPT AS COMPLETE JOHN G. COWGER'S CONTRACT FOR THE INSTALLATION OF WATER LINES AT CALIFORNIA AVENUE BETWEEN WASHINGTON STREET AND FRANKLIN STREET

* RESOLUTION NO. 67-146
A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATER LINES AT CALIFORNIA AVENUE BETWEEN WASHINGTON STREET AND FRANKLIN STREET

CONSIDER RIGHT OF WAY CONTRACT FOR ACQUISITION OF RIGHT OF WAY BETWEEN CITY AND BEATRICE P. WALLACH, JOSEPH A. SATARIANO AND GRACE M. SATARIANO

* RESOLUTION NO. 67-147
A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND BEATRICE P. WALLACH, JOSEPH A. SATARIANO AND GRACE M. SATARIANO (west side of Burney just north of G)

CONSIDER RIGHT OF WAY CONTRACT FOR ACQUISITION OF RIGHT OF WAY BETWEEN CITY AND WILLIAM CLAIR & MARIE M. WILTSE & ELLEN WILTSE THOMAS

* RESOLUTION NO. 67-148
A RESOLUTION APPROVING RIGHT OF WAY AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM CLAIR WILTSE, MARIE M. WILTSE, AND ELLEN WILTSE THOMAS (Orangeburg Avenue east of McHenry)

RESOLUTION AND ORDER OF THE COUNCIL PROVIDING FOR GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, APRIL 18, 1967 AND DESIGNATING PRECINCTS AND POLLING PLACES, AND APPOINTING ELECTION OFFICERS FOR SAID ELECTION

* RESOLUTION NO. 67-149
A RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 18, 1967 AND DESIGNATING PRECINCTS AND POLLING PLACES AND APPOINTING ELECTION OFFICERS FOR SAID GENERAL MUNICIPAL ELECTION

CONSIDER REQUEST FOR SEWER SERVICE TO PROPERTY AT 1010 SUNRISE AVENUE LOCATED ON THE SOUTH SIDE OF EDISON AVENUE AT SUNRISE AVENUE

* RESOLUTION NO. 67-150
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD G. MILLER AND ANNA MILLER FOR SEWER SERVICE TO PROPERTY AT 1010 SUNRISE AVENUE

REQUEST FROM MUIR TRAIL GIRL SCOUT COUNCIL TO RENT AN ADDITIONAL ROOM AT THE MODESTO COMMUNITY SERVICE CENTER

* RESOLUTION NO. 67-151
A RESOLUTION APPROVING AMENDMENT TO AGREEMENT DATED FEBRUARY 15, 1965 BETWEEN THE CITY OF MODESTO AND MUIR TRAIL GIRL SCOUT COUNCIL TO LEASE AN ADDITIONAL ROOM AT THE MODESTO COMMUNITY SERVICE CENTER (Room 204 for the sum of $35 per month)

CONSIDER REQUEST FOR SEWER SERVICE TO PROPERTY LOCATED ON THE WEST SIDE OF EL VISTA, SOUTH OF DRY CREEK - CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

* RESOLUTION NO. 67-152
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS FOR SANITARY SEWER SERVICE TO PROPERTY LOCATED ON THE WEST SIDE OF EL VISTA, SOUTH OF DRY CREEK

LETTER FROM CARDOZO, TRIMBUR AND NICKERSON RELATIVE TO CATV FRANCHISE

MOTION
That the letter from Cardozo, Trimbur and Nickerson dated February 23, 1967, subject, "CATV-Modesto" be referred to the staff

Moved by Mitchell Seconded by Patton Unanimously carried

REPORT ON FREE PRACTICE SESSIONS AND MATCHED PLAY FOR STUDENTS AT GOLF COURSES

MOTION
That the recommendation of the Director of Parks and Recreation contained in memorandum dated March 2, 1967 that free practice sessions and matched play for students at golf courses as outlined be accepted

Moved by Mitchell Seconded by Patton Unanimously carried

Councilman Shastid arrived at 4:05 P.M.

LETTER FROM VECCO SUPPLY REQUESTING SIGN VARIANCE AT 20TH CENTURY APARTMENTS AND SUGGESTING SIGN CODE REVISIONS

A letter from Charles Coon, Vecco Supply, PJ Signs, dated February 22, 1967 requesting a variance to permit two nonconforming signs to remain at the 20th Century Apartment site, suggesting various instances where sign variances might be granted to applicants, and suggesting the placement of a cross reference in the sign ordinance code referring to sign provisions contained in Section X, zoning text of the municipal code, was entered into the record of the minutes. This matter was considered by the Council at its January 3, 1967 meeting at which time the applicant was given until March 4, 1967 to make the signs conforming.

Mr. Coon spoke briefly in support of his requests, in view of the fact that the R-3 property was surrounded by C-2 zoning.

The City Attorney rendered the opinion that the Board of Zoning Adjustment could approve two signs for the apartment site, but neither the Board of Zoning Adjustment nor the Council had the power to grant variances to permit the oversize signs to remain in the setback area under present code provisions.

RESOLUTION NO. 67-153
A RESOLUTION DENYING THE REQUEST OF VECCO SUPPLY-PJ SIGNS FOR PERMISSION TO ALLOW TWO (2) SIGNS ERECTED ON THE PROPERTY OCCUPIED BY THE 20TH CENTURY APARTMENTS TO REMAIN

Introduced by Shastid Seconded by Smith
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

LETTER FROM LEE CONDIT, CHAIRMAN, LIBRARY AND CULTURE COMMISSION, REGARDING HIRING OF LIBRARY CONSULTANT

A letter from Lee Condit dated March 1, 1967 recommending that the Council request the Board of Supervisors to invite all cities in Stanislaus County to join it in the hiring of a library consultant and to render a report by June 30, 1967 was entered into the record of the minutes.

RESOLUTION NO. 67-154
A RESOLUTION REQUESTING THAT THE STANISLAUS COUNTY BOARD OF SUPERVISORS INVITE ALL CITIES IN STANISLAUS COUNTY TO JOIN IT IN HIRING A LIBRARY CONSULTANT

Introduced by Smith Seconded by Davies
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

ADOPTION OF ORDINANCE 823-C.S. RELATING TO FOOD HANDLERS' CARDS

ORDINANCE NO. 823-C.S. entitled
"AN ORDINANCE AMENDING SECTION 5-1.313 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO FOOD HANDLERS' CARDS"

Moved by Mitchell Seconded by Hughes
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

HEARING ON APPLICATION FOR AMENDMENT TO SECTION 19-3-9 OF THE ZONING MAP (SWENSON)

Mayor Johansen announced that the hour of 4:15 P.M. had arrived, the time set for consideration of an application to rezone from Multiple-Family Zone, R-3, to Commercial-Industrial Zone, C-M, property located on the northeast corner of Martin and Clayton Avenues, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was published in the Modesto Bee on February 16; posted on February 17th, and distributed in the area on February 17, 1967. No written protests were filed with the City Clerk.

Planning Commission Resolution No. 67-4 recommending that the rezoning be approved was entered into the record of the minutes.

Tom Assasi, 1710 Teakwood Drive, spoke in support of the rezoning.

No one else in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

ORDINANCE NO. 824-C.S. entitled
"AN ORDINANCE AMENDING SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON (SWENSON)"

was introduced and ordered published as required by the Charter.

Moved by Hughes Seconded by Patton
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

HEARING, REQUIREMENT OF SIDEWALK CONSTRUCTION, 3101 TULLY ROAD, BLOCK 13201 (BERCHEM) 3-115

Mayor Johansen announced that the hour of 4:20 P.M. had arrived, the time set for consideration of the required construction of a sidewalk at property located at 3101 Tully Road, Block 13201, owned by Dr. Julius W. Berchem, and opened the hearing.

The Acting City Clerk reported that the property was posted and notice of the hearing mailed to the property owner on February 21, 1967.

MOTION

That the hearing be continued to 8:10 P.M., March 13, 1967, for further report from the staff

Moved by Smith Seconded by Patton Unanimously carried

HEARING ON REQUIREMENT OF SIDEWALK CONSTRUCTION, BLOCK 6601, CORNER OF BRIGGSMORE & TULLY

Mayor Johansen announced that the hour of 4:25 P.M. had arrived, the time set for consideration of the proposed requirement for construction of a sidewalk at Block 6601, corner of Briggsmore & Tully, owned by J. E. Fulford, and opened the hearing.

The Acting City Clerk reported that the property was posted, and notice of hearing mailed to the property owner on February 21, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-155

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6601, TULLY ROAD)

Introduced by Mitchell Seconded by Patton
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen

CONTINUATION OF HEARING, REQUIREMENT OF SIDEWALK, CURB AND GUTTER, LA LOMA AVENUE

This hearing was continued from the February 20th meeting, with the staff directed to report to the council on alternatives for placement of curbs.

A map indicating the flow of traffic, where curb and gutters, sidewalks, and driveways presently exist was displayed to the council. On the Burney side of the property, a dotted line indicated where a 10-foot dedication was required for the full right of way width on Burney, projected for sometime in the future. Director of Public Works Campbell said that the present hearing covered the installation of curb, gutter and sidewalk on the LaLoma frontage of the property only. Parking problems in connection with location of the curbs were described.

Edward C. Keller, attorney representing the lessee, Mr. Bruno, requested that his client be permitted to install the sidewalk and gutter, but that no curb be required; that if some curb was required, that it be placed next to the red existing driveway although it would result in the loss of two parking spaces. He suggested that the City seek the cooperation of the property owner of adjacent property on Burney to make the necessary dedications and install corresponding improvements, and also to furnish a cost estimate of the improvements.

No one else in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

MOTION

That the staff be directed to make a report to the Council at the March 20th meeting on the matters discussed

Moved by Shastid Seconded by Patton Unanimously carried

HEARING, REQUIREMENT OF SIDEWALK CONSTRUCTION, 3201 TULLY, LOT 23, BLOCK 13220 (McClurg)

Mayor Johansen announced that the hour of 4:30 had arrived, the time set for consideration of the proposed requirement of sidewalk construction at property located at 3201 Tully Road, Lot 23, Block 13220, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed to the property owner, and the property posted on February 21, 1967.

Mrs. Richard McClurg, 3201 Tully, stated that when the right of way was dedicated to the City in 1963, she was told that the City would take care of improvements, including sidewalks.

MOTION

That the hearing be continued to 8:15 P.M., March 13, 1967, for further staff report

Moved by Shastid Seconded by Smith Unanimously carried

HEARING, REQUIREMENT OF SIDEWALK CONSTRUCTION, BLOCK 6701, NORTHEAST CORNER OF TULLY-BRIGGSMORE (STOCKTON)

Mayor Johansen announced that the hour of 4:40 P.M. had arrived, the time set for consideration of the proposed requirement of sidewalk construction in Block 6701, northeast corner of Tully - Briggsmore, and opened the hearing.

The Acting City Clerk reported that the property was posted and notice mailed to the property owner on February 21, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-156

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6701, TULLY ROAD)

Introduced by Shastid Seconded by Smith
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

MATTERS FOR THE GOOD OF THE COMMUNITY 6-60

Letter from Frank Andrews

A letter from Mr. Andrews suggesting the appointment of a committee to consider administrative changes was read by Mayor Johansen and ordered filed.

Memo from Chief of Police

A memo from the Chief of Police entitled "Crime Index for February 1967" was read into the record by City Manager Keefe, and ordered filed. Chief Meester and the Crime Stop Committee were commended by the Mayor for the decrease in the crime rate during February.

Meeting with Board of Supervisors - Tuolumne River Area Park

Councilman Mitchell reported that he and Councilman Hughes were scheduled to meet with the Board of Supervisors at its meeting tomorrow to discuss the Tuolumne River park development; that he was hopeful the City of Modesto, City of Ceres, and the Board could agree to a plan and program for the development of the park.

RESOLUTION OF COMMENDATION OF THE DON BAXTER COMPANY FOR SUPPLYING DRUGS WORTH APPROXIMATELY $5,000 TO CHILDREN'S HOSPITAL IN BARRANQUILLA

Dr. John Woolley introduced Mr. Quinn, local representative of Don Baxter Company which donated the drugs sent to Children's Hospital in Barranquilla; Mrs. Paula Ayers, and Mrs. Betty Evans, members of the Stanislaus County Nurses' Association which paid shipping expenses for the medicine; four local Barranquillans who were instrumental in making the need for the medicine known; and Secretary-Treasurer of the Sister City program, Robert Corby.

RESOLUTION NO. 67-157

A RESOLUTION OF APPRECIATION AND COMMENDATION TO THE DON BAXTER COMPANY FOR SUPPLYING DRUGS TO THE CHILDREN'S HOSPITAL IN MODESTO'S SISTER CITY OF BARRANQUILLA, COLOMBIA, AND COMMENDING AND THANKING THE STANISLAUS COUNTY NURSES' ASSOCIATION FOR THE ASSISTANCE IT HAS RENDERED IN CONNECTION THEREWITH

Introduced by Shastid Seconded by Mitchell
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

FURTHER CONSIDERATION OF PROVIDING BUSES FOR MODESTO MOTOR BUS SERVICE 7-70

The following documents were entered into the record of the minutes: Memoranda from Director of Parking & Traffic dated February 28, 1967 and March 3, 1967, subject, "Application for Federal Grant for Busses," outlining essential features and recommendations for an agreement and proposed application for a federal grant for buses.

MOTION

That the staff be directed to prepare an application for federal grant for four 35-passenger diesel buses and an agreement under the terms outlined in memoranda from the Director of Parking and Traffic dated February 28 and March 3, 1967

Moved by Shastid Seconded by Hughes

The motion carried, Councilman Hughes and Mayor Johansen dissenting.

PROGRESS REPORT ON BOY SCOUT BUILDING SITE

The City Manager reported briefly on various sites considered for the Boy Scout building, with none being satisfactory to both parties involved.

Mr. Hoffman, representing the Boy Scouts Council, said that the Downey Park site was most satisfactory if access to the parcel could be worked out. Cost of road construction to the site was discussed.

By order of the Chair, the staff was directed to report to the Council on the possibility and cost of road construction to the proposed site.

CONSIDER CHANGING FROM DIAGONAL TO PARALLEL PARKING ON I STREET BETWEEN 12TH AND 13TH STREETS

A memorandum from the Director of Parking & Traffic dated February 27, 1967, subject, "Parallel Parking - I Street between 12th and 13th Streets," recommending that parallel parking be established on both sides of I Street between 12th and 13th Streets, was entered into the record of the minutes.

By order of the Chair, the matter was held over for one week for notification to adjacent businesses of the proposed change.

RECOMMENDATION FOR INSTALLATION OF COMPUTERIZED "AUTO-STATIS" TERMINAL IN THE POLICE-COMMUNICATIONS BUILDING 10-42

A memorandum from the Chief of Police dated March 1, 1967, subject, "Auto-Statis," requesting installation of a computerized "Auto-Statis" terminal in the Police-Communications Building at a cost of $175, and describing the function of the equipment, was entered into the record of the minutes.

MOTION

That the staff be authorized to proceed with the installation of a computerized "Auto-Statis" terminal in the Police-Communications Building

Introduced by Smith Seconded by Shastid Unanimously carried

APPROPRIATION TRANSFERS - None

EXECUTIVE SESSION TO CONSIDER APPOINTMENT OF CITY CLERK

The Council went into executive session at 6:29 P.M., returning to regular session at 6:46 P.M.

RESOLUTION NO. 67-158

A RESOLUTION APPOINTING WILLIAM T. CHYNOWETH THE CITY CLERK AND AUDITOR OF THE CITY OF MODESTO (Effective April 1, 1967 - $753 per month)

Introduced by Shastid Seconded by Patton
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Mitchell Seconded by Davies Unanimously carried

The meeting adjourned at 6:49 P.M.

ATTEST: Pauline P Stanley
Pauline P. Stanley, Acting City Clerk

Modesto City Council
March 13, 1967

The Council of the City of Modesto met in regular session this date at 7:30 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Patton, Smith, Mayor Johansen
(Councilman Shastid arrived at 7:33 P.M.)
Absent: Councilmen: Mitchell

The pledge of allegiance to the Flag was given by all present.

Reverend Ronald Hurst gave the invocation.

The following consent items, approved by resolution, and marked with an asterisk, were adopted by the Council with one roll call vote as follows:

Introduced by Patton Seconded by Smith
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

LETTER FROM I. J. LARSEN PUMPS REQUESTING PURCHASE OF NEW 4" WATER METER VALVE

* RESOLUTION NO. 67-159
A RESOLUTION AUTHORIZING THE SALE OF ONE 4-INCH WATER METER VALVE OWNED BY THE CITY OF MODESTO TO I. J. LARSEN PUMPS ($408 plus sales tax)

CONSIDER AWARD OF BID FOR INSTALLATION OF MERCURY VAPOR UNITS TO REPLACE BARE LAMP STREET LIGHTING SYSTEM

* RESOLUTION NO. 67-160
A RESOLUTION ACCEPTING THE BID OF OVERHEAD ELECTRIC COMPANY, SACRAMENTO, CALIFORNIA, FOR INSTALLATION OF 113 MERCURY VAPOR UNITS TO REPLACE A PORTION OF BARE LAMP STREET LIGHTING SYSTEM

APPROVE PLANS AND SPECIFICATIONS AND CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN "E" STREET BETWEEN 10TH STREET AND ALLEY IN BLOCK 51 AND IN 9TH STREET BETWEEN "C" AND "D" STREETS

* RESOLUTION NO. 67-161
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN "E" STREET BETWEEN 10TH STREET AND ALLEY IN BLOCK 51 AND IN 9TH STREET BETWEEN "C" AND "D" STREETS (Bid opening date, March 28, 1967 at 10:10 A.M.)

FURTHER CONSIDERATION OF DIAGONAL PARKING ON I STREET BETWEEN 12TH AND 13TH STREETS

* RESOLUTION NO. 67-162
A RESOLUTION AMENDING SECTION 2 OF RESOLUTION NO. 62-29 ENTITLED, "A RESOLUTION ESTABLISHING ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING RESOLUTION NO. 59-191, ENTITLED 'A RESOLUTION ESTABLISHING PARKING METER ZONES, ONE-WAY STREETS AND ALLEYS AND ANGLE PARKING IN THE CITY OF MODESTO AND RESCINDING ALL PRIOR RESOLUTIONS AND REGULATIONS RELATING THERETO' AND RESCINDING ALL SUBSEQUENT RESOLUTIONS AND REGULATIONS RELATING THERETO," AND RESCINDING RESOLUTION NO. 66-418

ACCEPT AS COMPLETE JOHN BIRGES' CONTRACT FOR THE INSTALLATION OF AUTOMATIC SPRINKLER SYSTEM IN GRACEADA PARK

* RESOLUTION NO. 67-163
A RESOLUTION ACCEPTING THE CONSTRUCTION OF AUTOMATIC SPRINKLER SYSTEM IN GRACEADA PARK BY JOHN BIRGES (authorizing filing of notice of completion)

COMPLETION OF GATE AT 9TH STREET LOT

* RESOLUTION NO. 67-164

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TICKET DISPENSER AND GATE UNIT AT THE I STREET ENTRANCE OF THE 9TH STREET ATTENDANT LOT (P.A.L. #2) (authorizing filing of notice of completion)

RESOLUTION AUTHORIZING FREE PRACTICE SESSIONS AND MATCHED PLAY FOR STUDENT GOLFERS AT MODESTO MUNICIPAL GOLF COURSE AND THE DRYDEN PARK MUNICIPAL GOLF COURSE IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 60-85

* RESOLUTION NO. 67-165

A RESOLUTION AUTHORIZING FREE PRACTICE SESSIONS AND MATCHED PLAY FOR STUDENT GOLFERS AT THE MODESTO MUNICIPAL GOLF COURSE AND THE DRYDEN PARK MUNICIPAL GOLF COURSE IN THE CITY OF MODESTO, AND RESCINDING RESOLUTION NO. 60-85

RESOLUTION INSTRUCTING THE SUPT. OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO Lots 12, 13, 14, Block 409 (301 Pine Street)

* RESOLUTION NO. 67-166

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 12, 13, AND 14, BLOCK 409) (301 PINE STREET)

March 27, 1967 at 7:45 P.M. in the Council Chambers, City Hall, was set as time and place of hearing.

Lots 1, 2, and 3, Block 409 (south side of Pine Street east of Franklin)

* RESOLUTION NO. 67-167

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1, 2, and 3, BLOCK 409 (SOUTH SIDE OF PINE STREET, EAST OF FRANKLIN)

March 27, 1967 at 7:50 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

Sidewalk, Lot 10, Block 3088 (602 Placid Lane)

* RESOLUTION NO. 67-168

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 10, BLOCK 3088) (602 PLACID LANE)

March 27, 1967 at 7:55 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

CONSIDER ANNUAL RECREATION AGREEMENT BETWEEN COUNTY OF STANISLAUS AND CITY OF MODESTO

* RESOLUTION NO. 67-169

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR COMMUNITY RECREATION PROGRAM FOR THE FISCAL YEAR 1966-67, AND RESCINDING RESOLUTION NO. 66-658 ($14,598.17)

REPORT AND RECOMMENDATION REGARDING THE DISPOSITION OF FUNDS POSTED AS SECURITY PURSUANT TO SECTION 947 OF THE GOVERNMENT CODE, WHICH PROVIDES FOR THE POSTING OF SECURITY BY A PLAINTIFF FOR THE RECOVERY BY A PUBLIC ENTITY OF ALLOWABLE COSTS INCURRED IN AN ACTION BROUGHT AGAINST THE PUBLIC ENTITY

* RESOLUTION NO. 67-170

A RESOLUTION CLARIFYING THE DISPOSITION OF FUNDS POSTED AS SECURITY PURSUANT TO SECTION 947 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA

RECOMMEND COMMENCEMENT OF ANNEXATION PROCEEDINGS - NORTH 99 #2 ADDITION

* RESOLUTION NO. 67-171

A RESOLUTION GIVING NOTICE OF THE PROPOSED ANNEXATION TO THE CITY OF MODESTO OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS NORTH 99 NO. 2 ADDITION AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO

April 24, 1967 at 8:15 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

RECOMMENDATION TO THE COUNCIL TO INITIATE PROCEEDINGS FOR THE ANNEXATION TO THE CITY OF THE LEGION PARK ADDITION (uninhabited territory)

* RESOLUTION NO. 67-172

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MODESTO TO INITIATE ON ITS OWN MOTION PROCEEDINGS TO ANNEX CERTAIN UNINHABITED TERRITORY, HEREINAFTER DESCRIBED AND DESIGNATED AS LEGION PARK ADDITION TO THE CITY OF MODESTO; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO FILE SUCH PROPOSAL WITH, AND SUBMIT SUCH PROPOSAL TO THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, FOR A REPORT THEREON AS REQUIRED BY LAW

LETTERS FROM RED TOP TAXI PETITIONING FOR A RATE INCREASE

(a) Letter requesting increase in revenue
(b) Letter suggesting rate increase

MOTION

That the letters be referred to the staff for report and recommendation

Introduced by Smith Seconded by Patton Unanimously carried

APPROVE THIRD INSTALLMENT, WESTSIDE NEIGHBORHOOD CENTER

MOTION

That the third installment of $400 for the Westside Neighborhood Center be approved

Moved by Smith Seconded by Patton Unanimously carried

PRESENTATION OF FINANCIAL STATEMENT FOR FEBRUARY 28, 1967

MOTION

That the financial statement for February 28, 1967 be accepted

Moved by Smith Seconded by Patton Unanimously carried

LETTER FROM MARGARET L. ADAMS, PRESIDENT, MODESTO SENIOR CITIZENS, DATED MARCH 7, 1967, EXPRESSING UNANIMOUS AGREEMENT OF THE GROUP FOR THE ENSLEN PARK SITE FOR A SENIOR CITIZENS CENTER

By order of the Chair, the staff was directed to continue working with the Senior Citizens and to notify Mrs. Adams that a site at Enslen Park had not as yet been officially approved by the Council.

LETTER FROM ALBERT LOPEZ PROTESTING SIDEWALK REQUIREMENT IN BLOCK 6074, EAST SIDE OF TULLY ROAD

An undated letter from Albert Lopez protesting the requirement that curbs and gutters be installed in front of his home on Tully Road (Lot 12, Block 6074) was entered into the record of the minutes. A staff report indicated that Mr. Lopez' unwillingness to dedicate five feet of property for a sidewalk precluded the City from installing the curb and gutter at no cost to the property owner.

Mr. Lopez spoke briefly in protest against the requirement.

No action was taken by the Council to change its decision under terms of Resolution No. 67-136 ordering the construction of the curb and gutter.

LETTER FROM ENDORSEMENTS COMMITTEE, MODESTO CITY SCHOOLS BOND ELECTION, DATED MARCH 9, 1967, REGARDING SUPPORT FOR MODESTO HIGH SCHOOL BOND ISSUE

RESOLUTION NO. 67-173
A RESOLUTION ENDORSING THE MODESTO HIGH SCHOOL BOND ISSUE TO BE PRESENTED TO THE VOTERS ON APRIL 18, 1967

Introduced by Smith Seconded by Davies
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

LETTER FROM RAY J. MITCHELL AND ALICE KINCY REGARDING PROPOSED EL VISTA AREA ANNEXATION PROCEEDINGS NOS. 1 AND 2

A letter from Ray J. Mitchell and Alice Kincy dated March 7, 1967, subject, "Proposed El Vista Area Annexation Proceedings, Nos. 1 & 2, was read into the record of the minutes by Mr. Mitchell. Request was made that the City provide, without charge, forms of protest petitions and the affidavit required pursuant to Section 35120 of the Government Code. Mr. Mitchell also indicated in his letter that the Committee protesting the annexations had discovered that objections and protests could be signed earlier than the date the Council adopted a resolution setting the date for hearing protests and fixing the date for election.

In connection with the statement in Mr. Mitchell's letter that objections and protests could be signed earlier than the date the Council adopted a resolution setting the date for hearing protests and fixing the date for election, the City Attorney stated that he wished it entered into the record that this was true; but in order for a protest petition to be valid, it could not be signed earlier than the date on which the proponents officially publish their notice of intention to circulate petitions to annex the area. He said that this has not been done and probably would not be done for at least another month; that the final boundaries of the area have not as yet been finalized and approved by the Local Agency Formation Commission.

Mr. Mitchell was directed to secure the required number of petitions from the City Attorney and to contact him for the date on which the petitions can be legally circulated.

PETITION FROM RESIDENTS IN COLONIAL MANOR REQUESTING CLOSURE OF WALKTHROUGH ON ELDON WAY AT CORNER OF JOHN LEE LANE, COLONIAL MANOR NO. 2

MOTION
That the petition from residents in Colonial Manor requesting closure of walk-through on Eldon Way at corner of John Lee Lane, Colonial Manor No. 2 be referred to the Planning Commission for report and recommendation

Moved by Hughes Seconded by Patton Unanimously carried

LETTER FROM STANISLAUS COUNTY DIRECTOR OF PUBLIC WORKS REGARDING HIGHWAY PLANNING AND BUDGETING WITHIN GREATER MODESTO AREA

A letter from Richard G. Barhite, Department of Public Works Director, Stanislaus County, dated March 7, 1967 stating that a tentative meeting date of March 28, 1967 at 3:00 P.M. in the Board of Supervisors Chambers has been set for discussion by Councilmen, Supervisors, Planning Commissioners and staff members to review specific highway planning and budgeting within the Greater Modesto area, and requesting confirmation of City representation and suitability of date, was entered into the record of the minutes.

Mayor Johansen stated that he would appoint council representation for the proposed meeting and so notify the County.

APPROVE PLANS AND SPECIFICATIONS AND CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN ELM AVENUE AND CARPENTER ROAD TO FUTURE PUMP STATION NO. 34

RESOLUTION NO. 67-174
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF WATER LINES IN ELM AVENUE AND CARPENTER ROAD TO FUTURE PUMP STATION NO. 34

Introduced by Hughes Seconded by Patton
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

March 28, 1967 at 10:00 A.M. in the City Clerk's office was set as the time and place for opening of bids.

HEARING, REQUEST FOR UNCLASSIFIED USE PERMIT, STONE MONUMENT LETTER AND RETAIL SALES ESTABLISHMENT, 515 SCENIC DRIVE (GELSOMINI)

Mayor Johansen announced that the hour of 7:45 P.M. had arrived, the time set for consideration of an application for an unclassified use permit for a stone monument lettering and retail sales establishment, 515 Scenic Drive, and opened the hearing.

The Acting City Clerk reported that the property was posted February 23, 1967; that no written protests were filed with the City Clerk.

Planning Commission Resolution No. 67-13 recommending the granting of an unclassified use permit to Silvano Gelsomini was entered into the record of the minutes.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-175
A RESOLUTION GRANTING AN UNCLASSIFIED USE PERMIT TO SILVANO GELSOMINI FOR RETAIL SALES AND LETTERING OF STONE MONUMENTS

Introduced by Hughes Seconded by Patton
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

HEARING, CURB, GUTTER AND SIDEWALK REQUIREMENT, LOTS 15 AND 16, BLOCK 412 (PINE STREET) 2-110

This item was removed from the agenda due to a report from the Director of Public Works that the work had been completed by the owner.

HEARING, SIDEWALK REQUIREMENT, LOT 2, BLOCK 6061 (315 WEST ORANGEBURG)

Mayor Johansen announced that the hour of 7:55 P.M. had arrived, the time set for consideration of the proposed requirement for sidewalk installation on property located at 315 West Orangeburg Avenue (Lot 2, Block 6061) and opened the hearing.

The Acting City Clerk reported that the property was posted, and notice of hearing mailed to the property owner on February 28, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-176
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 2, BLOCK 6061, WEST ORANGEBURG)

Introduced by Shastid Seconded by Smith
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

HEARING, SIDEWALK REQUIREMENT, EAST SIDE OF TULLY ROAD, BLOCK 6726 (NE CORNER TULLY ROAD AT BOWEN)

Mayor Johansen announced that the hour of 8:00 P.M. had arrived, the time set for consideration of the proposed requirement for sidewalk construction on the northeast corner of Tully Road at Bowen, on the east side of Block 6726, and opened the hearing.

The Acting City Clerk reported that the property was posted and notice of hearing mailed to the property owner on February 28, 1967.

No one asking to be heard, Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-177

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6726, TULLY ROAD)

Introduced by Shastid Seconded by Hughes
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

FURTHER CONSIDERATION OF OFFER FROM STANISLAUS COUNTY TO PURCHASE MOOSE PROPERTY

A memorandum from the Director of Parks and Recreation dated February 24, 1967 subject, "Letter from County regarding purchase of Moose Property," expressing the opinion of the Department that the Moose property should be developed for parking and additional picnic area to add to the Kewin Park complex, was entered into the record of the minutes.

MOTION

That no action be taken at this time on the request of the County to purchase the Moose property

Moved by Hughes Seconded by Smith Unanimously carried

PROGRESS REPORT ON BOY SCOUT BUILDING SITE (DOWNEY PARK)

A map indicating access to a portion of the Downey Park site for a Boy Scout building was displayed to the Council.

The City Manager stated that the staff agreed that the proposed Boy Scout building site, a portion of the Downey Park site which will be separated from the main portion of the park by a street was not particularly useful for park purposes and was highly suitable as a site for the Boy Scout building.

By order of the Chair, the staff was directed to meet with Boy Scout representatives, notify them of the staff recommendation, and place the item on the council agenda for final determination.

HEARING, SIDEWALK CONSTRUCTION REQUIREMENT, BLOCK 6000-A (116 WEST ORANGEBURG)

Mayor Johansen announced that the hour of 8:05 P.M. had arrived, the time set for consideration of the proposed requirement for sidewalk construction on property located at 116 West Orangeburg (Block 6000-A) and opened the hearing.

The Acting City Clerk reported that the property was posted, and notice of hearing mailed to the property owner on February 28, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-178

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6000-A, WEST ORANGEBURG)

Introduced by Hughes Seconded by Smith
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

CONTINUATION OF HEARING, SIDEWALK REQUIREMENT, 3101 TULLY ROAD, BLOCK 13201 (BERCHEM)

Mayor Johansen announced that the hour of 8:10 P.M. had arrived, the time set for continuation of the hearing for the proposed requirement for sidewalk construction on property located at 3101 Tully Road, Block 13201, and opened the hearing. This hearing was continued from the March 6th meeting for staff investigation of correspondence concerning improvements by the City at the time right of way was dedicated to the City by Dr. and Mrs. Berchem.

The following documents were read into the record of the minutes by City Manager Keefe: Memorandum from Planning Director and Associate Planner Allaire, dated January 18, 1963, subject, "Berchem Property;" letter from City Manager Ross Miller to Dr. and Mrs. Berchem dated April 11, 1963 indicating that the City would install curb and gutter, pay recording costs incurred by the Berchems in connection with the dedication of the right of way, and plant a suitable tree to replace, to the extent possible, the tree removed from the sidewalk area.

The City Manager reported that the City had not reimbursed the Berchems the $2.80 recording fee, nor had it planted a tree in replacement of the one removed from the sidewalk area.

The City Manager read into the record a letter received from Dr. Berchem indicating that Arruda Nursery estimated the value of the 18 to 20 year old strawberry tree removed from the property at $250. Since he no longer lived at 3101 Tully, Dr. Berchem requested that the tree not be replaced but that he be paid for the value of the tree.

Dr. and Mrs. Berchem spoke briefly against the sidewalk construction requirement, stating that they had donated one-ninth of their property for right of way purposes with the understanding that the curb, gutter, and sidewalk would be constructed by the City at no cost to them.

No one else in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

Allen Odell, City Appraiser, outlined the chronological events connected with the dedication of right of way to the City by Dr. and Mrs. Berchem. He outlined the City's policy regarding right of way dedications on major streets.

The City's policy in replacing trees removed by the City was explained by Director of Parks and Recreation Grogan.

RESOLUTION NO. 67-179

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 13201, WEST SIDE OF TULLY ROAD)

Introduced by Hughes Seconded by Shastid
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

Dr. and Mrs. Berchem were advised to negotiate further with the staff on the matter of the tree replacement and reimbursement for the recording fees.

The staff was directed to report to the Council on the manner in which rights of way are now being handled and to make suggestions as to how the method can be improved to prevent misunderstandings in the future.

CONTINUATION OF HEARING, SIDEWALK CONSTRUCTION REQUIREMENT, 3201 TULLY, LOT 23, BLOCK 13220 (McClurg) 5-89

Mayor Johansen announced that the hour of 8:15 P.M. had arrived, the time set for continuation of the hearing for the proposed sidewalk construction on property located at 3201 Tully, Lot 23, Block 13220, and opened the hearing.

The City Manager reported that he had received word from Mrs. McClurg that she had nothing in writing to indicate that the City would construct

sidewalks at no cost to the owner; that the right of way agreement between the City and Mr. and Mrs. McClurg covers the construction of curbs and gutters by the City for the dedication.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-180

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 23, BLOCK 13220, TULLY ROAD)

Introduced by Smith Seconded by Shastid
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

MATTERS FOR THE GOOD OF THE COMMUNITY

Introduction of Farm-City Committee Representative

Mayor Johansen introduced John Kidd, Farm-City Committee representative.

Air Pollution Study

Councilman Shastid requested that the staff investigate and report on what can be done concerning air pollution. The importance of cooperation between governmental agencies for the solving of mutual problems was mentioned by Mayor Johansen.

Report on Proposed Stanislaus City-County Planning Committee

Councilman Davies reported of pending plans to combine the Urban Transportation Planning Committee and the Modesto-Ceres Planning Advisory Committee into a regional committee called the Stanislaus City-County Planning Committee - a county-wide committee which will deal with regional problems such as smog control. He said that to become a legal fact, the proposed committee would have to be approved by the various city councils and the Board of Supervisors; that a committee was agreed upon to consist of one representative from each city, and one member from the Board of Supervisors, to draw up a set of bylaws which, when completed, would be sent to the agencies involved for approval. The proposed committee was discussed by the Council.

Proposed Tuolumne River Area Park

Councilman Hughes reported that he and Councilman Mitchell met with the County Board of Supervisors and City of Ceres representatives last Tuesday on the hiring of an architect for the Tuolumne River Area Park; that this matter would be considered by the Board of Supervisors at their March 14th meeting. The City of Ceres has agreed to pay $300 toward the cost of the landscape architect.

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

Bellenita No. 2 Addition

RESOLUTION NO. 67-181

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

Introduced by Smith Seconded by Hughes
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

April 24, 1967 at 7:45 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

Dry-Creek Addition

RESOLUTION NO. 67-182

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

Introduced by Smith Seconded by Hughes
Ayes: Davies, Hughes, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: Mitchell

April 24, 1967 at 8:00 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

REQUEST FOR PLANNING COMMISSIONERS GEORGE GAGOS AND PHIL HUMPHREYS TO TRAVEL TO BROWNWOOD, TEXAS IN CONJUNCTION WITH ASPO CONFERENCE IN HOUSTON, TEXAS (APRIL 1-6)

MOTION

That the request of George Gagos to travel to Brownwood, Texas in conjunction with ASPO conference in Houston, Texas April 1 - 6 be approved

Moved by Shastid Seconded by Hughes Unanimously carried

APPROPRIATION TRANSFERS - None

LEGISLATIVE MATTERS - None

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Hughes Seconded by Smith Unanimously carried

The meeting adjourned at 9:02 P.M.

ATTEST: Pauline P. Stanley
PAULINE P. STANLEY, Acting City Clerk

Modesto City Council
March 20, 1967

The Council of the City of Modesto met in regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present.

Reverend Quentin Prather gave the invocation.

AWARD OF CERTIFICATE TO CITY OF MODESTO BY STATE CLIMATOLOGIST

Mr. C. Robert Elford, State Climatologist, presented a certificate of award to the City of Modesto in recognition of 25 years of weather observations in cooperation with the Weather Bureau at Modesto. Edward Ames, Public Works Department, was thanked for his participation in the service.

UNDATED LETTER FROM FRANK ANDREWS REQUESTING PERMIT TO STAGE MARCH FOR BOYS AND GIRLS AND THEIR PETS

By order of the Chair, a letter from Frank Andrews requesting a permit to stage a march for boys and girls with their pets, was referred to the City Manager for action.

POSTAL CARDS FROM GLADYS B. WOODS, HELEN M. OBERST, RUTH GRAHAM, AND ADRIENNE E. BRADLEY - CITY-COUNTY COOPERATION IN DEVELOPMENT OF REGIONAL PARK ALONG TUOLUMNE RIVER

By order of the Chair, the cards were ordered filed. A suggestion was made that the individuals interested in City-County cooperation in development of the Tuolumne River Regional Park be asked to direct their correspondence to the Board of Supervisors.

LETTER FROM GREATER STOCKTON CHAMBER OF COMMERCE INVITING COUNCIL TO ATTEND SHARPE DEPOT SALUTE DINNER ON EVENING OF JUNE 14 AT STOCKTON CIVIC AUDITORIUM

A special announcement from the Stockton Chamber of Commerce advising the Council of an area-wide salute to Sharpe Army Depot during the week of June 14-21 was entered into the record and ordered filed.

LETTER FROM J. G. MEYER, DISTRICT ENGINEER, STATE DIVISION OF HIGHWAYS, REGARDING FINAL STEP IN RELINQUISHMENT OF HIGHWAY RIGHTS OF WAY

A letter from J. G. Meyer dated March 13, 1967 indicating that a resolution to relinquish highway right of way to the City of Modesto was recorded in Volume 2149 of Official Records, page 683, Stanislaus County records, was entered into the record of the minutes and ordered filed.

CONSENT ITEMS

The following consent items, marked with an asterisk, were adopted by resolution by the Council, with one roll call vote as follows:
Introduced by Shastid Seconded by Smith
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

AWARD OF BID FOR CONSTRUCTION OF ACTIVITIES BUILDING AT WESTSIDE PARK

* RESOLUTION NO. 67-183
A RESOLUTION ACCEPTING THE BID OF BROUWER BROTHERS FOR CONSTRUCTION OF ACTIVITIES BUILDING (EQUIPMENT STORAGE) AT WESTSIDE PARK

ACCEPT AS COMPLETE WOLVERINE BUILDING SERVICE, INC. CONTRACT FOR THE CONSTRUCTION OF WADING POOLS AT WESTSIDE AND STANDIFORD PARKS

* RESOLUTION NO. 67-184

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WADING POOLS AT WESTSIDE PARK AND STANDIFORD PARK BY WOLVERINE BUILDING SERVICE, INC.

COMPLETION OF TRAFFIC SIGNALS AND STREET LIGHTING AT COLLEGE AND COLDWELL AND TULLY AND ROSEBURG

* RESOLUTION NO. 67-185

A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT COLLEGE AND COLDWELL AND TULLY AND ROSEBURG BY FERRERO ELECTRIC, INC

REQUEST FOR SEWER SERVICE TO PROPERTY AT 1235 GLORIA WAY (NORTHWEST CORNER OF GLORIA WAY AND COFFEE ROAD)

* RESOLUTION NO. 67-186

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PAUL D. LaVINE AND CECELIA J. LaVINE FOR SEWER SERVICE TO PROPERTY AT 1235 GLORIA WAY LOCATED AT NORTHWEST CORNER OF GLORIA WAY AND COFFEE ROAD

CONSIDER REQUEST FOR SEWER SERVICE TO PROPERTY AT 1106 GARDEN AVENUE - SOUTHWEST CORNER OF GARDEN AVENUE AND COLORADO AVENUE

* RESOLUTION NO. 67-187

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JACK B. CUSHENBERRY AND SHIRLEY A. CUSHENBERRY FOR SEWER SERVICE TO PROPERTY AT 1106 GARDEN AVENUE

APPROPRIATION TRANSFER FOR BUSINESS PROMOTIONS, DOWNTOWN IMPROVEMENT DISTRICT

* RESOLUTION NO. 67-188

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,000 FOR DOWNTOWN IMPROVEMENT BUSINESS DISTRICT - BUSINESS PROMOTIONS (From Institutional Advertising (231))

LETTERS FROM OLIVER E. DEATSCH REQUESTING BUDGETING OF $350 TO PARTIALLY DEFRAY COST OF MODESTO BAND PARTICIPATION AT STATE FAIR, SACRAMENTO, AND $1,200 FOR 1967 SERIES OF MUNICIPAL CONCERTS

MOTION

That the requests of the Modesto Band for funds be referred to the appropriate budget session

Moved by Davies Seconded by Mitchell Unanimously carried

LETTER FROM MUIR TRAIL GIRL SCOUT COUNCIL REQUESTING USE OF CITY PARKS FOR DAY CAMP PROGRAM

MOTION

That the request of the Girl Scouts to use Kewin and Beard Brook Parks for day camp programs at the time and dates specified in memorandum from Director of Parks and Recreation dated March 13, 1967 be approved

Moved by Davies Seconded by Mitchell Unanimously carried

ADOPTION OF ORDINANCE NO. 824-C.S. AMENDING SECTION MAP 19-3-9 (SWENSON)

ADOPTION OF ORDINANCE NO. ORDINANCE NO. 824-C.S. entitled "AN ORDINANCE AMENDING SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON (SWENSON)"

having been published as required, was moved and adopted.

Moved by Hughes Seconded by Patton
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

LETTER FROM FEDERAL AVIATION AGENCY - PROPOSAL AFFECTING UTILIZATION OF AIR-SPACE BEING CONSIDERED BY FEDERAL AVIATION AGENCY

A letter from Donald J. Haugen, Chief, Air Traffic Branch, San Francisco, concerning the utilization of airspace, was entered into the record of the minutes and ordered filed.

MATTERS FOR THE GOOD OF THE COMMUNITY 1-87

Introduction of City Clerk and Auditor

William T. Chynoweth, newly appointed City Clerk and Auditor, was introduced by Mayor Johansen.

Recommendation of Public Projects Committee - Architect for Westside Neighborhood Center

Councilman Mitchell report that it was the recommendation of the Public Projects Committee that Paul B. Birmingham, Modesto, Engineer, and his Associate, Clyde Goude, Architect, be hired to provide the architectural services for the Westside Neighborhood Center.

MOTION

That the staff be directed to prepare an agreement for the hiring of Paul Birmingham for engineering architectural services for the Westside Neighborhood Center; that the staff be directed to write letters to the unsuccessful applicants

Moved by Mitchell Seconded by Hughes Unanimously carried

Report by Councilman Mitchell - attendance of Third Annual National Legislative Conference, Washington, D.C.

Councilman Mitchell reported briefly on his attendance at the third annual National Legislative Conference held in Washington, D.C.; a meeting with Howard Boros, attorney representing the City in the matter of the United Air Lines withdrawal of service from San Joaquin Valley; a meeting with the administrative assistant of Congressman John McFall; meeting of a steering committee of the Committee on International Municipal Cooperation, of which Councilman Mitchell was a member; keynote speakers at the conference.

Request for Progress Report on Boston Cleaners' Activities

The City Attorney was directed to furnish the Council a report within the week, on the investigation of alleged commercial activites in a residential area involving the Boston Cleaners.

Approval of Pond Site No. 5 by State Reclamation Board

The City Manager reported that the State Reclamation Board has approved Pond Site No. 5 for the sewage disposal site.

MOTION

That the staff be authorized to negotiate with Mr. Chase for the purchase of Site No. 5

Moved by Shastid Seconded by Patton Unanimously carried

Landscaping of Freeway

The City Manager reported that the State of California has approved landscaping of the freeway within the city limits.

Painting of Structures - Del Webb Field

The City Manager reported that the Del Webb baseball field fence will be painted green; that the clubhouse will be painted with two colors complementing the green fence.

Proposed amendments to the Brown Act

Mayor Johansen reported that legislation proposing amendments to the Brown Act died in Senate committee last week.

REPORT ON LA LOMA LIQUOR STORE CURB, GUTTER AND SIDEWALK REQUIREMENT

By order of the Chair, this matter was held over for two weeks - to be placed on the April 3rd agenda.

CONSIDER REVISION OF SEWER SERVICE CHARGES AND NEW CONNECTION CHARGES

A memorandum from the Director of Public Works dated March 14, 1967 subject, "Revision of Sewer Service Charges," listing proposed revisions to industrial rates to conform to suggestions contained in the financial feasibility study prepared by Bartle Wells Associates, was entered into the record of the minutes.

MOTION

That an informal hearing be held on the proposed revision of sewer service charges at the April 3rd council meeting; that notices of the hearing be sent to the industries involved and the Home Builders Association immediately

Moved by Shastid Seconded by Smith Unanimously carried

REPORT ON C.A.T.V. FRANCHISE PROCEDURES

A memorandum from the City Attorney dated March 7, 1967 subject, "CATV Franchise," with two sample ordinances received from the California League of Cities attached, was entered into the record of the minutes. The City Manager stated that a meeting was scheduled March 27, 1967 with the County Administrator and representatives from cities within Stanislaus County to discuss this matter.

By order of the Chair, this item was held over until such time as the staff has completed its study.

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Smith Seconded by Shastid Unanimously carried

The meeting adjourned at 4:48 P.M.

ATTEST: Pauline P. Stanley
Pauline P. Stanley
Acting City Clerk

Modesto City Council
March 27, 1967

The Council of the City of Modesto met in regular session this date at 7:30 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen

Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present.

The following consent items, marked with an asterisk, were adopted by resolution by the Council with one roll call vote as follows:

Introduced by Shastid Seconded by Patton
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

AWARD CONTRACT FOR TRAFFIC SIGNALS AND STREET LIGHTING AT 12TH AND K STREETS

* RESOLUTION NO. 67-189
A RESOLUTION ACCEPTING THE BID OF FERRERO ELECTRIC, INC. FOR CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT 12TH AND K STREETS

* RESOLUTION NO. 67-190
A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $800, ADDITIONAL FUNDS NEEDED FOR TRAFFIC SIGNALS AND STREET LIGHTING AT 12TH AND K STREETS

FURTHER CONSIDERATION OF APPLICATION FOR BUS GRANT

* RESOLUTION NO. 67-191
RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE HOUSING AND HOME FINANCE AGENCY, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964

APPROVE SUBDIVISION AGREEMENT AND FINAL MAP OF SKYLANE PARK UNIT NO. 4 SUBDIVISION

At the request of the City Manager, and with the unanimous consent of the Council, this item was removed from the agenda.

REQUEST TO TRANSFER MONEY INTO THE GENERAL FUND THAT HAS BEEN HELD IN TRUST AND IS NOW THE PROPERTY OF THE CITY OF MODESTO

* RESOLUTION NO. 67-193
A RESOLUTION TRANSFERRING VARIOUS DEPOSITS IN THE CITY TRUST FUND AND THE WATER DEPOSIT TRUST FUND TO THE GENERAL FUND

EXCHANGE OF PROPERTIES BY CITY OF MODESTO AND JAMES AND MELBA PRICE FOR DOWNEY PARK SITE AND BRIGHTON AVENUE RIGHT OF WAY

* RESOLUTION NO. 67-192
A RESOLUTION APPROVING AMENDMENT TO AGREEMENT BETWEEN THE CITY OF MODESTO AND JAMES AND MELBA PRICE FOR EXCHANGE OF PROPERTY IN THE BROUGHTON COLONY (PORTION OF DOWNEY PARK SITE)

RESOLUTION APPROVING AGREEMENT WITH DIVISION OF HIGHWAYS REGARDING LANDSCAPING OF TUOLUMNE BOULEVARD FREEWAY UNDERPASS

* RESOLUTION NO. 67-194
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA, DIVISION OF HIGHWAYS, FOR LANDSCAPING OF TUOLUMNE BOULEVARD FREEWAY UNDERPASS

RESOLUTIONS INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND/OR SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO:

(a) Curb, gutter and sidewalk at Lots 11, 12, 13, and 14; Block 417 (Crescini)

* RESOLUTION NO. 67-195
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 11, 12, 13, and 14; Block 417 (SOUTH SIDE OF MAPLE, WEST OF WASHINGTON)

April 10, 1967 at 7:45 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

(b) Curb and gutter at 215 Sunset Avenue (Lots 7 and 8, Block 320 (Gomes)

* RESOLUTION NO. 67-196
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 7 AND 8, BLOCK 320, 215 SUNSET AVENUE)

April 10, 1967 at 7:50 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

(c) Curb and gutter at 600 Sierra Drive (Lots 1 and 2, Block 319) (Coffer)

* RESOLUTION NO. 67-197
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1 AND 2, BLOCK 319, 600 SIERRA DRIVE)

April 10, 1967 at 7:55 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

(d) Curb, gutter and sidewalk at 324 Fusco Avenue (abandoned half-alley beside Lot 31, Block 2197 (Woods)

At the request of the Public Works Department, and with the unanimous consent of the Council, this item was removed from the agenda.

(e) Curb, gutter and sidewalk at 328 Fusco Avenue (abandoned half-alley beside Lot 32, Block 2197 (Mena)

At the request of the Public Works Department, and with the unanimous consent of the Council, this item was removed from the agenda.

(f) Sidewalk at 204 College Avenue (Block 507) (Branstetter)

* RESOLUTION NO. 67-198
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (204 COLLEGE AVENUE, BLOCK 507)

April 10, 1967 at 8:10 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

(g) Sidewalk on Lots 15, 16, 17, 18, 19, and 20; Block 417 (North side of Oak, west of Washington (Morris)

* RESOLUTION NO. 67-199
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 15, 16, 17, 18, 19, AND 20; BLOCK 417 (NORTH SIDE OF OAK, WEST OF WASHINGTON)

April 10, 1967 at 8:15 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

RECOMMEND ABANDONMENT OF TEMPORARY ALLEY THROUGH PORTION OF LOT 12, BLOCK 6917, IN MONTGOMERY VILLAGE NO. 1 SUBDIVISION

* RESOLUTION NO. 1037-S.P.
RESOLUTION OF INTENTION NO. 300

A RESOLUTION OF INTENTION TO VACATE AND ABANDON A TEMPORARY ALLEY THROUGH A PORTION OF LOT 12, BLOCK 6917 IN MONTGOMERY VILLAGE NO. 1 SUBDIVISION IN THE CITY OF MODESTO

May 1, 1967 at 4:30 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

LETTER FROM JOE HART, CHAIRMAN, FARM-CITY ADVISORY COMMITTEE, STRESSING IMPORTANCE OF RESEARCH IN AGRICULTURE

MOTION

That the Mayor be authorized to request our State Senator and Assemblyman to stress the importance of research in agriculture, as recommended by the Farm-City Advisory Committee in letter dated March 21, 1967

Moved by Smith Seconded by Patton Unanimously carried

LETTER FROM JOSEPH M. GOOD REQUESTING THAT $15,000 BE BUDGETED FOR ADVERTISING AND PROMOTION OF CITY FOR FISCAL YEAR 1967-1968

MOTION

That the letter from the Greater Modesto Chamber of Commerce requesting that $15,000 be budgeted for fiscal year 1967-1968 be referred for consideration at the appropriate budget session

Moved by Smith Seconded by Patton Unanimously carried

LETTER FROM RONALD HARRISON REQUESTING PURCHASE OF 1960 TWO-DOOR SEDAN FROM THE CITY OF MODESTO

MOTION

That the request of Ronald Harrison to purchase a 1960 two-door sedan from City of Modesto be denied, as recommended in memorandum from Director of Finance dated March 23, 1967

Moved by Smith Seconded by Patton Unanimously carried

LETTER FROM RONALD HARRISON EXPRESSING INTEREST IN ORGANIZING JITNEY BUS SERVICE IN MODESTO

At the request of the City Manager, and with the unanimous consent of the Council, this item was removed from the agenda.

LETTER FROM J. CARL HORNBERGER, M.D., REQUESTING THAT $1,200 BE BUDGETED FOR THE MODESTO SYMPHONY ORCHESTRA FOR 1967-68 FISCAL YEAR

MOTION

That the request of the Modesto Symphony Orchestra for budgeting of funds for 1967-68 contained in letter dated March 21, 1967 be referred to the appropriate budget session for consideration

Moved by Smith Seconded by Patton Unanimously carried

REVIEW OF OPERATING COSTS OF DEL WEBB FIELD

MOTION

That continuation of present agreement between the City and Modesto Reds for lease of Del Webb Field be authorized

Moved by Smith Seconded by Patton Unanimously carried

LETTER FROM G. O. DIMOCK, FRESNO, REGARDING DEVELOPMENT OF DOWNTOWN MALL BY CITY OF MODESTO

By order of the Chair, a letter from G. O. Dimock, Fresno, urging thorough investigation on the matter of a downtown mall, was referred to the Downtown Improvement District for consideration.

LETTER FROM MRS. JESSIE SMALLWOOD, EXECUTIVE DIRECTOR, STANISLAUS COUNTY COMMUNITY ACTION COMMISSION, REGARDING NEIGHBORHOOD YOUTH CORPS OUT-OF-SCHOOL PROGRAM

A letter from Mrs. Jessie Smallwood, Executive Director, Community Action Commission dated March 21, 1967 recommending the transfer of the Neighborhood Youth Corps Out-of-School program to the CAC, was entered into the record of the minutes.

Mrs. Smallwood spoke briefly in connection with the proposed transfer of the program. The function of the program under City sponsorship was discussed.

MOTION

That the Youth Corps Out-of-School program be transferred to the Community Action Commission completely if it can legally be done; if it cannot be done, that it be phased out

Moved by Shastid Seconded by Smith Unanimously carried

LETTER FROM STEWART W. MEADER, SECRETARY, OLD FISHERMEN'S CLUB, INVITING COUNCIL TO OLD FISHERMEN'S CLUB 47TH ANNUAL MULLIGAN DAY STAG

By order of the Chair, the Acting City Clerk was directed to write a letter of thanks in behalf of the Council for the invitation.

LETTER FROM HUGH BARTON REGARDING SELECTION OF ARCHITECT FOR WESTSIDE NEIGHBORHOOD CENTER 2-60

A letter from Hugh P. Barton dated March 23, 1967 protesting the method and reasons advanced for the Council's selection of Paul Birmingham, C.E. as architect for the Westside Neighborhood Center, was entered into the record of the minutes. Mr. Birmingham and Associate, Clyde Goude, were selected by the Council under "Matters for the Good of the Community," at the March 16th meeting upon the recommendation of the Public Projects Committee.

Members of the Council expressed their views on the selection of Mr. Birmingham and Mr. Goude to design the Center.

The City Attorney stated that Mr. Birmingham and Mr. Goude have agreed to sign an agreement on a joint venture basis; that it would be ready for council consideration shortly.

Mr. Barton spoke briefly, stating that his objection was primarily to the hiring of a civil engineer to design the building instead of an architect, because of the uniqueness of the building and the situation involved; and that the matter should have been considered at a public hearing.

The Council's decision was to stand on action taken last week in hiring Mr. Birmingham and Mr. Goude to design the Westside Community Center.

REQUEST THAT MAYOR OF CITY OF MODESTO HAVE ENTRY IN FROG JUMP AT ANGEL'S CAMP MAY 18-19-20-21

A letter from Mayor Vrle T. Minto, Angel's Camp, asking that the Mayor of the City of Modesto enter a frog in the "Mayor's Frog Jump," portion of the Jumping Frog Jubilee to be held in Angel's Camp May 18 through 21, was entered into the record of the minutes.

By order of the Chair, the letter was referred to the staff to contact service clubs for an entry.

HEARING ON CURB AND GUTTER REQUIREMENT, LOTS 12, 13, AND 14; BLOCK 409 (PINE STREET)

Mayor Johansen announced that the hour of 7:45 P.M. had arrived, the time set for consideration of the proposed curb and gutter requirement on property located at 301 Pine Street, and opened the hearing.

The Acting City Clerk reported that notice of hearing was mailed to the property owner, and the property posted on March 14, 1967.

Mr. Erven Liles, 301 Pine, owner of the property, stated that 50% of the properties in his block did not have curbs and gutters installed as stated by the Public Works Department.

MOTION

That the hearing be continued to April 3, 1967 at 4:15 P.M. for further staff report on the question raised by the property owner

Moved by Davies Seconded by Shastid Unanimously carried

HEARING, CURB AND GUTTER REQUIREMENT, LOTS 1, 2, AND 3; BLOCK 409 (south side of Pine Street, east of Franklin

Mayor Johansen announced that the hour of 7:50 P.M. had arrived, the time set for consideration of the proposed requirement of curb and gutter at Lots 1, 2, and 3; Block 409; and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed, and the property posted on March 14, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-200

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1, 2, 3; Block 409 (south side of Pine Street, East of Franklin)

Introduced by Davies Seconded by Shastid
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

HEARING, SIDEWALK REQUIREMENT, LOT 10, BLOCK 3088

Mayor Johansen announced that the hour of 7:55 P.M. had arrived, the time set for consideration of the proposed requirement of curb and gutter at 602 Placid Lane, and opened the hearing.

The Acting City Clerk reported that notice of the hearing was mailed, and the property posted on March 14, 1967.

Mrs. Gloria Bowman, owner, stated that construction of a sidewalk would aggravate a flooding problem on her property resulting from water draining from a four-foot embankment on school property across the street.

No one else in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

By order of the Chair, the staff was directed to prepare a report of properties requiring curb, gutter and sidewalks under the jurisdiction of public agencies; upon review of the report direction could be given by the Council for a council committee to meet with officials of the agencies to discuss the problem; to include in the report the type of letter sent to property owners, and procedures followed.

RESOLUTION NO. 67-201
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 10, BLOCK 3088) (602 PLACID LANE)

Introduced by Mitchell Seconded by Hughes
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

The staff was also directed to investigate Mrs. Bowman's complaint to see if there was anything to be done to alleviate the flooding problem.

MATTERS FOR THE GOOD OF THE COMMUNITY

Introduction of Robert Cannell

Director of Planning Fey introduced Robert Cannell, recently hired as Assistant Planner, Planning Department.

Introduction of Rudy Hall

Director of Public Works Campbell introduced Rudy Hall, recently hired as electrical inspector, Building Inspection Department.

Garbage pickup complaint - William Parker

William Parker, 423 Elmwood Avenue, upon asking if anything could be done to require garbage companies to pick up trash set on and around garbage cans, was informed that arrangements for extra pickup would have to be made with the garbage company; that the city dump was available to residents on Saturdays.

CONSIDER COOPERATIVE AGREEMENT BETWEEN CITY AND COUNTY OF STANISLAUS FOR IMPROVEMENT OF E. ORANGEBURG AVENUE BETWEEN McHENRY AVENUE AND SUNRISE AVENUE 7-72

RESOLUTION NO. 67-202
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR THE IMPROVEMENT OF EAST ORANGEBURG AVENUE BETWEEN McHENRY AVENUE AND SUNRISE AVENUE

Introduced by Patton Seconded by Hughes
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

RECOMMENDATION AND REPORT OF CITY MANAGER ON APPLICATION OF MODESTO AND EMPIRE TRACTION COMPANY FOR RAILROAD FRANCHISE

A letter from Robert C. Bienvenu dated March 27, 1967 suggesting a change in the proposed ordinance relating to a franchise application from Modesto and Empire Traction Company, was entered into the record of the minutes.

RESOLUTION NO. 67-203
A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL TO CONSIDER THE APPLICATION OF MODESTO AND EMPIRE TRACTION COMPANY FOR A FRANCHISE TO OPERATE A COMMERCIAL RAILROAD WITHIN THE CITY OF MODESTO AND FIXING THE TIME AND PLACE FOR A HEARING ON SAID APPLICATION

Introduced by Davies Seconded by Smith
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

May 8, 1967 at 7:45 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

MOTION
That the change in the proposed franchise ordinance suggested by Mr. Bienvenu in letter dated 3/27/67 be approved.
Moved by Davies Seconded by Smith Unanimously carried

ESTIMATED OPERATING COSTS - PROPOSED WESTSIDE NEIGHBORHOOD CENTER

A memorandum from the Director of Parks and Recreation dated March 23, 1967, subject, "Estimated operating costs for the proposed Westside Neighborhood Center," was discussed by the Council and ordered filed. No action taken.

REQUEST FOR PERMISSION TO ADVERTISE FOR ASSOCIATE CIVIL ENGINEER IN PUBLIC WORKS DEPARTMENT

MOTION

That the staff be authorized to advertise for an Associate Civil Engineer in the Public Works Department, as recommended in memorandum from City Manager dated March 23, 1967

Moved by Smith Seconded by Shastid Unanimously carried

CONSIDERATION OF LEASING SOUTHERN PACIFIC DEPOT PARKING AREA

A memorandum from the Director of Parking & Traffic dated March 22, 1967, subject, "S. P. Depot Parking Area - Possible Acquisition," was entered into the record of the minutes. Recommendation was made that the project be dropped temporarily.

Action on a motion introduced by Councilman Shastid, seconded by Councilman Mitchell, proposing that the project be dropped, was tabled by the following motion:

MOTION

That action on the above motion be tabled pending a report from the Downtown Improvement District and the beautification program

Moved by Shastid Seconded by Mitchell Unanimously carried

APPROPRIATION TRANSFERS

RESOLUTION NO. 67-204

A RESOLUTION APPROVING APPROPRIATION TRANSFER TO COMPLETE REBUILDING OF SCOREBOARD AT DEL WEBB FIELD ($1,500)

Introduced by Patton Seconded by Smith
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

LEGISLATIVE MATTERS - None

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Smith Seconded by Patton Unanimously carried

The meeting adjourned at 9:56 P.M.

ATTEST: Pauline P. Stanley
Pauline P. Stanley
Acting City Clerk

Modesto City Council
April 3, 1967

The Council of the City of Modesto met in regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Smith, Mayor Johansen
(Councilman Shastid arrived at 4:05 P.M.)
Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present. Reverend R. Truman Northup gave the invocation.

APPROVAL OF MINUTES OF REGULAR MEETINGS

The minutes of the meetings of January 23, March 6, 12, and 20, 1967 were approved.

CONSENT ITEMS

The following consent items, marked with an asterisk, were adopted by resolution by the Council with one roll call vote as follows:

Introduced by Smith Seconded by Shastid
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

RECOMMENDATION THAT INSTALLATION OF WATER LINES IN ELM AVENUE AND CARPENTER ROAD TO PUMP STATION 34 BE DONE BY CITY FORCES

* RESOLUTION NO. 67-205

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR INSTALLATION OF WATER LINES IN ELM AVENUE AND CARPENTER ROAD TO FUTURE PUMP STATION NO. 34

RECOMMENDATION THAT INSTALLATION OF WATER LINE IN "E" STREET AT BLOCK 51 AND ON 9TH ST. BETWEEN "C" AND "D" STS. BE PERFORMED BY CITY FORCES

* RESOLUTION NO. 67-206

A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE WORK TO BE PERFORMED BY THE CITY FOR THE INSTALLATION OF WATER LINES IN "E" STREET BETWEEN 10TH STREET AND ALLEY IN BLOCK 51 AND IN 9TH STREET BETWEEN "C" AND "D" STREETS

CONSIDER APPROVAL OF SPECIFICATIONS AND AUTHORIZE CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF LIQUID ANHYDROUS AMMONIA

* RESOLUTION NO. 67-207

A RESOLUTION APPROVING SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF LIQUID ANHYDROUS AMMONIA (Bid opening date, April 20, 1967 at 2:15 P.M.)

CONSIDER APPROVAL OF SPECIFICATIONS AND AUTHORIZE CALL FOR BIDS FOR ANNUAL REQUIREMENT OF LIQUID CHLORINE

* RESOLUTION NO. 67-208

A RESOLUTION APPROVING SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF LIQUID CHLORINE (Bid opening date, 4/20/67 at 2:00 PM)

CONSIDER APPROVAL OF SPECIFICATIONS AND AUTHORIZE CALL FOR BIDS FOR TWO PARK POWER MOWERS

* RESOLUTION NO. 67-209

A RESOLUTION APPROVING SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR TWO PARK POWER MOWERS (Bid opening date, 4/17/67 at 2:00 P.M.)

ALBERT M. BIEHL'S CONTRACT FOR CONSTRUCTION OF AUTOMATIC SPRINKLER SYSTEM IN JOHN MUIR PARK ACCEPTED AS COMPLETE

* RESOLUTION NO. 67-210

A RESOLUTION ACCEPTING THE CONSTRUCTION OF AUTOMATIC SPRINKLER SYSTEM IN JOHN MUIR PARK (authorizing filing notice of completion)

ACCEPT AS COMPLETE U. S. STEEL CORP., CYCLONE FENCE DIVISION, CONTRACT FOR CONSTRUCTION OF CHAIN LINK FENCE - DEL WEBB FIELD

* RESOLUTION NO. 67-211
A RESOLUTION ACCEPTING THE CONSTRUCTION OF CHAIN LINK FENCE AT DEL WEBB FIELD (authorizing filing notice of completion)

REQUEST FOR REFUND, BUSINESS LICENSE, MILL TAX, KENTUCKY FRIED CHICKEN

* RESOLUTION NO. 67-212
A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF BUSINESS LICENSE TAX TO KENTUCKY FRIED CHICKEN FOR THE PERIOD BEGINNING JUNE 1, 1966 AND ENDING DECEMBER 31, 1966 ($749.35)

CONSIDER REQUEST FOR SEWER SERVICE TO PROPERTY AT 800 SEYBOLD AVE.

* RESOLUTION NO. 67-213
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANLEY W. SMITH AND CHARLOTTE E. SMITH FOR SEWER SERVICE TO PROPERTY AT 800 SEYBOLD AVENUE LOCATED ON THE EAST SIDE OF SEYBOLD AVENUE BETWEEN BRIGGS AVENUE AND CALIFORNIA AVENUE

CONSIDER REQUEST FOR SEWER SERVICE TO PROPERTY AT 902 CALIFORNIA AVE.

* RESOLUTION NO. 67-214
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HERBERT C. LATIMER AND LUCILLE E. LATIMER FOR SEWER SERVICE TO PROPERTY AT 902 CALIFORNIA AVENUE, LOCATED AT THE SOUTHWEST CORNER OF SEYBOLD AVENUE AND CALIFORNIA AVENUE

RESOLUTIONS AUTHORIZING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND/OR SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO AS LISTED BELOW:

(a) Sidewalk requirement - 630 W. Orangeburg, McCutchan

* RESOLUTION NO. 67-215
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 30, BLOCK 6007 (630 W. ORANGEBURG) (Hearing date, April 17, 1967 at 4:15 P.M.)

(b) Sidewalk requirement, Lot 5, Block 804-A, SW corner Yale and College

* RESOLUTION NO. 67-216
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 5, BLOCK 804-A (ON COLLEGE, SOUTHWEST CORNER OF YALE AND COLLEGE) (Hearing date, April 17, 1967 at 4:20 P.M.)

(c) Sidewalk requirement, Lot 1, Block 6049 (College Ave. Congregational Church)

At the request of the Director of Public Works, and with the unanimous consent of the Council, this item was withdrawn from the agenda.

(d) Curb and gutter, 323½ Oak Street - Shipley

* RESOLUTION NO. 67-217
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 3 AND 4, BLOCK 414 (323½ Oak Street) (Hearing date, April 17, 1967 at 4:30 P.M.)

(e) Curb and gutter, 319 Oak Street - Thurman

* RESOLUTION NO. 67-218

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 5 and 6, BLOCK 414 (319 Oak Street)(Hearing date, April 17, 1967 at 4:35 P.M.)

(f) Curb and gutter, 325 Oak Street - J. E. Sheppard

* RESOLUTION NO. 67-219

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1 AND 2, BLOCK 414 (325 OAK STREET) (Hearing date, April 17, 1967 at 4:40 P.M.)

CONSIDER AMENDMENT TO AGREEMENT WITH COUNTY OF STANISLAUS FOR WIDENING OF COFFEE ROAD AT FLOYD AVENUE

* RESOLUTION NO. 67-220

A RESOLUTION APPROVING AMENDMENT TO AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS, DATED SEPTEMBER 20, 1966 FOR THE WIDENING OF COFFEE ROAD AT FLOYD AVENUE (Extending the southern limits and adjusting cost sharing provisions)

RENEWAL OF FOOD CONCESSION AT BEARD BROOK PARK

* RESOLUTION NO. 67-221

A RESOLUTION APPROVING RENEWAL OF AGREEMENT DATED APRIL 25, 1966 BETWEEN THE CITY OF MODESTO AND CHARLES G. WRIGHT FOR CONCESSION RIGHTS AT BEARD BROOK PARK FOR A PERIOD OF ONE YEAR COMMENCING MAY 1, 1967 AND ENDING APRIL 30, 1968

RECOMMEND AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (STANISLAUS MEDICAL BUILDING CORPORATION) FROM R-1 TO P-D (30)

* RESOLUTION NO. 67-222

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (Hearing date, May 8, 1967 at 8:00 P.M.)

LETTER FROM CALIFORNIA RELAYS REQUESTING BUDGETING OF FUNDS FOR FISCAL YEAR 1967-68 AND REQUESTING PAYMENT OF FUNDS BUDGETED FOR FISCAL YEAR 1966-67

MOTION

That the request of California Relays for $2,000 for fiscal year 1967-68 be referred to the appropriate budget session for consideration

Moved by Shastid Seconded by Mitchell Unanimously carried

MOTION

That payment of $2,000 budgeted for California Relays for fiscal year 1966-67 be authorized

Moved by Shastid Seconded by Mitchell Unanimously carried

LETTER AND RESOLUTION OF COMMENDATION FROM STANISLAUS AREA COMMUNITY COUNCIL FOR CITY'S EFFORTS IN APPLICATION OF NARCOTIC LAWS

MOTION

That the staff be directed to write a letter of thanks to the Stanislaus Area Community Council

Moved by Shastid Seconded by Mitchell Unanimously carried

LETTER FROM YOSEMITE AREA BOY SCOUTS OF AMERICA REGARDING BOY SCOUT CENTER

A letter from William H. Hofmann, Scout Executive, dated March 20, 1967 requesting the Downey Park property site for construction of a Boy Scout Center, was entered into the record of the minutes. Mr. Hofmann stated that the building plans were complete and the group was anxious to start construction.

The staff reported that cost of extending a sewer line to the property was $2,300; extending a water line, $1,000; constructing a road to the site, $3,500.

The Council discussed the proposed terms of an agreement with the Boy Scouts relating to off-street parking; rezoning of the parcel; problems connected with the trade of a parcel of land between the City and James Price.

A motion introduced by Councilman Shastid deleting that portion of the motion listed below pertaining to payment of costs by the Boy Scouts over a period of ten years, died for lack of a second.

MOTION

That the Council accepts the proposal in principle for furnishing the Downey Park site to the Boy Scouts for a center; that the staff meet with Boy Scout representatives to work out details for an agreement; that the Scouts be permitted to pay off their share of costs for development of the site (sewer, water line, and road) prorated over a period of ten years

Moved by Davies Seconded by Patton

The motion carried, Councilman Shastid dissenting.

LETTER FROM CAMELLIA SOCIETY THANKING CITY FOR ITS COOPERATION IN RECENT CAMELLIA SHOW

The staff was directed to write Mr. Grosso a letter commending the Camellia Society for the fine show.

LETTER FROM REVEREND MONROE C. TAYLOR, INTERIM DIRECTOR, WESTSIDE CENTER, REQUESTING USE OF BUILDING IN MELLIS PARK

MOTION

That the request of Reverend Taylor contained in letter dated March 29, 1967 for use of building in Mellis Park by the Westside Center until June 1, 1967 be approved

Moved by Shastid Seconded by Hughes Unanimously carried

COMMUNICATION FROM DIRECTOR, STATE DEPARTMENT OF WATER RESOURCES, LISTING TIMES AND LOCATION OF HEARINGS - "WATER WELL STANDARDS: STATE OF CALIFORNIA"

A communication from William R. Gianelli, Director, dated March 29, 1967 was ordered filed.

AWARD OF CONTRACT FOR ANNUAL WATER METER NEEDS

The following documents were entered into the record of the minutes: Memorandum from Director of Finance dated March 23, 1967 subject, "Water Meters"; letter from Purchasing Officer to Dan Ryan, Sales Representative Rockwell Manufacturing Co., dated March 23, 1967; memorandum from Director of Public Works dated March 28, 1967 subject, "Purchase of Water Meters."

RESOLUTION NO. 67-223

A RESOLUTION ACCEPTING THE BID OF GAMON/CALMET METER DIVISION OF WORTHINGTON CORPORATION, NEWARK, NEW JERSEY, FOR ANNUAL NEEDS OF WATER METERS COMMENCING APRIL 3, 1967 (approximately 335 meters)

Introduced by Smith Seconded by Davies Unanimously carried

CONTINUATION OF HEARING, CURB AND GUTTER REQUIREMENT, LOTS 12, 13 AND 14 (BLOCK 409, 301 PINE STREET)

Mayor Johansen announced that the hour of 4:15 P.M. had arrived, the time set for continuation of the hearing for a proposed curb and gutter requirement at 301 Pine Street, and opened the hearing. Mr. Lyles, owner of the property, at the March 27th hearing, questioned whether 50% of the block in which he resided had curbs and gutters.

The Director of Public Works stated that in figuring out the percentage, Mr. Lyles had erroneously included properties across the street.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-224

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 12, 13 AND 14, BLOCK 409, 301 PINE STREET)

Introduced by Hughes Seconded by Mitchell Unanimously carried

MATTERS FOR THE GOOD OF THE COMMUNITY

Request that City consider adoption of 1965 electrical code

Robert Ewing, instructor of adult electrical class, asked that the Council consider adoption of the 1965 electrical code, stating that the 1962 electrical code adopted by the Council in July 1966 was out of print, and no reference copy available in the office of the City Clerk.

The matter was referred to the staff for report, and the staff directed to furnish Mr. Ewing a copy of the report.

Suggested three-lane traffic - McHenry Avenue 4-122

Councilman Smith suggested that the staff prepare a study on the possibility of three-lane traffic on McHenry Avenue, and the restriction or elimination of left hand turns where necessary.

Improvement of McHenry Avenue - Bowen to Leveland Lane

The City Manager reported that word has been received that the State is ready to proceed with the improvement of McHenry Avenue from Bowen to Leveland Lane. He stated that two rights of way remain to be acquired from unwilling donors; that the State will not do the work, scheduled for bid in May, unless all the rights of way are acquired. By order of the Chair, the staff was directed to place this item on the April 10th agenda for report.

Tuolumne River Regional Park - Resubmission of proposal for joint City-County Cooperation

MOTION

That the Mayor be authorized to resubmit a proposal to the County Board of Supervisors' requesting joint City-County sharing of costs for plans for the Tuolumne River Regional Park

Moved by Mitchell Seconded by Hughes Unanimously carried

INFORMAL HEARING TO CONSIDER REVISION OF SEWER SERVICE CHARGES AND NEW CONNECTION CHARGES

The City Manager reported that the sewer bond sale was planned for May 24, 1967.

Director of Finance Bird displayed charts showing estimated district

costs and income for fiscal years 1966-67 through 1979-80. The bond sale schedule submitted by Bartle Wells was discussed. Mr. Bird was directed to furnish an explanation on the difference in estimates on interest costs for the sewer bonds, which was originally shown as zero for the 1967-68 fiscal year, and now estimated at $288,000.

A memorandum from the Director of Public Works dated March 14, 1967 subject, "Revision of sewer service charges," was entered into the record of the minutes. The provisions were reviewed by Director of Public Works Campbell.

David McAuley, Plant Manager, FMC Corporation, an outside-the-City industrial sewer user, said that the proposed rate would considerably increase the rate for his company, and believed that this might have been occasioned by the elimination of many of the brackets of sewage quality. He asked that the City adhere to the principle established that users outside the City would pay about the same rate as before.

John Martin, Executive Secretary, Stanislaus County Taxpayers' Association, asked that consideration be given to AB-80, the new assessment bill, which requires that by 1971 assessments will be increased from the present 20% to 25%.

Suggested changes to the ordinance affecting subdivisions requested by the Home Builders' Association were outlined by Mr. Campbell.

The staff was directed to present a proposed ordinance revising the rates at the next council meeting.

FURTHER CONSIDERATION OF CURB, GUTTER AND SIDEWALK REQUIREMENT, LA LOMA LIQUOR STORE 10-69

This matter was originally discussed by the Council at the February 20th meeting and the matter held over for staff report on the possibility of owner cooperation for improvement of the Burney Street side of the property. Mr. Campbell reported that the Burney Street property owners were not interested in improvement at this time.

RESOLUTION NO. 67-225

A RESOLUTION GRANTING DRIVEWAY VARIANCE TO LA LOMA LIQUOR STORE (Lots 6,7,8 and 9 in Block 133, LaLoma Avenue((60')

Introduced by Davies Seconded by Smith Unanimously carried

RESOLUTION NO. 67-226

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK, CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (WEST SIDE OF LA LOMA - LOTS 6, 7, 8 and 9, BLOCK 133)

Introduced by Davies Seconded by Smith Unanimously carried

CONSIDER REVISED REQUEST FOR AID UNDER THE FEDERAL AID AIRPORT PROGRAM FOR EXTENSION OF AIRCRAFT PARKING APRON AT UNITED AIRLINES' TERMINAL BUILDING

RESOLUTION NO. 67-227

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION TO THE FEDERAL AVIATION AGENCY FOR FEDERAL AID PARTICIPATION AT MODESTO CITY-COUNTY AIRPORT ($7,250)

Introduced by Shastid Seconded by Patton Unanimously carried

CONSIDER STREET CONSTRUCTION BUDGET FOR 1966-67 FISCAL YEAR

RESOLUTION NO. 67-228

A RESOLUTION APPROVING STREET CONSTRUCTION BUDGET FOR THE 1966-67 FISCAL YEAR

Introduced by Hughes Seconded by Patton Unanimously carried

RESOLUTION NO. 67-229

A RESOLUTION APPROVING APPROPRIATION TRANSFERS FOR STREET CONSTRUCTION SCHEDULED DURING THE 1966-67 FISCAL YEAR ($167,500)

Introduced by Hughes Seconded by Patton Unanimously carried

Councilman Shastid was excused from the meeting at 6:45 P.M.

REPORT REGARDING MODESTO FLYING CIRCUS

A memorandum from the Director of Parks and Recreation dated March 30, 1967 subject, "Modesto Flying Circus, recommending that an automatic sprinkler be installed if the City accepts full maintenance of the site at the airport used by the Modesto Flying Circus, was entered into the record of the minutes.

MOTION

That the staff be directed to prepare a new agreement and that the staff take the necessary steps to proceed with the work

Moved by Hughes Seconded by Smith Unanimously carried

APPROPRIATION TRANSFERS - None

LEGISLATIVE MATTERS

AB-478 - Committee hearing, 4:30 P.M. April 4, 1967 - relating to the State Highway Code reading "no real property shall be acquired by the department for a freeway through a City until such agreement is first executed with the City Council....." The City Manager stated that the City would be represented at the meeting by Director of Parking and Traffic Carmody.

AB-901 and AB-902 relating to police compensation, pensions, fringe benefits, training and equipment, establishing minimum standards.

MOTION

That the Mayor be authorized to write a letter to our legislative representatives and chairman of the committee expressing the Council's opposition to the two measures

Moved by Hughes Seconded by Mitchell Unanimously carried

AB-127 - which would require the State Fire Advisory Board to establish mandatory regulations setting forth minimum standards - physical, mental, education and training of fire service personnel.

MOTION

That the Mayor be authorized to write a letter to our legislative representatives and chairman of the committee, expressing the Council's opposition to the measure

Moved by Hughes Seconded by Smith Unanimously carried

APPOINTMENT OF MEMBERS TO DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD

RESOLUTION NO. 67-230

A RESOLUTION REAPPOINTING MEMBER OF THE AB-103 ADVISORY BOARD (AREA C) (Cleveland Stockton) 4-year term beginning 3/28/67)

Introduced by Smith Seconded by Patton Unanimously carried
Absent: Shastid

RESOLUTION NO. 67-231

A RESOLUTION REAPPOINTING MEMBER OF THE AB-103 ADVISORY BOARD (AREA D) (Hy Youngheim - 4-year term beginning 3/28/67)

Introduced by Smith Seconded by Patton Unanimously carried
Absent: Shastid

RESOLUTION NO. 67-232
A RESOLUTION REAPPOINTING MEMBER OF THE AB-103 ADVISORY BOARD (AREA D)
(Ben S. Mitchell, 4-year term beginning 3/28/67)

Introduced by Smith Seconded by Patton Unanimously carried
Absent: Shastid

RESOLUTION NO. 67-233
A RESOLUTION REAPPOINTING MEMBER OF THE AB-103 ADVISORY BOARD (AREA D)
(Mrs. Myrne Madonna - 4-year term beginning 3/28/67)

Introduced by Smith Seconded by Patton Unanimously carried
Absent: Shastid

ADJOURNMENT

MOTION
That the meeting now in session be adjourned

Moved by Mitchell Seconded by Hughes Unanimously carried

The meeting adjourned at 6:55 P.M.

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

Modesto City Council
April 10, 1967

The Council of the City of Modesto met in regular session this date at 7:30 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present.

LETTER FROM WILLIS & ASSOCIATES REGARDING PLANTER BOXES - HAMMETT'S STORE

At the request of the City Manager, and with the unanimous consent of the Council, this item was removed from the agenda.

LETTER FROM PROPERTY OWNERS REGARDING MAINTENANCE OF THOUSAND OAKS PARK AREA

A letter dated April 6, 1967 from a Committee representing the property owners in Thousand Oaks Park Subdivision, signed by Justo Ferrario, Harvey H. Highiet, and Charles M. Crawford, indicating that the committee was interested in signing a proposed agreement with the City relative to the development of Thousand Oaks Park, was entered into the record of the minutes. Deed restrictions connected with donation of the site to the City were discussed.

By order of the Chair, the staff was directed to meet with representatives of the area in an attempt to arrive at mutual agreement on development of the park, and to submit a progress report to the Council at the 4/17/67 meeting.

HEARING, CURB, GUTTER AND SIDEWALK REQUIREMENT, BLOCK 407 (Crescini)

Mayor Johansen announced that the hour of 7:45 P.M. had arrived, the time set for consideration of the proposed requirement of curb, gutter and sidewalk at Lots 11, 12, 13, 14, Block 417 (South side of Maple, west of Washington) and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the property owner, and the premises posted.

John Crescini, Route 3, Box 374, Manteca, spoke against the requirement.

The hearing was closed.

RESOLUTION NO. 67-234
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 11, 12, 13, and 14, BLOCK 417 (SOUTH SIDE OF MAPLE, WEST OF WASHINGTON)

Introduced by Shastid Seconded by Mitchell Unanimously carried

HEARING, CURB AND GUTTER REQUIREMENT, LOTS 7 & 8, BLOCK 320, 215 SUNSET AVENUE (GOMES)

Mayor Johansen announced that the hour of 7:50 P.M. had arrived, the time set for consideration of the proposed requirement of curb and gutter installation, Lots 7 and 8, Block 320, 215 Sunset Avenue, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the property owner and the premises posted.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-235
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 7 AND 8, BLOCK 320, 215 SUNSET AVENUE)

Introduced by Mitchell Seconded by Patton Unanimously carried

CONSENT ITEMS

The following consent items, marked with an asterisk, were adopted by resolution of the Council with one roll call vote as follows:

Introduced by Shastid Seconded by Patton
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

COMPLETION OF TRAFFIC SIGNALS AND STREET LIGHTING AT COLLEGE AND ROSEBURG AND TULLY AND BRIGGSMORE

* RESOLUTION NO. 67-236
A RESOLUTION ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNALS AND STREET LIGHTING AT TULLY AND BRIGGSMORE AND AT COLLEGE AND ROSEBURG

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 1967-68

* RESOLUTION NO. 67-237
A 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 THE FISCAL YEAR 1967-68 FOR SUPPORT OF FIRE PROTECTION IN THE COUNTY PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 25643

APPEAL OF G. ROBERT JENSEN TO DECISION OF BOARD OF ZONING ADJUSTMENT IN GRANTING A 75-FOOT EXTENSION OF R-3 USE INTO R-1 ZONING AT CORNER OF BRIGHTON AND WYLIE

* RESOLUTION NO. 67-238
A RESOLUTION SETTING TIME AND PLACE FOR HEARING APPEAL OF G. ROBERT JENSEN TO DECISION OF BOARD OF ZONING ADJUSTMENT IN GRANTING A 75-FOOT EXTENSION OF R-3 USE INTO R-1 ZONING

May 8, 1967 at 8:15 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

APPROVE AGREEMENT WITH STATE FOR CONSTRUCTION OF TRAFFIC SIGNALS - McHENRY AND ROSEBURG

* RESOLUTION NO. 67-239
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, FOR TRAFFIC CONTROL SIGNAL SYSTEM AT THE INTERSECTION OF ROSEBURG AVENUE WITH STATE HIGHWAY ROUTE 108

WATER SERVICE AND HYDRANT RENTAL FEES TO THE INDUSTRIAL FIRE DEPARTMENT ESTABLISHED

* RESOLUTION NO. 67-240
A RESOLUTION ESTABLISHING WATER SERVICE AND HYDRANT RENTAL FEES TO THE INDUSTRIAL FIRE DEPARTMENT LOCATED IN THE COUNTY OF STANISLAUS

WATER RATES, CERTAIN STANISLAUS COUNTY PROPERTIES, ESTABLISHED

* RESOLUTION NO. 67-241
A RESOLUTION FIXING CERTAIN RATES FOR SUPPLYING WATER SERVICE TO CERTAIN STANISLAUS COUNTY PROPERTIES

RESOLUTIONS INSTRUCTING SUPT. OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND/OR SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO

* RESOLUTION NO. 67-242
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6253 ON THE WEST SIDE OF CARVER ROAD, SOUTH OF GARRISON PARK) (date of hearing, April 24, 1967 at 8:20 P.M.)

* RESOLUTION NO. 67-243
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 19, BLOCK 6252 ON CARVER ROAD AT THE NORTHWEST CORNER OF CLAYTON) (date of hearing, April 24, 1967 at 8:25 P.M.)

* RESOLUTION NO. 67-244
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 926 ON THE EAST SIDE OF CARVER ROAD, NORTH OF 1022 CARVER ROAD) (date of hearing, April 24, 1967 at 8:30 P.M.)

* RESOLUTION NO. 67-245
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6250 ON THE WEST SIDE OF CARVER ROAD, SOUTH OF CLAYTON) (date of hearing, April 24, 1967 at 8:35 P.M.)

* RESOLUTION NO. 67-246
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6253 ON THE WEST SIDE OF CARVER ROAD ON THE NORTHWEST CORNER OF ORANGEBURG) (date of hearing, April 24, 1967 at 8:40 P.M.)

* RESOLUTION NO. 67-247
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1 and 2, BLOCK 6081 ON CARVER ROAD AT THE SOUTHEAST CORNER OF PEARL) (date of hearing, April 24, 1967 at 8:45 P.M.)

* RESOLUTION NO. 67-248
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 17 AND 18, BLOCK 6252, 1319 CARVER ROAD) (date of hearing, April 24, 1967 at 8:50 P.M.)

* RESOLUTION NO. 67-249
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCKS 926 AND 927, 1006 AND 1022 CARVER ROAD) (date of hearing, April 24, 1967 at 8:55 P.M.)

APPROVE SUBDIVISION AGREEMENT AND FINAL MAP OF FAIRWAY ESTATES UNIT NO. 3 SUBDIVISION

* RESOLUTION NO. 67-250
A RESOLUTION APPROVING THE FINAL MAP OF THE FAIRWAY ESTATES UNIT NO. 3 SUBDIVISION OF THE CITY OF MODESTO

CONSIDER REQUEST FOR SEWER SERVICE TO PROPERTY AT 1524 MORENE WAY

* RESOLUTION NO. 67-251
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND C. BURLIN DAVIS AND ESTHER H. DAVIS FOR SEWER SERVICE TO PROPERTY AT 1524 MORENE WAY LOCATED ON THE EAST SIDE OF MORENE WAY BETWEEN EAST COOLIDGE AVE. AND M.I.D. LATERAL NO. 3

CONSIDER APPROVAL OF RIGHT OF WAY CONTRACT FOR THE ACQUISITION OF RIGHT OF WAY FROM HAROLD O. MILLER FOR WIDENING OF ORANGEBURG AVENUE E.

* RESOLUTION NO. 67-252
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HAROLD O. MILLER FOR RIGHT OF WAY ON ORANGEBURG AVENUE E.

APPROPRIATION TRANSFER - FUNDS TO COVER EXPENDITURES FOR MODESTO SEWER DISTRICT NO. 1 ELECTION

* RESOLUTION NO. 67-253
A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $7,792 TO PROVIDE FUNDS TO COVER EXPENDITURES FOR MODESTO SEWER DISTRICT NO. 1 ELECTION

REPORT ON COST OF INSTALLATION OF WATER MAINS

MOTION
That the reports on cost of installation of water mains on Tully Road from Briggsmore Avenue to Theo Avenue, and McHenry Avenue between Woodrow and Sylvan, and on Woodrow Avenue between McHenry and Sherwood be accepted

Moved by Smith Seconded by Shastid Unanimously carried

FINANCIAL STATEMENT FOR THE MONTH OF MARCH, 1967

MOTION
That the financial statement for the month of March 1967 be accepted

Moved by Smith Seconded by Shastid Unanimously carried

ATTENDANCE AT ATTORNEYS' SPRING CONFERENCE, SACRAMENTO

MOTION
That the attendance of the City Attorney at the Spring Conference to be held in Sacramento May 3 - 5, 1967 be approved

Moved by Smith Seconded by Shastid Unanimously carried

HEARING, CURB AND GUTTER REQUIREMENT, LOTS 1 AND 2, BLOCK 319, 600 SIERRA DRIVE (COFFER)

At the request of the Director of Public Works, and with the unanimous consent of the Council, this item was dropped from the agenda. The work has been done by the property owner.

LETTER FROM CITIZENS FOR RURAL IMPROVEMENT OBJECTING TO LOCATION OF SEWER PONDS

A letter from David G. Dunford, attorney, representing the Citizens for Rural Improvement opposing the proposed location of sewer bonds, was entered into the record of the minutes. Attached to the letter was a petition signed by residents and landowners within the Westport area.

Mr. Dunford asked that the staff consider the following factors prior to a public hearing on this matter: (1) There are undoubtedly other methods of disposal of waste which have not been thoroughly explored - particularly alternative methods suggested by William Wittske; pressurized oxygen systems by which BOD can be reduced, making ponds unnecessary; (2) Cost of Site No. 5, apparently selected from a number of sites on the basis of cost, which may prove to be more costly than the other sites if cost of sealing the bottom of the ponds is considered;(3)width of the proposed easement, conflicting statements indicating a 40-foot and a 60-foot easement; (4) Affect of the ponds on the high water table in the area; (5) the area is within the flood plain of the San Joaquin River.

RESOLUTION NO. 67-254
A RESOLUTION SETTING TIME AND PLACE FOR HEARING PERTAINING TO PROPOSED LOCATION OF SEWER PONDS, MODESTO SEWER DISTRICT NO. 1

Introduced by Mitchell Seconded by Patton Unanimously carried

May 8, 1967 at 8:30 P.M. in the Council Chambers, City Hall, was set as the time and place of hearing.

HEARING SIDEWALK REQUIREMENT, 204 COLLEGE AVE., BLOCK 507 (BRANSTETTER)

Mayor Johansen announced that the hour of 8:10 P.M. had arrived, the time set for consideration of the requirement of sidewalk construction at 204 College Ave., and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the owner and the property posted.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-255
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (204 COLLEGE AVENUE, BLOCK 507)

Introduced by Shastid Seconded by Smith Unanimously carried

HEARING, SIDEWALK REQUIREMENT, BLOCK 417 (NORTH SIDE OF OAK, WEST OF WASHINGTON) (MORRIS) 3-58

Mayor Johansen announced that the hour of 8:15 P.M. had arrived, the time set for consideration of the requirement of sidewalk construction at Lots 15 through 20, Block 417, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the owner and the property posted.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-256
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 15, 16, 17, 18, 19, AND 20, BLOCK 417 (NORTH SIDE OF OAK, WEST OF WASHINGTON)

Introduced by Shastid Seconded by Smith Unanimously carried

The Assistant Director of Public Works stated that a report on procedures followed in the requirement of construction of sidewalks, curbs and gutters would be placed on the April 17th agenda.

REPORT ON RIGHT OF WAY ACQUISITIONS ON McHENRY AVENUE BETWEEN BOWEN AND LEVELAND LANE

The City Manager reported that the two property owners involved were meeting and would have an answer for the City on April 20th. He stated that the State will hold the project open until final word is received on the right of way acquisitions; if the City is unsuccessful, the project will be dropped. The staff was directed to place this matter on the April 24th agenda.

REPORT ON BUSINESS LICENSE ENFORCEMENT

The following documents were entered into the record of the minutes: Memorandum from Finance Department dated 4/5/67, subject, "Business License Enforcement"; memorandum from Chief of Police dated 4/6/67, subject, "Business License Enforcement"; memorandum from Chief Building Official dated 4/5/67, subject, "Vehicle Windshield Stickers and Subcontractors

Lists"; memorandum from Chief Building Official dated 4/6/67, subject, "Subcontractors Lists and Windshield Stickers on Commercial Vehicles."

The Chief of Police was directed to furnish the Council a report as to why notices rather than citations were being issued on commercial vehicles not displaying a windshield sticker.

The City Clerk was directed to place this item on the agenda of the April 17th meeting.

REPORT ON REVISED SEWER CHARGES AND SEWER DISTRICT BOND AND INTEREST CHARGES

The following documents were entered into the record of the minutes: Memorandum from Director of Finance dated 4/6/67, subject, "Sewer District Bond and Interest Costs"; memorandum from Director of Public Works dated 4/7/67, subject, "Proposed Sewage Collection and Disposal Ordinance"; proposed changes to Chapter 6 of the Municipal Code relating to sewage collection and disposal. The proposed changes were outlined by the City Attorney.

The staff was directed to place this matter on the 4/17/67 agenda to consider introduction of proposed ordinance.

MATTERS FOR THE GOOD OF THE COMMUNITY

Introduction of Farm-City Committee representative

Mayor Johansen introduced John DeBoer from the audience.

Sister City Program

Councilman Mitchell requested that anyone wishing to arrange to send their children to Barranquilla in connection with the summer exchange program, get in touch with Mrs. Mitchell without delay.

Report on attendance, Mobile Economy Run

Councilman Shastid presented to the Council a plaque from West Covina, headquarters city for the Mobile Economy Run. The staff was directed to write the donor of the plaque a letter of thanks.

Re-opened hearing, United Air Lines Valley Service Withdrawal

The City Attorney reported that the United Air Lines hearing would convene in San Francisco April 18th at the U. S. Court of Appeals Building. The staff was directed to have representation at the hearing.

Report from Development Research Association

The City Manager reported that three copies of a report from Development Research Association were available for review by the staff and council.

Legislative Reports

AB-363 - relating to dispute over wages, salaries, working conditions of fire fighters

MOTION

That the staff be authorized to write letters to our state legislators opposing the bill

Moved by Hughes Seconded by Smith Unanimously carried

ACA-35 - Tax exemptions, providing that money allocated by the legislature to cities to replace revenues lost by reason of any exemption of personal property or property taxes may be used for local or municipal purposes.

By order of the Chair, the staff was directed to prepare a brief resume' and report on the measure and place the item on the agenda of the April 17th meeting.

SB-258 - proposal for allocation of aviation gas tax funds based on the proposal submitted to the Council earlier by Airport Manager Sham

MOTION

That the Mayor be authorized to write letters to Senator Collier, Assemblyman Veneman and Chairman of the Committee hearing the bill, affirming the Council's original position supporting the measure

Moved by Shastid Seconded by Hughes Unanimously carried

Amendments to Brown Act

The staff was directed to check on reports of pending bills amending the Brown Act filed with the legislature.

AGREEMENTS WITH LANDSCAPE ARCHITECT

RESOLUTION NO. 67-257

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RIBERA & SUE, LANDSCAPE ARCHITECTS, TO DESIGN MARSHALL PARK

Introduced by Shastid Seconded by Hughes Unanimously carried

RESOLUTION NO. 67-258

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RIBERA & SUE, LANDSCAPE ARCHITECTS, TO DESIGN DAVIS PARK

Introduced by Shastid Seconded by Hughes Unanimously carried

RESOLUTION FROM BOARD OF SUPERVISORS ON TUOLUMNE RIVER PARK STUDY

A resolution of the Stanislaus County Board of Supervisors dated April 4, 1967 entitled "Re-hearing - Tuolumne River Park Planning," ordering the County of Stanislaus to participate in the cost of designing the proposed Tuolumne River Park to the extent of 40% of the cost after deduction of $300 to be contributed by the City of Ceres, was entered into the record of the minutes. $8,500 was quoted as the estimated cost of the study.

Whether or not an adequate study could be obtained for $8,500, and adequacy of the County's contribution was discussed by the Council.

MOTION

That the Council accepts the Board of Supervisors' proposal for the share of the cost of the park design as outlined above; that the city representatives of the City-County Committee proceed with speed to select an architect and bring back recommendation to their respective bodies

Moved by Davies Seconded by Smith

MOTION

That the above motion be divided into two motions to permit separate voting on the two portions of the motion

Moved by Shastid Seconded by Patton

The motion carried, Councilmen Davies and Smith dissenting.

MOTION

That the Council accepts the Board of Supervisors' proposal for sharing the cost of the Tuolumne River Park design on a 40-60 basis, after deduction of $300 to be contributed by the City of Ceres

Moved by Davies , Seconded by Smith

The motion carried, Councilman Shastid dissenting.

MOTION

That city representatives of the City-County Committee be authorized to proceed with haste to interview architects with the City-County Committee, and report back to their respective bodies

Moved by Davies Seconded by Smith Unanimously carried

FURTHER CONSIDERATION OF TAXI FARE INCREASE 8-85

The following documents were entered into the record of the minutes: Balance Sheet, C. Norwood Forsyth, as of December 31, 1966; letters from C. Norwood Forsyth, owner, Red Top Taxi, dated March 4 and March 8, 1967 requesting a taxi fare increase; memorandum from Director of Parking and Traffic dated April 5, 1967, subject, "Requested Taxi Fare Increase."

Mr. Forsyth spoke briefly in support of the requested fare increase, and was questioned by the Council.

MOTION

That the initial charge be increased from 50¢ for one-half mile to 50¢ for one-quarter mile, amounting to an interim increase of about 10%; that Mr. Forsyth be requested to keep better records, and when his records are straightened out, to discuss a rate increase further at that time

Moved by Shastid Seconded by Mitchell

MOTION (amending above motion)

That the initial charge be 50¢ for one-quarter mile; that the additional charge/mile be 50¢ (corresponding with Santa Rosa fares)

Moved by Davies Seconded by Hughes

This motion was withdrawn by maker and second.

MOTION (amending original motion)

That the original motion be amended to reflect a 15% increase, to correspond with increased cost of living since 1957

Moved by Smith Seconded by Davies

Councilman Smith commented this would probably be a 15¢ flag drop increase at 1/4 mile.

MOTION

That action on the above motions be tabled

Moved by Shastid Seconded by Hughes Unanimously carried

By order of the Chair, Mr. Carmody was directed to work with Mr. Forsyth and bring back a proposal to the Council upon which it can agree.

AGREEMENT BETWEEN CITY AND PAUL V. BIRMINGHAM AND CLYDE D. GOUDIE FOR DESIGN OF WESTSIDE COMMUNITY CENTER

RESOLUTION NO. 67-259

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PAUL V. BIRMINGHAM AND CLYDE D. GOUDIE WHEREBY BIRMINGHAM AND GOUDIE AGREE TO DESIGN A COMMUNITY CENTER BUILDING FOR MELLIS PARK

Introduced by Hughes Seconded by Mitchell Unanimously carried

CONSIDER REQUEST OF DIRECTOR OF PARKING AND TRAFFIC FOR PERMISSION TO HELP THE CITY OF MERCED IN TRAFFIC MATTERS

A memorandum from the Director of Parking & Traffic dated April 3, 1967, subject, "Outside Employment - Merced," was entered into the record

of the minutes. Mr. Carmody stated that the project involved about 400 hours of his off-duty time spread over a period of about nine months, or one year, if necessary.

By order of the Chair, the request was referred to the City Manager for recommendation, to be placed on the agenda of the April 17th meeting.

CONSIDER APPOINTMENT OF LEAGUE OF WOMEN VOTERS OF MODESTO TO COORDINATE UNITED NATIONS DAY PROGRAM 14-107

A letter from Mrs. Jack Leach, President, League of Women Voters, dated February 2, 1967 requesting $100 for anticipated expenditures in connection with coordination of the City of Modesto's 1967 United Nations Day observance, was entered into the record of the minutes.

MOTION

That the League of Women Voters be appointed to coordinate the 1967 United Nations Day program

Moved by Shastid Seconded by Patton Unanimously carried

The staff was directed to refer the request for funds for the program to the appropriate budget session.

AUTHORIZE REQUEST FOR QUOTATIONS FOR A PAYING AGENT FOR THE MUNICIPAL SEWER DISTRICT NO. 1 BONDS 14-115

A letter from Bartle Wells Associates dated March 31, 1967 recommending that the City solicit proposals for paying agent services [illegible], and recommending that the Municipal Sewer District No. 1 bonds be sold on May 24 at 11:00 A.M., was entered into the record of the minutes.

MOTION

That the staff be instructed to contact banks to solicit proposals for paying agent services; and to consult with Bartle Wells Associates to see whether the coupons can be completely abolished so that we can be using fully registered bonds

Moved by Shastid Seconded by Hughes Unanimously carried

REPORT ON AIR POLLUTION

A memorandum from the Director of Parking and Traffic dated April 6, 1967, subject, "Air Pollution," was entered into the record of the minutes.

Mayor Johansen said that the matter would be informally presented to the Board of Supervisors on April 11th for its reaction in establishing a Select Committee to look into air pollution.

APPOINTMENT - DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD

RESOLUTION NO. 67-260

A RESOLUTION REAPPOINTING TREVOR GRIFFITH MEMBER OF THE AB-103 ADVISORY BOARD (AREA G) (3-year term beginning March 28, 1967)

Introduced by Smith Seconded by Shastid Unanimously carried

ADJOURNMENT

MOTION

That the meeting now in session by adjourned

Moved by Patton Seconded by Hughes Unanimously carried

The meeting adjourned at 11:15 P.M.

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

The Council of the City of Modesto met in regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Smith, Mayor Johansen
(Councilman Shastid arrived at 4:12 P.M.)

Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present.

Reverend W. H. Gibbs gave the invocation.

APPROVAL OF CONSENT ITEMS

The following consent items, marked with an asterisk, were adopted by resolution by the Council with one roll call vote as follows:

Introduced by Smith Seconded by Mitchell
Ayes: Davies, Hughes, Mitchell, Patton,Smith, Mayor Johansen
Noes: None Absent: Shastid

LETTER FROM MODESTO JUNIOR COLLEGE REQUESTING RESOLUTION OF WELCOME TO PARTICIPANTS OF NATIONAL J. C. SPEECH CHAMPIONSHIP

* RESOLUTION NO. 67-261
A RESOLUTION WELCOMING PARTICIPANTS AND ADVISORS TO NATIONAL JUNIOR COLLEGE SPEECH CHAMPIONSHIPS (The Phi Rho Pi National Forensics Champtionship)

APPROVE PLANS AND SPECIFICATIONS AND CALL FOR BIDS FOR IMPROVEMENT OF FRANKLIN STREET BETWEEN MAZE BOULEVARD AND PARADISE ROAD

* RESOLUTION NO. 67-262
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR IMPROVEMENT OF FRANKLIN STREET BETWEEN MAZE BOULEVARD AND PARADISE ROAD (Bid opening date, May 2, 1967 at 10:00 A.M.)

CONSIDER COOPERATIVE AGREEMENT BETWEEN CITY AND COUNTY OF STANISLAUS FOR IMPROVEMENT OF FRANKLIN STREET BETWEEN MAZE BLVD AND PARADISE ROAD

* RESOLUTION NO. 67-263
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND COUNTY OF STANISLAUS FOR THE IMPROVEMENT OF FRANKLIN STREET BETWEEN MAZE BLVD. AND PARADISE ROAD

RESOLUTIONS INSTRUCTING SUPT. OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALKS AT FOLLOWING LOCATIONS

Lots 1 and 2, Block 6094 - 408 Ribier - Anderson

* RESOLUTION NO. 67-264
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIR- CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1 AND 2, BLOCK 6904, 408 RIBIER)(Hearing date, May 1, 1967 at 4:35 P.M.)

Lot 3, Block 6115 - 1509 Maywood - LeMay

* RESOLUTION NO. 67-265
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIR- ING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 3, BLOCK 6115, 1509 MAYWOOD) Hearing date, May 1, 1967 at 4:40 P.M.)

Lots 3 and 4, Block 407, south side of Spruce, east of Madison - Arsenio

* RESOLUTION NO. 67-266

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 3 AND 4, BLOCK 407 on the south side of Spruce, east of Madison) Hearing date, May 1, 1967 at 4:45 P.M.)

Lots 1 and 2, Block 407, south side of Spruce, east of Madison

* RESOLUTION NO. 66-267

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1 AND 2, BLOCK 407 ON THE SOUTH SIDE OF SPRUCE, EAST OF MADISON) (Hearing date, May 1, 1967 at 4:50 P.M.)

Block 927, Carver Road - 1004 Carver Road - Central Glass

* RESOLUTION NO. 67-268

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 927 ON CARVER ROAD (1004 Carver Road) (Hearing date May 1, 1967 at 4:55 P.M.)

Lots 8 and 9, Block 6904, 300 Ribier - Garrison

* RESOLUTION NO. 67-269

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 8 and 9, Block 6904, 300 Ribier)(Hearing date, May 1, 1967 at 5:00 P.M.)

APPROPRIATION TRANSFER - ELECTRICAL WORK - LIBRARY

* RESOLUTION NO. 67-270

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $450 FOR ELECTRICAL WORK AT SILVERTHORN LIBRARY

CITY CLERK DIRECTED TO CHECK SUFFICIENCY OF PETITION RECEIVED 4/13/67, INHABITED ANNEXATION, SUNRISE ADDITION

MOTION

That the City Clerk be directed to check sufficiency of petition received April 13, 1967 for inhabited annexation of Sunrise Addition to City of Modesto

Moved by Hughes Seconded by Smith Unanimously carried

REPORT ON COST OF INSTALLATION OF WATER MAINS: (1) FLOYD AVENUE FROM WARWICK LANE TO COFFEE ROAD; (2) FAIRWAY ESTATES NO. 2 SUBDIVISION

MOTION

That the reports from the Director of Public Works dated April 12, 1967 on cost of installation of water mains at above locations be accepted

Moved by Hughes Seconded by Smith Unanimously carried

NOTICE FROM STANISLAUS COUNTY LOCAL AGENCY FORMATION COMMISSION REGARDING PUBLIC HEARINGS (ANNEXATIONS)

The notice listing public hearings to be held on April 26, 1967 at 7:30 P.M., including Legion Park, Woodrow No. 2, McWilliams, Greenwood Estates No. 2 and Downey Park No. 4 to the City of Modesto, was ordered filed.

REPORT ON THOUSAND OAKS PARK 1-18

The following documents were entered into the record of the minutes:

Memorandum from Director of Parks and Recreation dated April 12, 1967, subject, "Thousand Oaks Park"; memorandum from City Manager dated April 13, 1967, same subject.

MOTION

That the memorandum from the Director of Parks and Recreation dated April 12, 1967 be adopted as council policy in connection with the improvement of Thousand Oaks Park; that the staff be authorized to prepare the necessary agreement

Moved by Mitchell Seconded by Smith Unanimously carried

Councilman Shastid arrived at 4:12 P.M.

FURTHER DISCUSSION ON TAXI FARE INCREASE

An increase in fares for Red Top Taxi was discussed by the Council at the April 10th meeting, and amendment to a motion reflecting a 15% increase in taxi fares tabled. With the unanimous consent of the council, the motion was permitted to die.

A memorandum from the Director of Parking and Traffic dated April 13, 1967, subject, "Proposed Taxi Schedule," was entered into the record of the minutes. It was the recommendation of the Director of Parking and Traffic that Schedule D be approved; the recommendation of Mr. Forsyth that schedule F be approved, both schedules being within the limits of the 15% increase recommended by motion at the April 10th meeting.

ORDINANCE NO. 825-C.S. entitled
"AN ORDINANCE AMENDING SECTION 4-6.307 OF ARTICLE 3 OF CHAPTER 6 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO TAXICABS"
(approving Schedule F of memorandum from Director of Parking and Traffic dated April 13, 1967, with no change in present waiting time charge)

was introduced and ordered published as required by the Charter.

Moved by Hughes Seconded by Davies

The motion carried, Councilman Shastid dissenting.

HEARING, SIDEWALK REQUIREMENT, LOT 30, BLOCK 6007, 630 WEST ORANGEBURG (McCUTCHAN)

Mayor Johansen announced that the hour of 4:15 P.M. had arrived, the time set for consideration of the requirement of a sidewalk at Lot 30, Block 6007, 630 West Orangeburg, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the owner and the property posted on April 4, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-271
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 30, BLOCK 6007, 630 W. ORANGEBURG)

Introduced by Patton Seconded by Shastid Unanimously carried

FURTHER REPORT ON BUSINESS LICENSE ENFORCEMENT

This item was carried over from the April 10th meeting. The following documents were entered into the record of the minutes: Memorandum from Finance Department dated 4/5/67, subject, "Business License Enforecement"; memorandum from Chief of Police dated 4/6/67, subject, "Business License Enforcement"; memorandum from Chief Building Official dated 4/5/67 subject, "Vehicle Windshield Stickers and Subcontractors Lists"; memorandum from

Chief Building Official dated 4/6/67 subject, "Subcontractors Lists and Windshield Stickers on Commercial Vehicles."

Director of Public Works Campbell and Chief Meester were questioned by the Council on methods of enforcement.

The City Attorney was asked to check the legality of requiring licensed state contractors to list whether or not their subcontractors are licensed.

The staff was directed to report further on business license enforcement in about six months.

HEARING, SIDEWALK REQUIREMENT, LOT 5, BLOCK 804-A, SW CORNER YALE AND COLLEGE-SANDERS

Mayor Johansen announced that the hour of 4:20 P.M. had arrived, the time set for consideration of the requirement of a sidewalk at Lot 5, Block 804-A, located on the southwest corner of Yale and College, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the owner and the property posted on April 4, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-272

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 5, BLOCK 804-A, SOUTHWEST CORNER OF YALE AND COLLEGE)

Introduced by Mitchell Seconded by Hughes Unanimously carried

RECOMMENDATION OF CITY MANAGER RELATIVE TO CONSULTANT WORK BY DEPARTMENT HEADS 2-60

A memorandum from the City Manager dated April 13, 1967 subject, "Outside Employment by Department Heads," was entered into the record of the minutes. The City Manager recommended, as a general guideline, that no general consulting work be approved by the City Council on which the department head would spend more than an average of four hours per week over a protracted period of time.

RESOLUTION NO. 67-273

A RESOLUTION RESCINDING RESOLUTION NO. 60-38 REQUIRING COUNCIL APPROVAL OF OUTSIDE EMPLOYMENT BY DEPARTMENT HEADS SUBJECT TO APPOINTMENT BY CITY MANAGER

Moved by Davies Seconded by Smith Unanimously carried

The City Manager reqported that Mr. Carmody had withdrawn his request for approval of outside employment by the City of Merced.

HEARING, CURB AND GUTTER, LOTS 3 & 4, BLOCK 414, 323½ OAK STREET - SHIPLEY

Mayor Johansen announced that the hour of 4:30 P.M. had arrived, the time set for consideration of the requirement for curb and gutter construction at 323½ Oak Street, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the owner and the property posted on April 4, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-274

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 3 AND 4, BLOCK 414, 323½ OAK STREET)

Introduced by Smith Seconded by Shastid Unanimously carried

HEARING, CURB AND GUTTER, LOTS 5 & 6, BLOCK 414, 319 OAK STREET - THURMAN

Mayor Johansen announced that the hour of 4:35 P.M. had arrived, the time set for consideration of the construction of curb and gutter at 319 Oak Street, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the owner and the property posted on April 4, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-275

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 5 AND 6, BLOCK 414, 319 OAK STREET)

Introduced by Mitchell Seconded by Patton Unanimously carried

REPORT ON POSSIBILITY OF SIX TRAFFIC LANES ON McHENRY BETWEEN NEEDHAM & BRIGGSMORE

A memorandum from the Director of Parking and Traffic dated April 7, 1967 subject, "Extra Traffic Lanes on McHenry Avenue - Briggsmore to Needham," was entered into the record of the minutes. It was Mr. Carmody's conclusion that he did not believe present traffic conditions justified going to six moving lanes at this time.

Councilman Smith suggested an immediate study be made to see if off-street parking is available in those areas of heavy concentrations of on-street parking; establishment of left turn lanes at critical intersections, with onstreet parking eliminated and two through traffic lanes. He also suggested that a study be made on elimination of all lefthand turns except those absolutely essential, and elimination of left hand turns in the middle of the block; placement of a divider on McHenry Avenue except at those places where lefthand turns are permitted; encouragement of offstreet loading and parking facilities; discouragement of rezoning on or near McHenry Avenue which will increase the traffic load.

MOTION

That the staff be authorized to prepare a resolution explaining the City's traffic problems to the State and requesting discussion on future plans for a new state highway

Moved by Davies Seconded by Patton Unanimously carried

Mr. Carmody referred to a report based on McHenry Avenue traffic problems prepared by the Planning Department in August 1963. The staff was directed to place this matter on the agenda again in about three weeks or a month.

HEARING, CURB AND GUTTER REQUIREMENT, LOTS 1 AND 2, BLOCK 414 - 325 OAK STREET - Sheppard

Mayor Johansen announced that the hour of 4:40 P.M. had arrived, the time set for consideration of the proposed curb and gutter requirement at 325 Oak Street, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the owner and the property posted on April 4, 1967.

No one in the audience asked to be heard, and Mayor Johansen declared the hearing closed.

RESOLUTION NO. 67-276

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1 AND 2, BLOCK 414, 325 OAK STREET)

Introduced by Smith Seconded by Mitchell Unanimously carried

The matter of public relations connected with the requirement of curb, gutter and sidewalks was discussed. Director of Public Works Campbell stated that all property owners involved would be contacted by telephone if time permitted.

MATTERS FOR THE GOOD OF THE COMMUNITY

Introduction of Henry Kamps. Mr. Kamps, member of the Farm-City Advisory Committee was introduced by Mayor Johansen.

Report on Indiana Crime Alert Program. Councilman Smith reported that he had received pamphlets from Indianapolis regarding its Crime Alert Program, which he would pass on to Chief Meester. He commended the Police Department and the local Crime Study Committee for its leadership in this program. Chief Meester was asked to pass the brochures along to the Junior Chamber of Commerce and the Crime Study Committee.

Free parking for voters - downtown precinct. At the request of Councilman Mitchell, the City Manager stated that arrangements would be made to provide two free parking spaces in the vicinity of L. M. Morris store for the convenience of voters on April 18th.

Transcript of proceedings - National League Conference. Councilman Mitchell said that transcript of proceedings of the third national legislative conference had been received and would be made available to the City Manager and council members.

INTRODUCTION OF ORDINANCE ON SEWAGE COLLECTION AND DISPOSAL

ORDINANCE NO. 826-C.S. entitled
"AN ORDINANCE AMENDING CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO SEWAGE COLLECTION AND DISPOSAL"

was introduced and ordered published as required by the Charter.

Moved by Davies Seconded by Mitchell Unanimously carried

A memorandum from the Director of Public Works dated April 17, 1967 subject, "Application of 'Connection Charge' to Industries" was read into the record of the minutes by the City Manager. The memorandum outlined the application of connection charges to industries in connection with the adoption of Ordinance No. 826-C.S. relating to sewage collection and disposal.

MOTION

That the contents of memorandum from the Director of Public Works dated April 17, 1967, subject, "Application of 'Connection Charge' to Industries" be adopted as a matter of policy

Moved by Davies Seconded by Smith Unanimously carried

CONSIDER BIDDING ON 250 PARKING METERS AND SPARE PARTS OWNED BY THE CITY OF FAIRFIELD

A memorandum from the Director of Parking and Traffic dated April 7, 1967 subject, "Suggested Bid on Surplus Fairfield Parking Meters," was entered into the record of the minutes. Recommendation was made that a bid of $5,407.69 be submitted for the meters and spare parts. Eventual phasing out of parking meters was discussed.

MOTION

That the staff be authorized to submit a bid for the parking meters and spare parts

Moved by Shastid Seconded By Patton Unanimously carried

LETTER FROM ANTHONY RECCA REGARDING PARKING PROHIBITION ON COLLEGE AVENUE OPPOSITE JUNIOR COLLEGE

The following documents were entered into the record of the minutes: Letter from Anthony Recca dated March 28, 1967 asking that the council again

consider the matter of parking on the east side of College Avenue between Stoddard and Coldwell; memorandum from the Director of Parking and Traffic dated April 6, 1967 subject, "Parking on east side of College," indicating need for four moving lanes through this area as great now as it was when the parking prohibition was instituted; that to date there has been no great movement to have parking restored in this area at the expense of the trees.

Mr. and Mrs. Recca stated that lack of parking had resulted in loss of apartment rentals.

By order of the Chair, the staff was directed to survey the neighborhood for interest in widening this portion of College Avenue.

REPORT ON PROPOSAL BY CALGON CORPORATION FOR USE OF PILOT FACILITIES AT WATER QUALITY CONTROL PLANT

A memorandum from the Director of Public Works dated April 13, 1967 subject, "Proposal for Use of Pilot Plant by the Calgon Corportation," was entered into the record of the minutes. No action was taken by the Council.

CONSIDER WATER SERVICE TO NEW ROBERTSON ROAD SCHOOL.

RESOLUTION NO. 67-277
A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $15,000 FOR PUMP STATION NO. 35

Introduced by Shastid Seconded by Smith Unanimously carried

REPORT ON STATUS OF CURB, GUTTER AND SIDEWALK ALONG PROPERTIES OWNED BY PUBLIC AGENCIES 6-45

A memorandum from the Director of Public Works dated April 13, 1967 subject, "Report on Status of Curb, Gutter and Sidewalk along Properties Owned by Public Agencies," was entered into the record of the minutes.

The staff was directed to continue working with the Schools to encourage budgeting of funds for curb, gutter and sidewalk improvements at various schools.

LEGISLATIVE MATTERS

ACA-35 - provides that money allocated by the Legislature to cities to replace revenues lost be reason of any exemption of personal property from property taxes may be used for local or municipal purposes and not for state purposes, as now provided in the Constitution.

MOTION
That the Mayor be authorized to write to our Legislators requesting support of ACA 35

Moved by Hughes Seconded by Smith Unanimously carried

Resolution from City of Fresno Opposing AB-3 (Gas Tax Allocation)

No action was taken on AB-3 which would change the long-standing distribution of gas tax funds between Northern and Southern California, the dividing line being the Tehachapis.

SB-413 and SB-1034 - which would add new sections to the Parking and Business Improvement Area Law of 1965 (AB-103), rendering the law ineffective and limiting it solely to parking.

MOTION
That the Mayor be authorized to write a letter to our Legislators expressing opposition to these measures

Moved by Smith Seconded by Mitchell Unanimously carried

Keeping Council informed of Pending Legislation

The staff was directed to furnish the Council information on pending legislation prior to requesting the Council to take action on the various bills, either by special delivery of a resume of the measures by noon on Mondays, or at least a written resume at the council meeting.

Councilman Davies was excused from the meeting at 5:53 P.M.

SB-615 - which would make community antenna television corporations subject to the jurisdiction, control and regulation of the Public Utilities Commission.

MOTION

That the Mayor be authorized to write letters to our legislators expressing the Council's opposition to this measure

Moved by Hughes Seconded by Smith

The motion carried, Councilmen Shastid and Patton dissenting.

SB-876 - which would repeal the authority added to the Subdivision Map Act of 1965 authorizing cities and counties to adopt ordinances requiring dedication of land, payment of fees in lieu of dedication, or a combination of both.

MOTION

That the Mayor be authorized to write letters to our legislators expressing the Council's opposition to this measure

Moved by Hughes Seconded by Smith Unanimously carried

SB-824 - Local Agency Formation Commission. No action was taken by the Council. The staff was directed to send Council a resume of the measure, to be considered at the next council meeting.

AB-776 - pertaining to labor organization representation, public and private employers and employees;
AB-880 - pertaining to collective bargaining, public employers and employees

No action was taken by the Council. The staff was directed to send the Council written information on these two measures.

Assembly Bills relating to Workmen's Compensation. The staff was directed to furnish the Council information on pending legislation.
ANNOUNCEMENT: Quarterly meeting of Central Valley Division, League of Calif. Cities, to be held April 27, 1967 M.R.P.S. Hall, 114 No. Grant Ave., Manteca
ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Hughes Seconded by Smith Unanimously carried

The meeting adjourned at 6:02 P.M.

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

Modesto City Council
April 24, 1967

The Council of the City of Modesto met in regular session this date at 7:30 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present.

Reverend Donald Fellers gave the invocation.

APPROVAL OF MINUTES

The minutes of the regular meetings of March 27, April 3, 10, and 17, 1967 were approved.

CONSENT ITEMS

The following items, marked with an asterisk, were adopted by resolution of the Council with one roll call vote as follows:

Introduced by Shastid Seconded by Smith
Ayes: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
Noes: None Absent: None

CONSIDER APPROVAL OF SPECIFICATIONS AND AUTHORIZE CALL FOR BIDS FOR LIQUID AND EMULSIFIED ASPHALTS

* RESOLUTION NO. 67-278
A RESOLUTION APPROVING SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF LIQUID AND EMULSIFIED ASPHALTS(Bid opening date 5/9/67,2:15 PM)

APPROVAL OF SPECIFICATIONS AND CALL FOR BIDS, ANNUAL CRUSHED ROCK SCREENING

* RESOLUTION NO. 67-279
A RESOLUTION APPROVING SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF CRUSHED ROCK SCREENING (Bid opening 5/9/67 at 2:00 P.M.)

AGREEMENT PROVIDING FOR USE OF PORTION OF CITY-OWNED PROPERTY AT INTERSECTION OF HILLSIDE DRIVE AND CONEJO AVENUE BY MODESTO FLYING CIRCUS

* RESOLUTION NO. 67-280
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO FLYING CIRCUS

CONSIDER AMENDED LEASE AGREEMENT WITH JOHN F. GOTTSCHALK DBA GOTTSCHALK FLIGHT CENTER - CITY-COUNTY AIRPORT

* RESOLUTION NO. 67-281
A RESOLUTION APPROVING AMENDED LEASE AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN F. GOTTSCHALK DBA GOTTSCHALK FLIGHT CENTER AT CITY-COUNTY AIRPORT (to adjust land lease area - original agreement dated 11/21/66)

ADOPT RESOLUTION ACKNOWLEDGING RECEIPT OF COPY OF NOTICE OF INTENTION TO ANNEX TERRITORY KNOWN AS THE EL VISTA NO. 1 ADDITION TO THE CITY OF MODESTO AND APPROVING INTENTION OF PROPONENTS TO CIRCULATE PETITION

* RESOLUTION NO. 67-282
A RESOLUTION ACKNOWLEDGING RECEIPT OF A COPY OF NOTICE OF INTENTION TO CIRCULATE A PETITION FOR ANNEXATION OF INHABITED TERRITORY TO THE CITY OF MODESTO (EL VISTA NO. 1 ADDITION) WITH ACCOMPANYING STATEMENT, AND AN AFFIDAVIT OF PUBLICATION THEREOF AND APPROVING THE CIRCULATION OF A PETITION

RESOLUTION ACKNOWLEDGING RECEIPT OF COPY OF NOTICE OF INTENTION TO ANNEX TERRITORY KNOWN AS EL VISTA NO. 2 ADDITION TO CITY OF MODESTO AND APPROVING INTENTION OF PROPONENTS TO CIRCULATE PETITION

* RESOLUTION NO. 67-283

A RESOLUTION ACKNOWLEDGING RECEIPT OF A COPY OF NOTICE OF INTENTION TO CIRCULATE A PETITION FOR THE ANNEXATION OF INHABITED TERRITORY TO THE CITY OF MODESTO (EL VISTA NO. 2 ADDITION) WITH ACCOMPANYING STATEMENT, AND AN AFFIDAVI OF PUBLICATION THEREOF AND APPROVING THE CIRCULATION OF A PETITION

RESOLUTION ACKNOWLEDGING RECEIPT OF COPY OF NOTICE OF INTENTION TO ANNEX TERRITORY KNOWN AS THE EAST BRIGGSMORE ADDITION TO THE CITY OF MODESTO AND APPROVING INTENTION OF PROPONENTS TO CIRCULATE PETITION

* RESOLUTION NO. 67-284

A RESOLUTION ACKNOWLEDGING RECEIPT OF A COPY OF NOTICE OF INTENTION TO CIRCULATE A PETITION FOR THE ANNEXATION OF INHABITED TERRITORY TO THE CITY OF MODESTO (EAST BRIGGSMORE ADDITION) WITH ACCOMPANYING STATEMENT, AND AN AFFIDAVIT OF PUBLICATION THEREOF AND APPROVING THE CIRCULATION OF A PETITION

CONSIDER REQUEST FOR AID UNDER THE FEDERAL AID AIRPORT PROGRAM FOR APPROACH LIGHTS FOR RUNWAY 29R, AND SECURITY LIGHTING FOR THE GENERAL AVIATION RAMP AREA ON THE WEST SIDE OF CITY-COUNTY AIRPORT

* RESOLUTION NO. 67-285

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION TO THE FEDERAL AVIATION AGENCY FOR FEDERAL AID PARTICIPATION AT MODESTO CITY-COUNTY AIRPORT

RESOLUTIONS INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALKS AND/OR CURBS AND GUTTERS AT LOCATIONS LISTED BELOW

* RESOLUTION NO. 67-286

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN CITY OF MODESTO (LOT 2 Block 2054, 178 N. Santa Ana) (Hearing date, 5/8/67 at 8:45 P.M.)

* RESOLUTION NO. 67-287

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lot 5, Block 2054, N. Santa Ana)(Hearing date 5/8/67 at 8:55 P.M.)

* RESOLUTION NO. 67-288

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK, CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Block 469, 545 Terminal Ave.) Hearing date 5/8/67, 9:00 P.M.)

* RESOLUTION NO. 67-289

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lots 1 and 2, Block 466, on Coldwell at N/E corner Myrtle)(hearing date, 5/8/67 at 9:05 P.M.)

* RESOLUTION NO. 67-290

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK, CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lots 27 and 28, Block 407, 224 Vine Street) (hearing date, 5/8/67 at 9:10 P.M.)

* RESOLUTION NO. 67-291

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (Lots 15, 16, 17 and 18, Block 407, Vine Street, N/E corner on Jefferson) (Hearing date, 5/8/67 at 9:15 P.M.)

CONSIDER ADVANCING CONSTRUCTION DATE OF 10-UNIT T-HANGAR AT AIRPORT AND CALLING FOR BIDS ON THE WORK

* RESOLUTION NO. 67-292
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF 10-UNIT T-HANGAR AT CITY-COUNTY AIRPORT (Bid opening date, May 9, 1967 at 10:00 A.M.)

* RESOLUTION NO. 67-293
A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $34,000 FOR CONSTRUCTION OF 10-UNIT T-HANGAR AT CITY-COUNTY AIRPORT

FREE DUMPING AT CITY DUMP AUTHORIZED MAY 13 AND 20

* RESOLUTION NO.67-294
A RESOLUTION SUSPENDING SECTION 2 OF RESOLUTION NO. 65-38 ENTITLED "A RESOLUTION PROVIDING FOR USE OF DISPOSAL AREA BY PRIVATE INDIVIDUALS" ON MAY 13, 1967, AND ON MAY 20, 1967

FLAT RATE CHARGES ESTABLISHED FOR WATER SERVICE TO SCHOOLS WITHIN SYLVAN UNION SCHOOL DISTRICT

* RESOLUTION NO. 67-295
A RESOLUTION OF THE CITY OF MODESTO ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO SCHOOLS WITHIN THE SYLVAN UNION SCHOOL DISTRICT AND RESCINDING RESOLUTIONS NO. 60-170, 63-458, 64-373 AND 66-47

FLAT RATE CHARGES FOR WATER SERVICE ESTABLISHED - MUNCY SCHOOL

* RESOLUTION NO. 67-296
A RESOLUTION OF THE CITY OF MODESTO ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICES TO THE MUNCY SCHOOL IN THE STANISLAUS UNION SCHOOL DISTRICT AND RESCINDING RESOLUTION NO. 63-396

FLAT RATE CHARGES FOR WATER SERVICE ESTABLISHED - MODESTO CITY SCHOOLS

* RESOLUTION NO. 67-297
A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO MODESTO CITY SCHOOLS AND RESCINDING RESOLUTIONS NO. 60-162, 63-151 AND 65-518

FLAT RATE CHARGES FOR WATER SERVICE ESTABLISHED - MODESTO JUNIOR COLLEGE

* RESOLUTION NO. 67-298
A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO MODESTO JUNIOR COLLEGE OF THE YOSEMITE JUNIOR COLLEGE DISTRICT AND RESCINDING RESOLUTION NO. 65-519

APPROPRIATION TRANSFER OF $8,000 FOR CURB, GUTTER AND SIDEWALK PROGRAM

* RESOLUTION NO. 67-299
A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $8,000 FOR PROGRAM REQUIRING PROPERTY OWNERS TO INSTALL CURBS, GUTTERS, AND SIDEWALK

APPROPRIATION TRANSFER OF $700 - LANDSCAPING CONTROL TOWER, AIRPORT

* RESOLUTION NO. 67-300
A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $700 FOR ACQUISITION OF MATERIAL INVOLVED IN LANDSCAPING AIRPORT CONTROL TOWER

APPROPRIATION TRANFER, $3,990, FOR MODERNIZATION OF FIRE ALARM SYSTEM ACCOUNT

* RESOLUTION NO. 67-301
A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,990 FOR MODERNIZATION OF FIRE ALARM SYSTEM

LETTER FROM STATE COMPENSATION INSURANCE FUND WITH CHECK IN AMOUNT OF $27,130.21 - CITY EARNINGS WORKMEN'S COMPENSATION YEAR ENDING 7/1/66

Letter from the General Manager, State Compensation Insurance Fund, dated April 12, 1967 commending city for size of dividend check was entered into the record of the minutes and ordered filed. The staff was commended for its fine safety record.

INVITATION FROM STANISLAUS COUNTY BAR ASSOCIATION TO COUNCIL AND STAFF TO ATTEND LAW DAY - USA PROGRAM ON MAY 1, 1967 AT COVELL HOTEL

A letter from Bert M. Carner, Jr., Invitations Chairman, LAW DAY,USA, inviting the Council and and members of hte staff to attend the Law Day program to be held Monday, May 1, 1967 from 12:00 to 1:30 P.M. in the Fable Room of the Hotel Covell, was entered into the record of the minutes and ordered filed.

LETTER FROM GREATER MODESTO CHAMBER OF COMMERCE REQUESTING NAME OF CITY COUNCIL LIAISON REPRESENTATIVE

Mayor Johansen stated that a liaison representative would probably be appointed by Mayor elect Davies next week; that he would so inform Mr. Joseph M. Good, Manager, Chamber of Commerce, as requested in letter dated April 17, 1967.

LETTER FROM BOY SCOUTS REQUESTING THAT MORTON AVENUE BE BLOCKED OFF TO PERMIT BOX CAR RACE

A letter from Yosemite Area Boy Scouts of America dated April 19, 1967 requesting the closing of Morton Avenue for two hours on Saturday, June 3, 1967 was entered into the record of the minutes.

MOTION

That the request be approved subject to a permit from the Police Department

Moved by Shastid Seconded by Hughes Unanimously carried

NOTIFICATION FROM H.U.D. THAT CITY HAS RECEIVED AN URBAN BEAUTIFICATION GRANT OF $25,250

The City Manager reported that an Urban Beautification Grant of $25,250 has been received from H.U.D.

ADOPTION OF ORDINANCE 825-C.S. RELATING TO TAXICABS

ORDINANCE NO. 825-C.S. entitled
"AN ORDINANCE AMENDING SECTION 4-6.307 OF ARTICLE 3 OF CHAPTER 6 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO TAXICABS"

introduced April 17, 1967 and having been published as required, was moved and adopted.

Moved by Mitchell Seconded by Smith
The motion carried, Councilman Shastid dissenting.

ADOPTION OF ORDINANCE 826-C.S. RELATING TO SEWAGE COLLECTION AND DISPOSAL

ORDINANCE NO. 826-C.S. entitled
"AN ORDINANCE AMENDING CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO SEWAGE COLLECTION AND DISPOSAL"

introduced April 17, 1967 and having been published as required, was adopted.

Moved by Mitchell Seconded by Hughes Unanimously carried

A letter from President David T. Young, Home Builders Association of Central California, Inc. dated April 24, 1967 commending the staff for its efforts in providing the community with a new sewer program, and bringing to the attention of the Council certain provisions of the ordinance which the Association intends to recommend amendments thereto in the future, was entered into the record of the minutes.

REPORT BY CITY MANAGER ON STATUS OF McHENRY AVENUE RIGHT OF WAY ACQUISITION

The City Manager reported that the property owners involved have met and signified their willingness to negotiate with the City on right of way dedications.

APPLICATION FOR TRANSFER OF LICENSE TO COLLECT GARBAGE FROM MODESTO GARBAGE CO., A CO-PARTNERSHIP, TO MODESTO GARBAGE CO., INC.

An application for transfer of license to collect garbage from Modesto Garbage Co., a co-partnership to Modesto Garbage Company, Inc., a corporation was filed in the office of the City Clerk by Attorney E. Dean Price with letter dated April 19, 1967.

MOTION

That the application be referred to the City Manager for report and recommendation

Moved by Smith Seconded by Hughes Unanimously carried

CONSIDER REVISED PLAN FOR JENNIE, BURNEY, D STREETS INTERSECTION

A memorandum from the Director of Parking and Traffic dated April 19, 1967, subject, "Revised Plans - Jennie, Burney, D Streets Area," relative to revision of State plans in connection with the Jennie-Burney-D Street intersection was entered into the record of the minutes. It was indicated that a hearing would be scheduled by the State for official approval from the Council of the proposed intersection design.

MOTION

That the proposed intersection design for the Jennie, Burney, D Street intersection submitted by the State be generally approved - to be formally approved at a later date

Moved by Hughes Seconded by Mitchell Unanimously carried

CONSIDER APPLICATION FOR FEDERAL FUNDS FOR URBAN BEAUTIFICATION AND IMPROVEMENT PROGRAM

RESOLUTION NO. 67-302

A RESOLUTION APPROVING A SIX-YEAR URBAN BEAUTIFICATION AND IMPROVEMENT PROGRAM

Introduced by Smith Seconded by Shastid

The motion carried, Councilmen Hughes and Patton dissenting.

RESOLUTION NO. 67-303

A RESOLUTION AUTHORIZING FILING OF APPLICATION FOR URBAN BEAUTIFICATION GRANT ($99,863)

Introduced by Smith Seconded by Shastid

The motion carried, Councilmen Hughes and Patton dissenting.

SELECTION OF PAYING AGENT FOR THE 1967 MUNICIPAL SEWER BONDS 2-1

MOTION

That Crocker-Citizens National Bank be selected as paying agent for the City's Sewer Bonds, as recommended by the Director of Finance in memorandum dated April 20, 1967(on file with the record of the minutes)

Moved by Davies Seconded by Hughes Unanimously carried

RESOLUTION PROVIDING FOR THE ISSUANCE OF $7,200,000 MODESTO MUNICIPAL SEWER DISTRICT NO. 1 1967 SEWER BONDS

RESOLUTION NO. 67-304

PROVIDING FOR THE ISSUANCE OF $7,200,000 PRINCIPAL AMOUNT OF "BONDS OF THE CITY OF MODESTO ISSUED ON BEHALF OF MODESTO MUNICIPAL SEWER DISTRICT NO. 1 1967 SEWER BONDS"; FIXING THE MAXIMUM RATE OF INTEREST ON SAID BONDS, AUTHORIZING THE EXECUTION OF THE BONDS AND COUPONS OF SAID ISSUE AND PROVIDING FOR THE LEVY OF A TAX IN SAID DISTRICT TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; PRESCRIBING THE MATURIES, DATE AND FORM OF SAID BONDS AND OF THE COUPONS TO BE ATTACHED THERETO; AND DIRECTING NOTICE OF SALE OF SAID BONDS TO BE GIVEN

Introduced by Shastid Seconded by Smith Unanimously carried

REQUEST OF JOHN E. MARKEY FOR CITY TO AUTHORIZE THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO RENDER SERVICES TO THE DEVELOPERS OF THE PROPOSED HOUSING FOR THE ELDERLY DEVELOPMENT ON GAYLE AVENUE, IN CONNECTION WITH THE PLANNING WORK OF THE PROJECT

The following documents were entered into the record of the minutes: Letter from John E. Markey, Executive Director, Casa Manana Inn, dated February 21, 1967 requesting City assistance in obtaining aid for planning work from the Department of Housing and Community Development, Sacramento, for the planned housing project for the low-income elderly to be constructed in Modesto; letter from Mr. Markey dated April 17, 1967 same subject; memorandum from the Planning Director dated April 19, 1967 subject, "Request of John Markey," stating he felt the request in order and the City could assist in this project by permitting the services of the State Department of Housing and Community Development to be rendered to the developers.

MOTION

That the request of Mr.Markey contained in letters dated February 21 and April 17, 1967 be approved

Moved by Shastid Seconded by Mitchell Unanimously carried

REQUEST AUTHORITY FOR CITY MANAGER TO APPROVE THE OFFICIAL BOND STATEMENT AS PREPARED BY THE BOND CONSULTANT

RESOLUTION NO. 67-305

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE OFFICIAL BOND STATEMENT FOR SALE OF MODESTO MUNICIPAL SEWER DISTRICT NO. 1 1967 SEWER BONDS

Introduced by Mitchell Seconded by Shastid Unanimously carried

REPORT ON REVALUATION OF CITY'S RETIREMENT RATE

A memorandum from the Director of Finance dated April 17, 1967 subject, "Revaluation of the City's Retirement Rate," indicating an increase in retirement cost to the City of $36,301 which will be reflected in the 1967-68 preliminary budget, was entered into the record of the minutes. Attached was an "Actuarial Valuation as of June 30, 1966 under present agency contract with State Employees Retirement System" prepared by Coates, Herfurth & England, Consulting Actuaries, dated March 20, 1967. The report and actuarial valuation were ordered filed.

REPORT OF NEW ASSESSED VALUES FOR THE MODESTO MUNICIPAL SEWER DISTRICT

A memorandum from the Director of Finance dated April 17, 1967 subject, "Assessment Values for Modesto Municipal Sewer District," was entered into the record and ordered filed.

REPORT ON COST OF INSTALLATION OF WATER MAINS

Memoranda from the Director of Public Works dated April 14, 1967 outlining cost of installation of watermains in Central Heights Estates, Central Assembly of God Church, Highland Manor No. 1 Subdivision, and Legion Park were entered into the record and ordered filed.

REPORTS FROM THE PLANNING COMMISSION - None

LEGISLATIVE MATTERS

SB-824 - which would increase membership on Local Agency Formation Commissions from five to seven;

MOTION

That the Mayor be authorized to write letters our state representatives and chairman of the Senate Committee on Local Government expressing the Council's opposition to SB-824

Moved by Mitchell Seconded by Shastid Unanimously carried

AB 943, AB 945, AB 880, AB-776 - relating to collective bargaining;

MOTION

That the Mayor be authorized to write letters to our state representatives and Chairman, Assembly Committee on State Personnel and Veterans Affairs, expressing the Council's opposition to the above measures

Moved by Hughes Seconded by Mayor Johansen Unanimously carried

Opposition to Section 131 (g) of Public Law 89-285, Highway Beautification Act of 1965

RESOLUTION NO. 67-306

A RESOLUTION EXPRESSING OPPOSITION OF THE MODESTO CITY COUNCIL TO SECTION 131 (g) OF PUBLIC LAW 89-285, THE HIGHWAY BEAUTIFICATION ACT OF 1956, AND URGING CONGRESS TO DELETE SAID PROVISION (said section requiring payment of compensation upon the removal of certain outdoor advertising signs, displays and devices)

Introduced by Hughes Seconded by Shastid Unanimously carried

BELLENITA NO. 2 ANNEXATION TO MODESTO MUNICIPAL SEWER DISTRICT NO. 1

Mayor Johansen announced that the hour of 7:45 P.M. had arrived, the time set for consideration of the proposed annexation of Bellenita No. 2 Addition to the Modesto Municipal Sewer District No. 1, and opened the hearing.

The City Clerk reported that notice of the hearing was published in the City's official newspaper on March 16 and 23, 1967; the area posted on March 31, 1967; copy of the resolution setting the hearing and a copy of the map mailed to the property owner on March 20, 1967. No protests were filed with the City Clerk.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-307

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES

Introduced by Hughes Seconded by Smith Unanimously carried

DRY CREEK ADDITION ANNEXATION TO MODESTO MUNICIPAL SEWER DISTRICT NO. 1

Mayor Johansen announced that the hour of 8:00 P.M. had arrived, the time set for consideration of the proposed annexation of the Dry Creek Addition to Modesto Municipal Sewer District No. 1, and opened the hearing.

The City Clerk reported that notice of the hearing was published in the Modesto Bee on March 16 and 23, 1967; the area posted on March 31, 1967; and a copy of the resolution setting the hearing and a copy of the map mailed to the property owner on March 20, 1967. No protests were filed with the City Clerk.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-308
A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES

Introduced by Smith Seconded by Hughes Unanimously carried

NORTH 99 ADDITION ANNEXATION TO CITY OF MODESTO

Mayor Johansen announced that the hour of 8:15 P.M. had arrived, the time set for consideration of the proposed annexation of the No. 99 Addition #2 to the City of Modesto, and opened the hearing.

The City Clerk reported that notice of the hearing was published in the Modesto Bee on March 23 and March 30, 1967; notice of hearing mailed to th property owners and other interested persons on March 24, 1967. No protests were filed with the City Clerk.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-309
A RESOLUTION DECLARING THAT A MAJORITY PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS NORTH 99 NO. 2 ADDITION AND DECLARING THE INTENTION OF THE COUNCIL TO PROCEED WITH THE ANNEXATION OF SAID TERRITORY

Introduced by Hughes Seconded by Patton Unanimously carried

ORDINANCE NO. 827-C.S. entitled
"AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS THE NORTH 99 NO. 2 ADDITION TO THE CITY OF MODESTO"
was introduced and adopted and ordered published as required by the Charter.

Moved by Hughes Seconded by Patton Unanimously carried

APPOINTMENT OF MEMBERS TO HUMAN RIGHTS COMMISSION AND FARM-CITY ADVISORY COMMITTEE

This item was held over for consideration by the Council in executive session at the end of the meeting.

MATTERS FOR THE GOOD OF THE COMMUNITY

Inderbitzen property, 9th Street, between H & I

The Council discussed the application of Mr. Inderbitzen for a building permit to construct a building on 9th Street between H and I Streets, in an area designated for parking by Willis and Associates in its report on downtown beautification.

MOTION
That the matter be referred to the staff to work with Mr. Inderbitzen on delay of construction and report to the council at the adjourned council meeting to be held 4-25-67

Moved by Hughes Seconded by Shastid Unanimously carried

Resignation of Ray C. Simon from Planning Commission

A letter from Ray C. Simon resigning from the Planning Commission was read into the record by Mayor Johansen.

RESOLUTION NO. 67-310
A RESOLUTION COMMENDING RAYMOND C. SIMON FOR SERVICE RENDERED THE CITY OF MODESTO AS A MEMBER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO

Introduced by Mitchell Seconded by Smith Unanimously carried

Resolution commending Pauline P. Stanley for services as Acting City Clerk

RESOLUTION NO. 67-311
A RESOLUTION COMMENDING PAULINE P. STANLEY

Introduced by Hughes Seconded by Shastid Unanimously carried

CURB, GUTTER AND SIDEWALK REQUIREMENT, BLOCK 6253, (BARTON)

Mayor Johansen announced that the hour of 8:20 P.M. had arrived, the time set for consideration of curb, gutter and sidewalk requirement in Block 6253, on the west side of Carver,south of Garrison Park,and opened the hearing.

The City Clerk reported that the property was posted and the owner notified of the hearing as required.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-312
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6253 ON THE WEST SIDE OF CARVER ROAD, SOUTH OF GARRISON PARK)

Introduced by Shastid Seconded by Hughes Unanimously carried

CURB AND GUTTER REQUIREMENT, LOT 19, BLOCK 6252, CARVER AT NW CORNER OF CLAYTON (WILLIAMS)

Mayor Johansen announced that the hour of 8:25 P.M. had arrived, the time set for consideration of the curb and gutter requirement at Lot 19, Block 6252, Carver at NW corner of Clayton (Williams) and opened the hearing.

The City Clerk reported that the property was posted and the owner notified of the hearing.

No one in the audience asked to be heard and the hearing was closed.

RESOLUTION NO. 67-313
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 19, BLOCK 6252 ON CARVER ROAD AT THE NORTHWEST CORNER OF CLAYTON)

Introduced by Smith Seconded by Shastid Unanimously carried

CURB, GUTTER AND SIDEWALK REQUIREMENT, BLOCK 926, EAST SIDE OF CARVER, NORTH OF 1022 CARVER (LOWE)

Mayor Johansen announced that the hour of 8:30 P.M. had arrived, the time set for consideration of curb, gutter and sidewalk requirement on the east side of Carver, north of 1022 Carver (Lowe) and opened the hearing.

The City Clerk reported that the property was posted and the owner notified of the hearing.

No one in the audience asked to be heard and the hearing was closed.

RESOLUTION NO. 67-314
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 926 ON THE EAST SIDE OF CARVER ROAD (NORTH OF 1022 CARVER ROAD)

Introduced by Smith Seconded by Shastid Unanimously carried

CURB, GUTTER AND SIDEWALK REQUIREMENT, BLOCK 6250, WEST SIDE OF CARVER, SOUTH OF CLAYTON (STENSAAS)

Mayor Johansen announced that the hour of 8:35 P.M. had arrived, the time set for consideration of curb, gutter and sidewalk requirement Block 625(and opened the hearing.

The City Clerk reported that the property was posted and the owner notified of the hearing.

No one in the audience asked to be heard and the hearing was closed.

RESOLUTION NO. 67-315

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6250 ON THE WEST SIDE OF CARVER ROAD, SOUTH OF CLAYTON)

Introduced by Smith Seconded by Shastid Unanimously carried

SIDEWALK REQUIREMENT, BLOCK 6253 (FRANCE)

Mayor Johansen announced that the hour of 8:40 P.M. had arrived, the time set for consideration of a sidewalk requirement at Block 6253, west side of Carver on the N/W corner of Orangeburg, and opened the hearing.

The City Clerk reported that the property was posted and the owner notified of the hearing.

No one in the audience asked to be heard and the hearing was closed.

RESOLUTION NO. 67-316

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 6253 ON THE WEST SIDE OF CARVER ROAD ON THE NORTHWEST CORNER ON ORANGEBURG)

Introduced by Smith Seconded by Shastid Unanimously carried

CURB, GUTTER AND SIDEWALK REQUIREMENT, BLOCK 6081, CARVER AT SOUTHEAST CORNER OF PEARL (WOO)

Mayor Johansen announced that the hour of 8:45 P.M. had arrived, the time set for consideration of curb, gutter and sidewalk requirement, Block 6081, and opened the hearing.

The City Clerk reported that the property was posted and the owner notified of the hearing.

No one in the audience asked to be heard and the hearing was closed.

RESOLUTION NO. 67-317

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1 and 2, BLOCK 6081 ON CARVER ROAD AT THE SOUTHEAST CORNER OF PEARL)

Introduced by Smith Seconded by Shastid Unanimously carried

CURB AND GUTTER REQUIREMENT, BLOCK 6252, 1319 CARVER (BLOMDAHL)

Mayor Johansen announced that the hour of 8:50 P.M. had arrived, the time set for consideration of curb and gutter requirement, Lots 17 and 18, Block 6252, 1319 Carver, and opened the hearing.

The City Clerk reported that the property was posted and the owner notified of the hearing.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-318

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 17 AND 18, BLOCK 6252 (1319 CARVER ROAD)

Introduced by Smith Seconded by Shastid Unanimously carried

CURB, GUTTER AND SIDEWALK REQUIREMENT, BLOCKS 926 AND 927, 1006 AND 1022 CARVER (PEEK BROS)

Mayor Johansen announced that the hour of 8:55 P.M. had arrived, the time set for consideration of the curb, gutter and sidewalk requirement, Blocks 926 and 927, Peek Bros, and opened the hearing.

The City Clerk reported that the property was posted and the owner notified of the hearing.

No one in the audience asked to be heard and the hearing was closed.

RESOLUTION NO. 67-319

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF CURB, GUTTER AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCKS 926 and 927, 1006 AND 1022 CARVER ROAD)

Introduced by Smith Seconded by Shastid Unanimously carried

REMARKS BY MAYOR CONCERNING THE FUTURE

Mayor Johansen read into the record of the minutes a "Statement to the City Council" dated April 24, 1967, a copy of which is filed with the record of the minutes.

FAREWELL REMARKS BY COUNCILMAN PATTON

Councilman Patton, attending his last council meeting, gave a brief farewell speech.

ADJOURNMENT

MOTION

That the Council go into executive session to consider committee appointments; that the meeting adjourn to April 25, 1967 at 4:45 P.M.

Moved by Davies Seconded by Smith Unanimously carried

The meeting adjourned at 9:25 P.M.

ps

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

Modesto City Council
April 25, 1967

The Council of the City of Modesto met in adjourned regular session this date at 4:45 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Johansen presiding.

Present: Councilmen: Davies, Mitchell, Patton, Smith, Mayor Johansen

Absent: Councilmen: Hughes, Shastid

CANVASS OF RETURNS OF GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, APRIL 18, 1967

Proposition No. 1, "Shall the Modesto High School District incur a bonded indebtedness in the sum of Seven Million Three Hundred Fifty Thousand Dollars ($7,350,000.00) for authorized school purposes?" failed to carry by the required two-thirds majority vote.

Mr. Lee H. Davies was elected Mayor for a four-year term.

Mr. William R. Mitchell was re-elected councilman for a four-year term (Chair No. 3)

The following were elected councilmen for a four-year term: Raymond C. Simon, (Chair No. 6); Lawrence Robinson, Jr. (Chair No. 1).

The following Modesto Board of Education members were re-elected for a four-year term: Harriette Kirschen; Joseph D. Smart.

Mr. E. W. (Bill) Rose was elected a member of the Modesto Board of Education for a four-year term.

RESOLUTION NO. 67-320

A RESOLUTION OF THE CITY OF MODESTO DECLARING CANVASS OF RETURNS AND RESULT OF GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, APRIL 18, 1967

Introduced by Smith Seconded by Patton
Ayes: Davies, Mitchell, Patton, Smith, Mayor Johansen
Noes: None Absent: Hughes, Shastid

NEGOTIATIONS FOR PARKING LOT - INDERBITZEN

The City Manager reported that he had met with Mr. and Mrs. Inderbitzen earlier in the day; that it was the decision of Mr. and Mrs. Inderbitzen to proceed with the construction of their proposed building on property located on 9th Street between H and I Streets.

Mayor Johansen outlined the background of previous council consideration for acquisition of the Inderbitzen parcel.

Upon questioning, Mr. Inderbitzen said he would cooperate with the City to facilitate use of property adjacent to his parcel for parking purposes.

Tom Berglund, Executive Manager, Downtown Improvement District, said the Executive Board of the District has decided to go along with the third and final phase of the Willis & Associates downtown study.

The Council discussed the following: Acquisition of the parcel by means of condemnation or otherwise; cost of developing a three-block area to parking.

Mr. Don West, downtown merchant, commended Mr. Inderbitzen for his willingness to build in the downtown area, and concurred in the suggestion that Mr. Inderbitzen might be reimbursed if he agreed to delay construction until downtown improvement plans are a little more complete.

A meeting between Mayor-elect Davies, City Manager Keefe and Mr. Inderbitzen was scheduled for April 26, 1967 at 9:00 A.M. in the City Manager's office to further discuss the matter.

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Mitchell Seconded by Davies Unanimously carried

The meeting adjourned at 5:35 P.M.

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

ps

Modesto City Council
May 1, 1967

The Council of the City of Modesto met in regular session this date at 4:00 P.M. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, Mayor Davies presiding.

Present: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: Councilmen: None

The pledge of allegiance to the Flag was given by all present. Reverend R. F. Winkelman gave the invocation.

OPENING REMARKS BY MAYOR DAVIES

A statement by Mayor Lee H. Davies entitled "The Challenge we Face," dated May 1, 1967 was read into the record by Mayor Davies, and is filed with the record of the minutes.

APPROVAL OF MINUTES

The minutes of the regular meetings of February 6 and 13, 1967 were approved.

PETITION FROM MARILYN A PRESCOTT REQUESTING ADOPTION OF ORDINANCE PROHIBITING USE OF JUKE BOXES IN RESIDENTIAL AREAS

A petition sign by a number of residents from West Modesto requesting that the council consider adoption of an ordinance to prohibit the use of juke boxes and other commercial types of music devices in residential neighborhoods, was entered into the record of the minutes.

By order of the Chair, the matter was referred to the City Attorney to prepare a proposed ordinance prohibiting the use of music devices in residential areas, for council consideration.

CONSENT ITEMS

The following items, marked with an asterisk, were adopted by resolution of the Council with one roll call vote as follows:
Introduced by Shastid Seconded by Smith
Ayes: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Noes: None Absent: None

RESOLUTION COMMENDING SHARPE ARMY DEPOT ON 25TH ANNIVERSARY

* RESOLUTION NO. 67-323
A RESOLUTION SALUTING SHARPE ARMY DEPOT ON ITS 25TH ANNIVERSARY

AWARD BID TO CONTINENTAL CHEMICAL CO. - LIQUID CHLORINE

* RESOLUTION NO. 67-324
A RESOLUTION ACCEPTING THE BID OF CONTINENTAL CHEMICAL CO., SACRAMENTO, CALIFORNIA, FOR ANNUAL REQUIREMENT OF LIQUID CHLORINE AND AUTHORIZING PURCHAS AS NEEDED

AWARD OF BID TO ZIMMERMAN NH3 SERVICE-ANYHYDROUS AMMONIA

* RESOLUTION NO. 67-325
A RESOLUTION ACCEPTING THE BID OF ZIMMERMAN NH3 SERVICE, MODESTO, CALIFORNIA, FOR ANNUAL REQUIREMENTS OF ANHYDROUS AMMONIA AND AUTHORIZING PURCHASES AS NEEDED

AGREEMENT BETWEEN CITY OF MODESTO AND CROCKER-CITIZENS NATIONAL BANK - PAYING AGENT FOR 1967 MUNICIPAL SEWER BONDS

* RESOLUTION NO. 67-326
A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CROCKER-CITIZENS NATIONAL BANK

RESOLUTION OF INTENTION TO CALL SPECIAL ELECTION FOR ANNEXATION OF INHABITED TERRITORY KNOWN AS THE SUNRISE ADDITION TO THE CITY OF MODESTO, SETTING DATE, HOUR AND PLACE OF HEARING PROTESTS THERETO

* RESOLUTION NO. 67-327
A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF MODESTO TO CALL A SPECIAL ELECTION TO ANNEX TERRITORY TO THE CITY OF MODESTO (Hearing date, May 22, 1967 at 7:45 P.M.) Sunrise Addition

PUBLIC AUCTION SURPLUS CITY PROPERTY AUTHORIZED

* RESOLUTION NO. 67-328
A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS AND UNCLAIMED PERSONAL PROPERTY

RESOLUTIONS AUTHORIZING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURBS, GUTTERS AND/OR SIDEWALKS AT LOCATIONS LISTED BELOW

* RESOLUTION NO. 67-329
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF CURB AND GUTTER ALONG CERTAIN STREETS IN CITY OF MODESTO (BLOCK 738, 606 WEST ROSEBURG) (Hearing date May 15, 1967 at 4:15 P.M.)

* RESOLUTION NO. 67-330
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 8, BLOCK 830, 1130 AMHERST) (Hearing date 5/15/67 at 4:20 P.M.)

* RESOLUTION NO. 67-331
A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF SIDEWALK, CURB AND GUTTER ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 1, BLOCK 6007, 719 WEST ROSEBURG) (Hearing date 5/15/67, 4:25PM)

A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS - APRIL 18 ELECTION

* RESOLUTION NO. 67-332
A RESOLUTION AUTHORIZING PAYMENT TO ELECTION OFFICIALS AND RENTAL OF POLLING PLACES FOR APRIL 18, 1967 MUNICIPAL ELECTION

AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (FLORY) RECOMMENDED

* RESOLUTION NO. 67-333
A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (FLORY) (Hearing date, June 5, 1967 at 4:15 P.M.)

AMENDMENT TO SECTION 29-3-9 OF THE ZONING MAP RECOMMENDED (PLANNING COMMISSION INITIATED)

* RESOLUTION NO. 67-334
A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 29-3-9 OF THE ZONING MAP (PLANNING COMMISSION INITIATED)(Hearing date, 6/5/67 at 4:20 P.M.)

AMENDMENT TO SECTION 15-3-9 OF THE ZONING MAP RECOMMENDED (LANCE ELLIS)

* RESOLUTION NO. 67-335
A RESOLUTION SETTING TIME AND PLACE FOR PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 15-3-9 OF THE ZONING MAP (ELLIS) (Hearing date, 6/5/67 at 4:25 P.M.)

RECOMMEND AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (CITY OF MODESTO)

* RESOLUTION NO. 67-336

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (CITY OF MODESTO)(Hearing date, 6/5/67 at 4:30 P.M.

APPROPRIATION TRANSFER FOR $620, LAND EXCHANGE - JAMES PRICE

* RESOLUTION NO. 67-337

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR EXCHANGE OF LAND - DOWNEY PARK SITE ($620)

APPROPRIATION TRANSFER, $1,293, FUNDS FOR INSTALLATION OF BACK-UP WARNING DEVICES ON CITY EQUIPMENT

* RESOLUTION NO. 67-338

A RESOLUTION APPROVING APPROPRIATION TRANSFER FOR BACK-UP WARNING DEVICES ON 28 PIECES OF CITY EQUIPMENT ($1,293)

LETTER FROM JENSEN AND UNDERWOOD REQUESTING STATEMENT AS TO POSSIBLE USE OF PROPERTY NEAR MITCHELL ROAD BRIDGE

A letter from Gerald V. Underwood, Attorney, dated April 19, 1967 requesting information as to the City's continued interest in acquisition of property off Mitchell Road adjacent to the Tuolumne River for a cut and fill operation, was entered into the record of the minutes.

The City Manager reported that tests to determine the water level were being conducted by a city crew; that he would so inform Mr. Underwood.

REQUEST OF M.I.D. FOR PERMISSION TO DISPOSE OF REFUSE AT CARPENTER ROAD DUMP

A letter from Modesto Irrigation District dated April 19, 1967 requesting permission to periodically dispose of its refuse at the Carpenter Road dump, was entered into the record of the minutes.

MOTION

That the City Manager be authorized to inform the M.I.D. that the Bonzi dump is available

Moved by Smith Seconded by Mitchell Unanimously carried

REQUEST OF JOHN L. MARTIN FOR USE OF CITY DUMP SITE FOR SOUTH MODESTO CLEAN-UP BROGRAM

A letter from John L. Martin, Committeeman, Welfare Work Study Committee, dated April 27, 1967 requesting use of the Modesto city dump site for a trial project cleanup program in South Modesto, was entered into the record of the minutes.

MOTION

That the request be denied; that the South Modesto area be congratulated for its cleanup program

Moved by Shastid Seconded by Robinson Unanimously carried

REQUEST OF ATTORNEY DUNFORD FOR CHANGE IN HEARING DATE ON SEWER POND LOCATION - MAY 8 TO MAY 15

MOTION

That the date of hearing on the sewer pond location be changed from May 8 to May 15, as requested by Attorney David G. Dunford in letter dated April 27, 1967

Moved by Smith Seconded by Shastid Unanimously carried

REPORT ON ELECTRICAL CODE USED BY CITY BUILDING INSPECTION DIVISION

A memorandum from the Director of Public Works dated April 21, 1967 subject, "City Electrical Code," written in response to an appearance of Robert Ewing before the Council requesting that the 1965 electrical code be adopted in the interest of uniformity with the County, was entered into the record of the minutes and ordered filed.

RESOLUTION AUTHORIZING FILING OF REVISED APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR GRANT TO ACQUIRE OPEN-SPACE LAND FOR THE CHRYSLER NEIGHBORHOOD PARK

By order of the Chair, and with the unanimous consent of the Council, this matter was held over for one week.

REPORT FROM PARKING AND TRAFFIC DIRECTOR ON BUDGETED ITEMS TO BE DELETED 3-99

MOTION

That the deletion of budgeted items as recommended by the Director of Parking and Traffic in memorandum dated April 24, 1967 subject, "Budgeted Improvements or Items Not to be Purchased," be approved

Moved by Smith Seconded by Simon Unanimously carried

PRELIMINARY REPORT BY WILLIS & ASSOCIATES - BEAUTIFICATION OF DOWNTOWN AREA

David Coldoff, representative, Willis & Associates, displayed to the Council a drawing entitled "Master Plan - Beautification - Traffic - Parking, Willis & Associates." The plan was discussed by the Council.

Acquisition of Parking Lot - Inderbitzen property

Edward Taylor, Jr., attorney representing Louis Inderbitzen, owner of property on 9th Street between H and I Streets, 125 feet south of the corner of 9th and I Streets, said his client felt it would be extremely unfair for the City to condemn his property due to the advanced progress of his plans to build and also the length of time already given the City within which it could reach a decision to acquire the property. This matter was previously discussed by the Council at the adjourned regular meeting of April 25. Members of the Council expressed their views on the proposed acquisition.

MOTION

That the Council take no action at this time on condemnation of the Inderbitzen property; that the City Attorney work with Attorney Taylor to so locate the building on the property in line with Mr. Inderbitzen's comments to enable the City to tie together the two parking areas on either side of the proposed building

Moved by Shastid Seconded by Mitchell

The motion carried, Councilman Smith and Mayor Davies dissenting.

ABANDONMENT OF TEMPORARY ALLEY IN MONTGOMERY VILLAGE NO. 1 SUBDIVISION

Mayor Davies announced that the hour of 4:30 P.M. had arrived, the time set for consideration of the proposed abandonment of a temporary alley in Montgomery Village No. 1 Subdivision, and opened the hearing.

The City Clerk reported that notice of the hearing was published on April 6, and the property posted on April 14, 1967. No protests were filed with the City Clerk.

Planning Commission Resolution No. 67-10 recommending the abandonment of the temporary alley was entered into the record of the minutes.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 1038-S.P.
A RESOLUTION VACATING AND ABANDONING A TEMPORARY ALLEY THROUGH A PORTION OF LOT 12, BLOCK 6917 IN MONTGOMERY VILLAGE NO. 1 SUBDIVISION IN THE CITY OF MODESTO

Introduced by Shastid Seconded by Hughes Unanimously carried

HEARING, SIDEWALK REQUIREMENT, LOT 1 AND EASTERLY 5.53' OF LOT 2, BLOCK 6904 OF McHENRY VILLAGE SUBDIVISION NO. 2 (ANDERSON)

Mayor Davies announced that the hour of 4:35 P.M. had arrived, the time set for consideration of the proposed sidewalk requirement, Lot 1 and easterly 5.53' of Lot 2, Block 6904 of McHenry Village Subdivision No. 2, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on April 18, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-339
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1 AND 2, BLOCK 6904 (408 RIBIER)

Introduced by Smith Seconded by Hughes Unanimously carried

SIDEWALK REQUIREMENT, LOT 3, BLOCK 6115 OF GLENWOOD PARK (LeMAY)

Mayor Davies announced that the hour of 4:40 P.M. had arrived, the time set for consideration of the proposed sidewalk requirement, Lot 3, Block 6115 of Glenwood Park, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on April 18, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-340
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOT 3, BLOCK 6115 - 1509 MAYWOOD)

Introduced by Smith Seconded by Hughes Unanimously carried

HEARING, SIDEWALK REQUIREMENT, LOTS 3 AND 4, BLOCK 407 (MRS. VENA ARSENIO)

Mayor Davies announced that the hour of 4:45 P.M. had arrived, the time set for consideration of the proposed sidewalk requirement, Lots 3 and 4, Block 407,(Vena Arsenio) and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on April 18, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-341
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 3 AND 4, BLOCK 407 ON THE SOUTH SIDE OF SPRUCE, EAST OF MADISON)

Introduced by Smith Seconded by Hughes Unanimously carried

HEARING, SIDEWALK REQUIREMENT, LOTS 1 AND 2, BLOCK 407 (FRANK ARSENIO)

Mayor Davies announced that the hour of 4:50 P.M. had arrived, the time set for consideration of the proposed sidewalk requirement, Lots 1 and 2, Block 407 (Frank Arsenio) and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on April 18, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-342
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 1 AND 2, BLOCK 407 ON THE SOUTH SIDE OF SPRUCE (EAST OF MADISON)

Introduced by Smith Seconded by Hughes Unanimously carried

HEARING, SIDEWALK REQUIREMENT, BLOCK 927 (1004 CARVER ROAD)

Mayor Davies announced that the hour of 4:55 P.M. had arrived, the time set for consideration of the proposed sidewalk requirement, Block 927, 1004 Carver Road, Central Glass Co., and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on April 18, 1967.

Jerry Lee, Central Glass Company, said his company had no objections to installing sidewalk in front of their establishment, but requested that it not be required around a vacant lot at the corner of Carver and Princeton until such time as the property is developed.

No one else in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-343
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (BLOCK 927 ON CARVER ROAD (1004 CARVER ROAD)

Introduced by Shastid Seconded by Mitchell Unanimously carried

HEARING, SIDEWALK REQUIREMENT, LOTS 8 AND 9, BLOCK 6904 (300 RIBIER)

Mayor Davies announced that the hour of 5:00 P.M. had arrived, the time set for consideration of the proposed sidewalk requirement, at 300 Ribier, and opened the hearing.

The City Clerk reported that notice of the hearing was mailed to the property owner and the property posted on April 18, 1967.

No one in the audience asked to be heard, and the hearing was closed.

RESOLUTION NO. 67-344
A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO (LOTS 8 AND 9, BLOCK 6904, 300 RIBIER)

Introduced by Smith Seconded by Hughes Unanimously carried

MATTERS FOR THE GOOD OF THE COMMUNITY

SB-556, AB-272, AB-484 - proposed tax relief bills

John Martin, Executive Secretary, Stanislaus County Taxpayers Association, reviewed the above proposed legislative measures. He pointed out that altho the proposed bills were meant to provide tax relief, relief would be provided only through reduction of the tax rate.

Crime Stop Program - Report by Councilman Shastid

Councilman Shastid said he had ridden in a police patrol car last Saturday evening, a phase of the Crime Stop Program designed for younger people. He recommended that the other councilmen avail themselves of the opportunity to gain knowledge on how the police force operates.

Lt. Frank Clark, Police Department, recipient of Liberty Bell Award

Councilman Mitchell announced that Lt. Frank Clark, Police Department, received the Liberty Bell award given by the Stanislaus County Bar Association for his work on the Crime Stop program, and in recognition of the effectiveness of the entire Police Department.

Crime Stop Program, Article on, Western City Magazine

Councilman Mitchell announced that an article on the Crime Stop Program submitted by Police Chief Meester was published in the current issue of Western City magazine.

Frog Entry, Angels Camp Jubilee

The City Manager announced failure in attempting to obtain a frog entry for the Mayor at the Angels Camp Jubilee.

Report from Development Research Associates

The City Manager announced that a report from Development Research Associates would be presented to the Council at the May 8th meeting.

Resolution commending Peter W. Johansen

RESOLUTION NO. 67-321

A RESOLUTION COMMENDING PETER W. JOHANSEN FOR HIS DEDICATED SERVICES AND INVALUABLE CONTRIBUTION AS MAYOR OF THE CITY OF MODESTO

Introduced by Mitchell Seconded by Shastid Unanimously carried

Resolution commending William R. Patton

RESOLUTION NO. 67-322

A RESOLUTION COMMENDING WILLIAM R. PATTON FOR HIS DEDICATED SERVICES TO THE CITY OF MODESTO

Introduced by Mitchell Seconded by Shastid Unanimously carried

Introductions by Mayor

Mayor Davies introduced his sister and brother-in-law, Ralph and Ethel Hilton; sister and brother-in-law, Katherine and Frank Hoover; his wife, Grace Davies.

REPORT ON CORPORATION YARD OPEN HOUSE

MOTION

That open house at the new corporation yard be approved May 17 and 18; that the staff be authorized to spend $110 from Miscellaneous Promotions for the open house

Moved by Smith Seconded by Robinson Unanimously carried

PRESENTATION OF 1967-68 PRELIMINARY BUDGET

MOTION

That the first budget session be held Tuesday, May 23, 1967 at 4:00 P.M.; to be continued on each succeeding Tuesday and Thursday from 4:00 P.M. to 5:30 P.M. until review is complete (excepting May 30th, a holiday)

Moved by Shastid Seconded by Smith Unanimously carried

RESOLUTION NO. 67-345

A RESOLUTION SETTING TIME AND PLACE FOR CONSIDERATION OF 1967-68 PRELIMINARY BUDGET OF THE CITY OF MODESTO (May 22, 1967 at 8:00 P.M.)

Introduced by Robinson Seconded by Shastid Unanimously carried

PLANNING COMMISSION RECOMMENDATION - CAPITAL IMPROVEMENT PROGRAM, 1967-68 THROUGH 1971-72

MOTION

That the Capital Improvement Program be accepted and set for hearing following the review of the preliminary budget
Moved by Hughes Seconded by Shastid Unanimously carried

LEGISLATIVE MATTERS - None

EXECUTIVE SESSION TO CONSIDER APPOINTMENTS TO BOARDS AND COMMISSIONS

The Council went into executive session at 6:34 P.M. to consider appointments to boards and commissions, returning to regular session at 6:44 P.M.

Appointments to Committees

Council Committee appointments were announced by Mayor Davies, and a copy filed with the record of the minutes.

Appointments to Farm-City Advisory Committee

RESOLUTION NO. 67-346
A RESOLUTION APPOINTING MEMBERS OF THE FARM-CITY ADVISORY COMMITTEE

Introduced by Mitchell Seconded by Hughes Unanimously carried

(Ronald W. Berryhill, Henry Kamps reappointed for four-year term ending 5/1/71; John Funnell appointed for balance of unexpired term of Harvey Phillips, ending 5/1/70); Joe Hart appointed chairman for one-year period ending 5-1-68)

Appointments to Human Rights Commission

RESOLUTION NO. 67-347
A RESOLUTION REAPPOINTING MEMBERS OF THE MODESTO HUMAN RIGHTS COMMISSION

Introduced by Hughes Seconded by Shastid Unanimously carried

(Reappointing Robert J. Gallo, Joe Mineni, Jr., Stanley Pang, Robert Stonum for three year term expiring 5-1-70)

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Moved by Mitchell Seconded by Robinson Unanimously carried

The meeting adjourned at 6:54 P.M.

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

ps

MINUTES AND ACTION ON ITEMS ON

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 8, 1967 AT 7:30 P.M.

Roll Call PRESENT: Councilmen: Hughes, Mitchell, Robinson, Shastid,
Pledge of allegiance to the Flag Simon, Smith, Mayor Davies
~~**-Invocation:--Reverend-L.-B.-Lewis,-Bethel-Church**~~
Moment of silent prayer observed
Approval of minutes

1. **Meetings of April 24 and 25, 1967.**
   ACTION: Approved.

2. **Election of Vice Mayor.**
   ACTION: Res. 67-348 adopted electing Lawrence Robinson, Jr. (Shastid/Smith) unan. (Clerk to handle)

Correspondence, petitions and remonstrances

3. **Mayor to present Charter to Law Enforcement Explorer Post #219.**
   ACTION: Scout Executive Robert Hoffman presented charter to Mayor Davies who in turn presented same to Officer Tollefson of the Modesto Police Dept.

4. **Application of Willis M. Kleinenbroich for permit to operate buses in Modesto.**
   ACTION: Held over until May 22, 1967.

CONSENT ITEMS REQUIRING RESOLUTION: Items 5, 6, 19, 20, 21(a), 21(b), 21(c), 21(d), 21(e), 24, 27.
ACTION: (Shastid/Mitchell) unan.
CONSENT ITEMS REQUIRING MOTION: Items ~~22~~, 26
ACTION: (Hughes/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)

Bids
CONSENT

5. **Approve plans and specifications and call for bids for improvement of Tully Road from Bowen Avenue to Standiford Avenue.**
   (Bid opening date, May 31, 1967 at 2:00 P.M. Tully Road is part of the Select Street System and will be financed from State Gas Tax Funds and Special Fund for Capital Outlay. Resolution approving plans and specs. needed. Funds budgeted in Account 6706-321, and 6706-207, Tully Road, Bowen to Standiford (Total budgeted, $110,500). Balance of funds to be requested later from Fund No. 207, General Reserve)
   ACTION: Res. 67-349 adopted approving plans & specs. and setting time for bid opening (City Clerk & P/W to handle).

CONSENT

6. **Consider award of bid for improvement of Franklin Street between Maze Boulevard and Paradise Road.**
   (Bids were opened May 2. The low bid submitted by George Reed,Inc., 0.8% 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 $69,000 (Contract $61,407.20; Eng. $7,593). Funds budgeted in Accounts 6653-207 and 6653-321, Franklin-Paradise to Maze)
   ACTION: Res. 67-350 adopted awarding contract (P/W to handle).

5/8/67

7. **Consider authorizing staff to obtain informal bids for street sweeper.**
(Memorandum of explanation with agenda. Resolution authorizing staff to obtain informal bids needed. Estimated cost $14,600; funds budgeted in Account 5411-48-512, Street Sweeper Replacement, p. 65)
ACTION: Res. 67-351 adopted authorizing staff to submit informal bids. (Shastid/Robinson) unan. (P/W to handle).

Hearings

8. **Report by State Cooperative Services on salary survey.** 7:35 PM
(Information with agenda)
ACTION: By motion (Mitchell/Shastid) unan. referred to Personnel Commission and C/Mgr. authorized to release report. (C/Mgr. to handle)

9. **Application for Franchise, Modesto & Empire Traction Co.** 7:45 P.M.
(Information with agenda)
ACTION: Ord. 828-C.S. adopted awarding franchise (Hughes/Mitchell) unan. (C/Clerk to handle)

10. **Rezoning Section Map 22-3-9 from R-1 to P-D(30), Stanislaus Medical Building Corporation.** 8:00 P.M.
(Information with agenda)
ACTION: Ord. 829-C.S. adopted rezoning area (Shastid/Hughes) unan. (Clerk to handle);
Res. 67-352 adopted approving development plans (Shastid/Robinson)unan.

11. **Appeal of G.Robert Jensen to variance granted Wolverine Building Service (Brighton and Wylie Drive)** 8:15 P.M.
(Information with agenda)
ACTION: Res. 67-353 adopted denying appeal and upholding Bd. of Zoning Adjustment decision (Robinson/Mitchell - majority - Shastid & Smith no) (C/Atty to handle).

12. **Sidewalk requirement, 178 No. Santa Ana (Bennett)** 8:45 P.M.
ACTION: Res. 67-354 adopted ordering work done (Hughes/Robinson)unan. (P/W to handle).

~~13. Sidewalk requirement, 132 No. Santa Ana (Woods) 8:55 P.M.~~
ACTION: Withdrawn.

14. **Curb, gutter and sidewalk, 545 Terminal (Ewer)** 9:00 P.M.
ACTION: Res. 67-355 adopted ordering work done (Hughes/Robinson)unan. (P/W to handle).

15. **Sidewalk requirement, Coldwell at N/E corner of Myrtle (Ward)** 9:05 P.M.
ACTION: Res. 67-356 adopted ordering work done (Hughes/Robinson)unan. (P/W to handle).

16. **Curb, gutter and sidewalk requirement, 224 Vine (Worley)** 9:10 P.M.
ACTION: Res. 67-357 adopted ordering work done (Hughes/Robinson)unan. (P/W to handle).

~~17. Curb and gutter requirement, Vine St. (N/E corner of Jefferson (Gamble) 9:15 P.M.~~
ACTION: Withdrawn.

Matters for the good of the community
(These may be presented by citizens in the audience) 9:20 P.M.
Councilman Smith read a letter from Francis Ruggieri urging acquisition of area from H to K between 9th and the alley between 9th & 10th for off-street parking. Possible condemnation of the Inderbitzen property on 9th Street was discussed. This entire matter will be considered at meeting of 5/22 at informal hearing on report from Downtown Research Associates. Councilman

5/8/67

Mitchell requested a report on money available for acquisition of parking areas.

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

Old business

18. **Resolution authorizing filing of revised application with the Department of Housing and Urban Development for grant to acquire open-space land for Chrysler Neighborhood Park.**
(Continued from May 1 meeting)
ACTION: Res. 67-358 adopted authorizing filing. (P & R to handle)
(Robinson/Shastid - majority - Hughes, no)

New business
CONSENT

19. **Consider agreement with Pacific Investment Company and Precision Materials Co. for improvement of Tully Road from Woodrow Avenue to Standiford Avenue.**
(Memo with agenda. Resolution approving agreement needed)
ACTION: Res. 67-359 adopted approving agreement (P/W to handle).

CONSENT

20. **Consider request from Division of Highways for water service to landscaping on the Modesto Freeway.**
(Memo with agenda. Resolution needed)
ACTION: Res. 67-360 adopted establishing rate of $.65 per 1,000 cubic feet of water (C/Mgr. & Finance 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 Supt. of Streets to post the property. Resolutions setting hearings needed. Suggested hearing date for all properties May 22, 1967 at 8:15 P.M.)

CONSENT

(a) Curb and Gutter, 614 Sierra Drive, Lots 8 and 9, Block 319, (Paul Robertson)
ACTION: Res. 67-361 adopted setting hearing (P/W to handle).

CONSENT

(b) Sidewalk, College Ave. at 1101 Cornell Ave., Lot 1, Block 6049 (Hermanson)
ACTION: Res. 67-362 adopted setting hearing (P/W to handle).

CONSENT

(c) Curb, gutter and sidewalk, Lot 1, Block 101, SW corner "E" St. at 14th St. (R. J. Gallo)
ACTION: Res. 67-363 adopted setting hearing (P/W to handle).

CONSENT

(d) Sidewalk, 225 Oak Street, Lots 1 and 2, Block 413 (A. L. Reed)
ACTION: Res. 67-364 adopted setting hearing (P/W to handle).

CONSENT

(e) Sidewalk, 213 Oak St., Lots 7 and 8, Block 413 (Vasquez)
ACTION: Res. 67-365 adopted setting hearing (P/W to handle).

5/8/67

Reports

CONSENT

22. Quarterly report (Jan., Feb., March, 1967) from Greater Modesto Chamber of Commerce, as per agreement with City. (Motion accepting report needed)
ACTION: By motion (Mitchell/Shastid)unan. report accepted. Chamber of Commerce to be asked to fully cooperate in downtown development plans (C/Mgr. to handle).

23. Report from Development Research Associates.
ACTION: Report received and 5/22/67 @ 7:30 P.M. set for informal hearing.

CONSENT

24. Report on application to transfer license to collect garbage. (Modesto Garbage Company.)
(Memo with agenda. Resolution setting public hearing needed. Suggested date, May 15, 1967 at 4:30 P.M.)
ACTION: Res. 67-366 adopted setting hearing (Clerk to handle).

25. Report on Tuolumne River Park (landscape architect).
ACTION: Report made by Councilman Mitchell. Architects to be interviewed by Study Committee. No Council action needed at this time.

CONSENT

26. Presentation of financial statement for April 30, 1967.
(Copies of report with agenda)
By motion (Hughes/Shastid) unan. statement accepted.

Reports from the Planning Commission

(a) None

CONSENT

27. Appropriation transfers
(a) Request for appropriation transfer of $717 for 1966-67 personnel budget.
(An additional amount of $717 is needed in the Personnel budget: ($491 in Account 110 (Salaries and Wages) due to replacing a secretary at a higher rate of pay and for cost incurred in termination pay to the Personnel Assistant who resigned; and $226 in Account 230 (Advertising) due to unanticipated recruitment activity. Resolution needed)
ACTION: Res. 67-367 adopted authorizing transfer (Finance to handle).

Miscellaneous

28. Legislative matters. None

(a) Letter from City of Rohnert Park on SB 723 (Appointive City Treasurers)
No action.

29. NOTICE - Youth in Government Day will be observed May 16, 1967.

ADJOURNMENT

(Robinson/Shastid) unan.

11:35 P.M.

ATTEST: W. T. Chynoweth 5/8/67
W. T. CHYNOWETH
City Clerk

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 15, 1967 AT 4:00 P.M.

Roll Call PRESENT: Councilmen: Mitchell, Simon, Smith, Vice Mayor Robinson (Hughes arrived at 4:25 P.M.)
ABSENT: Councilmen: Shastid, Mayor Davies

Pledge of allegiance to the Flag

Invocation: ~~R. E. Patterson, Chaplain, Scenic General Hospital~~
Moment of silent prayer

Approval of minutes

1. **Meetings of February 20 & 27 and May 1 & 8, 1967.**
Minutes approved - new style minutes approved.

CONSENT ITEMS REQUIRING RESOLUTION: Items 2, 4, 8, 9, 11, 12, 13, 14, 15, 16, 24, 25, 26, 27, 30(a), 30(b), 30(c), 31, 33, 34, 41, 42, 43, 44, 45.
ACTION: (Smith/Mitchell/unan.)
Absent: Hughes, Shastid, Mayor Davies

(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)

Correspondence, petitions and remonstrances

CONSENT

2. **Letter of resignation from W. T. Rademaker, Committee to Study Crime. (Info. with agenda) (Resolution thanking Mr. Rademaker needed).**
ACTION: Res. 67-368 adopted thanking Mr. Rademaker (Clerk to handle).

~~CONSENT~~

3. **Request of Fourth of July Committee for donation of $750.00. Motion authorizing payment needed. (Info. with agenda)**
ACTION: By motion (Mitchell/Simon/unan.) payment authorized (Finance to handle).

CONSENT

4. **Request of Fourth of July Committee for usual assistance in connection with celebration. (Info. with agenda) Resolution granting request needed.**
ACTION: Res. 67-369 adopted granting request (C/Mgr. to handle).

5. **Tabulation showing the April, 1967 apportionment of 1.04¢ gas tax funds (Info. with agenda) No action needed; for information only.**
No action needed.

6. **Tabulation showing apportionment of 0.725¢ gas tax funds for quarter ending March 31, 1967. (Info. with agenda) No action needed; for information only.**
No action needed.

7. **Resolution of Board of Supervisors recommending that either City or County assume complete responsibility for operating and improving Modesto City-County Airport beginning with fiscal year 1967-68. (Info. with agenda)** ACTION: By motion (Smith/Simon/unan.) referred to Public Relations Committee for review and study (C/Mgr. to handle).

CONSENT

8. **Request for variance by Stanislaus Food Products Co.. (Info. with agenda) Resolution setting hearing needed. (Suggested hearing time: 5/22/67 @ 7:40 P.M.)**
ACTION: Res. 67-370 adopted setting hearing (Clerk to handle).

5/15/67

Bids

CONSENT

9. Approve plans and specifications and call for bids for installation of automatic sprinkler system at Beard Brook Park. (Bid opening date, May 31, 1967 at 10:00 A.M. Resolution approving plans and specifications needed. Funds budgeted in Account No. 6324-31-321, Beard Brook Park, sprinkler system.
ACTION: Res. 67-371 adopted approving plans & specs. and calling for bids (Clerk and P & R to handle).

10. Consider award of bid for construction of one ten-unit "T" hangar at the Modesto City-County Airport. (Info. with agenda)
(Bids were opened on May 9, 1967. The low bid submitted by Lloyd Pipes Construction Company, which is 1.0% 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 $34,000 (Contract $28,715; Engr., Lighting & Paving $5,285). Funds budgeted in Account No. 6528, Ten-Unit "T" Hangar)
ACTION: Res. 67-372 adopted awarding bid and finding that bid requirements have been met and minor variations from call for bids waived (Mitchell/Smith/unan.) (Hughes, Shastid & Mayor Davies absent) (P/W to handle).

CONSENT

11. Approve plans and specifications and call for bids for installation of water lines in Tully Road between Woodrow and Standiford Avenues. (Bid opening date, May 31, 1967 at 10:10 A.M. Resolution approving plans and specifications needed. Funds budgeted in Account No. 6804-50-101, Water Line Extensions, Page 45.
ACTION: Res. 67-373 adopted approving plans & specs. and calling for bids (Clerk and P/W to handle).

CONSENT

12. Approve plans and specifications and call for bids for replacing Cavil Drain Crossing on Coffee Road south of Ensenada Drive. (Info. with agenda)
(Bid opening date, May 31, 1967 at 2:30 P.M. Resolution approving plans and specifications and calling for bids needed. Funds budgeted in Account No. 6647-321, Miscellaneous Right of Way Improvements.
ACTION: Res. 67-374 adopted approving plans & specs. and calling for bids (Clerk and P/W to handle).

CONSENT

13. Approve plans and specifications and call for bids for the installation of mercury vapor lights in various City parks. (Bid opening date, May 31, 1967 at 10:20 A.M. Resolution approving plans and specifications and calling for bids needed. Funds to be requested later from Fund No. 321, Contingency Reserve. Transfer will be requested at time bid is awarded.
ACTION: Res. 67-375 adopted approving plans & specs. and calling for bids (Clerk and P/W to handle).

CONSENT

14. Approve plans and specifications and call for bids for furnishing and installation of one deep well water pumping unit with electrical equipment and one auxiliary gas engine for Pump Station No. 33. (Bid opening date, June 6, 1967 at 10:00 A.M. Resolution approving plans and specifications and calling for bids needed. Resolution approving appropriation transfer needed. Funds budgeted in Account No. 6803, $12,500, New Well, Pump Sta. #33. Appropriation transfer, $12,500 needed to complete project. (info. with agenda).
ACTION: Res. 67-376 adopted approving plans & specs. and calling for bids (Clerk and P/W to handle).
Res. 67-376(a) adopted approving appropriation transfer.

5/15/67

CONSENT

15. Consider award to low bidder Munn & Perkins, OrangeBlossom, Inc., for annual requirements for crushed rock screenings and authorize purchases as needed. Tabulation attached. Resolution awarding bid needed. Estimated cost, $7,000.00. Funds budgeted in Account No. 321-51-101, Page 46, Construction material, streets.
ACTION: Res. 67-377 adopted awarding bid (Finance to handle).

CONSENT

16. Consider award to low bidder George Reed, Inc. for annual requirements of liquid asphalt and authorize purchases as needed. Tabulation attached. Resolution awarding bid needed. Estimated cost, $26,000. Funds budgeted in Account No. 321-51-101, Page 46, Construction Material, Streets.
ACTION: Res. 67-378 adopted awarding bid (Finance to handle).

Hearings

17. Curb and gutter requirement, Blk. 738, 606 W. Roseburg (Aurenheimer) 4:15 P.M.
ACTION: Res. 67-379 adopted ordering work done (Smith/Mitchell/unan) (Shastid, Mayor Davies absent) (P/W to handle).

18. Sidewalk requirement, Lot 8, Blk. 830, W. Roseburg at 1130 Amhurst (Berry) 4:20 P.M.
ACTION: By motion (Hughes/Mitchell/unan.) action withheld for one week to permit staff to obtain more info. on this property (P/W to handle).

19. Curb, gutter & sidewalk requirement, Lot 1, Blk. 6007, 719 W. Roseburg (Johansen) 4:25 P.M.
ACTION: Res. 67-380 adopted ordering work done (Smith/Mitchell/unan.) (Shastid, Mayor Davies absent) (P/W to handle).

20. Hearing on application to transfer Modesto Garbage Co. license 4:30 P.M.
ACTION: Res. 67-381 adopted approving transfer (Hughes/Simon/unan.) (Shastid, Mayor Davies absent) (C/Atty and Clerk to handle).

21. Informal hearing on objections to location of proposed sewer ponds 4:45 P.M.
ACTION: Testimony and exhibits (pictures and marked map) received. Objectors assured that consideration will be given to points they have made.

Matters for the Good of the Community 5:00 P.M.
(These may be presented by citizens in the audience)

The Central Labor Council requested the Council to:

1. Prevail upon the Governor to start immediately the new building program for the Modesto State Hospital.
2. Encourage any other State or Federal projects which might have been planned for this area.
3. Recommend that Unemployment Insurance be extended in this area at this time for temporary relief.

It was pointed out that #3 is not possible at this time.

The Public Relations Committee was requested to look into the availability of funds for the State Hospital building program.

5/15/67

Ordinances

22. Adoption of Ordinance 828-C.S. (Modesto & Empire Traction Co. franchise)

(This ordinance has been published as required and is ready for adoption. Motion with roll call vote needed.
ACTION: Ordinance 828-C.S. adopted. (Smith/Simon/unan.)
(Hughes, Shastid, Mayor Davies absent).
(City Clerk to handle)

Old Business

23. Presentation of the Official Statement on the 1967 Sewer Bonds of the Modesto Municipal Sewer District No. 1.
No action needed. Placed in Official Records.

CONSENT

24. Accept as complete Gib Goodrum's contract for reconstruction of curb, gutter and sidewalk at various locations. 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 a Notice of Completion needed. Actual cost: $13,705.40. Funds budgeted in Account No. 6716-321, Curb & Gutter Repair.
ACTION: Res. 67-382 adopted accepting contract (Clerk to handle).

CONSENT

25. Resolutions amending Resolutions 67-295, 67-296, 67-297, and 67-298, establishing water rates for City Schools. Memo with agenda. 67-383(a), 67-383(b), and 67-383(c)
ACTION: Res. 67-383/adopted amending resolutions (Clerk to handle).

CONSENT

26. Resolution rescinding Resolution No. 67-327 to provide for re-setting the hearing for submitting protests to June 12, 1967, at 8:15 P.M. and declaring the intention of the Council of the City of Modesto to call a special election to annex the territory known as Sunrise Addition to the City. (This resolution will rescind Resolution No. 67-327 which originally set the hearing for May 22, 1967, at 7:45 P.M. and will reset the hearing for June 12, 1967 at 8:15 P.M.) Adoption of resolution needed.
ACTION: Res. 67-384 adopted rescinding Res. 67-327 and setting 6/12/67 at 8:15 P.M. as time for hearing (Clerk to handle).

New Business

CONSENT

27. Consider request for sewer service to property at 1318 Garden Ave., 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. 67-385 adopted approving agreement (P/W and Clerk to handle).

28. Letter from Salvation Army requesting use of West Side Park. The Salvation Army is requesting permission to conduct their Sunday evening services in West Side Park from June 18 to July 30, 1967. Motion directing staff needed.
ACTION: Held over for one week.

5/15/67

29. Consider approval of contract with U. S. Dept. of Agriculture, Agricultural Research Service, for rental of portion of garage at Fire Station No. 3 located at 416 Downey Ave. This is a renewal contract inasmuch as this property has been leased to the U. S. Department of Agriculture for the last several years for one-year periods. The present contract expires June 30, 1967, and the request is that the City renew the agreement for the period July 1, 1967 through June 30, 1968. The rental will be the same as in the past, $10.00 per month. Either party can terminate by giving 15 days' written notice. Adoption of resolution approving contract and authorizing execution needed.

ACTION: Res. 67-386 adopted approving agreement (Hughes/Mitchell/ unan.) (Shastid, Mayor Davies absent) (C/Atty to handle).

CONSENT

30. 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 Supt. of Streets to post the property. Suggested hearing date, June 5, 1967 at 4:35 P.M.)

CONSENT

(a) Sidewalk, Curb and Gutter on Second Street at 201 "I" Street (Calvary Temple of God in Christ) Resolution needed.

ACTION: Res. 67-387 adopted setting hearing (P/W to handle). (Hearing date: 6/5/67 at 4:35 P.M.)

CONSENT

(b) Sidewalk, Curb and Gutter on La Loma at Southeast corner of El Rio, Lot 7, Block 235 (Clark) Resolution needed.

ACTION: Res. 67-388 adopted setting hearing (P/W to handle). (Hearing date: 6/5/67 at 4:35 P.M.)

CONSENT

(c) Sidewalk, Curb and Gutter at 229 Bodem Street, Lots 16 & 17, Block 590 (Peck) Resolution needed.

ACTION: Res. 67-389 adopted setting hearing (P/W to handle). (Hearing date: 6/5/67 at 4:35 P.M.)

CONSENT

31. Consider request for sewer service to property at 909 Sutter Avenue located on the East side of Sutter between Figaro and Pelton. (The property owner has signed an agreement to annex when requested to do so by City. The property is continguous to the City; however a line must be extended to serve the property at the owner's expense. No City Funds required.) Resolution approving agreement needed.

ACTION: Res. 67-390 adopted approving agreement (P/W to handle).

32. Resolution authorizing execution of contract for Federal Grant for Urban Beautification and Improvement for the year 1966-67. (This contract is offered by the Department of Housing and Urban Development as a result of an application made by the City for beautification funds. Memo with agenda.) Resolution authorizing City Manager to sign the agreement needed.

ACTION: Res. 67-391 adopted authorizing C/Mgr to sign agreement (Smith/Mitchell - majority -) (Hughes no) (Shastid, Mayor Davies absent)

CONSENT

33. Consider installation of larger lighted "No Right Turn" signs at 9th and B Streets. (There are 3 neon "No Right Turn" signs at this intersection that are activated by trains so that motorists are warned not to make a right turn head-on into a train. The P. U. C. has recommended that the neon signs that have 4" letters be replaced with larger signs. The State has agreed to pay half the total estimated

5/15/67

33 (continued)

cost of $1200 of installing larger signs with 8" letters. The P. U. C. may reimburse the City for half the City cost leaving a net cost to the City of $300.) Resolution approving installation of signs; Resolution approving appropriation transfer needed. (Info. with agenda)

ACTION: Res. 67-392 adopted approving installation (P & T to handle)
Res. 67-393 adopted approving appropriation transfer (Finance to handle).

CONSENT

34. Consider approval of right of way contract for acquisition of right of way from Alex Jacobs, Sr. et ux for widening of Yosemite Boulevard, Parcel No. 47. The parcel is located on the north side of Yosemite - 1503 Yosemite, and is occupied by Frantz Miracle Filter Center.
(Alex Jacobs, Sr. et ux., have dedicated property for the widening of Yosemite Boulevard. The right of way contract provides that as consideration for said dedication the City shall pay all title, transfer, and escrow fees incurred in the transaction.) Resolution approving right of way contract needed.
ACTION: Res. 67-394 adopted approving contract (C/Mgr to handle).

35. Consider approval of right of way contract for the acquisition of right of way from Agnes C. Huffman for extension of Briggsmore Avenue, immediately east of McHenry Avenue.
(Agnes C. Huffman has executed a right of way contract with the City and has executed a grant deed whereby the City will acquire right of way for the extension of Briggsmore, immediately east of McHenry Avenue.) Resolution approving right of way contract needed. Resolution approving appropriation transfer may be needed. Estimated cost: $14,250.
ACTION: Res. 67-395 adopted approving contract (C/Mgr to handle); Res. 67-396 adopted authorizing transfer of funds (Finance to handle). Vote on both Res.: (Hughes/Smith/unan.)

Reports

36. Report - location of Senior Citizens Center (Shastid/Mayor Davies absent).
(Oral report to be made at meeting.)
ACTION: By motion (Hughes/Mitchell/unan.) informal hearing set for 6/5/67 at 5:15 P.M.

37. Report on requirements established by the Central Valley Regional Water Quality Control Board for discharges from City of Modesto sewage disposal system.

(An oral report will be made at the meeting.)
No action.

38. Report on sale of scrap metal to Modesto Junk Co., resulting in revenue to General Fund in the amount of $1,693.35.

(Memo. sent with agenda)
No action.

39. Activity report - March and April, 1967 from Fire Chief, C. Wayne Everett

(Info. sent with agenda)
No action.

39A. Report on Crime Index for April, 1967.

(Memo. sent with agenda)
ACTION: By motion (Hughes/Simon/unan.) C/Atty directed to prepare report on possibility of Cities sharing in money received for autos seized in connection with narcotics arrests (C/Atty to handle). Chief Meester and entire Police Dept. commended for work on narcotics. 5/15/67

Reports from the Planning Commission

40. Request appointment of Council and Planning Commission members to committee to discuss prezoning policy with County officials.

(The County Board of Supervisors has requested through the County Planning Director that a committee composed of two members from the City Council, two members from the Planning Commission, two members of the Board of Supervisors, two members of the County Planning Commission, plus the Planning Directors of both City and County, meet to discuss the City's prezoning policy and various prezoning applications. This request was stimulated by the recent action of the County Planning Commission in regard to establishing protective zones on about 900 acres east of Coffee Rd. Appointment of the Council and Planning Commission members to this committee is requested. Meeting for May 23, 1967 requested by County) Motion needed.

ACTION: Simon and Smith appointed to represent Council. Chairman of Planning Commission requested to name two members of P/C. May 23 meeting to be at 2:00 P.M. (Planning to handle).

CONSENT

41. Greenwood Estates #2 Addition Petition - For Referral to Planning Commission.

Resolution referring to Planning Commission needed.
ACTION: Res. 67-397 adopted referring to P/C (Planning to handle).

CONSENT

42. Downey Park #4 Addition Petition - For Referral to Planning Commission.

Resolution referring to Planning Commission needed.
ACTION: Res. 67-398 adopted referring to P/C (Planning to handle).

CONSENT

43. Woodrow #2 Addition Petition - For Referral to Planning Commission.

Resolution referring to Planning Commission needed.
ACTION: Res. 67-399 adopted referring to P/C (Planning to handle).

CONSENT

44. McWilliams Addition Petition - For Referral to Planning Commission.

Resolution referring to Planning Commission needed.
ACTION: Res. 67-400 adopted referring to P/C (Planning to handle).

Appropriation Transfer
CONSENT

45. Transfer funds to purchase 161 parking meters from City of Fairfield.

(Info. with agenda.) Resolution approving appropriation transfer needed. Cost: $3,256.71.
ACTION: Res. 67-401 adopted approving appropriation transfer (Finance to handle).

Miscellaneous

Legislative Matters - ACTION: The L. A. City Council reported by letter on a bill which would remove local control as far as zoning in connection with rock, sand and gravel operations. As this does not affect Modesto, no action was taken.

ADJOURNMENT

Upon motion by Simon, seconded by Smith, the meeting was adjourned at 6:05 P.M.

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

5/15/67

MINUTES AND ACTION AGENDA

CITY OF MODESTO COUNCIL MEETING OF MONDAY, MAY 22, 1967, AT 7:30 P.M.

Roll Call: PRESENT: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies

ABSENT: Councilmen: None

Pledge of allegiance to the Flag

Invocation: Rev. George De Weese, First Presbyterian Church

Approval of minutes

1. Meeting of May 15, 1967
   ACTION: Approved as distributed.

CONSENT ITEMS REQUIRING RESOLUTION: Items 5, 6, 7, 24, 26, ~~27~~, 28, 29, 30(a), 30(b), ~~30(c)~~, 30(d), 31(a), 31(b), ~~31(c)~~, 31(d), 31(e), 35, 36, 37, 38, 39, 40, 41, 42, 43

ACTION: Hughes/Robinson-unan-all present.

CONSENT ITEMS REQUIRING MOTION (Roll Call vote required): Items 16, 17, 19

ACTION: Hughes/Robinson-unan-all present.

(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)

Correspondence, petitions and remonstrances

2. Request of Church of Jesus Christ for use of Mancini Bowl on July 1, 1967 from 6:00 P.M. to 9:00 P.M. for Youth Organization Conference. (Info. with agenda)

   ACTION: By motion (Hughes/Mitchell-unan) request granted (P & R to handle).

3. Letter from Vice President Hubert H. Humphrey requesting appointment of Council on Youth Opportunity.

   ACTION: By motion (Smith/Robinson-unan) Human Rights Commission appointed as Council on Youth Opportunity.

4. Letter from Southern Pacific Co. re Depot Parking Lot.

   ACTION: By motion (Mitchell/Smith-majority) Staff directed to negotiate for lease which will be amortized in 4 years with So. Pacific Co. doing certain grounds maintenance (P & T to handle).

Bids

CONSENT

5. Consider approval of specifications No. I-67 and call for bids to be opened on June 12, 1967 at 2:00 P.M. for annual requirements of pipe for water works commencing July 1, 1967. Resolution approving specifications needed. Funds budgeted in Account No. 438-512, Revolving Fund. Not shown in budget. Ultimately used in water line extensions 6804-50-101 and new service 5301-50-101, Page 42, Prel. Budget.

   ACTION: Res. 67-402 adopted approving specs. and calling for bids (Clerk and Finance to handle).

CONSENT

6. Approve plans and specifications for furnishing and installing softball lighting system at Beard Brook Park. Suggested bid opening date: June 6, 1967 at 10:10 A.M. This provides for the replacement of the existing lights with new poles, luminaires, underground electrical circuits and control equipment. Resolution approving plans and specifications and calling for bids needed. Funds budgeted in Account No. 6294-321, Beard Brook Park - Lights Softball Field. Funds to be requested later from Fund No. 6293, Beard Brook Park, Pave Parking Area. Parks Department to prepare appropriation transfer after bids are opened.

ACTION: Res. 67-403 adopted approving plans and specs. and calling for bids (Clerk and P/W to handle).

CONSENT

7. Approve plans and specifications for resurfacing various city streets and paving a portion of the Del Webb Field parking area. (The streets to be resurfaced are Princeton Avenue, Tully Road to Virginia; Burney Street from LaLoma to Jennie Street; College Ave. from Briggsmore Ave. to Davis Community Park Site; Judith Lane from McHenry Ave. to June Dr.; Kearny Avenue from Coldwell Ave. to Roseburg Ave. At the Del Webb Field parking area approximately 73,800 SF are to be resurfaced.) Resolution approving plans and specifications and calling for bids needed. Funds budgeted in Account No. 321-51, Construction Materials; Account No. 6350-321, Del Webb Field - Pave Parking Area.

ACTION: Res. 67-404 adopted approving plans and specs. and calling for bids (Clerk and P/W to handle).

Hearings

8. Hearing on request of Stanislaus Food Products Co. for variance 7:40 P.M.

ACTION: Res. 67-405 adopted (Hughes/Shastid-unan) granting request subject to conditions recommended by P/W (P/W to handle).

9. Hearing on 1967-68 Preliminary Budget 8:00 P.M.

NO ACTION TAKEN.

10. Curb and gutter requirements, Lots 8 & 9, Blk. 319, 614 Sierra Drive (Robertson) 8:15 P.M.

ACTION: Res. 67-406 adopted (Smith/Mitchell-unan) ordering work done (P/W to handle).

11. Sidewalk requirement, Lot 1, Blk. 6049, College at 1101 Cornell (Hermanson) 8:15 P.M.

WITHDRAWN.

12. Sidewalk, curb and gutter requirement, Lot 1, Blk. 101, SW corner of E at 14th (Gallo) 8:15 P.M.

ACTION: Res. 67-407 adopted ordering work done (Smith/Mitchell-unan) (P/W to handle).

13. Sidewalk requirement, Lots 1 & 2, Blk. 413, 225 Oak (Reed) 8:15 P.M.

ACTION: Res. 67-408 adopted ordering work done (Smith/Mitchell-unan) (P/W to handle).

14. Sidewalk requirement, Lots 7 & 8, Blk. 413, 213 Oak (Vasquez) 8:15 P.M.

ACTION: Res. 67-409 adopted (Smith/Mitchell-unan) ordering work done (P/W to handle).

15. Informal hearing on Downtown Plan 8:20 P.M.
(Also report on parking leases and finances)

ACTION: John Hoge, Chairman of Downtown Improvement District, offered the services of the D.I.D. to provide the necessary leadership in promoting the Downtown Plan. Mayor Davies accepted this offer and requested that five members of the Chamber of Commerce and five members of the property owners' association assist the D.I.D. Assistance of City staff also promised.

Matters for the Good of the Community
(These may be presented by citizens in the audience)

The Home Builders Association expressed concern over remarks supposedly made by Mayor Davies concerning the ethics of builders and developers. Several councilmen pointed out that the Mayor's remarks had been justified. The Mayor stated that he had not made a blanket condemnation but his words applied only to those who used unethical tactics.

Res. 67-410 adopted accepting Bibens Nursery's contract for installation of automatic sprinkler system in Whitmore Park (Shastid/Hughes-unan) (Clerk to handle).

Res. 67-411 adopted approving $258.53 additional funds for payment of above contract. (Shastid/Hughes-unan) (Finance to handle).

Councilmen requested by Mayor to furnish Clerk with vacation schedules for balance of year.

By motion (Robinson/Hughes-majority) proposed amendment to Sec. 10-2.70 of Modesto Municipal Code relating to Multiple Family Residential Zone referred to Planning Commission (Planning to handle).

By motion (Mitchell/Shastid-unan) staff directed to prepare agreement whereby Louis Inderbitzen will grant easement over rear of his property on 9th Street to City for parking lot access.

CONSENT

16. Adoption of Ord. 829-C.S. (Stanislaus Medical Group rezoning) (This ordinance has been published as required and is ready for adoption. Motion with roll call vote needed.)

ACTION: Ord. 829-C.S. adopted (Clerk to handle).

CONSENT

17. An Ordinance amending Ord. No. 827-C.S., entitled "An Ordinance Annexing Uninhabited Territory Known as North 99 No. 2 Addition to the City of Modesto," to amend Section 3 thereof. (Info. with agenda). Introduction of Ordinance needed.

ACTION: Ord. 830-C.S. introduced (Clerk to handle).

18. Proposed amendment to Business License section of the Code (Info. with agenda).

ACTION: Ord. No. 831-C.S. introduced (Shastid/Simon-unan) (Clerk to handle).

CONSENT

19. Ordinance designating speed limits on City-County portions of Coffee Rd., Standiford Avenue and Rose Avenue. Motion with Roll Call vote needed. (Info. with agenda)

ACTION: Ord. 832-C.S. introduced (Clerk to handle).

Old Business

20. Request of Salvation Army for use of West Side Park.

ACTION: By motion (Hughes/Smith-majority) request granted provided that Salvation Army pays any costs (P & R to handle).

21. Application of Willis Kleinenbroich for permit to operate buses.

ACTION: Res. 67-412 adopted (Shastid/Robinson-majority-Hughes & Simon-no) granting franchise to June 5, 1968. (P & T and Clerk to handle).

22. Agreement between City of Modesto and Thousand Oaks Subdivision Committee providing for developing Thousand Oaks Park as a nature park. Copies of the proposed agreement have been transmitted to the Mayor and City Councilmen for their information and study prior to the meeting. Adoption of Resolution approving agreement needed.

ACTION: Res. 67-413 adopted (Hughes/Smith-unan) approving agreement (City Clerk and P & R to handle).

23. Further consideration of sidewalk requirement, Lot 8, Blk. 830, West Roseburg at 1130 Amhurst (Berry).

ACTION: By motion (Smith/Mitchell-majority) matter tabled indefinitely.

New Business

CONSENT

24. Public hearing to be held jointly with Division of Highways regarding revised plans for Jennie, Burney, D Streets area. (Division of Highways has set June 12, 1967 at 8:00 P.M. as the date of hearing to be held in the Council Chambers, City Hall. It is suggested that the Council hold a public hearing on this subject concurrently with the State.) Resolution setting hearing needed.

ACTION: Res. 67-414 adopted setting hearing (Clerk to handle).

25. Consideration of request of Modesto Cabulance for permission to provide transportation for Cal-Med patients. (A letter by Modesto Cabulance and a report by the Director of Parking and Traffic with agenda.) Motion directing the staff needed.

ACTION: By motion (Shastid/Robinson-unan) applicant permitted to obtain business license with understanding that regulations for this type of activity may be adopted soon. Staff to return with reasonable regulations but no fees (P & T to handle).

CONSENT

26. Consider Personnel Commission's recommendation relative to a reduction in work week for Fireman from 67.2 to 63 hours per week, as requested by the Firefighters' Association. (Info. with agenda - approval of this matter would require an amendment to Personnel Rule 13.1(b), Hours of Work) Motion to review when supplemental budget requests are considered needed.

ACTION: By motion (Hughes/Robinson-unan) staff directed to present recommendation when supplemental budget requests are considered (C/Mgr. to handle).

CONSENT

27. Application of Post Houses, Inc., 701 - 10th Street, for license to operate amusement machines. (Section 4-1.105 of the Municipal Code provides that applications for licenses to operate amusement machines shall be referred to the Chief of Police for investigation, examination and report to the Council. A copy of the report of the Chief of Police relating to the application of Post Houses, Inc. is being forwarded to the Council with the agenda.) Resolution approving application needed.

DROPPED AT REQUEST OF APPLICANT

CONSENT

28. Consider request for sewer service to property at 238 E. Roseburg Avenue located on the south side of Roseburg between McHenry Avenue and Nelson Avenue. (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. No City funds required.) Resolution approving agreement needed.

ACTION: Res. 67-415 adopted approving agreement (P/W to handle).

CONSENT

29. Approve budget proposal for state-allocated engineering funds for City streets pursuant to Section 2107.5 of the Streets and Highways Code. (This is an annual request for funds to cover engineering from State gas tax revenue.) Resolution approving budget proposal for engineering funds and authorizing the City Manager to sign on behalf of the City of Modesto needed.

ACTION: Res. 67-416 adopted approving budget proposal. (P/W to handle).

CONSENT

30. 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 Supt. of Streets to post the property.) Suggested hearing date: June 12, 1967 at 7:45 P.M.

(a) Sidewalk, on Tokay Ave., Blk. 6913 (Greek Orthodox Church) Resolution needed.

ACTION: Res. 67-417 adopted authorizing posting of property and setting hearing (P/W to handle).

CONSENT

(b) Sidewalk, Lots 4 & 5, Blk. 6904, 316 Ribier Ave. (Wallace) Resolution needed.

ACTION: Res. 67-418 adopted authorizing posting of property and setting hearing (P/W to handle).

CONSENT

(c) Curb and gutter, W. Granger at 1600 Tully Road, Blk. 6142 (Western Farms, Inc.) Resolution needed.

DROPPED

CONSENT

(d) Curb and gutter, W. Granger at 1562 Tully Rd., Blk. 6117 (Francek) Resolution needed.

ACTION: Res. 67-419 adopted authorizing posting of property and setting hearing (P/W to handle).

CONSENT

31. Report of Superintendent of Streets on cost of installation of sidewalk and/or curb and gutter at the locations listed below. (The amounts to be assessed against the properties are included in reports distributed with the agenda. The City Clerk will set the dates for hearings and the reports should be held until the hearings. Suggested hearing dates: June 12, 1967 at 7:50 P.M.) Resolutions setting dates for hearings needed.

CONSENT

(a) Construction of curb and gutter on Lot 13, Blk. 6074, at 1416 Tully Road (Rissky) Resolution setting hearing needed.

ACTION: Res. 67-420 adopted setting hearing (Clerk to handle).

CONSENT

(b) Construction of sidewalk on south half of Lot 14, Blk. 911, 703 Tully Road (Hartwick) Resolution setting hearing needed.

ACTION: Res. 67-421 adopted setting hearing (Clerk to handle).

CONSENT

(c) Construction of sidewalk on north half of Lot 14, Blk. 911, 707 - 709 Tully Road (Lugliani) Resolution setting hearing needed.

DROPPED

CONSENT

(d) Construction of curb, gutter and sidewalk on SE corner of Blk. 937, Lot 10 - West side of Tully Road (Miller) Resolution setting hearing needed.

ACTION: Res. 67-422 adopted setting hearing (Clerk to handle).

CONSENT

(e) Construction of curb and gutter on Lot 12, Blk. 6074, at 1412 Tully Road (Lopez) Resolution setting hearing needed.

ACTION: Res. 67-423 adopted setting hearing (Clerk to handle).

32. Discussion of McHenry Avenue traffic.

HELD UNTIL JUNE 5 MEETING

33. Report on parking leases and finances. (To be considered with Item No. 15)

ACTION: Report made (no action taken).

34. Report on meeting of State Reclamation Board held May 18, 1967 concerning sewer ponds.

ACTION: State Reclamation Board to hold meeting in Modesto on June 16, 1967 at M.I.D. auditorium.

Planning Reports

CONSENT

35. Recommend Commencement of Annexation Proceedings - Woodrow #2 Addition. (By Resolution No. 67-46, adopted on May 16, 1967, the Planning Commission recommends commencement of proceedings for the annexation of uninhabited territory known as Woodrow #2 Addition.) Resolution setting date for public hearing needed. Suggested hearing date: June 26, 1967 at 7:45 P.M.

ACTION: Res. 67-424 adopted setting hearing (Clerk to handle).

CONSENT
36. (Dropped from agenda)

CONSENT
37. Recommend Commencement of Annexation Proceedings - McWilliams Addition. (By Resolution No. 67-45, adopted on May 16, 1967, the Planning Commission recommends commencement of proceedings for the annexation of uninhabited territory known as McWilliams Addition.) Resolution setting date for public hearing needed. Suggested hearing date: June 19, 1967 at 4:30 P.M.

ACTION: Res. 67-425 adopted setting hearing (Clerk to handle).

CONSENT
38. Recommend Commencement of Annexation Proceedings - Greenwood Estates #2 Addition. (By Resolution No. 67-47, adopted on May 16, 1967, the Planning Commission recommends commencement of proceedings for the annexation of uninhabited territory known as Greenwood Estates No. 2 Addition) Resolution setting date for public hearing needed. Suggested hearing date: June 19, 1967 at 4:15 P.M.

ACTION: Resolution 67-426 adopted setting hearing (Clerk to handle).

CONSENT
39. Recommend adoption of a revision of Section VIII of the "Standard Specifications for Subdivision Improvement" pertaining to street lighting. (On May 2, 1967, the Planning Commission adopted Res. No. 67-39, recommending to the City Council the adoption of a revision to Section VIII of the "Standard Specifications for Subdivision Improvement" pertaining to street lighting) Resolution setting date for public hearing needed. Suggested hearing date: June 12, 1967 at 8:20 P.M.

ACTION: Res. 67-427 adopted setting informal hearing (Clerk to handle).

CONSENT
40. Recommend adoption of a revision to the "Standard Specifications for Subdivision Improvements" relating to the required width and location of sidewalks. (On May 2, 1967, the Planning Commission adopted Resolution No. 67-40, recommending to the City Council the adoption of a revision to the "Standard Specifications for Subdivision Improvements" relating to the required width and location of sidewalks.) Resolution setting date for public hearing needed. Suggested hearing date: June 12, 1967 at 8:25 P.M.

ACTION: Res. 67-428 adopted setting hearing (Clerk to handle).

CONSENT
41. Recommend amendment to Section 18-3-9 of the zoning map (Bedford Associates, Inc.) (By Resolution No. 67-49, adopted on May 16, 1967, the Planning Commission recommends an amendment to Section 18-3-9 of the zoning map as requested by Bedford Associates, Inc., to rezone from Multiple-Family Zone, R-3, to Planned Development Zone, P-D, the property located at the northwest corner of Tully Road and Briggsmore Avenue.) Resolution setting date for public hearing needed. Suggested hearing date: June 12, 1967 at 8:30 P.M.

ACTION: Res. 67-429 adopted setting hearing (Clerk to handle).

CONSENT
42. Appropriation Transfer. Resolution providing $457 for servicing air conditioners at McHenry, Broughton, and Wright Libraries. These funds are needed for servicing the air conditioners at these three libraries before the summer heat arrives. It is based on the recommendation that the air conditioners be removed and steam cleaned. Resolution needed.

ACTION: Res. 67-430 adopted authorizing appropriation transfer (Finance to handle.)

CONSENT

43. Consider approval of the purchase of two punch card files, one for the Planning Department, and one for Finance. Appropriation transfers are required. (A memorandum is sent with the agenda, showing a $360 savings by purchasing used files now available.) Resolution approving appropriation transfers needed. Estimated cost: Finance, $187; Planning, $224.

ACTION: Res. 67-431 adopted authorizing appropriation transfers (Finance to handle).

44. Legislative Matters (Info. with agenda)

By motion (Robinson/Mitchell)	SB-489 opposed	(Dep. C/Mgr to handle)
By motion (Hughes/Robinson)	AB-2410 opposed	
By motion (Hughes/Robinson)	AB-2454 supported	
By motion (Hughes/Smith)	AB-1944 opposed	
By motion (Hughes/Robinson)	SB-1427 supported	

ADJOURNMENT - Meeting to be adjourned to May 24, 1967 at 12:00 Noon to consider bids received for Sewer District Bonds.

ACTION: By motion (Mitchell/Robinson) meeting adjourned at 12:50 A.M. to 5/24/67 at 12:00 Noon.

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 1967-68.

Present: Councilmen: Hughes, Mitchell, Robinson, Simon, Smith, Mayor Davies
Absent: Councilmen: Shastid

BUDGET MESSAGE

The budget message for the 1967-68 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. 18)

MOTION

That the Council budget of proposed expenditures be tentatively approved

Robinson/Mitchell - unanimously approved

CITY MANAGER - 8 (p. 19)

MOTION

That the City Manager budget of proposed expenditures be tentatively approved

Smith/Simon - unanimously approved

TYPING POOL & RECORDS - 9 (p. 20)

MOTION

That the Typing Pool & Records budget of proposed expenditures be tentatively approved

Hughes/Smith - unanimously approved

CITY ATTORNEY - 13 (p. 21)

MOTION

That the City Attorney budget of proposed expenditures be tentatively approved

Hughes/Mitchell - unanimously approved

CITY CLERK & AUDITOR - 14 (p. 22)

MOTION

That the City Clerk & Auditor budget of proposed expenditures be tentatively approved

Hughes/Mitchell - unanimously approved

REPORT ON CITY CAR MILEAGE

The City Manager was directed to make a report on use of city cars.

FINANCE - 15 (p. 23)

MOTION

That the Finance budget of proposed expenditures be tentatively approved

Mitchell/Robinson - unanimously approved

PERSONNEL - 17 (p. 24)

MOTION

That the Personnel budget of proposed expenditures be tentatively approved

Smith/Simon - unanimously approved

PLANNING - 18 (p. 25)

MOTION

That the Planning budget of proposed expenditures be tentatively approved

Robinson/Mitchell - unanimously approved

CITY HALL - 19 (p. 26)

MOTION

That the City Hall budget of proposed expenditures be tentatively approved

Hughes/Smith - unanimously approved

FIRE - 21 (p. 27)

The Modesto fire rating was explained and the hope was expressed that a 3 rating could be achieved. The suggestion was made that in the event the City is very close to receiving a 3 rating, money should be budgeted for any items necessary to achieve this.

MOTION

That the Fire budget of proposed expenditures be tentatively approved

Hughes/Robinson - unanimously approved

DISASTER & CIVIL DEFENSE - 26 (p. 29)

MOTION

That the Disaster & Civil Defense budget of proposed expenditures be tentatively approved

Hughes/Mitchell - unanimously approved

MISCELLANEOUS UNCLASSIFIED - 65 (p. 51)

MOTION

That Account No. 418, Airline Negotiation, $3,500, be deleted from the Miscellaneous Unclassified budget

Hughes/Robinson - unanimously approved

MOTION

That the Miscellaneous Unclassified budget of proposed expenditures be tentatively approved as amended

Hughes/Robinson - unanimously approved

ADJOURNMENT

MOTION

That the meeting now in session be adjourned to May 25, 1967 at 4:00 P.M.

Simon/Smith - unanimously approved

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH
City Clerk

ADJOURNED REGULAR MEETING OF MAY 24, 1967 AT 12:00 NOON

Present: Mitchell, Robinson, Shastid, Mayor Davies

Absent: Hughes, Simon and Smith

Edwin Wells of Bartle Wells Associates reviewed the bids received for the Modesto Municipal Sewer District No. 1 sewer bonds.

The bids were as follows:

1.	The Bank of California, N.A., First Western Bank & Trust Company and Associates	$5,576,401.00 (3.9814%)
2.	United California Bank - Manager and Sixteen Others	$5,591,921.00 (3.9925%)
3.	Bank of America N.T. & S.A. and Associates	$5,604,174.00 (4.0012%
4.	Crocker-Citizens National Bank Wells Fargo Bank First National City Bank	$5,638,490.00 (4.0257%)

Mr. Wells recommended that the bid of the Bank of California be accepted.

RESOLUTION NO. 67-432

RESOLUTION SELLING $7,200,000 BONDS OF THE CITY OF MODESTO ISSUED ON BEHALF OF MODESTO MUNICIPAL SEWER DISTRICT NO. 1 1967 SEWER BONDS, AND FIXING THE DEFINITIVE RATES OF INTEREST THEREON

Shastid/Mitchell - Unanimous

The meeting adjourned - Robinson/Mitchell - Unanimous.

ATTEST: W. T. Chymoweth
W. T. CHYMOWETH
City Clerk

MINUTES OF ADJOURNED SPECIAL MEETING, BUDGET CONSIDERATION, MAY 25, 1967 AT 4:00 P.M.

Present: Councilmen: Hughes, Mitchell, Simon, Smith, Mayor Davies. (Councilman Robinson arrived at 4:05 P.M.)
Absent: Councilmen: Shastid

POLICE - 22 (p. 28)

MOTION
That the Police budget of proposed expenditures be tentatively approved

Hughes/Robinson - unanimously approved

During the discussion of the Police budget, Chief Meester was requested to appear before the Council at any time he feels there is any area of need in his department.

Honorable Robert D. Carter, Judge of the Stanislaus County Superior Court, presented a prepared statement, a copy of which was filed with the Clerk. The statement concerned the profits made by the electric power operation of the M.I.D. Judge Carter requested that the Council take the following steps:

1. Verify the statement he had made this afternoon.

2. Forthwith request, on behalf of the citizens of Modesto and its metropolitan area, that M.I.D. furnish free electric power to the citizens of Modesto who reside in M.I.D. for the following purposes:

(a) The pumping of city water;
(b) The lighting of city streets;
(c) The installation and providing of free alley street lights.

PARKS & RECREATION - ADMINISTRATION - 31, (p. 30)

MOTION
That the Parks & Recreation - Administration budget of proposed expenditures be tentatively approved

Robinson/Mitchell - unanimously approved

PARKS & RECREATION - RECREATION - 32 (p. 31)

MOTION
That the Parks & Recreation - Recreation budget of proposed expenditures be tentatively approved

Robinson/Smith - unanimously approved

PARKS & RECREATION - MADDUX YOUTH CENTER - 33 (p. 32)

MOTION
That the Parks & Recreation - Maddux Youth Center budget of proposed expenditures be tentatively approved

Mitchell/Hughes - unanimously approved

PARKS & RECREATION - COMMUNITY SERVICE CENTER - 34 (p. 33)

MOTION
That the Parks & Recreation - Community Service Center budget of proposed expenditures be tentatively approved

Hughes/Mitchell - unanimously approved

PARKS & RECREATION - PARKS - 35 (p. 34)

MOTION

That the Parks & Recreation - Parks budget of proposed expenditures be tentatively approved

Smith/Robinson - unanimously approved

PARKS & RECREATION - STREET TREES - 36 (p. 35)

MOTION

That the Parks & Recreation - Street Trees budget of proposed expenditures be tentatively approved

Hughes/Mitchell - unanimously approved

PARKS & RECREATION - 9-HOLE GOLF COURSE - 37 (p. 36)

MOTION

That the Parks & Recreation - 9-Hole Golf Course budget of proposed expenditures be tentatively approved

Hughes/Robinson - unanimously approved

PARKS & RECREATION - DRYDEN PARK MUNICIPAL GOLF COURSE - 38 (p. 37)

MOTION

That the Dryden Park Municipal Golf Course budget of proposed expenditures be tentatively approved

Smith/Hughes - unanimously approved

ADJOURNMENT

MOTION

That the meeting now in session adjourn to June 1, 1967 at 4:00 P.M.

Hughes/Mitchell - unanimously approved.

The meeting adjourned at 5:40 P.M.

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

MINUTES OF ADJOURNED SPECIAL MEETING, BUDGET CONSIDERATION, JUNE 1, 1967 AT 4:00 P.M.

Present: Councilmen: Mitchell, Robinson, Shastid, Smith, Mayor Davies

Absent: Councilmen: Hughes, Simon

PUBLIC WORKS - ENGINEERING & ADMINISTRATION - 41 p.38

MOTION

That the Public Works, Engineering & Administration budget of proposed expenditures be tentatively approved

Mitchell/Smith - unanimously approved

PUBLIC WORKS - INSPECTION - 42, p. 39

MOTION

That the Public Works, Inspection budget of proposed expenditures be tentatively approved

Smith/Shastid - unanimously approved

PUBLIC WORKS - ELECTRICAL - 43, p. 40

MOTION

That the Public Works, Electrical budget of proposed expenditures be tentatively approved, subject to Account 210, Utilities being reduced from $72,000 to $69,000

Mitchell/Shastid - unanimously approved

PUBLIC WORKS - AIRPORT - 46, p. 41

MOTION

That the Public Works, Airport, budget of proposed expenditures be tentatively approved

Shastid/Smith - unanimously approved

PUBLIC WORKS - WATER - 50, p. 42

MOTION

That the Public Works, Water, budget of proposed expenditures be tentatively approved

Shastid/Smith - unanimously approved

PUBLIC WORKS - STREETS - 51, p. 43

MOTION

That the Public Works, Streets, budget of proposed expenditures be tentatively approved

Shastid/Mitchell - unanimously approved

PUBLIC WORKS - SEWERS - 52, p. 44

MOTION

That the Public Works, Sewers, budget of proposed expenditures be tentatively approved

Shastid/Robinson - unanimously approved

PUBLIC WORKS - SEWAGE DISPOSAL - 53, p. 45

MOTION

That the Public Works, Sewage Disposal, budget of proposed expenditures be tentatively approved with hope expressed that eleven men will be enough rather than the twelve authorized

Shastid/Mitchell - unanimously approved

PUBLIC WORKS - GARDEN REFUSE - 54, p. 46

MOTION

That the Public Works, Garden Refuse, budget of proposed expenditures be tentatively approved

Mitchell/Robinson - unanimously approved

PUBLIC WORKS - SERVICE DIVISION - 48,pp. 59,60

MOTION

That the Public Works, Service Division, budget of proposed expenditures be tentatively approved

Shastid/Smith - unanimously approved

PARKING AND TRAFFIC - 56, p. 47

MOTION

That the Parking and Traffic budget of proposed expenditures be tentatively approved

Shastid/Mitchell - unanimously approved

OFFICE SERVICES - 58, p. 48

MOTION

That the Office Services budget of proposed expenditures be tentatively approved

Shastid/Mitchell - unanimously approved

PARKING & TRAFFIC - 57 (PARKING FUND) p. 55

MOTION

That the Parking & Traffic (Parking Fund) budget of proposed expenditures be tentatively approved

Shastid/Mitchell - unanimously approved

MUSIC & PROMOTION - 61, p. 49

MOTION

That the Music & Promotion budget of proposed expenditures be tentatively approved

Robinson/Smith - unanimously approved

INSURANCE AND RETIREMENT - 64, p. 50

MOTION

That the Insurance and Retirement budget of proposed expenditures be tentatively approved

Mitchell/Shastid - unanimously approved

The Director of Finance was requested to make a report on the reasons for the increase in S.E.R.S. contributions made by the City.

LIBRARY - 62 (LIBRARY FUND - 201) p. 54

MOTION

That the Library (Library Fund - 201) budget of proposed expenditures be tentatively approved

Smith/Shastid - unanimously approved

BOND REDEMPTION AND INTEREST REQUIREMENTS, p. 56

MOTION

That the Bond Redemption and Interest Requirements budget of proposed expenditures be tentatively approved

Shastid/Robinson - unanimously approved

SEWER SERVICE FUND, p. 57

MOTION

That the Sewer Service Fund budget of proposed expenditures be tentatively approved

Shastid/Mitchell - unanimously approved

DOWNTOWN IMPROVEMENT DISTRICT (FUND 218), p. 58

MOTION

That the Downtown Improvement District (Fund 218) budget of proposed expenditures be tentatively approved

Smith/Shastid - unanimously approved

ADJOURNMENT

MOTION

That the meeting now in session be adjourned to June 6, 1967 at 4:00 P.M.

Robinson/Smith - unanimously approved

The meeting adjourned at 5:25 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 5, 1967 at 4;00 P.M.

Roll Call
Pledge of allegiance to the Flag
Invocation: Reverend Donald G. Weston (St. John's Chapel of the Valley)

PRESENT: Robinson, Shastid, Simon, Smith - Hughes arrived at 4:05 P.M.; Mayor Davies arrived at 4:40 P.M.
ABSENT: Mitchell

Approval of minutes

1. Meetings of May 22, 23, 24, and 25, 1967.
   ACTION: Minutes approved.

CONSENT ITEMS REQUIRING RESOLUTION: Items 5, 8, 10, 11, 12, 13, 14, 25, 28, 30, 31(a), 31(b), 31(c), 31(d), 31(e), 31(f), 34, 35, 36, 37
ACTION: Smith/Simon-unan- (Hughes, Mitchell and Mayor Davies absent)

CONSENT ITEMS REQUIRING MOTION: Items 3, 4, 9
ACTION: (Shastid/Simon-unan)

CONSENT ITEMS REQUIRING MOTION WITH ROLL CALL VOTE: Items 23, 24
ACTION: (Shastid/Smith-unan) (Hughes, Mitchell & 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)

Correspondence, petitions and remonstrances

2. Request of Greater Modesto Council of Churches for City Council to disapprove liquor license application for food market across Floyd Avenue from Y.M.C.A. (Information with agenda)
   ACTION: By motion (Shastid/Simon-unan) request referred to Planning Comm. (Planning to handle)

CONSENT

3. Request of Modesto Downtown Improvement District for closure of 10th Street for Western Days promotion on June 8, 9, and 10 in connection with "alley sale." (Information with agenda)
   ACTION: By motion closure of 10th between K & I (J to remain open) from 3:00 P.M. to 8:00 P.M. on 6/8/67 and from 12:00 P.M. to 6:00 P.M. on 6/10/67 authorized and free "on-street" parking permitted from 10:30 A.M. to 5:30 P.M. on June 8, 9 & 10. (P & T and Police to handle)

CONSENT

4. Request of Sears for closure of south end of alley between 10th and 11th Streets, running from K to L Streets, for June 9 and 10 in connection with "alley sale." (Information with agenda)
   ACTION: By motion request granted (P & T and Police to handle)

CONSENT

5. Request of National Council of Senior Citizens for use of Graceada Park and Mancini Bowl on July 20 for state-wide rally. (Information with agenda)
   ACTION: Res. No. 67-433 adopted granting request (P & R to handle).

6. Request of Modesto Motor Bus Service for reconsideration of one-year limitation on permit to operate. (Information with agenda)
   ACTION: Res. No. 67-434 adopted amending Res. 67-412 to provide for franchise to continue until 11/15/69 (P & T to handle). (Shastid/Smith-majority-Simon, no-Mitchell & Mayor Davies absent)

6/5/67

7. Report that P.U.C. will not make survey of Modesto Motor Bus Service. (Information with agenda)
No action needed.

Bids
CONSENT
8. Consider award to low bidder, H. V. Carter Co., Oakland, California, to furnish two 76-inch park power mowers.
(A tabulation accompanies the agenda. Resolution needed. Estimated cost $2,113.00; funds budgeted in Account 5412-48-512, p. 65, Capital Outlay Service Division)
ACTION: Res. No. 67-435 adopted awarding bid to H. V. Carter Co. (Finance to handle).

CONSENT
9. Consider authorizing Purchasing Office to join with County of Stanislaus Purchasing Office to call for bids for furnishing requirements of gasoline for a one-year period commencing July 1, 1967.
(Motion of authorization needed. Estimated cost $47,000; funds budgeted in Account 330-48-512 and some other accounts, p. 59 Preliminary Budget, Gas, Oil, Lubricants)
ACTION: By motion Purchasing Office authorized to join with County of Stanislaus Purchasing Office to call for bids for gasoline for next fiscal year (Finance to handle).

CONSENT
10. Consider award of bid for construction of automatic sprinkler system at Beard Brook Park.
(Bids were opened on May 31. The low bid submitted by R. B. Gregory and Associates which is 24% 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 $24,360 (Contract $23,559; Engineer, $801); funds budgeted in Account 6324-31-321, Beard Brook Park Sprinkler System)
ACTION: Res. No. 67-436 adopted awarding bid to R. B. Gregory and Associates (P/W and Finance to handle).

xxCONSENTxxx
11. Traffic Signal Modernization on 10th Street at L and K Streets and 11th at G, H and K Streets.
(Funds for this project have been budgeted in Accounts 6175, 6176 and 6201. The modernization consists of installing pedestrian "Walk - Don't Walk" signals and replacing several existing 10' standards with 20' overhead standards with mast arms and larger signal indications. Resolution calling for bids needed. Suggested bid opening, July 5, 1967 at 10:00 A.M. Amount budgeted $19,300; Funds budgeted in Accounts 6175, 6176, 6201, Modernize 10th and I; Modernize 10th and L; Modernize 11th at G,H,K, p. 62 of Budget)
ACTION: Res. No. 67-437 adopted setting 7/5/67 at 10:00 A.M. for receiving bids (Clerk and P & T to handle)
(Shastid/Smith-unan-
Mitchell & Mayor Davies absent)

CONSENT

12. Consider award of bid for construction of Cavil drain crossing on Coffee Road.
(Bids were opened on May 31. The low bid submitted by Industrial Electrical Co. which is 28.8% over the Engineer's Estimate is considered acceptable. Therefore, it is recommended by the Public Works Dept. that the bid be awarded to them. Memo of Explanation distributed with agenda. Resolution awarding bid needed. Estimated cost $4,750 (Contract $4,250 - Engr. $500). Funds budgeted in Account 6647-321, Misc. Right of Way Improvements)
ACTION: Res. 67-438 adopted awarding bid (P/W to handle).

CONSENT

13. Consider award of bid for installation of mercury vapor lights at various city parks.
(Bids were opened on May 31. The low bid submitted by Ferrero Electric, Inc., which is 15% over the Engineer's Estimate, is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. This is a part of the Beautification Program recently approved by the government. Resolution awarding bid needed. Estimated cost $13,760 (Contract $13,260 - Engr $500); funds budgeted in Account 6626-41-321, Lighting Modernization)
ACTION: Res. No. 67-439 adopted awarding bid to Ferrero Electric, Inc. (P/W to handle).

xCONSENTx

14 Recommendation that installation of water lines on Tully Road between Woodrow and Standiford Avenue be performed by city forces. (The low bid submitted by Industrial Electrical Co. is 43% above 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 authorizing work to be done by city forces needed. Estimated cost, $6,200; materials, $4,260, Labor $1940. Funds budgeted in Account 6804-50-101, Water Line Extension, p. 45)
ACTION: Res. No. 67-440 adopted authorizing work to be done by city forces (P/W to handle)
(Hughes/Smith-unan-Mitchell and Mayor Davies absent).

Hearings

15. Hearing on amendment to Section 22-3-9 of the zoning map (Flory). 4:15 P.M.
(Information with agenda)
ACTION: Ord. 833-C.S. introduced (Clerk to handle)
(Hughes/Shastid-unan-Mitchell and Mayor Davies absent).

Mayor Davies arrived at 4:40 P.M.

16. Hearing on amendment to Section 29-3-9 of the zoning map (Planning Commission) 4:20 P.M.
(Information with agenda)
ACTION: Ord. 834-C.S. introduced (Clerk to handle)
(Shastid/Hughes-unan-Mitchell absent)

17. Hearing on amendment to Section 15-3-9 of the zoning map (Ellis). 4:25 P.M.
(Information with agenda)
ACTION: Ord. 835-C.S. introduced (Clerk to handle)
(Hughes/Robinson-majority-Mayor Davies, no- Mitchell absent).

6/5/67

18. **Hearing on amendment to Section 22-3-9 of the zoning map (City of Modesto)** 4:30 P.M.
(Information with agenda)
ACTION: By motion (Smith/Robinson-unan) hearing continued to 7/3/67 at 4:45 P.M. (Clerk to handle).

19. **Hearing, sidewalk, curb and gutter requirement, abutting 2nd Street on southwesterly side of Block 6 (Calvary Temple of God in Christ).** 4:35 P.M.
ACTION: Res. No. 67-441 adopted ordering work done (P/W to handle) (Hughes/Robinson-unan-Mitchell absent)
C/Atty requested to report to Council on interest charged when payment is spread over many years (C/Atty to handle).

20. **Hearing, sidewalk, curb and gutter requirement on LaLoma on north side of Block 235 (Clark).** 4:35 P.M.
ACTION: Res. No. 67-442 adopted ordering work done (P/W to handle) (Hughes/Robinson-unan-Mitchell absent)

21. **Hearing, sidewalk, curb and gutter requirement on Bodem Street on east side of Block 590 (Peck).** 4:35 P.M.
ACTION: Res. 67-443 adopted ordering work done (P/W to handle) (Hughes/Robinson-unan-Mitchell absent)

22. **Informal hearing on location of Senior Citizens Center.** 5:15 P.M.
ACTION: By motion (Smith/Simon-unan) staff to arrange series of meetings to determine the desire and will of any senior citizen who is interested. This motion amended a motion (Hughes/Shastid) to have staff meet with senior citizens to investigate Downey Park site which also carried (P & R to handle).

Matters for the good of the community.
(These may be presented by citizens in the audience) 5:20 P.M.
Res. No. 67-444 adopted approving settlement of pending litigation against manufacturers of water pipe (C/Atty to handle) (Hughes/Robinson-unan)

Res. No. 67-445 adopted approving distribution of funds received from above settlement (C/Atty to handle) (Hughes/Robinson-unan)

By motion (Shastid/Robinson-unan) request of Frank Andrews for $50.00 per month payment to Humane Society denied as it would be illegal gift of public monies.

By motion (Robinson/Simon-unan) request of Frank Andrews for use of Council Chambers to discuss Greater Don Pedro denied.

The Mayor appointed Councilman Simon to attend Chamber of Commerce meetings as representative of Council.

Introduction and adoption of Ordinances
CONSENT
23. **Final adoption of Ordinance No. 831-C.S. (business licenses) (Published as required by the Charter)**
ACTION: Ord. 831-C.S. adopted (Clerk to handle).

CONSENT
24. **Final adoption of Ordinance No. 832-C.S. (speed limits) (Published as required by the Charter)**
ACTION: Ord. 832-C.S. adopted (Clerk to handle).

6/5/67

Old business

CONSENT

25. Public expression of appreciation to Modesto City Employees Association and to the Modesto Garbage Company for their fine cooperation during Beautification Month - on handling the garbage at the dump on May 13 and May 20.
ACTION: Res. No. 67-446 adopted commending employees of City
Res. No. 67-447 adopted commending Modesto Garbage Co.
on both: (Smith/Shastid-unan) (Clerk to handle).

26. Approve plans for Westside Neighborhood Center.
(The proposed plans have been reviewed by representatives of the West Side and the architects are now ready to present the plans to the City Council for their approval. Resolution approving plans needed)
ACTION: Res. No. 67-448 adopted approving plans (P & R to handle) (Hughes/Robinson-unan-Mitchell absent).

27. Consider sale of city-owned property at Franklin and Laurel Streets.
(Mr. Edw. J. Rotticci has offered $500 for the city property described above. This offer is in line with an informal appraisal that the staff has obtained. Memo sent with agenda. Resolution approving sale needed)
ACTION: Res. No. 67-449 adopted approving sale (Finance & C/Atty to handle) (Smith/Hughes-unan-Mitchell absent).

New business

CONSENT

28. 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, in Roosevelt Park, at City Pump Station No. 14 on Virginia Ave., at the City Pump Station on Emerald Avenue, the Mancini property at 1204 River Road, and in the small parcel purchased by the City from the State on the south side of Tuolumne River near the 9th Street bridge approach. He proposed to complete the harvest and pay the City by November 20, 1967 35% of the gross revenue for the crop. Mr. Fontana harvested the walnuts in 1966 and paid the City $56.77. Resolution approving proposal needed)
ACTION: Res. 67-450 adopted approving letter of agreement from Mr. Fontana and authorizing proper city officials to sign same (Finance and P & R to handle).

29. Consider diagonal parking on the west side of 18th Street between G and H Streets, due to a parking shortage in this area.
(This area meets all the factors established in Resolution 62-20, January 8, 1962 except the necessary width of the street. 18th Street is 50 feet wide from curb to curb and should be (according to the resolution) 64 feet. However, it is felt that diagonal parking can be installed on one side of a 50-foot street and continue to maintain wide enough driving lanes and parallel parking on the opposite side. Resolution approving installation needed. Estimated cost $100; funds budgeted in Account 110-56, Salaries & Wages)
ACTION: Res. No. 67-451 adopted approving installation (P & T to handle) (Shastid/Simon-unan-Mitchell absent).

CONSENT

30. Request for refund of business license tax.
(A request for refund of business license taxes, in the amount of $520.45, has been submitted by Modesto Savings & Loan Assn. Modesto Municipal Code Section 6-3.05(b) provides that payment of Downtown Improvement District taxes shall not exceed $1,500 during any fiscal year. Modesto Savings & Loan Assn. paid $2,020.45 between July 1, 1966 and March 31, 1967. The request for refund has been audited by the Finance Department and recommendation made that the refund be approved. Refunds of business license taxes of $100 or more require council approval. Resolution needed.)

ACTION: Res. No. 67-452 adopted authorizing refund (Finance 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 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 Supt. of Streets to post the property. Resolution setting hearing needed. Suggested hearing date June 19, 1967 at 4:40 P.M.)

CONSENT

(a) Sidewalk at Lot 6a, Block 6717, 1010 Bowen Avenue (Allard)
(Resolution setting hearing needed)

ACTION: Res. No. 67-453 adopted setting hearing (P/W to handle).

CONSENT

(b) Sidewalk at Lot 1, Block 567, 205-1/2 Grant Avenue (Adam)
(Resolution setting hearing needed)

ACTION: Res. No. 67-454 adopted setting hearing (P/W to handle).

CONSENT

(c) Sidewalk, curb and gutter, Lots 13 & 14, Block 412, 311 So. Washington (Fox)
(Resolution setting hearing needed)

ACTION: Res. No. 67-455 adopted setting hearing (P/W to handle).

CONSENT

(d) Sidewalk, curb and gutter, Lots 13 and 14, Block 412 on Oak and So. Washington Streets (Southwest Corner) (De Ve)
(Resolution setting hearing needed)

ACTION: Res. No. 67-456 adopted setting hearing (P/W to handle).

CONSENT

(e) Sidewalk at Lot 2, Block 567 on Grant Avenue, behind 111 Jones Street (Lombardo)
(Resolution setting hearing needed)

ACTION: Res. No. 67-457 adopted setting hearing (P/W to handle).

CONSENT

(f) Sidewalk at Lot 1, Block 6815, 226 Bowen Avenue (Jones)
(Resolution setting hearing needed)

ACTION: Res. No. 67-458 adopted setting hearing (P/W to handle).

6/5/67

Reports

32. **Discussion of McHenry Avenue traffic.**
*PLEASE SEE BELOW

33. **Reports by City Attorney and Police Chief re confiscation of autos used for transportation of narcotics.**
(Copies of the reports have been sent to Mayor and members of Council with agenda)
ACTION: By motion (Hughes/Robinson-unan) Mayor authorized to inform legislators that Council supports AB-1463 (C/Mgr to handle).

Reports from Planning Commission

CONSENT

34. **Recommend commencement of annexation proceedings - Downey Park No. 4 Addition.**
(By Resolution No. 66-44 adopted May 16, 1967 the Planning Commission recommends commencement of proceedings for the annexation of uninhabited territory known as Downey Park #4 Addition. Resolution setting hearing needed. Suggested hearing date June 26, 1967 at 7:45 P.M.)
ACTION: Res. No. 67-459 adopted setting hearing (Clerk to handle).

CONSENT

35. **Recommend vacation and abandonment of a portion of a 20-foot wide public utility easement in Lots 2 and 3, Block 12410 in Somerset Park No. 1 Subdivision.**
(On May 16, 1967 the Planning Commission adopted Resolution No. 67-43 recommending abandonment of the 20-foot wide public utility easement in Lots 2 and 3, Block 12410 in Somerset Park No. 1 Subdivision. Land Disposition maps attached show the public utility easement to be abandoned. Resolution of Intention to abandon easement as requested needed. Suggested hearing date July 3, 1967 at 4:30 P.M.)
ACTION: Res. of Int. 1039-S.P. adopted setting hearing (Clerk to handle).

CONSENT

36. **Recommend amendment to Section 21-3-9 of the zoning map (Nunes)**
(By Resolution No. 67-52, adopted on May 23, 1967, the Planning Commission recommends an amendment to Section 21-3-9 of the zoning map as requested by A. C. and H. E. Nunes to prezone from County R-1 to Planned Development Zone, P-D, property located on the west side of Coffee Road about 150 feet south of Gloria Way. Resolution setting public hearing needed. Suggested hearing date June 26, 1967 at 7:40 P.M.)
ACTION: Res. No. 67-460 adopted setting hearing (Clerk to handle).

*CONTINUED FROM NO. 32 ABOVE: Discussion of McHenry Avenue Traffic
RESUME OF ACTION ON McHENRY AVENUE
Two part motion (Smith/Robinson) 1. Staff to contact Division of Highways re long range street pattern program. 2. Staff to work with property owners to eliminate on-street parking on McHenry from Needham to Griswold within one year.
Motion to amend (Hughes/Shastid-unan) Refer part 2 of above motion to staff to study and to contact owners of affected properties and report to Council on Aug. 21 (P & T to handle).
Motion (Shastid/Simon-unan) to divide original motion into two parts, postpone action on part one for one week and pass second part. 6/5/67

xCONSENTxx

37. Consider adoption of ordinance amending subdivision regulations. (On May 16, 1967 the Planning Commission adopted Resolution No. 67-50 recommending to the City Council the adoption of an amendmend to Section 4-4.201 of Article 2 of Chapter 4 of Title IV of of the Modesto Municipal Code; amendment of Article 5 of Chapter 4 of Title IV; and adding Sections 4-4.606, 4-4.607, and 4-4.608 to Article 6 of Chapter 4 of Title IV, relating to Subdivision Regulations. Resolution setting date for hearing needed. Suggested hearing date June 19, 1967 at 4:35 P.M.)
ACTION: Res. No. 67-461 adopted setting hearing (Clerk to handle) (Shastid/Robinson-majority-Hughes, no- Mitchell absent).

Appropriation transfers. - None.

Councilman Shastid left the meeting at 8:15 P.M.

Miscellaneous

38. **Legislative matters.**

ACTION: By motion (Hughes/Simon-unan) AB-1262 opposed.

ACTION: By motion (Hughes/Simon-unan) SB-1083 supported.

(C/Mgr to handle)

Adjournment 8:20 P.M.

(Robinson/Hughes-unan)

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

MINUTES OF ADJOURNED SPECIAL MEETING, BUDGET CONSIDERATION, JUNE 5, 1967 AT 4:00 P.M.

Present: Councilmen: Hughes, Robinson, Shastid, Simon, Smith
Absent: Councilmen: Mitchell, Mayor Davies

SUPPLEMENTAL REQUESTS

Finance - 15, p. 23

MOTION

That the supplemental requests of the Finance Department (less 20-drawer IBM card file) be approved

Shastid/Smith - unanimously approved

Planning - 18, p. 25

During the discussion of the Planning Department supplemental budget requests, the value of attending conferences was discussed. The Council informed Mr. Fey that in the event any member of the Board of Zoning Adjustment or more than three members of the Planning Commission wished to attend the National Planning Conference in San Francisco in May 1968, request should be made to the Council.

MOTION

That the supplemental requests of the Planning Department (less 20-drawer IBM card file) be approved

Hughes/Shastid- unanimously approved

City Hall - 19, p. 26

MOTION

That the supplemental requests of City Hall be tentatively approved

Hughes/Shastid- unanimously approved

Fire - 21, p. 27

MOTION

That the supplemental requests of Fire Department be tentatively approved

Hughes/Shastid- unanimously approved

Police - 22, p. 28

In discussing the dog control situation, the possibility of charging the costs of impounding and feeding dogs to the owners of the dogs when such ownership can be proven, was discussed. Vice Mayor Robinson directed that a report be made by the City Attorney on this matter.

MOTION

That the supplemental requests of the Police Department be tentatively approved
Hughes/Shastid- unanimously approved

Disaster & Civil Defense - 26, p. 29

MOTION

That the supplemental requests of Disaster & Civil Defense be tentatively approved

Hughes/Shastid- unanimously approved

Parks & Recreation - Administration - 31, p. 30

MOTION

That the supplemental requests of Parks & Recreation - Administration be tentatively approved
Hughes/Shastid- unanimously approved

Parks & Recreation - Recreation - 32, p. 31

MOTION

That the Parks & Recreation - Recreation supplemental requests be tentatively approved

Hughes/Shastid- unanimously approved

Parks & Recreation - Maddux Youth Center - 33, p. 32

MOTION

That the Parks & Recreation - Maddux Youth Center supplemental requests be tentatively approved

Hughes/Shastid- unanimously carried

ADJOURNMENT

MOTION

That the meeting now in session adjourn to June 8, 1967 at 4:00 P.M.

Shastid/Smith Unanimously approved

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH
City Clerk

MINUTES OF ADJOURNED SPECIAL MEETING, BUDGET CONSIDERATION, JUNE 8, 1967 AT 4:00 P.M.

Present: Councilmen: Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: Councilmen: Hughes

CONSIDERATION OF SUPPLEMENTAL REQUESTS

Parks & Recreation - Community Service Center - 34 p. 33

MOTION

That the supplemental requests of Parks & Recreation - Community Service Center, be tentatively approved

Robinson/Smith - unanimously approved

Parks & Recreation - Parks - 35, p. 34

MOTION

That the supplemental requests of Parks & Recreation - Parks be tentatively approved

Robinson/Smith - unanimously approved

Parks & Recreation - 9-Hole Golf Course - 37, p. 36

MOTION

That the supplemental requests of Parks & Recreation - 9-Hole Golf Course be tentatively approved

Robinson/Smith - unanimously approved

Parks & Recreation - Dryden Park Municipal Golf Course - 38, p. 37

That the supplemental request of Parks & Recreation - Dryden Park Municipal Golf Course be tentatively approved

Robinson/Smith - unanimously approved

CAC - MRS. JESSIE SMALLWOOD

Mrs. Jessie Smallwood, Executive Director of the Stanislaus County Community Action Commission, reported that application was being made for Title II Federal funds for a program of organized recreation and sports for the underprivileged youth of this area. She requested the use of Mellis and West Side Parks from 6:00 P.M. to 9:00 P.M., Monday through Saturday, and the use of the Modesto High School pool from 6:00 P.M. to 10:00 P.M., Monday through Saturday, for this program. The staffing is to be by city employees and the City is to be reimbursed through the federal grant.

By motion (Shastid/Robinson - unanimous) the Mayor was authorized to write a letter indicating that the City of Modesto would participate in the program as requested at such time as the federal funds are available, and it was directed that the necessary funds be placed in the budget for this program.

BASKETBALL PROGRAM - REQUEST FOR FUNDS

The Modesto Basketball Association requested that the City of Modesto budget for and hire trained officials for the basketball program for the coming season and also to provide one building supervisor for each gymnasium. Following is a breakdown of the costs that the City is asked to assume: Officials - 420 games @ $1.68 per hour, $2,116.80 (3 officials for each game; Supervisors - 420 games @ $2.60 each hour, $1,092.00; Awards - 90 @ $1.50, $135.00; total, $3,343.80.

It was moved by Councilman Robinson, and seconded by Councilman Mitchell, that the request be granted subject to a maximum expenditure by the City of $2,000.00, with the provision that in the event the $2,000.00 was expended before the end of the program, a request for additional funds will be considered by the Council in light of the participation in the program.

It was then moved by Councilman Smith and seconded by Councilman Simon that this motion be amended to provide for the City to pay $8.00 per game for a maximum of 420 games, this amount to include all city contributions.

The motion to amend carried by unanimous vote as did the original motion as amended.

Public Works - Engineering & Administration - 41, p. 38

MOTION

That the supplemental requests of Public Works - Engineering & Administration, be tentatively approved

Smith/Shastid - unanimously approved

Public Works - Inspection - 42, p. 39

MOTION

That the supplemental requests of Public Works - Inspection be tentatively approved

Smith/Shastid - unanimously approved

Public Works - Electrical - 43, p. 40

MOTION

That the supplemental requests of Public Works - Electrical, be tentatively approved

Smith/Shastid - unanimously approved

Public Works - Airport - 46, p. 41

MOTION

That the supplemental requests of Public Works - Airport be tentatively approved; that Accounts No. 111, $1,569, and No. 235, $1,440 of budget of proposed expenditures be deleted

Smith/Shastid - unanimously approved

ADJOURNMENT

MOTION

That the meeting now in session be adjourned to June 13, 1967 at 4:00 P.M.

Shastid/Smith - unanimously approved

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH
City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 12, 1967 AT 7:30 P.M.

Roll Call: PRESENT: Hughes, Mitchell, Simon, Smith, Mayor Davies

ABSENT: Robinson, Shastid

Pledge of allegiance to the Flag led by Modesto Girl Scouts
Invocation: Reverend Nathan L. Gossett, Community Full Gospel Church

1. Presentation of flags of 40 nations by Girl Scouts.
Resolution accepting the flags on behalf of the community needed.
ACTION: Res. 67-462 adopted accepting flags on behalf of the community (Hughes/Smith-unan-Robinson and Shastid absent).

Approval of minutes

2. Meetings of June 1, 5, 6 1967.
ACTION: By motion (Smith/Simon-unan) minutes approved.

CONSENT ITEMS REQUIRING RESOLUTION: Items 6, 18, 19, 20, 21, 22, 23, 24, 25, 26(a), 26(b), 26(c), 27, 28, 30, 31
ACTION: (Mitchell/Simon-unan-Robinson & Shastid absent)

CONSENT ITEMS REQUIRING MOTION: Items 4, 29
ACTION: (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)

Correspondence, petitions and remonstrances

3. Letter of appreciation from Modesto Flying Circus for continued support of Council in development of model airplane flying site.
(Information with agenda)
ACTION: Letter ordered filed.

Consent

4. Request for at least 300 guest parking stickers for autos of persons attending California District Conference of the United Pentecostal Church June 20-22, 1967.
(Information with agenda. Motion approving request needed)
ACTION: By motion request granted (Police to handle).

5. Letter from Southern Pacific Company concerning lease of depot parking area.
(Information with agenda)
ACTION: By motion (Hughes/Smith-unan) staff directed to prepare agreement with Southern Pacific for 4-year lease of depot parking lot at $40.00 per month provided that City maintains lawn area (C/Atty and P & T to handle).

Consent

6. Resignation of Gerald V. Underwood as member of Board of Zoning Adjustment effective August 1, 1967.
(Information with agenda. Resolution needed)
ACTION: Res. 67-463 adopted accepting resignation and offering thanks to Mr. Underwood (Clerk to handle).

Hearings

7. Hearing, sidewalk requirement at Block 6913 on Tokay Avenue (Greek Orthodox Church) 7:45 P.M.
ACTION: Res. 67-464 adopted ordering work done (P/W to handle) (Hughes/Smith-unan-Robinson and Shastid absent).

8. Hearing, sidewalk requirement, Lots 4 & 5, Block 6904, 316 Ribier (Wallace) 7:45 P.M.
ACTION: Res. 67-465 adopted ordering work done (P/W to handle) (Hughes/Smith-unan-Robinson and Shastid absent)

9. Hearing, curb & gutter, W. Granger at 1562 Tully (Francek) 7:45 P.M.
ACTION: Res. 67-466 adopted ordering work done (P/W to handle) (Hughes/Smith-unan-Robinson and Shastid absent)

Hearings on cost of installation of sidewalk and/or curb and gutter:

10. (a) Curb & gutter, Lot 13, Block 6074, 1416 Tully (Rissky) 7:50 P.M.
ACTION: Dropped from agenda as costs have been paid.

11. (b) Sidewalk, south 1/2 of Lot 14, Block 911, 703 Tully (Hartwick) 7:50 P.M.
ACTION: Res. 67-467 adopted confirming report, assessing costs and directing method of collection (P/W to handle) (Simon/Hughes-unan-Robinson and Shastid absent)

12. (c) Sidewalk, curb & gutter, SE corner of Block 937, Lot 10, west side of Tully (Miller) 7:50 P.M.
ACTION: Res. 67-468 adopted confirming report, assessing costs and directing method of collection (P/W to handle) (Simon/Hughes-unan-Robinson and Shastid absent)

13. (d) Curb & gutter, Lot 12, Block 6074, 1412 Tully (Lopez) 7:50 P.M.
ACTION: Res. 67-469 adopted confirming report, assessing costs and directing method of collection (P/W to handle) (Simon/Hughes-unan-Robinson and Shastid absent)

14. Joint hearing with Division of Highways on revised plans for Jennie, Burney, D Street area 8:00 P.M.
ACTION: Hearing held and closed. No action taken or needed.

15. Hearing on proposed annexation of Sunrise Addition to City of Modesto.
ACTION: By motion (Mitchell/Hughes-unan) hearing continued to June 26, 1967 at 8:10 P.M.

15A. Hearing on revision to Section VIII of "Standard Specifications for Subdivision Improvement" pertaining to street lighting 8:20 P.M.
ACTION: By motion (Mitchell/Hughes-unan) hearing continued to June 19, 1967 at 4:45 P.M.

15B. Hearing on revision of "Standard Specifications for Subdivision Improvement" pertaining to required width and location of sidewalks 8:25 P.M.
ACTION: Res. 67-470 adopted approving revision of "Standard Specifications for Subdivision Improvement" pertaining to required width and location of sidewalks (P/W to handle) (Hughes/Smith-unan-Robinson and Shastid absent).

16. Hearing on amendment to Section 18-3-9 of the zoning map (Bedford Associates) 8:30 P.M.
ACTION: Res. 67-471 adopted referring back to Planning Commission for further study with emphasis on: (1) How does this proposal fit into the General Plan? (2) For what reason is this not considered as "spot zoning?" (3) Why isn't this considered strip zoning? (Smith/Simon-majority- Hughes no-Robinson and Shastid absent).

17. Hearing on final report from Willis Associates on Downtown Beautification Plan 8:35 P.M.
ACTION: Hearing on final report held.
By motion (Smith/Mitchell-unan) final payment to Willis Associates authorized (Finance to handle).

Matters for the good of the community 8:45 P.M.
(These may be presented by citizens in the audience)
By motion (Smith/Mitchell-unan) staff authorized to prepare specs. for buses (P & T to handle).

By motion (Mitchell/Simon-unan) request for loan of certain historical documents to museum for opening on July 4 and for gift of City Seal which has incorrect date granted. If feasible, copies of historical documents or pictures to be given to museum (City Clerk to handle).

By motion (Simon/Hughes-unan) C/Atty directed to prepare ordinance prohibiting gambling in pool rooms for submission to Council (C/Atty to handle).

Report requested by Councilman Hughes on bids received for water pipe (Finance to handle).

Bids

Consent
18. Resolution approving specifications and authorizing call for bids for legal advertising for fiscal year 1967-68.
(Suggested bid opening date June 21, 1967 at 10:00 A.M. Required by City Charter, Section 1311. Resolution approving specifications and call for bids needed. Estimated cost $7,500; funds budgeted in Account 230-14, Advertising, Legal & other)
ACTION: Res. 67-472 adopted approving specs. and setting time for receiving bids (Clerk and Finance to handle).

Consent
19. Consider award of bid for furnishing and installation of one deep well water pumping unit with electrical equipment and one auxiliary gas engine for Pump Station No. 33)
(Bids were opened on June 6, 1967. The low bid submitted by Western Pump Co., which is 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. Estimated cost, $19,617. Funds budgeted in Account 6803-50, New Well, Pump No. 33)
ACTION: Res. 67-473 adopted awarding bid to Western Pump Co. (P/W to handle).

Consent
20. Consider award of bid for asphalt concrete resurfacing of various city streets and Del Webb Field Parking Lot.
(Bids were opened June 6, 1967. The low bid submitted by George Reed, Inc., which is 3% 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. Resolution approving $8,000 appropriation transfer needed. Estimated cost $27,840; funds budgeted in Account 321-51, Construction Material; 6350-321, Del Webb Field - Paving Parking Area. Distribution of cost - $22,590, Streets; $5,250, Parking Lot)
ACTION: Res. 67-474 adopted awarding bid to George Reed, Inc. (P/W and Finance to handle).

Res. 67-475 adopted approving appropriation transfer (Finance to handle).

Consent
21. Consider award of bid for furnishing and installing Softball Sports Lighting System at Beard Brook Park.
(Bids were opened on June 6, 1967. 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 needed. Resolution approving $8,000 appropriation transfer needed. Estimated cost $12,865; funds budgeted in Account 6294-321, Beard Brook Park - Lights Softball Field)
ACTION: Res. 67-476 adopted awarding bid to Ferrero Electric, Inc. (P/W and Finance to handle).

Res. 67-477 adopted approving appropriation transfer (Finance to handle).

Consent
22. Consider award of bid for the improvement of Tully Road between Bowen Avenue and Standiford Avenue.
(Bids were opened on May 31. The low bid submitted by George Reed, Inc. which is 6% 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, $120,142.80 (Contract $109,220.80; Engr. $10,922). Funds budgeted in Accounts 6706-321; 6706-207, Tully Road, Bowen to Standiford)
ACTION: Res. 67-478 adopted awarding bid go George Reed, Inc. (P/W and Finance to handle).

Old business
23. Further consideration of motion to have staff contact Division of Highways re long range street pattern program with emphasis on McHenry Avenue.
(The Director of Parking and Traffic has made the contact and his report has been sent with the agenda. The report suggests the Council adopt a resolution asking that specific steps be taken leading to interim and long range solutions. No cost to City at this time)
ACTION: By motion (Smith/Hughes-unan) C/Atty directed to prepare resolution for submission to Council on 6/19 or 6/26/67 providing for request to State to begin traffic studies leading to the adoption of a freeway route for Highway 108 and also for City/State study to provide 6 moving lanes on McHenry. By motion (Smith/Mitchell-unan) recommendation that City commence study of another north-south arterial between College & McHenry referred to Planning Commission (P/C to handle).

New business
24. Consider extending provisional appointments of two street sweeper operators through August 16, 1967.
CONSENT
(Memorandum of Explanation with agenda. Resolution extending provisional appointments needed)
ACTION: Res. 67-479 adopted extending provisional appointments (P/W to handle).

Consent

25. Request for refund of business license tax.
(A request for refund of business license taxes in the amount of $116.95, has been submitted by Modesto Construction Co. for the quarter ending 3/31/67. This firm calculated its gross receipts in error, and also in amount of tax paid. The request for refund has been audited by the Finance Department and we recommend that it be approved. Refunds of business license taxes of $100 or more require council approval. Resolution needed.)
ACTION: Res. 67-480 adopted authorizing refund (Finance to handle).

Consent

26. 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 Supt. of Streets to post the property.)

Consent

(a) Sidewalk, 180 No. Santa Ana Ave., Lot 1, Block 2054.(Anderson)
(Resolution setting hearing needed; hearing date 6/26/67 at 7:55 P.M.
ACTION: Res. 67-481 adopted setting hearing (P/W to handle).

Consent

(b) Sidewalk, 1600 Albany Avenue, Lot 13, Block 6140 (Finn)
(Resolution setting hearing needed; suggested date 6/26/67 at 7:55 P.M.)
ACTION: Res. 67-482 adopted setting hearing (P/W to handle).

Consent

(c) Sidewalk, curb and gutter on Smith at 702 Sycamore, Lot 45, Block 709 (Turner)
Resolution setting hearing needed; suggested date 6/26/67 at 7:55 P.M.)
ACTION: Res. 67-483 adopted setting hearing (P/W to handle).

Consent

27. Consider request for sewer service to property at 1613 Honeysuckle Drive located on the west side of Honeysuckle Drive between Granger Avenue and Northern Boulevard.
(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. 67-484 adopted approving agreement (P/W to handle).

Consent

28. Request for permission to engage in contract with California Disaster Office to acquire 1000Gper minute fire pump.
(Information with agenda. Resolution accepting required)

ACTION: Res. 67-485 adopted approving agreement for acquisition of fire pump. (C/Atty and Fire Dept. to handle).

28A. Letter from Continental Casualty Company concerning increase in insurance rates.
ACTION: By motion (Smith/Mitchell-unan) staff directed to work with group insurance carrier to enable refund due City to be used to prevent a large increase in insurance costs. (Finance to handle).

Reports
Consent

29. Presentation of Financial Statement for May 1967.
(Copies of report submitted with agenda, Motion accepting report needed)
ACTION: By motion report accepted.

Reports from Planning Commission

Consent

30. Consider adoption of ordinance amending zoning regulations. (requirement for street trees payment)
(On June 6, 1967 the Planning Commission adopted Resolution No. 67-54 recommending to the City Council the addition to the Municipal Code (zoning regulations) Section 10-2.1513 to Article 15 of Chapter 2 of Title X, to require payment to the City for street trees. Resolution setting date for public hearing needed. Suggested hearing date 6/26/67 at 8:00 P.M.)

ACTION: Res. 67-486 adopted setting hearing (Clerk to handle).

Consent

31. Recommend amendment to Section 16-3-9 of the zoning map (Wainwright Realty)
(By Resolution No. 67-53 adopted June 6, 1967 the Planning Commission recommends an amendment to Section 16-3-9 of the zoning map as requested by Wainwright Realty to prezone to R-1, R-2 and R-3, property located at the northwest corner of Coffee Road and Norwegian Avenue. Resolution setting date for hearing needed; suggested date, 6/26/67 at 7:50 P.M.)

ACTION: Res. 67-487 adopted setting hearing (Clerk to handle).

32. Appropriation transfers.
Res. 67-488 adopted transferring $13,760.00 from Special Fund for Capital Outlays, Contingency Reserve (Lighting Modernization) to Special Fund for Capital Outlays, Lighting Modernization, Account No. 6621, Fund 321 (Finance to handle). (Hughes/Simon-unan-Robinson & Shastid absent)

Miscellaneous

33. Legislative matters.

None

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

The Council went into executive session at 11:15 P.M. and reconvened at 11:20 P.M.

Adjournment - Hughes/Mitchell-unan at 11:20 P.M.

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

MINUTES OF ADJOURNED SPECIAL MEETING, BUDGET CONSIDERATION, JUNE 13, 1967 AT 4:00 P.M.

Present: Councilmen: Mitchell, Robinson, Simon, Smith, Mayor Davies

Absent: Councilmen: Hughes, Shastid

SUPPLEMENTAL REQUESTS

Public Works - Water, 50, p. 42

MOTION

That the supplemental request of Public Works - Water be tentatively approved

Simon/Robinson - unan. approved

Public Works - Streets - 51, p. 43

MOTION

That the supplemental requests of Public Works - Streets be tentatively approved

Simon/Robinson - unan. approved

Public Works - Sewers - 52, p. 44

MOTION

That the supplemental requests of Public Works - Sewers be tentatively approved

Simon/Robinson - unan. approved

Public Works - Sewage Disposal - 53, p. 45

MOTION

That the supplemental requests of Public Works - Sewage Disposal be tentatively approved

Simon/Robinson - unan. approved

Public Works - Garden Refuse - 54, p. 46

MOTION

That the supplemental request of Public Works - Garden Refuse be tentatively approved

Simon/Robinson - unan. approved

Public Works - Service Division - 48, p. 59

MOTION

That the supplemental request of Public Works - Service Division be tentatively approved

Simon/Robinson - unan. approved

Parking & Traffic - 56, p. 47

MOTION

That the supplemental requests of Parking & Traffic (General Fund) be tentatively approved with the deletion of Capital Outlay, Parking Meters, in the amount of $2,300

Robinson/Mitchell Unan. approved

Parking & Traffic - 57, p. 55 (Parking Fund)

MOTION

That an additional supplemental request for Southern Pacific Lot Development, 5,000, be added to the supplemental requests for Parking & Traffic (Parking Fund); that the supplemental requests as amended be tentatively approved

Robinson/Mitchell Unan. approved

Music & Promotion - 61, p. 49

The supplemental request for $100 to help support the efforts of the League of Women Voters for the United Nation's Day observance was allowed, subject to the conditions that the League make an accounting of its actual expenses and be reimbursed for the actual expenses in an amount not to exceed $100.

MOTION

That the supplemental requests for Music & Promotion - 61 be tentatively approved

Mitchell/Smith Unan. approved

Insurance & Retirement - 64, p. 50

MOTION

That the supplemental requests for Insurance & Retirement - 64 be tentatively approved

Robinson/Mitchell Unan. approved

Miscellaneous Unclassified - 65, p. 51 (Budget of Proposed Expenditures)

MOTION

That Account 418, Airline Negotiation, $3,500 be replaced in Miscellaneous Unclassified Budget of Proposed Expenditures

Smith/Simon Unan. approved

Miscellaneous Unclassified - 65 (Supplemental Request)

MOTION

That the supplemental request for Miscellaneous Unclassified - 65 be tentatively approved

Robinson/Mitchell Unan. approved

FIRE PERSONNEL

MOTION

That reduction of Fire Department personnel hours from 67 to 63 hours be authorized

Robinson/Smith Unan. approved

ADDITION OF NEIGHBORHOOD YOUTH CORPS - 19, p. 58A, to 1967-68 BUDGET

MOTION

That Neighborhood Youth Corps - 19 (Neighborhood Youth Corps Fund - 220) totaling $7,090 be added to the 1967-68 budget

Mitchell/Smith Unan. approved

Library - 62, p. 54

MOTION

That the supplemental request for Library - 62 be tentatively approved

Robinson/Mitchell Unan. approved

MISCELLANEOUS UNCLASSIFIED - 65 - BUDGET OF PROPOSED EXPENDITURES, p. 51

MOTION

That Account 207, Conference Expense, be increased to $10,000 (Miscellaneous Unclassified - 65)

Robinson/Smith Unan. approved

The reason for the increase in Account 207, Conference Expense, was to permit attendance by Department Heads, or possibly other staff members, to attend out-of-state meetings. A new policy on attendance to out-of-state meetings is to be developed later.

ADJOURNMENT

MOTION

That the meeting now in session be adjourned to Thursday, June 15, 1967 at 4:00 P.M.

The meeting adjourned at 5:50 P.M.

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

MINUTES OF ADJOURNED SPECIAL MEETING, BUDGET CONSIDERATION, JUNE 15, 1967 AT 4:00 P.M.

Present: Councilmen: Hughes, Mitchell, Robinson, Simon, Smith, Davies

Absent: Councilmen: Shastid

CAPITAL IMPROVEMENT PROGRAM

Fire Department

MOTION

That the Capital Improvement Program for the Fire Department for Fiscal Year 1967-68 be tentatively approved

Robinson/Mitchell Unan. approved

Library

The Council discussed the need to move ahead on the construction of a new library.

MOTION

That the Mayor be authorized to write a letter to the County Board of Supervisors indicating the City's desire to proceed with the construction of a new library next fiscal year; that a target date of August 1, 1967 be set for decision of County as to whether or not it wishes to join the City in this project

Robinson/Simon Unan. approved

MOTION

That the Capital Improvement Program for the Library, fiscal year 1967-68, be tentatively approved

Hughes/Smith Unan. approved

PARKING & TRAFFIC

The Council discussed funds budgeted for change in the downtown traffic plan; acquisition of the Tonge property on 15th Street.

MOTION

That the Parking & Traffic Capital Improvement Program for fiscal year 1967-68 be tentatively approved

Smith/Hughes Unan. approved

PARKS & RECREATION

The Council discussed traffic problems on Buena Vista Avenue adjacent to Kewin Park; a bridge across Dry Creek from Moose Park to Kewin Park, scheduled in the Capital Improvement Program for fiscal year 1971-72; lease of a portion of Moose Park by Stanislaus County for parking purposes; possibile availability of federal funds for high-rise apartment and senior citizens' center in the downtown area.

MOTION

That the staff investigate and report to the Council on ways to improve the parking situation adjacent to Kewin Park

Hughes/Robinson Unan. approved

MOTION

That the staff investigate possible federal programs, loans, etc. to private parties and/or cities for the development of high-rise apartment and center for senior citizens in the downtown area

Robinson/Smith Unan. approved

MOTION

That the Capital Improvement for Parks & Recreation for fiscal year 1967-68 be approved

Hughes/Robinson Unan. approved

STATEMENT FROM BUDGET COMMITTEE TO BOARD OF DIRECTORS OF STANISLAUS COUNTY TAXPAYERS' ASSOCIATION

A statement entitled "Report from the Budget Committee to the Board of Directors of the Stanislaus County Taxpayers' Association, Modesto City Budget" was read into the record of the minutes by John Martin, Executive Director, Stanislaus County Taxpayers' Association, and a copy filed with the record of the minutes. Recommendation was made, in view of the City's exceptional reserve of $1,000,000, that the tax rate be decreased.

ADJOURNMENT

MOTION

That the meeting now in session adjourn to June 22, 1967 at 4:00 P.M.

Smith/Simon Unan. approved

The meeting adjourned at 5:38 P.M.

ATTEST: Pauline P. Stanley
Pauline P. Stanley
Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 19, 1967 AT 4:00 P.M.

Roll Call: PRESENT: Mitchell, Shastid, Simon, Vice Mayor Robinson

ABSENT: Hughes, Smith, Mayor Davies

Pledge of allegiance to the Flag
~~Invocation:--Reverend Luverne W. Sands, Modesto Covenant Church~~

Moment of silent prayer

Approval of minutes

1. Meetings of June 8 and 12, 1967
ACTION: Minutes approved.

CONSENT ITEMS REQUIRING RESOLUTION: Items 2, 18, 19, 20, 21, ~~22~~ 23, 24(a) ~~24(b)~~, 24(c), 24(d), ~~24(e)~~, 24(f), 24(g), ~~24(h)~~, 25, 26, 27
ACTION: (Mitchell/Shastid-unan- Hughes, Smith, 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)

Correspondence, petitions, and remonstrances
CONSENT

2. Letter from Lance E. Ellis requesting variance to permit curb cut which is two feet under minimum requirements.
(Resolution setting hearing date needed; suggested date June 26, 1967 at 8:05 P.M.)
ACTION: Res. 67-489 adopted setting hearing (Clerk to handle).

3. Letter from B. W. Groesbeck, Farmers Insurance Group, concerning submission of proposal on insurance needs of City.
ACTION: By motion (Shastid/Mitchell-unan) staff directed to inform Mr. Groesbeck that he may study City's insurance program and make recommendations or submit proposal to Council (Finance to handle).

4. Letter from Frank Andrews regarding high power costs.
No action taken.

5. Letter from Modesto Senior Citizens, Inc., regarding site for senior citizens' center.
No action taken or needed until staff report is presented to Council.

6. Letter from Local Agency Formation Commission regarding annexation of land south of Hatch Road.
ACTION: By motion (Shastid/Mitchell-unan) request for Modesto and Ceres to attempt to develop boundaries that are mutually agreeable referred to Public Relations Committee (C/Mgr to handle).

7. Consider award of contracts to supply pipe for water works for a one-year period commencing July 1, 1967 to low bidders as follows:
(a) United States Pipe & Foundry Co. - cast iron pipe;

(b) Grinnell Co. of Pacific - asbestos cement pipe. A bid tabulation and memo will accompany the agenda.

(Resolutions needed (2); estimated cost $116,355; funds budgeted in Account 438-512, Revolving Fund; not shown in budget. Ultimately used in water line extensions 6804-50-101, p. 42, Prelim. Budget)
ACTION: Res. 67-490 adopted (Shastid/Mitchell-unan) awarding cast iron pipe bid to U. S. Pipe & Foundry Co. (Finance to handle). By motion (Shastid/Mitchell-unan) action on bid for asbestos cement pipe withheld for 2 weeks to enable staff to check into identical bids received (C/Atty & Finance to handle).

8. Hearing on annexation of Greenwood Estates No. 2 Addition. 4:15 P.M.
(Information with agenda)
ACTION: Res. 67-491 adopted (Shastid/Mitchell-unan) annexing area. (Clerk to handle)

9. Hearing on annexation of McWilliams Addition. 4:30 P.M.
(Information with agenda)
ACTION: Res. 67-492 adopted (Shastid/Simon-unan) annexing area. (Clerk to handle)

10. Informal hearing on adoption of ordinance amending subdivision regulations (soil reports). 4:35 P.M.
(Information with agenda)
ACTION: Ord. 836-C.S. introduced (Shastid/Mitchell-unan) amending subdivision regulations as to soil reports (Clerk to handle).

11. Hearing, sidewalk, Lot 6A, Block 6717, 1010 Bowen (Reichenbach) 4:40 P.M.
ACTION: Res. 67-493 adopted (Simon/Shastid-unan) ordering work done (P/W to handle).

12. Hearing, sidewalk, Lot 1, Block 567, 205½ Grant (Adam) 4:40 P.M.
ACTION: Res. 67-494 adopted (Simon/Shastid-unan) ordering work done (P/W to handle).

13. Hearing, sidewalk, curb & gutter, Lots 13 & 14, Block 412, 311 So. Washington (Fox). 4:40 P.M.
ACTION: Res. 67-495 adopted (Simon/Shastid-unan) adopted ordering work done (P/W to handle).

14. Hearing, sidewalk, curb and gutter, Lots 13 and 14, Block 412, SW corner of Oak and So. Washington (DeVe) 4:40 P.M.
ACTION: Res. 67-496 adopted (Simon/Shastid-unan) adopted ordering work done (P/W to handle).

15. Hearing, sidewalk, Lot 2, Block 567, behind 111 Jones (Lombardo) 4:40 P.M.
ACTION: Res. 67-497 adopted (Simon/Shastid-unan) adopted ordering work done (P/W to handle).

16. Hearing, sidewalk, Lot 1, Block 6815, 226 Bowen (Jones) 4:40 P.M.
ACTION: Res. 67-498 adopted (Simon/Shastid-unan) adopted ordering work done (P/W to handle).

17. Continued hearing on revision to Sec. VIII of "Standard Specifications for Subdivision Improvements" pertaining to street lighting. 4:45 P.M.
ACTION: Res. 67-499 adopted (Shastid/Mitchell-unan) approving amendment to Standard Specifications for Subdivision Improvement relating to street lighting (P/W to handle). (see below)*

~~Matters for the good of the community~~
~~(These may be presented by citizens in the audience)~~ ~~5:00 P.M.~~

*17. (continued)
ACTION: Res. 67-500 adopted (Shastid/Mitchell-unan) establishing policy re costs for installation of street light standards in excess of 25 feet (Finance & P/W to handle). By motion (Shastid/Mitchell-unan) further consideration of distance to be required between light standards set for6/26/67 (Clerk to handle).

Matters for the good of the community
ACTION: Res. 67-501 adopted (Shastid/Simon-unan) authorizing appropriation transfer of $1,100.00 from Account 60, Dept. 62, Fund 201, Library, General Reserve to Account 5303, Dept. 62, Fund 201, Library, Electrical Wiring for emergency repairs to eliminate overloading of electrical circuits at McHenry Library (Finance to handle).

Old business

CONSENT

18. A resolution requesting the State Division of Highways to begin traffic studies relating to McHenry Avenue.
(This matter was discussed at the Council meeting of June 12, 1967, at which time the Council, by motion, authorized the City Attorney to prepare the necessary resolution. Adoption of resolution needed)
ACTION: Res. 67-502 adopted urging Div. of Highways to begin studies (P & T to handle).

CONSENT

19. Accept as complete Overhead Electric Company's contract for the installation of mercury vapor units to replace bare lamp street lighting system.
(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 a notice of completion. Actual cost $6,909; funds budgeted in Account 6627-321, Street Lighting System,Bare Bulb)
ACTION: Res. 67-503 adopted accepting contract (Clerk to handle).

New business

CONSENT

20. Consider request for sewer service to 713 Brookvale Drive, located on west side of Brookvale Drive between Scenic Drive and Vista Drive.
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City; however, a line exists to serve it. Resolution approving agreement needed)
ACTION: Res. 67-504 adopted approving agreement (P/W to handle).

CONSENT

21. Consider increasing charges at Modesto City-County Airport.
(Memorandum of explanation and schedule of present and proposed rates distributed with agenda. Resolution rescinding Resolution 64-311 and establishing new charges and fees for activities and services at Airport needed)
ACTION: Res. 67-505 adopted rescinding Res. 64-311 and establishing new charges and fees (P/W and Finance to handle).

~~CONSENT~~

22. Approve revised lease agreements at City-County Airport for individuals or firms listed on attached sheet.
(Revised leases include special non-discrimination requirements of Federal Aviation Agency and/or new rental charges for rental of hangar facilities at City-County Airport as recommended by the staff for approval by the Council. Resolutions approving lease agreements effective July 1, 1967 needed)

ACTION: (Mitchell/Simon-unan-Hughes, Smith, Mayor Davies absent)
Res. 67-506 adopted approving agreement w/Montgomery Flight Service
Res. 67-507 " " " " Hawke Duster & Flying Service
Res. 67-508 " " " " Pacific Aircraft Service
Res. 67-509 " " " " Gottschalk Flight Center
Res. 67-510 " " " " Silvair Flying Service
Res. 67-511 " " " " Donald P La Tourette

CONSENT (P/W to handle)

23. Consider agreement between City of Modesto and Federal Aviation Agency covering operation of Airport Control Tower.
(Memorandum of explanation distributed with agenda. Resolution approving agreement needed)
ACTION: Res. 67-512 adopted approving agreement (P/W 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 Supt. of Streets to post the property. Resolutions needed setting hearing date, July 10th at 7:45 P.M.)

CONSENT

24(a). Sidewalk at 514 W. Orangeburg Ave., Lot 9, Block 6054 (Mendosa)
ACTION: Res. 67-513 adopted setting hearing (P/W to handle).

~~CONSENT~~

~~24(b) Sidewalk on SE corner Linwood and Baywood, Lot 12, Block 6115 (Aderholt)~~
Dropped at request of P/W.

CONSENT

24(c) Curb and gutter at 930 Virginia Ave., Lot 7, Block 718 (Casey)
ACTION: Res. 67-514 adopted setting hearing (P/W to handle).

CONSENT
24(d) Sidewalk, W. Orangeburg at 1404 Grape, Lot 1, Block 6253 (Lenser)
ACTION: Res. 67-515 adopted setting hearing (P/W to handle).

~~CONSENT~~
~~24(e) Sidewalk at 1510 Linwood Drive, Lot 13, Block 6115 (Cleary)~~
Dropped at request of P/W.

CONSENT
24(f) Sidewalk, curb and gutter on Pearl Ave. at 1502 Albany, Lot 11, Block 6119 (Gagon)

ACTION: Res. 67-516 adopted setting hearing (P/W to handle).

CONSENT
24(g) Curb and gutter on Jefferson and Oak Streets at 208 Oak, Lots 15 and 16, Block 416.(Lockard)
ACTION: Res. 67-517 adopted setting hearing (P/W to handle).

Reports from Planning Commission

CONSENT
25. Coffee #2 Addition (uninhabited) for referral to the Planning Commission.
(Information attached. Resolution referring to Planning Commission needed)
ACTION: Res. 67-518 adopted referring to Planning Commission (Planning to handle).

CONSENT
26. El Vecino #3 Addition (uninhabited) for referral to the Planning Commission.
(Information attached. Resolution referring to Planning Commission needed)
ACTION: Res. 67-519 adopted referring to Planning Commission (Planning to handle).

Appropriation transfers

27. Request for appropriation transfer from 60-321, Special Fund for Capital Outlay, General Reserve, to 6108-41-321, modernization of fire alarm system.
(The Chief Electrician's cost estimate failed to include a figure for removal of abandoned firm alarm circuits, house tappers, and alarm circuits installed in 18 firemen's residences. Labor costs for wire removal are reported in the amount of $1,500 which results in a deficit of $1,345 in Acct. 6108-41-321. The project is complete and additional funds are needed to balance the account. Amount of transfer, $1,345)
ACTION: Res. 67-520 adopted (Shastid/Simon-unan) authorizing appropriation transfer (Finance to handle).

28. Consider approving appropriation transfer to cover the cost of work done by City forces at the Corporation Yard that was shown on work order charges and charged against the capital account. (Memorandum of explanation distributed with agenda) Resolution approving appropriation transfer in the amount of $4,400 needed.
Held until June 26.

29. Consider approving appropriation transfer to finance additional equipment needed to make new Corporation Yard fully operational. (Memorandum of explanation and list of work to be done distributed with agenda) Resolution approving appropriation transfer in the amount of $4,000 needed.
Held until June 26.

Miscellaneous

30. Recommendation that Mayor write letter to CAC requesting information concerning possible allocation of funds from Westside Center.
Held until June 26.

31. Legislative matters
Held until June 26.

32. Appointment of members to Planning Commission and Board of Zoning Adjustment
Held until June 26.

Adjournment
(Mitchell/Shastid-unan) at 6:00 P.M.

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

MINUTES OF ADJOURNED SPECIAL MEETING, BUDGET CONSIDERATION, JUNE 22, 1967 AT 4:00 P.M.

Present: Councilmen: Shastid, Simon, Smith, Mayor Davies

Absent: Councilmen: Hughes, Mitchell, Robinson

CAPITAL IMPROVEMENT PROGRAM

Public Works - Airport

MOTION

That Account 511, Aircraft Parking Ramp, scheduled for fiscal year 1967-68 be increased to $14,000; that the Public Works, Airport Capital Improvement Program for fiscal year 1967-68 be tentatively approved as amended

Smith/Simon Unan. approved

Public Works - Garbage Refuse

MOTION

That Account 535, Comprehensive Study, Public Works, Garbage Refuse, scheduled for fiscal year 1968-69 be tentatively accepted

Smith/Simon Unan. approved

Public Works - Public Buildings

In discussing Public Works, Public Buildings, the staff was instructed to advance "Auditorium/Civic Ctr/Plans and Studies" from 1968-69 to 1967-68, and to change the title to "Civic Area Plans."

MOTION

That the Capital Improvement Program for Public Works - Public Buildings for fiscal year 1967-68, as amended, be tentatively approved

Smith/Simon Unan. approved

Public Works - Sewers and Sewage Disposal

MOTION

That the Capital Improvement Program for Public Works, Sewers & Sewage Disposal for fiscal year 1967-68 be tentatively approved

Smith/Simon Unan. approved

Public Works - Storm Drainage

MOTION

That the Capital Improvement Program for Public Works - Storm Drainage as scheduled for fiscal year 1968-69 through 1971-72 be tentatively accepted

Smith/Simon Unan. approved

Public Works - Street Lighting

MOTION

That the Capital Improvement Program for Public Works - Street Lighting, for fiscal year 1967-68 be tentatively approved

Smith/Simon Unan. approved

Public Works - Streets

MOTION

That the Capital Improvement Program for Public Works - Streets for fiscal year 1967-68 be tentatively approved

Smith/Simon Unan. approved

Public Works - Water

MOTION

That the Capital Improvement Program for Public Works - Water for fiscal year 1967-68 be tentatively approved

Smith/Simon Unan. approved

MOTION

That the six-year Capital Improvement Program for fiscal years 1967-68 through 1972-73 be accepted

The Director of Finance reported that certain preliminary budget changes had been made by the staff to include projects that were budgeted for 1966-67 but will not be completed by the end of the fiscal year.

PROPOSED POSITION OF DIRECTOR OF COMMUNITY DEVELOPMENT

Mayor Davies suggested that thought be given to the possibility of establishing a position of Director of Community Development for the purpose of making a continuous study of all civic development programs, to be sure all programs are coordinated and all available monies (federal, state or local) are utilized in the best manner. This is currently performed by the City Manager with the assistance of various departments. No action was taken but the council agreed to study the suggestion.

ADJOURNMENT

MOTION

That the meeting now in session be adjourned

Smith/Simon Unan. approved

The meeting adjourned at 5:20 P.M.

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH
City Clerk

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 26, 1967 AT 7:30 P.M.

Roll Call PRESENT: Robinson, Shastid, Simon, Smith, Mayor Davies

ABSENT: Hughes, Mitchell

Pledge of allegiance to the Flag
Invocation: ~~Rabbi Israel L. Cuchon, Beth Shalom~~ Moment of silent prayer.

CONSENT ITEMS REQUIRING RESOLUTION: Items 5, 6, 25, 27, 29, 30, 31, 32, 33(a), 33(b), 33(c), 33(d), 34, 35, 37, 38, 39, 40, 41, 42, 43, 45
Shastid/Smith - Unan.
Absent: Hughes, Mitchell

CONSENT ITEMS REQUIRING MOTION WITH ROLL CALL VOTE - ORDINANCES Items 17, 18, 19, 24
Robinson/Smith - unan
Absent: Hughes, Mitchell

(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)

Approval of minutes

1. Meetings of June 13, 15 and 19, 1967.

   ACTION: Approved as distributed.

Correspondence, petitions and remonstrances

2. Petition from 95 persons living in the area south of Hatch Road and west of Crowsslanding Road stating that signers "are in favor of annexation to the City of Modesto."

   ACTION: Referred to staff for study and report.
   (Planning to handle)

3. Letter from Mrs. John W. Carey suggesting official recognition by City when local resident has been killed in Viet Nam.

   ACTION: By motion (Robinson/Shastid - unan) Clerk directed to set up procedure whereby resolution is sent to next of kin after adoption by Council.
   (Clerk to handle)

Bids

4. Consider award of bid for legal advertising for fiscal year 1967-68.
(Bids received from Modesto Bee and Modesto Tribune. Memorandum with agenda. Resolution awarding bid needed. Estimated cost $7,500; funds budgeted in Account 230-14, Advertising, Legal & Other)

   ACTION: Res. 67-521 adopted (Robinson/Shastid-unan.) awarding bid to Modesto Bee.
   (Clerk & City Attorney to handle)

CONSENT

5. Approve specifications and call for bids for furnishing of the desanding unit for Pump Station 33.
(Bid Opening: July 11, 1967 at 10:10 A.M. The sand trap is needed to eliminate sand entering the water distribution system. Resolution approving specifications and call for bids needed. Funds budgeted in Account 6803-50, New Well - Pump Station #33)

ACTION: Res. 67-522 adopted approving specs. and call for bids.
(P/W to handle)

CONSENT

6. Approve plans and specifications and call for bids for the improvement of Leveland Lane at T.W.S.R.R. Crossing.
(Bid opening July 11, 1967 at 10:00 A.M. Memo of explanation with agenda. Resolution approving plans and specifications and call for bids needed. Funds budgeted in Account No.
Misc. Rights of Way Improvements (1967-68 budget)

ACTION: Res. 67-523 adopted approving plans and specs. and call for bids.
(P.W to handle)

Hearings

7. Hearing on amendment to Section 21-3-9 of the zoning map (Nunes) 7:40 P.M.
(Information with agenda)

ACTION: Res. 67-524 adopted approving development plan.
Ord. 837-C.S. introduced amending zoning map.
Simon/Shastid-majority- Smith "no"
(Planning to handle

8. Hearing on proposed Downey Park No. 4 annexation to City of Modesto. 7:45 P.M.
(Information with agenda)

ACTION: By motion, hearing continued to August 7 at 4:30 P.M.
Shastid/Robinson - unan.
(Clerk to handle)

9. Hearing on proposed Woodrow No. 2 annexation to City of Modesto. 7:45 P.M.
(Information with agenda)

ACTION: Res. 67-525 adopted declaring no majority protest made.
Ord. 838-C.S. introduced and adopted annexing area.
Robinson/Shastid - unan.
(Clerk to handle)

10. Hearing on amendment to Section 16-3-9 of the zoning map (Wainwright Realty) 7:50 P.M.
(Information with agenda.)

ACTION: Ord. 839-C.S. introduced amending zoning map.
Robinson/Smith - unan.
(Planning to handle)

11. Hearing on sidewalk requirement, Lot 1, Block 2054, 180 No. Santa Ana (Anderson) 7:55 P.M.

ACTION: Res. 67-526 adopted ordering work done
Smith/Simon - unan.
(P/W to handle)

12. Hearing on sidewalk requirement, Lot 13, Block 6140, Granger At 1600 Albany (Finn) 7:55 P.M.
ACTION: Res. 67-527 adopted ordering work done.
Smith/Simon - unan.
(P/W to handle)

13. Hearing on sidewalk, curb and gutter requirement, Lot 45, Block 709, 702 Sycamore (Turner) 7:55 P.M.
ACTION: Res. 67-528 adopted ordering work done
Smith/Shastid - unan.
(P/W to handle)

14. Hearing on amendment to zoning regulations (Requirement for street trees payment) 8:00 P.M.
ACTION: Ord. 840-C.S. introduced amending zoning regulations.
Robinson/Smith - unan.
(City Clerk to handle)

15. Hearing, curb cut variance, Celeste Drive (Ellis) 8:05 P.M.
ACTION: Res. 67-529 adopted granting variance
Smith/Shastid - unan.
(P.W. to handle)

16. Continued hearing on proposed Sunrise annexation to City of Modesto. 8:10 P.M.
ACTION: Res. 67-530 adopted declaring no majority protest made.
Res. 67-531 adopted fixing August 29 as date for election.
Robinson/Smith - unan.
(City Clerk to handle)

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

Rae Codoni, representing the Farm-City Committee, was introduced.

Res. 67-532 adopted fixing July 24, 1967 at 8:00 P.M. as time for hearing protests to annexation of El Vista No. 1 addition to City of Modesto. (Smith/Simon - unan. Clerk to handle).

Adoption of Ordinances

CONSENT

17. Final adoption of Ord. No. 833-C.S. amending Section Map 22-3-9 (Flory).
ACTION: Ordinance adopted by motion.
(City Clerk to handle)

CONSENT

18. Final adoption of Ord. 834-C.S. amending Section Map 29-3-9 (Planning Commission).
ACTION: Ordinance adopted by motion.
(City Clerk to handle)

CONSENT

19. Final adoption of Ord. 835-C.S. amending Section map 15-3-9 (Ellis)
(The three ordinances listed above have been published as required by the Charter. Motion with roll call vote needed)

ACTION: Ordinance adopted by motion.
(City Clerk to handle)

Old business

20. Letter from Robert A. Corby Jr. stating that Continental Casualty Co. would use some of profit made by the group plan in first year of operation and apply it to the estimated deficit for 1967-68 year.

ACTION: By motion (Robinson/Shastid - unan.) this matter continued to July 5 to permit Mr. Corby to be present to answer questions.
(Personnel to handle)

21. Mandatory garbage collection in the City of Modesto.
(Memo with agenda. Authorization for City Attorney to prepare ordinance which would provide for mandatory garbage collection within city limits of City of Modesto needed)

ACTION: By motion (Shastid/Simon - unan.) City Attorney authorized to prepare ordinance requiring mandatory garbage collection.
(City Attorney to handle)

22. Further consideration of ordinance to be required when [illegible] standards (from June 19th meeting)

23. Further discussion of bus purchase.
(A memo from the Director of Parking and Traffic has been sent with the agenda. It is suggested that the proposed bus be brought to Modesto. There may be some council discussion on the recent announcement that the bus grant may be $12,000 less than was possible. Motion directing staff needed)

ACTION: By motion (Smith/Robinson - unan.) staff instructed to bring bus to Modesto for inspection and also to make application for additional federal funds to cover part of cost of air conditioning busses.
(Parking & Traffic to handle)

New business

CONSENT

24. Consider lowering the speed limit to 35 MPH on Carpenter Road between the Tuolumne River and Robertson Road.
(The present speed limit of the state law maximum of 65 MPH appears excessive in view of the large number of vehicles turning in and out of the City sanitary land fill on the east side of Carpenter. The curving alignment and narrowness of Carpenter also make the 65 MPH speed limit undesirable. Ordinance needed. Estimated cost $30; funds budgeted in Account 5301-56-101, Traffic signs)

ACTION: Ordinance 841-C.S. introduced fixing 35 MPH speed limit.
(Parking & Traffic to handle)

CONSENT

25. A resolution determining that the public interest and convenience require that an area be annexed to the Modesto Municipal Sewer District No. 1; setting forth a general description of the area proposed to be annexed to the District; and naming a time and place for hearing on the annexation of said territory to said District and providing for notice thereof (North 99 No. 2 Addition)
(With the formation of the Modesto Municipal Sewer District No. 1, it is now necessary after we annex territory to the City of Modesto, to also annex said territory to the Modesto Municipal Sewer District. Resolution setting hearing needed. Suggested date 8/14/67 at 8:00 P.M.)
ACTION: Res. 67-533 adopted setting hearing.
(Clerk to handle)

26. Resolution authorizing the institution of condemnation proceedings to acquire certain real property in the County of Stanislaus to be used for a remote sewer ponding site, a municipal purpose.
(The Reclamation Board of the State of California held a special hearing to consider the plans of the City of Modesto to construct an oxidation ponding system on June 16, 1967 in the M.I.D. Auditorium. At the conclusion of the hearing the Board granted the City a permit to proceed with this project. It is now appropriate for the City to proceed with the filing of condemnation proceedings to acquire the land needed for the site. Adoption of resolution authorizing condemnation needed)
ACTION: Res. 67-534 adopted authorizing condemnation proceedings to acquire real property for use as remote sewer ponding site.
Shastid/Smith - unan. (City Attorney to handle)
* See below.

CONSENT

27. Resolution authorizing filing of application with the Department of Housing and Urban Development, United States of America, for grant to acquire Open-Space land for the Chrysler Neighborhood Park.
(On May 8, 1967 the Council approved the application prepared for the Chrysler Park. The Department of Housing and Urban Development has now requested minor changes in the form of the application, and therefore, it is necessary for the Council to re-approve the application. Except for these minor changes in form, the application is identical with the one previously approved by the Council. Adoption of resolution needed)
ACTION: Res. 67-535 adopted authorizing filing of application.
(City Manager and Parks & Recreation to handle)

28. Consider authorizing purchase of 4-wheel street sweeper from Nixon-Egli Equipment Co., Inc., of Emeryville, Calif.
(A memorandum accompanies the agenda. Resolution needed. Estimated cost $13,460; funds budgeted in Account 5411-48-512, Service Division, Capital Acct.)
ACTION: Res. 67-536 adopted authorizing purchase of Mobil 4-wheel street sweeper from Nixon-Egli Equipment Co., Inc.
Shastid/Smith - majority - Simon "no".
(Finance to handle)

* Deputy City Manager Ray, Director of Public Works Campbell, and City Attorney Johnson commended by City Manager for excellent work on sewer project.

CONSENT

29. Con sider approval of lease agreement with Darold Jolliff for 14 transient tie-down spaces adjacent to and north of aircraft fueling facility.
(Memorandum of explanation distributed with agenda. Resolution approving lease agreement needed)
ACTION: Res. 67-537 adopted approving lease agreement.
(Public Works & Finance to handle)

CONSENT

30. Consider approval of revised lease agreement at City-County Airport for Standard Oil Co. of Calif., Darold Jolliff, and Modesto Flying Service.
(Revised lease agreements include special non-discrimination requirements of Federal Aviation Agencyand/or new rental charges for rental of hangar facilities, as established June 19 by Council Resolution. Resolutions approving lease agreements effective July 1, 1967 needed)
ACTION: Res. 67-538 adopted approving revised lease agreement with Standard Oil Co. of California.
Res. 67-539 adopted approving revised lease agreement with Darold Jolliff.
Res. 67-540 adopted approving revised lease agreement with Modesto Flying Service (P/W and Finance to handle)

CONSENT

31. Consider request for sewer service to property at 1211 East Fairmont located on north side of Fairmont between El Terino Avenue and Coffee Road.
(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. 67-541 adopted approving agreement.
(Public Works to handle)

CONSENT

32. Consider the purchase of a well screen for use at Pump Station 35.
(Memo with agenda. Resolution authorizing purchase of well screen needed. Estimated cost $3,007.17, funds budgeted in Account 6838-50, New Well - Pump Station 35)
ACTION: Res. 67-542 adopted authorizing purchase of well screen.
(Public Works and Finance to handle)

CONSENT

33. 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 Supt. of Streets to post the property)
(Adoption of resolutions needed. Suggested hearing date, July 10, 1967 at 7:45 P.M.)

CONSENT

(a) Curb and gutter requirement, 2012 Haddon Ave., Lot 10, Block 2226 (Jones)

ACTION: Res. 67-543 adopted authorizing Superintendent of Streets to post property.
(Public Works to handle)

CONSENT

(b) Curb and gutter on Escuelita at 179 No. Santa Ana Ave., Lot 18, Block 2032 (Cardoza)

ACTION: Res. 67-544 adopted authorizing Superintendent of Streets to post property.
(Public Works to handle)

CONSENT

(c) Sidewalk, curb and gutter at 212 W. Granger Ave., Lot 6, Block 6132 (Priest)

ACTION: Res. 67-545 adopted authorizing Superintendent of Streets to post property.
(Public Works to handle)

CONSENT

(d) Curb and gutter on W. Granger Ave. at 1600 Tully Road, Lot 13, Block 6142 (Western Farms, Inc.)

ACTION: Res. 67-546 adopted authorizing Superintendent of Streets to post property.
(Public Works to handle)

CONSENT

34. Consider joint use agreement with Tidewater Southern Railway Company in connection with new crossing at Leveland Lane.
(This agreement permits City to enter railroad property for purposes of constructing a street crossing. Resolution approving agreement needed)

ACTION: Res. 67-547 adopted approving agreement.
(Public Works to handle)

CONSENT

35. Approve agreement with Ribera and Sue to develop plans for the Tuolumne River Regional Park.
(This is to approve agreement with Ribera and Sue, landscape architect firm of Oakland, to prepare the plans for the Tuolumne River Regional Park, the cost to the City $4,250. The County to pay $3,950, the City of Ceres to Pay $300, total cost of the agreement $8,500. Oral report at meeting. Resolution adopting agreement needed. Funds budgeted in Account 6329-321, Tuolumne River Area, p. 61)

ACTION: Res. 67-548 adopted approving agreement.
(Parks and Recreation to handle)

36. Adoption of the operating budget.
(A report has been prepared showing the adjustments to the preliminary budget recommended by the City Council. It is recommended that the preliminary budget, as amended by the City Council, be adopted. Copies of the report are submitted with the agenda. Adoption of ordinance needed)

ACTION: By motion (Robinson/Shastid,unan) $160,000.00 transferred from Reserves to Street Lighting Program. (Finance to handle)

Ord. 842-C.S. adopted adopting operating budget.
(Finance to handle)

Reports from the Planning Commission

CONSENT

37. Recommend commencement of annexation proceedings - Coffee No. 2 Addition.
(By Resolution No. 67-63 adopted on June 20, 1967 the Planning Commission recommends commencement of proceedings for the annexation of uninhabited territory known at Coffee No. 2 Addition. Resolution setting date for public hearing needed. Suggested hearing date July 10, 1967 at 8:00 P.M.)

ACTION: Res. 67-549 adopted setting hearing.
(Clerk to handle)

CONSENT

38. Recommend commencement of annexation proceedings - El Vecino No. 3 Addition.
(By resolution #67-64 adopted June 20, 1967 the Planning Commission recommends commencement of proceedings for the annexation of uninhabited territory known as El Vecino No. 3 Addition. Resolution setting date for public hearing needed. Suggested hearing date July 10, 1967 at 8:05 P.M.

ACTION: Res. 67-550 adopted setting hearing.
(Clerk to handle)

CONSENT

39. Request for appropriation transfer.
(Funds are needed to provide duplicating equipment and additional desk in the Executive Secretary's office of the D.I.D. Resolution approving appropriation transfer for Downtown Improvement District needed. Estimated cost $1,128)

ACTION: Res. 67-551 adopted approving appropriation transfer.
(Finance to handle)

CONSENT

40. Consider approving appropriation transfer to cover the cost of work done by city forces at the Corporation Yard that was shown on work order charges and charged against the capital account. Memorandum of explanation distributed with agenda at June 19th meeting. Resolution approving appropriation transfer needed ($4,400)

ACTION: Res. 67-552 adopted approving appropriation transfer.
(Finance to handle)

CONSENT

41. Consider approving appropriation transfer to finance additional equipment needed to make new Corporation Yard fully operational.
(Memorandum of explanation and list of work to be done distributed with agenda 6/19/67. Resolution approving appropriation transfer of $4,000 needed) (Item Func I)

ACTION: Res. 67-553 adopted approving appropriation transfer.
(Finance to handle)

CONSENT

42. Request for appropriation transfer for Municipal Sewer District. (To provide additional funds for charges to the Sewer Service Fund in behalf of the Municipal Sewer District No. 1. During the 1967-68 fiscal year the Sewer Service Fund is to be reimbursed for these expenditures that have been recorded as a liability of the Sewer Bond Fund. Resolution approving appropriation transfer of $31,586 needed)

ACTION: Res. 67-554 adopted approving appropriation transfer. (Finance to handle)

CONSENT

43. Request for appropriation transfer to cover costs for the widening of Yosemite Blvd.
(To take money from the Contingency Reserve of the Special Gas Tax Fund and appropriate it to Account 6712, Fund 207. To provide for costs estimated through June 30, 1967 for the widening of Yosemite Blvd. Resolution approving transfer of $10,000 needed)

ACTION: Res. 67-555 adopted approving appropriation transfer. (Finance to handle)

Miscellaneous

44. Legislative matters.

None

CONSENT

45. Recommendation that Mayor write letter to CAC requesting information concerning possible allocation of funds for Westside Center. (From June 19)

ACTION: By motion (Shastid/Smith-unan) Mayor authorized to write letter.
(City Manager to handle)

46. Appointment of member to Planning Commission, and a member to Board of Zoning Adjustment.
(From June 19)

ACTION: Res. 67-556 adopted appointing William M. Nicholson, Jr. as member of Planning Commission to replace Raymond C. Simon. (City Clerk to handle) Smith/Simon - unan.

Res. 67-557 adopted appointing Harold Schulenberg as member of Board of Zoning Adjustment to replace Gerald Underwood. (City Clerk to handle)Smith/Simon - unan.

Adjournment

By motion (Shastid/Simon,unan.) the Council adjourned at 10:45 P.M. to executive session to consider litigation pending against the City.

Adjournment

Shastid/Simon - unan., at 10:50 P.M.

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

MINUTES OF MEETING OF MODESTO CITY COUNCIL, JULY 3, 1967

At 4:00 P.M. on July 3, 1967 there being no members of the Modesto City Council present, the City Clerk adjourned the meeting to and until 4:00 P.M. on July 5, 1967.

At 4:30 P.M. on July 3, 1967 the time set for a hearing on the abandonment of portion of 20-foot public utility easement in Lots 2 and 3, Block 12410, in Somerset Park No. 1, there being no members of the Modesto City Council present, the City Clerk continued said hearing to and until 4:30 P.M. on July 5, 1967.

At 4:45 P.M. on July 3, 1967 the time to which the hearing on amendment to Section 22-3-9 of the zoning map (City of Modesto) had previously been continued, there being no members of the Modesto City Council present, the City Clerk continued said hearing to and until 4:45 P.M. on July 5, 1967.

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

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 3, 1967 AT 4:00 P.M.
ADJOURNED TO JULY 5, 1967 AT 4:00 P.M.
(NOTE: Matters scheduled for July 3 will be considered at an adjourned meeting, July 5, 1967 at 4:00 P.M.)

Roll Call: Present: Councilmen Mitchell, Shastid, Simon, Smith, Mayor Davies (Hughes arrived at 4:05 P.M.)

Pledge of allegiance to the Flag
Invocation: Reverend Charles Lindberg, First Christian Church

Approval of minutes

1. Meetings of June 22 and 26, 1967.
   ACTION: By motion (Simon/Shastid,unan) minutes approved.

CONSENT ITEMS REQUIRING RESOLUTION: Items 4, 10, 17, 20(a) 20(b), 20(c)
ACTION: Smith/Simon, unan - Hughes, Robinson absent.
CONSENT ITEMS REQUIRING MOTION WITH ROLL CALL VOTE: Items 7, 8, 9
ACTION: Mitchell/Shastid, unan - Hughes, Robinson 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).

Correspondence, petitions and remonstrances

2. Invitation from National League of Cities to attend annual Congress of Cities on July 29 - August 2 in Boston, Mass.
   ACTION: It was announced that Mitchell plans to go and that Smith may also attend. Councilmen requested to contact City Manager if they plan to attend so plans may be coordinated.
3. Letter from West Side Neighborhood Center commending Police and Parks and Recreation Departments.
   ACTION: Police Dept. and Parks and Recreation Dept. commended by Mayor for good community relations.

Bids
CONSENT

4. Consider accepting low bid and authorize purchases of gasoline from Union Oil Co. for a one-year period commencing July 1, 1967. (A memorandum and bid tabulation accompanies agenda)
   ACTION: Res. 67-558 adopted authorizing purchase of gasoline from Union Oil Co. for 1967-68 fiscal year. (Finance to handle)

Hearings

5. Hearing on abandonment of portion of 20-foot public utility easement in Lots 2 and 3, Block 12410, in Somerset Park no. 1 Subdivision. 4:30 P.M.
   (Information with agenda)
   ACTION: Resolution 1040-S.P. adopted (Hughes/Smith,unan) abandoning easement.
   (Clerk to handle)

6. Hearing continued on amendment to Section 22-3-9 of zoning map (City of Modesto) (continued from 6/5/67 meeting) 4:45 P.M.
ACTION: By motion (Shastid/Hughes, unan) hearing continued to August 7 at 4:35 as Boy Scouts have not made decision on location of clubhouse.
(Clerk to handle)

Matters for the good of the community 4:50 P.M.
(These may be presented by citizens in the audience)

Councilman Mitchell reported that autos were being driven into Kewin Park and that this might endanger children and ruin the grass. He suggested that the present chain barrier be extended. The Mayor directed the staff to look into this and report to the Council.
(Parks & Recreation to handle)

Ordinances
CONSENT
7. Final adoption of Ordinance 836-C.S. (Subdivision Regulations)
ACTION: By motion ordinance adopted.
(Clerk to handle)

CONSENT
8. Final adoption of Ordinance No. 840-C.S., zoning regulations, payment for street trees.
ACTION: By motion ordinance adopted.
(Clerk to handle)

CONSENT
9. Final adoption of Ordinance No. 841-C.S., Carpenter Road speed limits.
ACTION: By motion ordinance adopted (Clerk to handle)

CONSENT
10. Consider ordinance establishing regulations for limited ambulances.
(Recently the City Council received a request for a permit to operate a vehicle within the City of Modesto to provide transportation services under the provisions of the California Medical Assistance Program. Because this type of business did not fit under either the taxicab provisions or the ambulance provisions of the Municipal Code, the staff was directed to prepare a set of new regulations covering this type of business. A copy of the proposed ordinance establishing regulations for limited ambulances will be sent to the Mayor and Councilmen. During its prior discussion regarding this matter, the Council indicated that it would want to hold an informal public hearing before adoption of these regulations. Suggested hearing date is July 17, 1967 at 4:35 P.M.)
ACTION: Res. 67-559 adopted setting time for informal hearing.
(Clerk to handle)

11. Consider ordinance relating to juke boxes and other coin operated music devices in residential areas.
(Recently the City Council received a petition from several residents on the west side asking the Council to consider the adoption of an ordinance to prohibit the use of juke boxes and other commercial type music devices in residential neighborhoods. Pursuant to Council instruction, the staff has prepared such an ordinance. A copy of the ordinance has been transmitted with the agenda to the Mayor and Councilmen. Introduction of ordinance needed)
ACTION: Ord. 843-C.S. introduced (Hughes/Shastid, unan)
(Clerk to handle)

Old business

12. Further discussion of bids received for asbestos cement water pipe.
(Memo with agenda)
ACTION: Res. 67-560 adopted (Hughes/Shastid, unan) rejecting all bids received June 12.
Res. 67-561 adopted (Hughes/Shastid, unan) setting July 17 at 2:00 P.M. for bid opening (Finance to handle)

13. Further consideration of increase in costs of group insurance.
ACTION: Res. 67-562 adopted (Smith/Shastid,unan) approving increase in costs of group insurance.
(Personnel to handle)

14. A bus of the type proposed for purchase by the City will be available at 5:00 P.M. July 5 for inspection and a ride by Councilmen and other interested persons.
(No council action needed. A separate item will be on the agenda calling for bids for busses.
At 5:00 P.M. the meeting was recessed to permit the Council to ride a GMC bus.
The meeting was reconvened at 5:15 P.M.

14A. Approve specifications and call for bids on four busses.
(It is suggested that bids be received at 2:00 P.M. on July 21, 1967. A report by the Director of Parking and Traffic has been sent with the agenda. Estimated cost $70,000. Funds to be requested later subject to federal grant. Resolution needed)
ACTION: Staff directed to prepare addendum to specs. providing for omission of air conditioning as an alternate.
(Parking & Traffic to handle)
Res. 67-563 adopted (Shastid/Simon, unan) approving specs. plus addendum and setting time for receiving bids.
(Clerk & Parking & Traffic to handle)

15. Further consideration of revision to standard specifications for subdivision improvements relating to street lighting.
ACTION: Ord. 844-C.S. introduced (Shastid/Mitchell, unan) revising general requirements for street lighting to provide for 330' spacing between standards.
(City Attorney & City Clerk to handle)

New business

16. Request for advanced vacation by City Clerk for period July 27 to August 2, 1967 inclusive.
(Vacation time not yet earned. This will be an advance, Motion of approval needed)
ACTION: By motion (Hughes/Shastid, unan) request granted.
(Clerk to handle)

CONSENT

17. Consider request for sewer service to property at 1524 Paulette Avenue located on the east side of Paulette Avenue between East Coolidge Avenue and Northern Boulevard.
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City; however, a line exists to serve it. Memo with agenda. Resolution approving agreement needed)
ACTION: Res. 67-564 adopted approving agreement.
(Public Works to handle)

18. Proposed rental fees for commercial organizations using Del Webb Field.
(Memo with agenda. Motion directing staff needed)
ACTION: By motion (Hughes/Shastid, unan) staff directed to prepare necessary documents to enable Council to take action to charge fees in manner recommended by Director of Parks & Recreation.
(Parks & Recreation to handle)

19. Consider resolution requesting that the State make a county-wide transportation study.
(Explanation to be made at council meeting. Resolution needed. No cost to City)
ACTION: Res. 67-565 adopted (Smith/Shastid, unan) requesting study.
(City Clerk to handle)

CONSENT

20. Report of Superintendent of Streets on cost of installation of sidewalk and/or curb and gutter.
(The amounts to be assessed against the properties are included in reports distributed with the agenda. The City Clerk will set the date for hearings and the reports should be held until the hearing. Suggested hearing date June 17, 1967 at 4:30 P.M. Resolutions setting dates for hearing needed)

(a) Lot 10, Block 3088 (on Placid Lane and Elsie Street) (Bowman)
ACTION: Res. 67-566 adopted setting hearing (Clerk to handle)

(b) Block 6727 (on Tully Road) (Hill)
ACTION: Res. 67-567 adopted setting hearing (Clerk to handle)

(c) Lots 12, 13, & 14, Block 409 (Pine Street) (Liles)
ACTION: Res. 67-568 adopted setting hearing (Clerk to handle)

Reports

21. Survey of property owners on College Avenue from Stoddard to Coldwell.
(Memo with agenda)
ACTION: By motion (Hughes/Smith, unan) staff directed to prepare report on possibility of permitting on-street parking on Saturdays, Sundays & holidays.
(Parking & Traffic to handle)

Reports from the Planning Commission

None

Appropriation transfers

None

Miscellaneous

22. Legislative matters
None

Adjournment

By motion (Hughes/Smith, unan) at 5:35 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 10, 1967 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 George Telle, Trinity Presbyterian Church

CONSENT ITEMS REQUIRING RESOLUTION: Items 3, 17, 18, 19, 23(a), 23(b), 23(c), 23(d)
ACTION: (Mitchell, Robinson Unan.)
CONSENT ITEMS REQUIRING MOTION WITH ROLL CALL VOTE: ACTION: (Shastid/Simon, Unan.) Items 15, 16
(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)

Correspondence, petitions and remonstrances

1. Letter from property owners on LaLoma objecting to installation of sidewalks. ACTION: No action taken but Mr. Robertson Palmer (spokesman for objectors) was urged to contact C/Mgr. concerning complaints over letter from P/W.

2. Letter from Modesto Neighborhood Church requesting agreement to make improvements in lieu of bond. ACTION: Held up one week at request of applicant.

Bids
CONSENT

3. Award contract for modernization of traffic signals and street lighting at 10th and L and K, and at 11th and G, H, and K Streets. (Industrial Electrical Co., Inc., is low bidder at $17,765. Bid tabulation with agenda. Resolution awarding bid to Industrial Electrical, Inc. needed. Resolution approving appropriation transfer of $19,300 needed) ACTION: Res. 67-569 adopted awarding bid to Industrial Electrical, Inc. (P&T to handle) Res. 67-570 adopted approving appropriation transfer. (Finance to handle.)

Hearings

4. Hearing, sidewalk requirement, Lot 9, Block 6054 (Mendosa) 7:45 P.M.
ACTION: Res. 67-571 adopted ordering work done. (Smith-Hughes Unan.) (P/W to handle.)

5. Hearing, curb and gutter, north 40 feet of Lot 36 and south 32 feet of Lot 5 of North Central Tract (Casey) 7:45 P.M.
ACTION: Res. 67-572 adopted ordering work done. (Smith/Hughes, unan.) (P/W to handle.) Staff directed to answer letter of protest from Mr. Casey. (P/W to handle.)

6. Hearing, sidewalk requirement, Lot 1, Block 6253 (Lenser) 7:45 P.M.
ACTION: Res. 67-573 adopted, ordering work done. (Smith/Hughes, unan.) (P/W to handle.)

7. Hearing, sidewalk, curb & gutter requirement, Lot 11, Block 6119 (Gagon) ACTION: Res. 67-574 adopted ordering work done. (Smith/Hughes unan.) (P/W to handle) 7:45 P.M.

8. Hearing, curb and gutter requirement, Lots 15, 16 of Block 416 (Lockard) ACTION: Res. 67-575 adopted ordering work done. (Smith/Hughes unan.) (P/W to handle) 7:45 P.M.

9. Hearing, curb and gutter requirement, Lot 10, Block 2226 (Jones) ACTION: Res. 67-576 adopted ordering work done. (Smith/Hughes unan.) (P/W to handle) 7:45 P.M.

10. Hearing, curb and gutter requirement, east half of Lot 18 of Santa Ana Tract, north side of Block 2032 (Cardoza) ACTION: Res. 67-577 adopted ordering work done. (Smith/Hughes unan.) (P/W.to handle) 7:45 P.M.

11. Hearing, sidewalk, curb and gutter requirement, along street frontage abutting W. Granger Ave. on north side of Block 6132 (Priest) ACTION: Withdrawn from agenda as workhas been done. 7:45 P.M.

12. Hearing, curb and gutter requirement, Lot 13, Block 6142 (Western Farms, Inc.) Res. 67-578 adopted ordering work done. (Smith/Hughes, Unan.) (P/W to handle.) 7:45 P.M.

13. Hearing on annexation of Coffee No. 2 Addition to City of Modesto.
(Information with agenda) 8:00 P.M.
ACTION: Hearing closed. By motion (Robinson/Hughes, unan.) deliberations continued to/August 7. (Clerk to handle)

14. Hearing on annexation of El Vecino No. 3 addition to City of Modesto. 8:05 P.M.
(Information with agenda) ACTION: Res. 67-579 adopted annexing to City. (Hughes/Mitchell, unan.) (Clerk to handle)

Matters for the good of the community 8:10 P.M.
(These may be presented by citizens in the audience)

ACTION: Res. 67-580 adopted (Mitchell/Shastid, unan.) welcoming representatives of California Indian Communities to meeting on July 15, at M.J.C., suggesting that citizens extend every courtesy to them and commending city and county residents who are assisting in providing hospitality to them. (Clerk to handle)

Res. 67-581 adopted (Mitchell/Shastid, Unan.) rescinding Res. 67-563 calling for bids for 4 busses. (Clerk to handle.) Staff to notify prospective bidders of withdrawal of call for bids. (P/T to handle.)

Adoption of ordinances
CONSENT

15. Final adoption of Ordinance 837-C.S. (Prezoning Coffee Road/Gloria Way).

ACTION: Ordinance adopted by motion. (Clerk to handle.)

CONSENT

16. Final adoption of Ordinance 839-C.S. (Prezoning - Coffee Road/Norwegian Avenue)
(The above ordinances have been published as required and are ready for final adoption)

ACTION: Ordinance adopted by motion. (Clerk to handle)

Old business
CONSENT

17. Consider agreement between City and The Hertz Corporation whereby Hertz agrees to conduct a car rental service at the Modesto City-County Airport.
(This matter was previously considered by the City Council at its meeting of February 27, 1967 at which time by Resolution No. 67-132 it authorized the staff to prepare an agreement. The agreement has been prepared on a year-to-year basis, commencing 4/1/67 and ending 3/21/68, and continuing until terminated by either party giving the other at least 30 days prior notice to date such termination shall become effective. As consideration of permission given to Hertz to operate a car rental service, Hertz agrees to reimburse City in the amount of 5% commission on all car rentals originating at Airport with the understanding it will reimburse City a minimum amount of $50.00 per month. Resolution authorizing agreement needed)

ACTION: Res. 67-582 adopted approving agreement.
(Clerk to handle.)

New business
CONSENT

18. A resolution determining that the public interest and convenience require that an area be annexed to the Modesto Municipal Sewer District No. 1; setting forth a general description of the area proposed to be annexed to the District, and naming a time and place for hearing on the annexation of said territory to said District and providing for notice thereof (McWilliams Addition).
(With the formation of the Modesto Municipal Sewer District No. 1, it is now necessary after we annex territory to the City of Modesto, to also annex said territory to the Modesto Municipal Sewer District. Resolution setting hearing needed. Suggested hearing date August 21, 1967 at 4:30 P.M.)

ACTION: Res. 67-583 adopted setting hearing. (Clerk to handle.)

CONSENT

19. A resolution determining that the public interest and convenience require that an area be annexed to the Modesto Municipal Sewer District No. 1; setting forth a general description of the area proposed to be annexed to the District; and naming a time and place for hearing on the annexation of said territory to said District and providing for notice thereof (Greenwood Estates No. 2 Addition)
(With the formation of the Modesto Municipal Sewer District No. 1, it is now necessary after we annex territory to the City of Modesto, to also annex said territory to the Modesto Municipal Sewer District. Resoluting setting hearing needed. Suggested hearing date, August 21, 1967 at 4:35 P.M.)
ACTION: Res. 67-584 adopted setting hearing. (Clerk to handle)

20. Setting tax rate for the 1967 Sewer Improvement District Bonds.
(The State Law provides that the Modesto Municipal Sewer District No. 1 certify to the Board of Supervisors before July 15 the total amount of money the City wants raised for payment of principal and interest on the Sewer District Bonds. From this information the County Auditor will actually set the tax rate during August. The Council should certify that $81,030 will be equal to an 8¢ tax rate based on the tentative county assessment roll. Resolution needed)
ACTION: Res. 67-585 adopted certifying total amount of money wanted. (Shastid/Hughes, unan.) (Clerk to handle)

21. Approve proposed Master Plan - Marshall Park, and authorize staff to negotiate contract for working drawings.
(The proposed Master Plan for Marshall Neighborhood Park is ready for Council approval. Staff is recommending that Council approve the proposed plans and authorize staff to negotiate a contract for preparation of working drawings. Report on Master Plan will be made at meeting. Motion approving plans and authorizing staff to negotiate agreement needed)
ACTION: Motion (Hughes/Shastid) to approve plan and authorize staff to negotiate agreement for working drawings tabled by motion (Shastid/Smith, unan.) (To be on agenda 7/17)

22. Approve proposed master plan - Davis Park, and authorize staff to file application for Open Space Development Funds.
(The proposed Master Plan for Davis Community Park are ready for Council approval. Davis Park was acquired with Open Space funds; therefore, it qualifies for development funds through the Open Space program. Report on Master Plan will be made at meeting. Motion approving plans and authorizing staff to file application for Open Space funds needed)
ACTION: By motion (Robinson/Mitchell, unan.) action delayed one week.

CONSENT

23. 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 Supt. of Streets to post the property)

CONSENT

(a) Curb and gutter requirement, S/E corner Las Palmas and LaLoma, Lots 44, 45 and portion of Lot 1, Block 2018. (Resolution needed setting hearing; suggested date, July 24, 1967 at 7:45 P.M.)

ACTION: Res. 67-586 adopted setting hearing. (P/W to handle)

CONSENT

(b) Curb and gutter requirement, 202 Sunset Avenue, Lots 37 and 38, Block 325 (Winslow). (Resolution setting hearing needed; suggested date, July 24, 1967 at 7:45 P.M.)

ACTION: Res. 67-587 adopted setting hearing. (P/W to handle)

CONSENT

(c) Curb and gutter requirement, 129 Sunset Ave., Lots 18 and 19, Block 319 (Maclusi). (Resolution setting hearing needed; suggested date, July 24, 1967 at 7:45 P.M.)

ACTION: Res. 67-588 adopted setting hearing.(P/W to handle)

CONSENT

(d) Curb and gutter requirement, 133 Sunset Ave., Lots 20 and 21, Block 319 (Luttrell). (Resolution setting hearing needed; suggested date, July 24, 1967 at 7:45 P.M.)

ACTION: Res. 67-589 adopted setting hearing. (P/W to handle)

24. Consider Personnel Commission recommendation to approve a 5 per cent general salary increase. (Letter from Personnel Commission and minutes of special meeting of June 30, 1967 attached. Motion directing staff to prepare necessary resolution amending the pay plan needed).

ACTION: By motion (Smith/Mitchell, unan.) staff directed to prepare resolution granting 5% increase to all except dept. heads and council appointees and to begin study of any inequities in near future. (Personnel and C/Atty to handle.)

Reports

25. Report - Westside Neighborhood Center. (Oral report will be made at meeting regarding funds to operate the Center when it is ready for use)

ACTION: Res. 67-590 adopted (Robinson/Smith, unan.) stating that in the event Federal funds are not available the City of Modesto will guarantee the operation of a minimum program at Westside Neighborhood Center. (Clerk and P&R to handle.)

26. Letter from Norvin Spence regarding evaluation of students in the High School Work Experience Program during the school year 1966-67.
(Information sent with agenda)

ACTION: Res. 67-591 adopted (Smith/Hughes, unan.) commending Norwin Spence for success of High School Work Experience Program. (Clerk to handle)

Reports from Planning Commission

None

Miscellaneous

27. Legislative matters.

ACTION: By motion (Shastid/Hughes, unan) Mayor authorized to write Sen. Teale and Sen. Collier that Council still supports AB 2454. (Unruh gas tax bill) (C/Mgr to handle)

28. Executive session to discuss acquisition and disposal of city property.

ACTION: The Council adjourned to executive session at 10:00 p.m. and reconvened at 10:45.

By motion (Hughes/Robinson, unan.) staff directed to prepare resolution granting department heads and Council appointees a 5% wage increase. (Personnel and C/Atty. to handle)

By motion (Shastid/Smith, unan.) staff authorized to advertise and negotiate for lease of old corporation yard. (C/Mgr. and Finance to handle.)

Adjournment

Adjournment at 10:47 p.m. (Hughes/Mitchell, unan.)

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, CITY CLERK

CITY OF MODESTO MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 17, 1967 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Smith, Mayor Davies
Shastid arrived at 4:15 P.M.
Absent: Robinson, Simon

Pledge of allegiance to the Flag
Invocation: Reverend W. Gibbs, Baptist Temple

CONSENT ITEMS REQUIRING RESOLUTION: Items 4, 6, 7, 8, 9, 10, 11, 21, Mitchell/Smith, unan. - Robinson, Shastid, 22, 23, 24, 25, 26, 29, 32, 33 Simon absent

CONSENT ITEMS REQUIRING MOTION WITH ROLL CALL VOTE Items 15, 16
Smith/Hughes, unan. - Robinson, Shastid, Simon 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).

Approval of minutes

1. Minutes of July 5 and July 10, 1967.

Minutes approved.

Correspondence, petitions and remonstrances

2. Invitation from Stanislaus County National Council of Senior Citizens and Stanislaus-Tuolumne Central Labor Council to attend a Senior Citizens rally on July 29th at Mancini Bowl.
No action needed. If councilmen plan to attend they can notify City Manager who will notify Senior Citizens.

3. Letter from Whitmore-Carol Lane Church of Christ requesting use of Mancini Bowl for a religious service on August 14 from 7:30 P.M. until 9:00 P.M.
ACTION: By motion (Hughes/Smith, unan) request granted. Staff requested to investigate possibility of change in procedure for granting permission to use Mancini Bowl to enable staff to grant permission without council approval for each request. (Parks and Recreation to handle)

CONSENT

4. Application from B. M. Gilton and Sons for swill collector license. (Resolution fixing time for public hearing and referring to City Manager for report needed. Suggested hearing date July 24 at 7:50 P.M.)
ACTION: Res. 67-592 adopted setting hearing and referring to City Manager for report.
(Clerk and City Manager to handle)

5. Letter requesting maximum of $1,500 to assist Modesto Junior Chamber of Commerce in staging Trans-America Sedan Race at Crows Landing Naval Auxiliary Landing Field.
ACTION: Res. 67-593 adopted (Smith/Mitchell, unan) authorizing transfer of $1,305 from General Reserve to Account 448, Convention Fund. (This resolution was a substitute for a resolution authorizing an appropriation transfer of $1,500 and was introduced with the consent of the councilmen introducing and seconding the original resolution)
(Finance to handle)

5A. Letter from Frank Andrews requesting assistance of City Attorney in Mr. Andrew's suit against the M.I.D.
ACTION: Request died for Want of a motion.

Bids
CONSENT

6. Consider award of bid for construction of Leveland Lane Crossing of the Tidewater Southern Railway.
(Bids were opened July 11. The low bid submitted by Standard Materials Company was 10% above the Engineer's Estimate and is considered to be acceptable. Therefore, the Public Works Department recommends that the bid be awarded to them. Resolution awarding bid needed. Funds budgeted in Account 6647-321, Misc. Rights of Way and Improvements, Special Fund for Capital Outlays. Estimated cost, $8,857.25 - (Contract $4,157.25; Eng. & Insp. $500; TWSRR $4,200)
ACTION: Res. 67-594 adopted awarding bid.
(Public Works to handle)

CONSENT

7. Accept as complete George Reed, Inc. contract for resurfacing of various city streets and Del Webb Field parking lot.
(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, $26,438.65; Streets, $21,146.65; Del Webb, $5,292.00. Funds budgeted in Account 6350-321, Del Webb Field - Pave Parking Area; 321-51, Construction Material)
ACTION: Res. 67-595 adopted accepting work.
(Clerk to handle)

CONSENT

8. Consider award of bid for furnishing one desanding unit for Pump Station No. 33.
(Bids were opened on July 11. The low bid submitted by John T. Minahan Company is 10% under the Engineer's Estimated 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, $3,143.40; funds budgeted in Account 6803-50-101; Water - New Well, Pump Station No. 33, 1966-67 budget)
ACTION: Res. 67-596 adopted awarding bid.
(Public Works to handle)

CONSENT

9. Accept as complete George Reed, Inc., contract for the Improvement of Franklin Street between Maze Blvd. and Paradise 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 completed needed. Estimated cost $64,938.70 (Contract $57,888.70; Engr. $7,050; funds budgeted in Account 6653-207, 6653-321, Franklin-Paradise to Maze)
ACTION: Res. 67-597 adopted accepting work.
(Clerk to handle)

CONSENT

10. Acceptance of traffic signals and street lighting at 12th and K Streets.
(The work on the above project has been satisfactorily completed. The final cost is $105 higher than the bid due to relocation of the service detector loops and a signal head. Resolution accepting work needed. Estimated cost $8,860; funds budgeted in Account 6180-56-32, 12th & K)
ACTION: Res. 67-598 adopted accepting work.
(Clerk to handle)

Hearings

11. Hearing on cost of installation of sidewalk, Lot 10, Block 3088, Placid Lane and Elsie Street (Mrs. Bowman) 4:30 P.M.
ACTION: Res. 67-599 adopted (Hughes/Mitchell, unan) confirming report, assessing costs and directing method of collection.
(Public Works to handle)

12. Hearing on cost of installation of sidewalk, Block 6726, Tully Road (Hill) 4:30 P.M.
ACTION: Res. 67-600 adopted (Hughes/Mitchell, unan) confirming report, assessing costs and directing method of collection.
(Public Works to handle)

13. Hearing on cost of installation of curb and gutter, Lots 12, 13 and 14, Block 409, Pine Street (Liles) 4:30 P.M.
ACTION: Res. 67-601 adopted (Hughes/Mitchell, unan) confirming report, assessing costs and directing method of collection.
(Public Works to handle)

14. Informal hearing on regulations for limited ambulances. 4:35 P.M.
ACTION: Ord. 845-C.S. introduced (Hughes/Smith, unan) adding Sec. 6-1.227 to municipal code relating to limited ambulances.
Ord. 846-C.S. introduced (Hughes/Smith,unan) adding Chapter 9 entitled "Licensing and Regulation of Limited Ambulances" to municipal code.
(Clerk to handle)

Matters for the good of the community 4:45 P.M.
(These may be presented by citizens in the audience)

Frank Andrews complained of excessive costs of traffic tickets and suggested that courtesy cards be given to visitors. No action taken.

Res. 67-602 adopted (Mitchell/Shastid, unan) authorizing City Manager and City Clerk to execute permit issued by State Reclamation Board for sewer pond site.
(Clerk to handle)

Adoption of ordinances

CONSENT

15. Final adoption of Ordinance 843-C.S. (regulating coin operated music devices in residential areas)

ACTION: Ordinance adopted by motion.
(Clerk to handle)

CONSENT

16. Final adoption of Ordinance 844-C.S. (street lights, etc.)
(The above ordinances have been published as required by the Charter. Motion with roll call vote needed)

ACTION: Ordinance adopted by motion.
(Clerk to handle)

Old business

17. Letter from Modesto Neighborhood Church requesting agreement in lieu of improvement bond.
(From July 10 meeting)

ACTION: Consideration continued for one week at request of petitioner.

CONSENT

18. Reports on cost breakdown for development of Marshall and Davis Parks.

(a) Report on cost breakdown for proposed development of Marshall Neighborhood Park.

SEE PAGE 5

(b) Report on cost breakdown for the proposed development of Davis Community Park.
(Reports with agenda. (a) Motion approving proposed Master Plan for Marshall Park and authorizing the staff to negotiate a contract for the preparation of working drawings and specifications. (b) Motion approving Master Plan for Davis Park and authorizing staff to file application for Open Space Development Funds)

SEE PAGE 5

19. Proposed Master Plan for Marshall Park.
(A motion and second to accept plan and authorize staff to negotiate agreement for working drawings was tabled at the meeting of July 10).

SEE PAGE 5

20. Proposed Master Plan for Davis Park.
(Action on request for approval of plan and for authorization to file application for Open Space funds was delayed for one week at the July 10th meeting)

SEE PAGE 5

To clarify agenda items 18, 19 and 20 concerning Marshall and Davis Parks, Item 18 is removed from the agenda and Items 19 and 20 are changed to read as follows:

19. Proposed Master Plan for Marshall Park

A motion and second to accept plan and authorize the staff to negotiate agreement for working drawings was tabled at the meeting of July 10. (Report on costs of breakdown for proposed development of Marshall Neighborhood Park has been sent with the agenda).

20. Proposed Master Plan for Davis Park

Action on request for approval of plan and for authorization to file application for Open Space funds was delayed for one week at the July 10 meeting. (Report on cost breakdown for proposed development of Davis Community Park has been sent with the agenda.)

ACTION: It was moved by Shastid and seconded by Smith: (1) that the Master Plan for Marshall Park be approved and the staff authorized to negotiate an agreement for working drawings; (2) that the Master Plan for Davis Park be approved and staff authorized to file application for Open Space funds for its development.

By motion (Hughes/Shastid, unan) the above motion was separated.

Thereupon part (1) passed by unanimous vote.

By motion (Hughes/Mitchell, unan) part (2) of the original motion was separated to allow voting on the approval of plans and then voting on authorizing the filing of an application for Open Space funds.

Thereupon the Master Plan for Davis Park was approved by unanimous vote.

The filing of an application for Open Space funds was then authorized by majority vote, with Hughes dissenting.

CONSENT

21. Further consideration of salary matter.

(a) Consider adoption of resolution establishing salary schedules and fixing the compensation for positions in the city service.

ACTION: Res. 67-603 adopted establishing salary schedules and fixing compensation for positions in city service. (Finance to handle)

(b) Consider adoption of resolution approving appropriation transfer. (Salary matters were considered by the Council at its meeting of July 10, 1967 at which time the staff was directed to prepare the necessary documents to provide for an over-all increase of 5%. Estimated cost, $172,576). Resolution establishing salary schedules needed; resolution approving appropriation transfer of $172,576 needed)

ACTION: Res. 67-604 adopted approving appropriation transfer of $172,576. (Finance to handle)

CONSENT

22. Fixing time for hearing on annexation of Woodrow No. 2 Addition to Modesto Municipal Sewer District No. 1. (Resolution setting hearing needed. Suggested hearing date August 28, 1967 at 7:45 P.M.)

ACTION: Res. 67-605 adopted setting hearing. (Clerk to handle)

CONSENT

23. Petitions for the annexation of inhabited territory (El Vista No. 2). (Petitions were filed with City Clerk on July 6, 1967. There are 202 registered voters in the subject area and the petitions contained 68 valid signatures. This amounts to 33.66% and is sufficient to require the Council to pass a resolution of intention to call a special election in the district and to name the day, hour and place for hearing protests. Resolution setting hearing needed. Suggested hearing date August 14 at 8:05 P.M.)

ACTION: Res. 67-606 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider right of way contracts relating to dedication of property to the City of Modesto for widening of Yosemite Boulevard: (City to pay all title, transfer and escrow fees incurred)

(a) Nora E. Lane

ACTION: Res. 67-607 adopted approving contract with Nora E. Lane. (City Attorney to handle)

(b) B. F. Hudelson, et al

(The terms of the right of way contract from B. F. Hudelson, et al provide that City, at no expense to grantors, shall cause relocation of existing steel poles and signs from the property so as to conform with setback requirements of the City; that grantors shall have all legal rights of access to Yosemite Blvd., including the property described in grant deed executed by B.F. Hudelson; that at no expense to grantors, all of grantors' existing driveways on Yosemite Blvd. shall be relocated and restored to their present size and relative position. Resolution approving contracts needed)

ACTION: Res. 67-608 adopted approving contract with B.F.Hudelson, et al. (City Attorney to handle)

CONSENT

25. Option from Louis F. and Frances Inderbitzen for an easement for vehicular access across the rear of their property in Block 55, 9th Street.
(A copy of the option which has been received from the Inderbitzens has been transmitted with the agenda to the Mayor and Councilmen for information purposes only. No action needed)

No action needed.

CONSENT

26. 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 Supt. of Streets to post the property.)

CONSENT

(a) Curb and gutter at 121 Las Palmas, Lot 17, Block 260 (Wickering)
(Resolution setting hearing needed;suggested date August 7, 1967 at 4:45 P.M.)

ACTION: Res. 67-609 adopted setting hearing.
(Clerk to handle)

CONSENT

(b) Curb and gutter at 105 Oak Streets, Lots 11 and 12, Block 412 (Fortson)
(Resolution setting hearing needed; suggested date, August 7, 1967 at 4:45 P.M.)

ACTION: Res. 67-610 adopted setting hearing.
(Clerk to handle)

CONSENT

(c) Sidewalk, curb and gutter on Oak, and curb and gutter on Jefferson, Lots 1 and 2, Block 412 (Graham).
(Resolution setting hearing needed; suggested date, August 7, 1967 at 4:45 P.M.)

ACTION: Res. 67-611 adopted setting hearing (Clerk to handle)

27. Adoption of the Capital Budget for 1967-68 fiscal year.
(On June 26, 1967 the Council adopted the 1967-68 operating budget. The staff has now prepared the capital portion of the budget, including carry-over projects and new projects approved by the Council in the Capital Improvement Program. A report and summary of projects is being sent with the agenda. Resolution approving appropriation transfers needed)

ACTION: Res. 67-612 adopted approving appropriation transfers.
(Smith/Mitchell, unan)
(Finance to handle)

28. Consider authorizing staff to negotiate with Hawke Dusters and Silvaire Flying Service for leasing of proposed new office building.
(Motion needed)

ACTION: By motion (Hughes/Shastid, unan) staff authorized to negotiate a lease.
(Public Works to handle)

CONSENT

29. Consider request for sewer service to property at 1100 Betty Lane located on south side of Betty Lane between El Vecino Avenue and Kurt Avenue.
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to City, and a line exists to serve it. Resolution approving agreement needed)
ACTION: Res. 67-613 adopted approving agreement.
(Public Works to handle)

30. Consideration of offer by E. A. Maas concerning property at southeast corner of 9th and I.
ACTION: Res. 67-614 (Shastid/Smith,unan) adopted accepting offer.
(City Attorney to handle)
Res. 67-615 (Shastid/Smith-unan) adopted authorizing appropriation transfer of $47,550 from General Reserve to Account 6221, Parking & Traffic (Finance to handle)

30A. Request permission for Councilmen Mitchell and Smith to attend National League of Cities Conference in Boston, Mass July 29 - August 1, 1967.
ACTION: By motion (Hughes/Shastid, unan) request granted.
(City Manager to handle)

Reports

31. Report on weekend parking on College Avenue at Junior College.
(At the 7/5/67 council meeting the staff was asked to prepare a report on permitting weekend and holiday parking on the east side of College between Stoddard and Coldwell. A report by the Director of Parking and Traffic has been sent with agenda. Motion needed if Council wants staff to take action)
ACTION: By motion (Shastid/Mitchell, unan) staff directed to make no change in present traffic and parking.

Reports from the Planning Commission

CONSENT

32. Vacation and abandonment of the 6-foot public walkway between Glenwood Drive and Goldenwood Drive in Block 6149, Quaresma Homes Unit 1 Subdivision.
(By Resolution No. 67-66 adopted at the meeting of June 20, 1967 the Modesto Planning Commission recommended to the City Council the vacation and abandonment of a 6-foot public walkway between Glenwood Drive and Goldenwood Drive in Block 6149, Quaresma Homes Unit 1 Subdivision. Resolution of Intention to vacate and abandon needed. Suggested hearing date August 7, 1967 at 4:40 P.M.)
ACTION: Res. of Intention 302 (1041-S.P.) adopted setting hearing.
(Clerk to handle)

CONSENT

33. Consider adoption of ordinance amending zoning regulations (relating to size of signs in the R-3 zone)
(On July 5, 1967 the Planning Commission adopted Resolution No. 67-67 recommending to the Council amendment to Chapter 2 of Title X of the Modesto Municipal Code (zoning regulations) relating to the size of signs in the R-3 zone. Resolution settting date for public hearing needed. Suggested date August 14, 1967 at 8:10 P.M.)
ACTION: Res. 67-616 adopted setting hearing.
(Clerk to handle)

34. Proposed South Modesto annexation - staff report.
(A 95 signature informal annexation petition presented to the Council at its June 26th meeting was referred to the Planning staff for its recommendation. The attached memo and map contain the staff's recommendation. (For Council information and possible referral to the Planning Commission. Motion indicating Council's desire needed)

ACTION: By motion (Hughes/Shastid, unan) staff directed to inform petitioners that as area is not contiguous to City, a much larger area would have to be annexed.
(Planning to handle)

35. Proposed Santa Cruz Addition annexation - for referral to Planning Commission (Inhabited)
(Annexation has been requested by residents in the area south of Yosemite Boulevard bounded by the city limits on the north and east, MID Lateral #1 on the south and Santa Rosa Avenue on the west. Water service is provided by Del Este Water Company. The area is within the Empire Fire District from which it will be withdrawn and in the Modesto School District in which it will remain. If referred to the Planning Commission, the Planning staff will gather more information. Resolution referring to Planning Commission needed)

ACTION: Res. 67-617 (Hughes/Smith, unan) adopted referring to Planning Commission.
(Planning to handle)

36. Proposed Strathmore Addition annexation - for referral to Planning Commission (inhabited)
(Annexation has been requested by residents in the area north of Dry Creek bounded by the city limits on the north and east, Scenic Drive on the south, and Brighton Avenue on the west. Water service is provided by the City of Modesto and Del Este Water Company. The area is within the McHenry-Dry Creek Fire District from which it will be withdrawn, and in the Modesto School District in which it will remain. If referred to the Planning Commission, the planning staff will gather more information. Resolution referring to Planning Commission needed)

ACTION: Res. 67-618 adopted referring to Planning Commission (Smith/Hughes, unan)
(Planning to handle)

Appropriation transfers

(a) None

Miscellaneous

37. Legislative matters.

None

Adjournment

ACTION: By motion (Mitchell/Hughes, unan) at 5:18 P.M.

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

MINUTES OF SPECIAL MEETING OF THE COUNCIL OF THE CITY OF MODESTO HELD JULY 20, 1967.

The Council of the City of Modesto convened at 11:00 a.m. in Special Meeting called pursuant to Section 2-1.02 of the Modesto Municipal Code for the following purpose:

To hold an executive session of the City Council at the request of the City Manager to discuss personnel matters.

ROLL CALL: Present: Mitchell, Shastid, Smith and Mayor Davies (Councilman Hughes arrived later during executive session.)

Absent: Robinson, Simon

The Mayor stated the purpose of the Special Meeting and announced that the Council would not reconvene following the executive session.

At 1:00 p.m. the executive session was adjourned to 7:00 a.m. on July 21, 1967.

At 7:00 a.m. on July 21, 1967, the executive session was reconvened with all Councilmen present. At 10:00 a.m. this session was adjourned to 5:00 p.m. on July 21, 1967.

At 5:00 p.m. on July 21, 1967 the executive session was reconvened with all Councilmen present. At 6:00 p.m. this session was adjourned to 7:00 p.m. on July 24, 1967.

The executive session scheduled for 7:00 p.m. on July 24, 1967 was held concurrently with the Special Meeting called for 5:30 p.m. on July 24, 1967.

The executive session was adjourned at 7:55 p.m.

Attest W. T. Chynoweth
W. T. Chynoweth, City Clerk

MINUTES OF SPECIAL MEETING OF THE COUNCIL OF THE CITY OF MODESTO

HELD JULY 24, 1967

The Council of the City of Modesto convened at 5:30 p.m. in Special Meeting called pursuant to Section 2-1.02 of the Modesto Municipal Code for the following purpose:

> To hold an executive session of the City Council at the request of the City Manager to discuss personnel matters.

ROLL CALL: Present: Hughes, Mitchell, Robinson, Shastid, Simon and Mayor Davies

Absent: Smith

Television Channel 13 requested permission to film a portion of the proceedings.

By motion (Mitchell/Hughes, unan.) permission was granted provided that there be no interruptions in the proceedings.

Thereupon, the Council retired to executive session and the Mayor stated that the Council would not reconvene following the executive session.

The executive session adjourned at 7:55 p.m.

ATTEST: W. T. Chynoweth

W. T. Chynoweth, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 24, 1967 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 Howard Clarke, Second Baptist Church

CONSENT ITEMS REQUIRING RESOLUTION: Items 2, 3, ~~4~~, ~~5~~, 17(a), 17(b), 17(c), 17(d), 17(e), 17(f), 17(g), 17(h), 17(i), 18, 19, 21, 22, 24, 25
Simon, / Mitchell, unan. Smith-absent.

CONSENT ITEMS REQUIRING MOTION WITH ROLL CALL VOTE 10, 11
Shastid/Hughes, 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).

Approval of minutes

1. Minutes of July 17, 1967

Approved as distributed.

Bids

CONSENT

2. Approve plans and specifications and call for bids for installation of water lines in Pelton Ave. and Hammond St. north of Robertson Road.
(Bid opening: August 8, 1967 at 10:00 a.m. Resolution approving plans, specifications and call for bids needed. Funds budgeted in Account 6804-50-101, Water line extensions)
Res. 67-619 Adopted approving plans and specs and call for bids. (P/W to handle)

CONSENT

3. Consider awarding contract to supply annual needs of asbestos cement pipe for a one-year period beginning August 1, 1967 to low bidder, Voss International Corporation.
(Memorandum and tabulation with agenda. Resolution needed. Estimated cost $98,444; funds budgeted in Account 438-512, revolving Fund (not shown in budget). Ultimately used in water line extensions 6804-50-101 and new services 5301-50-101 (p. 42, preliminary budget).
Res. 67-620 Adopted awarding contract to Voss International Corp. (Finance to handle)

CONSENT

4. Consider approval of specifications and authorize call for bids for automotive equipment, to be opened 2:00 p.m. August 8, 1967.
(Specifications include one 4-door sedan, four 1/2 ton pickups, one 3/4 ton pickup, one 1-ton and one 2-ton trucks. All are supplemental equipment. Resolution needed. Estimated cost $20,950; funds budgeted in Accounts 5417,5418,5424, 5428, 5429, 5432-48-512, Working Service Fund Capital Outlay (Opposite p. 60, preliminary budget)

Dropped at request of Finance Department.

Hearings

5. Hearing, curb and gutter requirement, Lots 44, 45 and portion of Lot 1, Block 2018, S/E corner of Las Palmas and LaLoma (LaRosa) 7:45 P.M.
Res. 67-621 adopted (Mitchell/Robinson, Unan.) ordering work done. (P/W to handle)

6. Hearing, curb and gutter requirement, Lots 18 and 19, Block 319, 129 Sunset Ave. (Maclusi) 7:45 P.M.
Res. 67-622 adopted (Mitchell/Robinson, unan.) ordering work done. (P/W to handle)

7. Hearing, curb and gutter requirement, Lots 20 and 21, Block 319, 133 Sunset Ave. (Luttrell) 7:45 P.M.
Res. 67-623 adopted (Mitchell/Robinson, unan.) ordering work done. (P/W to handle)

8. Hearing on application of B. M. Gilton & Sons for license to collect swill. 7:50 P.M.
By order of the Chair, this matter continued to August 7 to permit applicant to be present and to allow C/Atty. time to investigate possibility of limiting franchise to County Jail and County Hospital. (Clerk and C/Atty. to Handle)

9. Hearing on proposed annexation of El Vista No. 1 Addition to City of Modesto. 8:00 P.M.
Res. 67-624 adopted (Robinson/Mitchell, unan.) declaring majority protest has been made. (Clerk to handle)

Matters for the good of the community
(These may be presented by citizens in the audience) 8:05 P.M.

See Page 3.

Adoption of ordinances

CONSENT
10. Final adoption of Ordinance 845-C.S. (limited ambulances, license tax)

Ord. adopted by motion. (Clerk to handle)

CONSENT
11. Final adoption of Ordinance 846-C.S. (limited ambulances - licensing and regulation)
(The above ordinances have been published as required by the Charter)

Ord. adopted by motion. (Clerk to handle)

Matters for the Good of the Community
(These may be presented by citizens in the audience)

Councilman Mitchell introduced Enrique Gerlein and his daughter Maria from Modesto's Sister City, Barranquilla, Colombia.

Mayor Davies introduced John de Boer of the Farm-City Committee.

It was reported that the power leads for the lighting of Del Webb Field had deteriorated and became overheated and thus caused the fuses to blow at times. The Council was informed that temporary repairs would be quite costly and were not recommended. The Director of Public Works promised to try to keep the lights in operation but did not guarantee success. A further report will be made to the Council in two weeks.

A citizen reported that East's Market in the 700 block on H Street was selling meat that was unfit for human consumption. The City Manager assured the Council that this would be checked immediately.

Discussion was opened on the investigation of Police Chief Meester. The City Manager stated that Chief Meester had offered his resignation to him. Mayor Davies requested that a motion and second be made before Council discussion of this matter. It was then moved by Councilman Hughes and seconded by Councilman Simon that the City Manager be advised to not accept the resignation of Chief Meester at this time.

It was then moved by Councilman Robinson and seconded by Councilman Mitchell that the motion be amended to include instructions to the City Manager to inform the State Attorney General that this Council does not feel that the charges against Chief Meester have been substantiated at this time and to request the Attorney General to make a complete report to the Council within two weeks.

It was then moved by Councilman Shasted and seconded by Councilman Mitchell that the amendment to the motion be amended to include the suggestion that Chief Meester remain on suspension pending receipt of the report from the Attorney General in accordance with the usual procedures in cases of this type.

The amendment to the amendment was then passed by unanimous vote.

The amendment as amended was then passed by unanimous vote.

The motion as amended was then passed by unanimous vote.

Old business

12. Letter from Modesto Neighborhood Church requesting agreement in lieu of improvement bond.

Dropped from agenda at request of petitioner.

13. Consider offer to have City assume Claremont Hotel demolition contract.
(The hotel owner has offered to assign his contract to demolish the Hotel. The City would pay $1,000 to the contractor when the demolition had been completed. Motion directing staff needed. Estimated cost up to $1,000. Funds to be requested later from Fund 60-209, General Reserve. The exact cost is not known at this time. One transfer including lot construction costs will be prepared later)

By motion (Shastid/Robinson, Unan.) staff authorized to negotiate for demolition of building. (P & T to handle)

14. Further consideration of request to vacate and abandon a portion of Alma Avenue between West Roseburg and Audrey Avenues in the City of Modesto (William Mallory)
(On August 8, 1966, the Council held a public hearing on this matter, at which time a decision was withheld and Mr. Mallory was given time to clear the title to the property and enter into an agreement with the City which provided for the conditions to be fulfilled by him. Because almost a year has transpired and the necessary agreement has not been entered into, it is recommended that the Council deny the requested abandonment. Motion needed)

By motion (Shastid/Robinson, unan.) requested abandonment denied. (C/Atty to handle)

New business

CONSENT

15. Consider right of way contract relating to dedication of an easement for the widening of Yosemite Boulevard for state highway purposes from Beard Land Improvement Company, City to pay all title, transfer, and escrow fees incurred.
(The terms of the right of way contract provide that City agrees to the condition that the right of way contract shall be terminated, invalid and/or no longer of any effect unless construction of the state highway as provided in a contract between the City and State dated June 9, 1965 is commenced within 5 years from the date of the right of way contract executed by Beard Land Improvement Company. Adoption of resolution approving right of way contract needed)

Res. 67-625 Adopted (Hughes/Mitchell, unan.) approving right-of-way contract.

Councilman Shastid was excused from the meeting during considerations of this item.

(C/Atty and C/Clerk to handle)

16. Notice that Trailways Bus System is seeking a 7% increase in fares throughout the State of California.
(The requested increase would match present Greyhound fares. A report by the Director of Parking and Traffic has been sent with the agenda. No action needed unless Council wants staff to take action)

No action

CONSENT

17. Resolutions instructing the Superintendent of Streets to give notice regarding 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 Supt. of Streets to post the property. Adoption of resolutions needed. Suggested hearing date August 14, 1967 at 8:15 P.M.)

CONSENT

(a) Sidewalk, 345 and 321 LaLoma, portion of Lot 37 and portions of Lots 34 and 35, Block 203 (Soper)
(Resolution setting hearing needed)
Res. 67-626 adopted setting hearing
(Clerk to handle)

CONSENT

(b) Sidewalk, 337 LaLoma, portions of Lots 36 and 37, Block 203 (Lacono)
(Resolution setting hearing needed)
Res. 67-627 adopted setting hearing
(Clerk to handle)

CONSENT

(c) Sidewalk, 331 LaLoma, portions of Lots 35 and 36, Block 203 (McDowell)
(Resolution setting hearing needed)
Res. 67-628 adopted setting hearing
(Clerk to handle)

CONSENT

(d) Sidewalk, 325 LaLoma, portion of Lot 35, Block 203 (Howard)
(Resolution setting hearing needed)
Res. 67-629 adopted setting hearing
(Clerk to handle)

CONSENT

(e) Sidewalk, 317 LaLoma, portion of Lot 34, Block 203 (Arambel)
(Resolution setting hearing needed)
Res. 67-630 adopted setting hearing
(Clerk to handle)

CONSENT

(f) Sidewalk, 315 LaLoma, Lot 33, Block 203 (Corning)
(Resolution setting hearing needed)
Res. 67-631 adopted setting hearing
(Clerk to handle)

CONSENT
17. (g) Sidewalk, 311 LaLoma, Lot 32, Block 203 (Palmer)
(Resolution setting hearing needed)
Res. 67-632 adopted setting hearing
(Clerk to handle)

CONSENT
(h) Sidewalk, 303 LaLoma, Lot 31, Block 203 (Pastore)
(Resolution setting hearing needed)
Res. 67-633 adopted setting hearing
(Clerk to handle)

CONSENT
(i) Sidewalk, curb and gutter on Jefferson at 201 Spruce Street, Lots 13 and 14, Block 407 (Hester)
(Resolution setting hearing needed)
Res..67-634 adopted setting hearing
(Clerk to handle)

CONSENT
18. Accept improvements in Highland Manor No. 2 Subdivision and authorize City Clerk to file notice of completion and release bond upon expiration of the statutory lien period.
(Highland Manor No. 2 Subdivision is located on the east side of Rose Avenue north of M.I.D. Lateral No. 3. 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 the statutory lien period needed)
Res. 67-635 adopted accepting improvements and authorizing Clerk to file notice of completion and release bond upon expiration of lien period
(Clerk to handle)

CONSENT
19. Accept improvements in Campos Verdes Subdivision and authorize City Clerk to file notice of completion and release bond upon expiration of the statutory lien period.
(Campos Verdes Subdivision is located on the north side of Granger Avenue between the T.W.S.R.R. and Sherwood 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 upon expiration of statutory lien period needed)
Res. 67-636 adopted accepting improvements and authorizing Clerk to file notice of completion and release bond upon expiration of lien period.
(Clerk to handle)

20. Request permission and funds to register 8 Fire Department key supervisory personnel for attendance at the Fire Administration Seminar in San Francisco September 8, 9, and 10, 1967. Memorandum with agenda. Resolution approving appropriation transfer of $400 needed)
Res. 67-637 adopted (Shasted/Hughes, Unan.) approving appropriation transfer
(Finance to handle)

CONSENT

21. A resolution determining that the public interest and convenience require that an area be annexed to the Modesto Municipal Sewer District No. 1; setting forth a general description of the area proposed to be annexed to the District; and naming a time and place for hearing on the annexation of said territory to said District and providing for notice thereof (El Vecono No. 3 Addition.
(Suggested hearing date September 11, 1967 at 7:45 P.M. Resolution setting hearing needed)
Res. 67-638 adopted setting hearing
(Clerk to handle)

CONSENT

22. Consider request for sewer service to property at 712 Rio Vista Drive.
(Owners Jack Gizdich and Hazel Gizdich) located on the east side of Rio Vista Drive north of Scenic Drive. 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)
Res. 67-639 adopted approving agreement
(P/W to handle)

23. Lease and concession agreement between City of Modesto and Avis Rent a Car System, Inc. whereby Avis will provide car rental services at the Modesto City-County Airport for a term commencing August 1, 1967 and ending July 31, 1968.
(A memorandum of explanation has been prepared by the City Manager's Office and sent to Mayor and Councilmen with agenda. Resolution approving agreement needed)
Res. 67-640 adopted (Mitchell/Simon, unan.) approving agreement.
(Clerk to handle)

Reports from the Planning Commission

CONSENT

24. Recommend amendment to Sections 7-3-9 and 18-3-9 of the zoning map (McMullen).
(By Resolution No. 67-72 adopted on July 18, 1967 the Planning Commission recommends an amendment to Sections 7-3-9 and 18-3-9 of the zoning map as requested by Dale McMullen to rezone from one-family zone, R-1, to two-family zone, R-2, property located at the northeast corner of Secrest Way and Rumble Road. Resolution setting date for public hearing needed. Suggested hearing date August 28, 1967 at 7:50 P.M.)
Res. 67-641 adopted setting hearing
(Clerk to handle)

CONSENT

25. Recommend amendment to Section 5-4-9 of the zoning map (Livermore Acres, Inc.)
(By Resolution 67-73 adopted on July 18, 1967 the Planning Commission recommends an amendment to Section 5-4-9 of the zoning map as requested by Livermore Acres, Inc. to rezone from one-family zone, R-1, to two-family zone, R-2, property located on the west side of Roselawn Avenue, between Pelton Avenue and Colorado Ave. Resolution setting date of hearing needed. Suggested date, August 28, 1967 at 7:55 P.M.)
Res. 67-642 adopted setting hearing
(Clerk to handle)

Appropriation transfers

(a)
None

Miscellaneous

26. Legislative matters.
None

27. Announcement of meeting of Downtown Improvement District Advisory Board, Wednesday, July 26, 1967 in the Council Chambers, 7:00 P.M.

Adjournment

By Order of the Chair at 8:55 p.m.

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

MINUTES OF SPECIAL MEETING OF THE COUNCIL OF THE CITY OF MODESTO

HELD AUGUST 7, 1967

The Council of the City of Modesto convened at 12:00 noon in the Work Reference Room in Special Meeting called pursuant to Section 2-1.02 of the Modesto Municipal Code for the following purpose:

To hold an executive session of the City Council to discuss personnel matters.

ROLL CALL: Present: Hughes, Mitchell, Robinson, Shastid, Simon and Mayor Davies

Absent: Smith

The Mayor stated the purpose of the Special Meeting and announced that the Council would not reconvene following the executive session.

The executive session was adjourned at 1:50 p.m.

ATTEST: W. T. Chrynowith

W. T. CHRYNOWETH, CITY CLERK

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 7, 1967 AT 4:00 P.M.

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

Absent: Simon and Smith

Pledge of allegiance to the Flag
Invocation by Rev. L. B. Lewis, Bethel Church

SUGGESTION AWARDS:

(a) $25 award to Oliver Bauche for designing and building a can cutter for removing bottom out of nursery cans;

(b) $25 award to John S. George, Jr. for building and installing equipment storage compartments on engine #3;

(c) $10 award to Albert Coito for recommending installation of hold bar on back hoe;

(d) $35 award to Jack Herzer for suggesting a new turn-off and collection procedure for delinquent water bills.
(Mayor to present awards. Funds budgeted in Account 236-17, Suggestion Awards)

Approval of minutes

1. Regular meeting of July 24, 1967 and special meetings of July 20 and 24, 1967.

Minutes approved.

CONSENT ITEMS REQUIRING RESOLUTION: Items 2, 3, 4, 5, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24
Shastid/Robinson, Unan.

CONSENT ITEMS REQUIRING MOTION: Items 26, 27, 28
Mitchell/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). Items 4, 18 and 28 were removed from Consent.

Correspondence, petitions and remonstrances

CONSENT

2. Letter from Hal Tuller, Contractor, requesting variance for construction of driveway approach (Toscana Bread Company)
(Resolution setting hearing needed. Suggested date August 14, 1967 at 8:20 P.M.)

Res. 67-643 adopted setting hearing (Clerk to handle)

Bids

CONSENT

3. Approve plans and specifications and call for bids for installation of water lines in Yorkshire Manor No. 4 and in Ramona Avenue & Oxford Way.
(Bid opening at 10:00 A.M. August 22, 1967. Estimated net revenue per year $368; resolution approving plans and call for bids needed. Funds budgeted in Account 6804-50-101, Water Line Extensions)

Res. 67-644 adopted approving plans and specifications and setting time for receiving bids. (Clerk to handle)

Introduction and adoption of ordinances

~~CONSENT~~

4. Proposed revision to Chapter 5, Title IV of the municipal code. (The addition of Sec. 4-5.11 and Section 4-5.12 to Title IV will help control litter in the commercial area. The revision to Section 4-5.05 will make this section compatible with the new Public Works Encroachment ordinance, and the repeal of Section 4-5.06 is desirable, since this section is adequately covered in the PW Encroachment ordinance. Memo of explanation and copies of proposed ordinance distributed with agenda. Resolution setting hearing needed. Suggested date, August 28, 1967 at 8:00 P.M.)
By motion (Hughes/Robinson) (Unan.) referred to Beautification Committee for study prior to setting for hearing. (Clerk to handle)

CONSENT

5. Consider adoption of ordinance amending the subdivision regulations of the Modesto Municipal Code.
(Memo of explanation with agenda. Introduction of ordinance needed)

Ord. 847 C. S. introduced. (Clerk to handle)

Hearings

6. Continued hearing on Downey Park No. 4 addition to City. 4:30 P.M.
(Information with agenda)

Res. 67-645 adopted (Robinson/Hughes, unan.) annexing area. (Clerk to handle)

7. Continued hearing on amendment to Section 22-3-9 of zoning map. 4:35 P.M.
By motion (Robinson/Shastid, unan.) hearing continued to September 11, 1967 @ 7:50 p.m. (Clerk to handle)

8. Hearing, abandonment of walkway, Quaresma Homes Unit No. 1 Subdivision. 4:40 P.M.
(Information with agenda)
Res. 1042 S.P. adopted (Hughes/Shastid, unan.) abandoning walkway.
Res. 67-647 adopted (Hughes/Shastid, unan.) approving agreement for abandonment. (Clerk to handle)

9. Hearing, curb and gutter requirement, Lot 17, Block 260, 121 Las Palmas (Wickering) 4:45 P.M.

Res. 67-648 adopted ordering work done.
(Mitchell/Hughes, unam.) (P/W to handle)

10. Hearing, curb and gutter requirement, Lots 11 and 12, Block 412, (105 Oak St. - Mrs. Fortson) 4:45 P.M.

Res. 67- 649 adopted ordering work done.
(Mitchell/Hughes, unan) (P/W to handle.)

11. Hearing, sidewalk, curb and gutter requirement, Lots 1 and 2, Block 412, 310 S. Jefferson.
(Sidewalk, curb and gutter on Oak, and curb and gutter on Jefferson - Graham) 4:45 P.M.
Res. 67-650 adopted ordering work done.
(Mitchell/Hughes, unan.) (P/W to handle)

12. Continued hearing on application of B. M. Gilton and Sons for license to collect swill.
(Continued from July 24th meeting)

Staff directed to arrange meeting between swill collectors in attempt to reach agreement. Further consideration on August 21. (C/Mgr. to handle)

13. Further deliberation on annexation of Coffee No. 2 Addition to City.
(Continued from July 10th meeting)

Res. 67-651 adopted (Robinson/Shastid, unan.) annexing area. (Clerk to handle)

Matters for the good of the community
(These may be presented by citizens in the audience) 4:50 P.M.

See attached sheet.

Old business

CONSENT

14. Accept as complete Industrial Electric Co. contract for the construction of Cavil Drain Crossing on 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 the City Clerk to file notice of completion. Resolution accepting work needed. Actual cost $4,750; contract $4,250; Engr., $500. Funds budgeted in Account 6647-321, Misc. Right of Way Improvements)
Res. 67-652 adopted accepting work and authorizing clerk to file Notice of Completion. (Clerk to handle)

CONSENT

15. Approval of contract for demolition of Hotel Claremont.
(Negotiations authorized by the Council have resulted in a proposed contract to complete demolition for $500. The present wrecker would complete the job. A report by the Director of Parking and Traffic has been sent with the agenda. Resolutions approving the contract and appropriating funds for the demolition and the lot construction needed. Estimated cost $19,000)
Res. 67-653 adopted approving contract. (Clerk to handle)
Res. 67-654 adopted approving appropriation transfer of $19,000. (Finance to handle)

CONSENT

16. Consider resolution establishing policy for installation of flagpole sockets in sidewalk areas of the City.
(Memorandum of explanation with agenda. Resolution establishing policy for installation needed)
Res. 67-655 adopted establishing policy. (P/W to handle)

CONSENT

17. Consider agreement between the City of Modesto and Arthur J. Wylie, Jr., and Sharon L. Wylie, concerning the installation of water mains in Yorkshire Manor No. 4 Subdivision.
(Memorandum of explanation with agenda. Resolution approving agreement and authorizing City Manager to execute agreement on behalf of City needed. Estimated cost $4,300; funds budgeted in Account 6804-50-101, Water Line Extension)

Res. 67-656 adopted approving agreement. (Clerk to handle)

CONSENT

18. Consider acceptance of offer to purchase a used surplus Graphotype machine for $250 by the Credit Bureau of Modesto. Memorandum with agenda. Resolution needed)
By Order of Mayor, Finance Department directed to request bids from Credit Bureau of Modesto and Phil Page Chrysler-Plymouth, Stockton and report to Council. (Finance to handle)

CONSENT

19. 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 post the property. Resolutions needed. Suggested hearing date August 21, 1967 at 4:45 P.M.)

CONSENT

(a) Curb and gutter on LaLoma and No. Morton at 334 La Loma - Lot 2, Block 206. (Leland E. Thiel).

Res. 67-657 adopted setting hearing. (Clerk to handle)

CONSENT

(b) Sidewalk on Hudson Lane at 1520 Elsie St., Lot 11, Block 3087 (Herbert C. Dean)

Res. 67-658 adopted setting hearing. (Clerk to handle)

20. Discussion of proposed annexation of the property referred to as the "Whitmore Addition."
(Information with agenda. Motion directing staff needed)
Referred by Mayor to P/C for study and recommendation. Clerk directed to inform LAF Co. of action taken. (Planning and Clerk to handle.)

CONSENT

21. A resolution of the City of Modesto establishing flat-rate charges for water service to the Muncy School in the Stanislaus Union School District and rescinding resolutions Nos. 67-296 and 67-383(a).
(A memorandum of explanation prepared by Public Works with agenda, Resolution needed)
Res. 67-659 adopted rescinding Resolutions 67-296 and 67-383 and establishing flat-rate charges. (P/W to handle)

CONSENT

22. Consider right of way contract with Joseph and Rita Garibaldi for acquisition of right of way for Yosemite Boulevard Project.
(Report with agenda. Resolution authorizing acceptance of right of way contract needed)
Res. 67-660 adopted accepting right-of-way contract. (C/Atty. and Clerk to handle.)

CONSENT

23. Consider request for sewer service to property at 2015 and 2017 Glendale Avenue, located on the north side of Glendale Avenue between Phoenix Ave. and Perry Ave.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City. Resolution approving agreement needed)
Res. 67-661 adopted approving agreement. (P/W to handle)

CONSENT

24. Consider request for sewer service to property at 419 Coffee Road, located on the west side of Coffee Road between Scenic Drive and Morris Ave.
(Peter Phillip Spiros and Mable A. Spiros).
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City, and line will be extended by property owner. Resolution approving agreement needed)
Res. 67-662 adopted approving agreement. (P/W to handle)

Reports

25. Report on Sewerage Works Improvement.
(Memorandum of explanation with agenda. Motion directing staff to proceed needed)
By motion (Shastid/Robinson, unan.) staff directed to proceed with plans. (P/W to handle.)

CONSENT

26. Report from City Attorney regarding Parking District laws.
(Motion accepting needed)
By motion report accepted.

CONSENT

27. Quarterly report (April, May, June, 1967)from the Greater Modesto Chamber of Commerce, as per agreement with City.
(Reports with agenda)
(Motion accepting report needed)
By motion report accepted.

CONSENT

28. Submission of annual summary reports of activities of all city departments for fiscal year 1966-67.
(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 accepting needed) Reports accepted by order of Mayor. City Manager, Department Heads and staff commended.

29. Submission of final report by Committee to Study Crime.
(Report to be presented at council meeting) By motion (Hughes/Shastid, unan.) Sept. 25 @ 7:45 p.m. set for informal hearing on report and Committee commended.

30. Appropriation transfers
None

31. Legislative matters
None

Adjournment

At the request of the City Attorney, the Council retired to executive session at 5:50 p.m. to discuss the sewer pond site litigation. The Mayor announced that the Council would not reconvene in open session. Thereupon the meeting was adjourned.

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

MATTERS FOR THE GOOD OF THE COMMUNITY

Frank Andrews expressed his views on the present problems in the police department.

William Gahr, representing the Modesto Optimist Club requested permission to hold the Second Annual Bicycle Race in Modesto on September 10, 1967. By motion (Hughes/Shastid, unan.) this request was referred to Staff for study with the understanding that the City Manager had authority to grant or deny the request. (P&R and C/Mgr. to handle.)

Edward Gish, new Associate Engineer in the Department of Public Works, was introduced.

The City Manager read a letter from Police Chief Robert Meester in which he requested that his resignation be accepted at this time. The City Manager announced that he had regretfully accepted the resignation.

The City Attorney reported on the status of litigation concerning the remote sewer pond site. He requested that the Council meet in executive session to discuss this. This was done.

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 14, 1967 AT 7:30 P.M.

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

Pledge of allegiance to the Flag
Invocation: Reverend George De Weese, First Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 6, 7, 8, 9, 23, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 41

(Remove items 7 and 36)
(Hughes/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. Regular meeting of August 7, 1967 and special meeting of August 7, 1967.

   ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS & REMONSTRANCES

2. Letter from Division of Highways requesting ordinance designating portions of Grant Street and Jennie Street as one-way streets and resolution requesting Highway Commission to adopt Jennie Street as Route 132.
   (Motion directing staff needed)

   ACTION: By motion (Hughes, Mitchell, unan) City Attorney directed to prepare necessary ordinance and resolution.
   (City Attorney to handle)

Consent

3. Request of Jim Baugus for variance to permit fence around his yard. (Resolution setting hearing needed. Suggested date August 21, 1967 at 4:25 P.M.)

   ACTION: Res. 67-663 adopted setting hearing.
   (Clerk to handle)

4. Request by Governor Reagan for participation by City of Modesto in "Salute to City and County Government."

   The Mayor announced that he wished to contact the Chairman of the Stanislaus County Board of Supervisors prior to appointing a person to act as chairman of Salute to City and County Government Week.

5. Letter from Frank Andrews regarding M.I.D.

ACTION: Taken under advisement.

BIDS

Consent

6. Accept as complete Krebs Engineers contract for the furnishing of one horizontal type desanding unit for Pump Station No. 11. (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. Actual cost $2,561.60 funds budgeted in Account 6809-50, Sand Trap and Appurtenant Facilities at Pump Station No. 11)

ACTION: Res. 67-664 adopted accepting contract and authorizing City Clerk to file notice of completion.
(Clerk to handle)

Consent

7. Call for bids for construction of Parking Lot #25 at the southeast corner of 9th and I Streets (Claremont Parking Lot). (Plans and specifications are completed. Funds in Account 5307-57-209 were approved August 7, 1967 for this project in the amount of $18,500. The construction is scheduled for completion November 14, 1967. Bid opening September 12 at 2:00 p.m. Resolution approving plans and specifications and call for bids needed. Funds budgeted in Account 5307-57-209, Claremont Parking Lot)

ACTION: By motion (Shastid/Hughes, unan) staff directed to prepare plans and specifications for Parking Lot #25 and to include an alternate of no blacktopping. Report on breakdown of costs for parking lot to b e prepared.
(Parking & Traffic to handle)

Consent

8. Approve plans and specifications and call for bids for the installation of water lines in Northview Park. (Bid opening August 22, 1967 at 10:10 a.m. Preliminary cost estimates indicate an estimated net revenue per year of $352. Resolution approving plans and specifications and call for bids needed. Funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43)

ACTION: Res. 67-665 adopted approving plans and specifications and call for bids.
(Clerk to handle)

Consent

9. Recommendation that installation of water lines in Pelton Avenue and Hammond Street to Robertson Road School be performed by city forces. (Revenue anticipated from the school will be $2,482 for the main connection charge, and an ultimate water service charge of $820 per year. Bids were opened August 8. The low bid submitted by Modesto Industrial Electrical Co. is 26% 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 needed. Estimated cost $8,200; materials $4,920; Labor $3,280). Funds budgeted in Account 6804-50, Water Line Extensions)

ACTION: Res. 67-666 adopted authorizing installation of water lines in Pelton Avenue and Hammond Street by city forces.
(Public Works to handle)

10. Annexation of North 99 No. 2 to Modesto Municipal Sewer District. 8:00 p.m.
ACTION: Res. 67-667 adopted annexing area.
(Shastid/Hughes, unan.)
(Clerk to handle)

11. Proposed annexation of El Vista No. 2 Addition to City of Modesto 8:05 p.m.
ACTION: Res. 67-668 adopted (Robinson/Simon, unan.) declaring that majority protest has been made.
(Clerk to handle)

12. Proposed amendment to zoning regulations (size of signs in R-3) 8:10 p.m.
ACTION: Introduction of ordinance (Hughes/Robinson) was defeated as Mitchell, Shastid, Simon and Mayor Davies voted no.

13. Sidewalk requirement, portion of Lot 37 and portions of Lots 34 and 35, Block 203, 345 and 321 LaLoma (E. Soper) 8:15 p.m.

(Dropped from calendar as work is in progress).

14. Sidewalk requirement, portions of Lots 36 and 37, Block 203, 337 LaLoma (Robert Lacono) 8:15 p.m.
ACTION: Res. 67-669 adopted ordering work done.
(Mitchell/Shastid, unan.)
(Public Works to handle)

15. Sidewalk requirement, portions of Lots 35 and 36, Block 203, 331 LaLoma (William McDowell) 8:15 p.m.
ACTION: Res. 67-670 adopted ordering work done.
(Mitchell/Shastid, unan.)(Public Works to handle)

16. Sidewalk requirement, portion of Lot 35, Block 203, 325 LaLoma (Virgil Howard) 8:15 p.m.
ACTION: (Dropped from calendar as house has been sold)

17. Sidewalk requirement, portion of Lot 34, Block 203, 317 LaLoma (Mrs. Edna Arambel) 8:15 p.m.
ACTION: Res. 67-672 adopted ordering work done.
(Mitchell/Shastid, unan)
(Public Works to handle)

18. Sidewalk requirement, Lot 33, Block 203, 315 LaLoma (Mervyn Corning) 8:15 p.m.
ACTION: Res. 67-672 adopted ordering work done.
(Mitchell/Shastid, unan.)
(Public Works to handle)

19. Sidewalk requirement, Lot 32, Block 203, 311 LaLoma (Robertson Palmer) 8:15 p.m.
ACTION: Res. 67-673 adopted ordering work done.
(Mitchell/Shastid, unan)
(Public Works to handle)

20. Sidewalk requirement, Lot 31, Block 203, 303 LaLoma (Joseph Pastore) 8:15 p.m.
ACTION: Res. 67-674 adopted ordering work done. (Mitchell/Shastid, unan.) (Public Works to handle)

21. Sidewalk, curb and gutter requirement, Lots 13 and 14, Block 407 on Jefferson at 201 Spruce (C.W. Hester) 8:15 p.m.
ACTION: Res. 67-675 adopted ordering work done. (Mitchell/Shastid, unan.) (Public Works to handle)

22. Request of Hal Tuller, representing Toscana Bread Co., for a driveway variance. 8:20 p.m.
ACTION: Res. 67-676 adopted granting variance. (Hughes/Mitchell, unan.) (Public Works to handle)

Matters for the good of the community 8:25 p.m.
(These may be presented by citizens in the audience)

(See page 8)

INTRODUCTION AND ADOPTION OF ORDINANCES

Consent
23. Final adoption of Ord. 847-C.S. (subdivision regulations)
ACTION: Ordinance adopted by motion. (Clerk to handle)

24. Consider adoption of ordinance setting the tax rate for the 1967-68 fiscal year.
(Report attached. Motion adopting ordinance needed)
ACTION: Ord. 849-C.S. adopted setting tax rate at $1.47 for City and $.09 for Modesto Municipal Sewer District. (Hughes/Robinson, unan.) (Finance to handle)

25. Consider change in delinquent charge for unpaid water bills. (Memo attached)
ACTION: Ordinance No. 850-C.S. adopted amending Sec. 11-1.11 of Modesto Municipal Code relating to rules and regulations for the use of water in the City of Modesto. (Robinson/Simon, unan.) (Clerk to handle)

OLD BUSINESS

Consent
26. Renewal of agreement between City and Andy Silva, golf professional, relating to rentals of golf cars at Dryden Park and Modesto Municipal Golf Courses, which agreement is based upon an agreement between Andy Silva and Felix Del Porto.
(This agreement provides for the rental of golf cars at the two above-mentioned golf courses and for the cost of the rentals. It further establishes the amount the City is to receive which is derived from said rentals. Resolution authorizing agreement needed)
ACTION: Res. 67-677 adopted approving agreement. (Clerk to handle)

Consent

27. Resolution of appreciation to members of the Committee to Study Crime.

ACTION: Res. 67-678 adopted commending members of the Committee to Study Crime.
(Clerk to handle)

Consent

28. Part II of the application for the Westside Neighborhood Center. (Part II of the application for the Westside Neighborhood Center is ready for filing. The application must be filed by August 21, 1967. Motion authorizing staff to file Part II of application needed).

ACTION: By motion, staff authorized to file Part II of application.
(Parks and Recreation to handle)

NEW BUSINESS

Consent

29. 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 post the property. Resolution needed. Suggested hearing date August 28, 1967 at 8:05 p.m.)

Consent

(a) Mrs. Velma R. White, Sidewalk, curb and gutter on the west side of Washington, south of Oak, Lots 13 and 14, Block 412).

ACTION: Res. 67-679 adopted setting hearing.
(Clerk to handle)

Consent

30. Consider further 60-day extension of provisional appointments of two night street sweeper operators to October 16, 1967.
(Memorandum with agenda. Resolution extending provisional appointments needed)

ACTION: Res. 67-680 adopted extending appointments to October 16, 1967.
(Personnel to handle)

Consent

31. Consider Personnel Commission recommendation to approve new job specifications and pay ranges for Assistant Airport Manager and Assistant Poundmaster and to reinstate the job specification for Police Property Clerk.
(Information is being sent with agenda. Motion directing staff to prepare the necessary resolution amending the Classification Plan and Pay Plan by adding the three job specifications needed. Funds already budgeted)

ACTION: By motion staff directed to prepare resolution amending Classification Plan and Pay Plan.
(Personnel to handle)

Consent

32. Accept improvements in Greenwood Estates No. 2 Subdivision and authorize the City Clerk to file notice of completion and release the bond upon expiration of the statutory lien period. (Greenwood Estates No. 2 Subdivision is located on the northerly side of Standiford Avenue between McHenry and the T.W.S.R.R. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements and authorizing the City Clerk to file notice of completion and release the bond upon expiration of the statutory lien period needed)

ACTION: Res. 67-681 adopted accepting improvements and authorizing Clerk to file notice of completion. (Clerk to handle)

33. Request for waiver of penalty and interest for late business license tax for Business Improvement District Area A. (Report attached. Resolution needed)

ACTION: Res. 67-682 adopted granting request for waiver of penalty and interest. (Shastid/Mitchell, unan.) (Finance to handle)

Consent

34. Consider agreement with Wainwright Realty Company regarding dedication of a parcel of land for possible future alley purposes. (Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 67-683 adopted approving agreement. (Clerk to handle)

Consent

35. Consider agreement with Charles M. Gargotto for the installation of water mains in Northview Estates subdivision. (Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 67-684 adopted approving agreement. (Clerk to handle)

~~Consent~~

36. Agreement between City and Willis Kleinenbroich for operation of a passenger bus service in the City of Modesto. (Copies of the agreement have been transmitted to Mayor and Council with agenda. Resolution authorizing agreement needed)

ACTION: Res. 67-685 adopted approving agreement. (Robinson/Hughes, unan.) (Clerk to handle)

Consent

37. Consider request for sewer service to property at 159 E. Orangeburg Avenue (Henry Albers and Irving Loube; E. Graham May and Kathleen May; and A. W. Sanders and Irene M. Sanders. (The property owners have signed an agreement to annex when requested to do so by the City. The property is contiguous to the City. No city funds involved. Resolution approving agreement needed)

ACTION: Res. 67-686 adopted approving agreement. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

Consent

38. Consider addition of Section 10-2.2003.1 to the Modesto Municipal Code relating to zoning regulations.
(By Resolution 306 adopted July 27, 1967 the Board of Zoning Adjustment recommends an addition to the Modesto Municipal Code to add Section 10-2.2003.1 thereto relating to extension of a use across a zone boundary line. Resolution referring to the Planning Commission. needed)

ACTION: Res. 67-687 adopted referring proposed addition to Planning Commission.
(Planning to handle)

APPROPRIATION TRANSFERS

Consent

39. Consider request for appropriation transfer.
(The final cost of the joint City-County project for the improvement of East Orangeburg Avenue east of McHenry Avenue exceeded the estimate. This was due to increased excavation required due to poor native soil plus additional concrete work done at our request. Resolution approving transfer needed. Estimated cost $985)

ACTION: Res. 67-688 adopted approving appropriation transfer.
(Finance to handle)

MISCELLANEOUS

40. Legislative matters.

None

Consent

41. Resignation of Elwood G. Schroeder from Planning Commission.
(Resolution commending needed)

ACTION: Res. 67-689 adopted commending Elwood G. Schroeder.
(Clerk to handle)

Adjournment

The meeting adjourned at 9:45 P.M.

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

MATTERS FOR THE GOOD OF THE COMMUNITY

Res. 67-690 adopted (Shastid/Robinson, unan) accepting offer of Sam Lomanto for sale of 26' x 140' property between the Claremont Hotel and the Inderbitzen property for $13,000.00, authorizing the City Attorney to open escrow proceedings and authorizing City Manager and City Clerk to execute necessary documents.
(City Attorney to handle).

Res. 67-691 adopted (Shastid/Robinson, unan) authorizing transfer of $18,500.00 for purchase and development of Lomanto property. (From Account 60, Fund 209, to Account 6221 ($14,550.00) and Account 6222 ($4,000.00) Fund 209.
(Finance to handle)

Res. 67-692 adopted (Robinson/Shastid, unan) rescinding Resolution No. 67-562 (the previous resolution approved an increase in the cost of Group Health Insurance. It has now been learned that an increase is not required).
(Personnel to handle)

Res. 67-693 adopted (Robinson/Hughes, unan) awarding sale of graphotype to Credit Bureau of Modesto for $304.50 including sales tax.
(Finance to handle)

Res. 67-694 adopted (Robinson/Hughes, unan) awarding sale of plate storage cabinet to Phil Paige Chrysler-Plymouth, Stockton, for $52.50 including sales tax.
(Finance to handle)

By motion (Hughes/Simon, unan) City Manager authorized to negotiate with the firm of Griffenhagen-Kroeger, Inc. concerning hiring of new police chief.
(City Manager to handle)

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 21, 1967 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 A. B. Christian, Southern Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 4, 5, 6, 12, 14, 16, 17, 18, 19, 20, 24, 25

(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 August 14, 1967

ACTION: by motion (Robinson/Shastid, unan) approved as corrected by adding item under "Good of the Community" authorizing Dr. Woolley to enter Modesto in Sister City competition for the 5th Annual Town Awards.

CORRESPONDENCE, PETITIONS & REMONSTRANCES

2. Presentation of Award of Merit to Mayor Davies by Charles W. Wherry, Director of the California State Automobile Association. (This award was won by the City in the 1967 AAA Pedestrian Safety Inventory Program.)

ACTION: Award presented to Mayor Davies who accepted with thanks. Mayor then congratulated City Staff especially Police and Parking & Traffic.

Consent
3. 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 staff. Resolution authorizing issuance of notice is needed)

ACTION: Res. 67-695 adopted authorizing issuance of notice.
(Clerk to handle)

Consent
4. Request of Frank Francek for variance to permit a 62-foot driveway on Granger Avenue side of southeast corner of Granger and Tully Road to permit perpendicular parking of vehicles. (Resolution setting hearing needed. Suggested date August 28, 1967 at 8:10 P.M.)

ACTION: Res. 67-696 adopted setting hearing.
(Clerk to handle)

BIDS

Consent

5. Accept as complete Lloyd Pipe Construction Co's contract for the construction of a 10-Unit T-Hangar at the Modesto City County Airport.
(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 $28,715; funds budgeted in Account 6528-321, 10-Unit T-Hangar)

ACTION: Res. 67-697 adopted accepting work and authorizing City Clerk to file notice of completion. (Clerk to handle)

Consent

6. Approve plans and specifications and call for bids for the installation of water lines in Norwegian Ave. from Coffee Road to 800 feet West.
(Bid opening 10:00 A.M., September 5, 1967. Preliminary cost estimates are as follows: Construction cost, $3060; connection charge, $1618.57; net revenue per year $792. Resolution approving plans and specifications and call for bids needed. Estimated cost, materials, $1990; labor $1,070. Funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43).

ACTION: Res. 67-698 adopted approving plans and specs. and call for bids. (Clerk to handle)

HEARINGS

7. Request of Jim Baugus for variance to build fence. 4:25 P.M.

ACTION: Continued to August 28, 1967 at 7:40 P.M. by Order of Mayor.

8. Annexation of McWilliams Addition to Modesto Municipal Sewer District No. 1. 4:30 P.M.

ACTION: Res. 67-699 adopted (Robinson/Mitchell, unan) annexing area. (Clerk to handle)

9. Annexation of Greenwood Estates No. 2 Addition to Modesto Municipal Sewer District No. 1. 4:35 P.M.

ACTION: Res. 67-700 adopted (Robinson/Mitchell, unan) annexing area. (Clerk to handle)

10. Curb and gutter requirement, Lot 2, Block 206, 334 LaLoma, (Leland E. Thiel) ACTION: Res. 67-701 adopted ordering work done on LaLoma side (Morton portion permitted to wait until Jan/68). (Smith/Robinson, unan) (P/W to handle) 4:45 P.M.

11. Sidewalk requirement, Lot 11, Block 3087, on Hudson Lane at 1520 Elsie Street (Herbert C. Dean) 4:45 P.M.

ACTION: Res. 67-702 adopted ordering work done. (Smith/Robinson, unan) (P/W to handle)

Matters for the good of the Community
(These may be presented by citizens in the audience) 4:50 PM

See attached sheet.

INTRODUCTION AND ADOPTION OF ORDINANCES

Consent
12. Final adoption of Ordinance 850-C.S. (water regulations).

ACTION: Ordinance adopted by motion.
(Clerk to handle)

OLD BUSINESS

13. Further consideration of application of B. M. Gilton and Sons for license to collect swill.

ACTION: Res. 67-703 adopted (Mitchell/Robinson, unan) granting non-exclusive license for period January 1, 1967 through December 31, 1968. (Also see "Matters for the good of the Community") (Clerk to handle)

Consent
14. Consider lease with Southern Pacific Company for depot parking area.
(A formal lease has been received from the S.P. Company for this area encompassing the terms tentatively approved by the City Council on June 12, 1967. Resolutions authorizing City Manager to sign lease and approval of fund transfer to pay rent. Construction $5,000; Rent $400; funds budgeted in Account 5302-57-209, Southern Pacific Parking Lot.

ACTION: Res. 67-704 adopted approving lease. (Clerk to handle)
Res. 67-705 adopted approving appropriation transfer of $400 from Account 60, Dept. 57, Fund 209 to Account 215, Dept. 57, Fund 209. (Finance to handle)

NEW BUSINESS

15. Request by Mary Ann Fletcher for waiver of penalty and interest on mill license tax.
(Information with agenda. Resolution needed)

ACTION: Res. 67-706 adopted (Shastid/Simon, unan) approving waiver of penalty and interest. (Finance to handle)

Consent
16. Consider right of way contract relating to dedication of property for widening of Yosemite Boulevard for state highway purposes from James Van Parks and Eileen H. Van Parks.
(A memorandum of explanation has been transmitted with the agenda to the Mayor and members of the Council. Adoption of resolution approving right of way contract needed. Estimated cost $175; funds budgeted in Account 6712-207, Yosemite - Las Flores to east city limits, p. 57)

ACTION: Res. 67-707 adopted approving right of way contract.
(C/Atty and C/Clerk to handle)

Consent

17. Consider agreement with Modesto City Schools for water and sewer service to the new Robertson Road School.
(The School Board has agreed to annex the property and to pay all charges in accordance with the Municipal Code. Resolution approving agreement needed)

ACTION: Res. 67-708 adopted approving agreement.
(P/W and Finance to handle)

Consent

18. Resolution instruction the Superintendent of Street to give notice requiring construction of sidewalk at 328 Wilson Avenue, Lot 35, Block 2029 (Hagen).
(Informal request was sent over thirty days ago to the property owner to install sidewalk. The work has not been done; therefore it is recommended that a resolution be adopted authorizing the Supt. of Streets to post the property. Resolution setting hearing needed. Suggested date September 5, 1967 at 4:20 P.M.)

ACTION: Res. 67-709 adopted setting hearing.
(Clerk to handle)

Consent

19. Accept improvements in Surrey Park Subdivision and authorize City Clerk to file notice of completion and release bond upon expiration of the statutory lien period.
(Surrey Park Subdivision is located on the north side of Woodrow Avenue between TWSRR and McHenry 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 the City Clerk to file notice of completion and release the bond upon expiration of the statutory lien period needed)

ACTION: Res. 67-710 adopted accepting improvements and authorizing City Clerk to file notice of completion.
(Clerk to handle)

Consent

20. Consider adoption of resolution establishing rules and regulations for the use of Del Webb Field, establishing conditions for the issuance of permits for the use thereof, and rescinding Resolutions Nos. 61-454 and 63-434.
(Memo of explanation and copy of the proposed resolution with agenda. Resolution needed)

ACTION: Res. 67-711 adopted establishing rules and regulations and rescinding Res. 61-454 and Res. 63-434. (P & R to handle)

REPORTS

21. Further consideration of possible no parking zone on McHenry Avenue from Needham to Griswold.
(A report by the Director of Parking and Traffic has been sent to the Council telling the results of the contacts with property owners and tenants who would be affected. A motion would be needed if the Council wants the staff to take further action)

See attached sheet.

22. Report by City Manager on visit with Griffenhagen-Kroeger, Inc. (An oral report will be made at the meeting. Motion directing staff needed)

ACTION: By motion (Robinson/Smith, unan) C/Mgr. authorized to retain Griffenhagen-Kroeger, Inc. to assist in selection of Police Chief at fee not to exceed 15 per cent of first year's salary. Res. 67-712 adopted (Smith/Mitchell, unan) approving approp. transfer of $2,000 from General Reserve to Personnel Dept. for this purpose. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

23. Further report by Planning Commission on rezoning application - Briggsmore and Tully (Bedford Associates, Inc.)
(The City Council referred back to the Planning Commission the application for rezoning from R-3 to P-D, property located at the northwest corner of Briggsmore Avenue and Tully Road as requested by Bedford Associates, Inc. On July 18, the Planning Commission reconsidered the application, at which time the Commission reaffirmed its previous decision to recommend to the Council approval of the application by a vote of 4-2. See letter attached for reasons.)

ACTION: Res. 67-713 adopted (Smith/Mitchell, maj. - Robinson - no) denying rezoning. (Planning to handle)

Consent

24. Recommend commencement of annexation proceedings - Strathmore Addition (Inhabited).
(By Resolution No. 67-81, adopted on August 15, 1967 the Planning Commission recommends commencement of proceedings for the annexation of inhabited territory known as Strathmore Addition. Resolution consenting to commencement of annexation proceedings needed)

ACTION: Res. 67-714 adopted consenting to commencement of annexation proceedings. (Planning to handle)

Consent

25. Recommend commencement of annexation proceedings - Santa Cruz Addition (Inhabited).
(By Resolution No. 67-80 adopted on August 15, 1967 the Planning Commission recommends commencement of proceedings for the annexation of inhabited territory known as Santa Cruz Addition. Resolution consenting to commencement of annexation proceedings needed)

ACTION: Res. 67-715 adopted consenting to commencement of annexation proceedings. (Planning to handle)

26. Proposed amendment of P-D zone for downtown area.
(Information with agenda. Resolution referring to Planning Commission needed)

ACTION: Res. 67-716 adopted referring to Planning Commission (Shastid/Robinson, unan) (Planning to handle)

MISCELLANEOUS

27. Appropriation transfers.

None

28. Legislative matters.
None

29. Appointments.

Adjournment to executive session at 7:48 P.M. Mayor announced that Council would not reconvene in open session.

MATTERS FOR THE GOOD OF THE COMMUNITY

The Mayor reported that the "Men for Civic Betterment" desired to build a "Racquet Club" type of clubhouse on the west side of Modesto. As part of a fund-raising drive a dinner dance is planned for August 26 at Legion Hall. The Council and staff are invited to attend.

Residents and property owners in the vicinity of the Gilton hog farm objected to the granting of a swill license to Mr. Gilton. Their objections were due to smell and noise. Attorney Jack Lamb, representing American Hog Farms, also objected and offered written statements of customers to the effect that they were satisfied with the present service. A copy of a complaint for permanent injunction was also left with the Clerk. The persons objecting were informed that they should seek relief from the County Health Department or the Courts.

REPORTS (see Item 21, Page 4) Further consideration of possible no parking zone on McHenry Avenue from Needham to Griswold.

ACTION: By motion (Smith/Shastid, majority) staff directed to make further report to Council within 30 days on the following:

1. Possibility of using traffic dividers to halt left hand turns.
2. Locations where left hand turns would be most practical
3. Elimination of on-street parking at permitted left turn locations
4. Problems of individual property owners as to off-street parking
5. Routes traffic might take if left turns were prohibited
6. Any other suggestions that Director of Parking & Traffic might have.

(P & T to handle)

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

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 28, 1967 AT 7:30 P. M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation: Rev. Ken Compton, First Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 6, 7, 8, 9, 10, XX, 18, 19, 20, 21, 22a, 22b, 23, 24, 25, 26

(Hughes/Mitchell, unan)
Remove items 7, 8, 11 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. Regular meeting of August 21, 1967.

   ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS & REMONSTRANCES

2. Commendation from Stanislaus County Taxpayers' Association for reduction in tax rate.

   No action taken.

Consent

3. Request of California Rural Legal Assistance on behalf of Henry B. Davis for hearing by Council to reconsider action of Modesto Police Department rejecting his application for a Taxi Drivers Business Permit. Suggested hearing date: September 5, 1967 at 4:25 P.M.

   ACTION: Res. 67-717 adopted setting September 11, 1967 at 8:00 P.M. as time for hearing. (Clerk to handle)

4. Letter from Farm-City Committee suggesting that various governmental agencies work together for an up-dated library facility.

   ACTION: Clerk directed to send copy of letter to Board of Supervisors.

5. Letter from A. Walker requesting additional sidewalks on McHenry Avenue.

ACTION: Referred to staff. (P/W to handle)

BIDS

Consent

6. Accept as complete Brouwer Brothers' contract for the construction of an Activities Building (Storage) at Westside Park. Resolution accepting work as complete and authorizing the City Clerk to file a Notice of Completion needed. Actual cost: Contract $6,479. Funds budgeted in Account No. 6285-321, 66-67 Budget; Account Name: Westside Activity Bldg., Curb, Gutter, Lights, Walks, Paving, Wading Pool. (All work on this contract has been completed to the satisfaction of the Public Works Dept.)

ACTION: Res. 67-718 adopted accepting work as complete and authorizing Clerk to file Notice of Completion. (Clerk to handle)

~~Consent~~

7. Consider award of bid for construction of water mains in Northview Park Subdivision. Resolution awarding bid needed. Estimated cost: $2,945 (Contract $1,095; Material $1,850); Funds budgeted in Account No. 6804-50-101, Water Line Extension. (Bids were opened on August 22nd. The low bid submitted by Modesto Industrial Electrical Co. is 12.4% below the Engineer's Estimate and is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them.)

ACTION: Res. 67-719 adopted awarding bid to Modesto Industrial Electrical Co.
(Mitchell/Robinson, unan) (P/W to handle)

~~Consent~~

8. Consider award of bid for construction of water mains in Yorkshire Manor No. 4 Subdivision and in Ramona Ave. and Oxford Way. Resolution awarding bid needed. Estimated cost: $8,585 (Contract $3,535; Material $5,050). Funds budgeted in Account No. 6804-50-101; Account Name: Water Line Extensions. (Bids were opened on August 22nd. The low bid submitted by Modesto Industrial Electrical Co. is 19.7% below the Engineer's Estimate and is considered acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them.)

ACTION: Res. 67-720 adopted awarding bid to Modesto Industrial Electrical Co.
(Mitchell/Robinson, unan) (P/W to handle)

Consent

9. Approve plans and specifications and call for bids for the installation of water lines in Greenbrier No. 2. Resolution approving plans and specifications and calling for bids needed. Estimated cost: $4,970 (Materials $3,010; Labor $1,960). Funds budgeted in Account No. 6804-50-101, Water Line Extensions, page 43. Bid Opening: September 12, 1967 at 10:10 A.M. (Preliminary cost estimates are as follows: Construction Cost $4,970, Connection Charge $2,100, Net Revenue per year $330)

ACTION: Res. 67-721 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 Greenwood Estates No. 4. Resolution approving plans and specifications and calling for bids needed. Estimated cost: $3,360 (Materials $2,030; Labor $1,330). Funds budgeted in Account No. 6804-50-101, Water Line Extensions, page 43. Bid Opening: September 12, 1967 at 10:00 A.M. (Preliminary cost estimates are as follows: Construction Cost $3,360; Connection Charge $2,300; Net Revenue per year $368)

ACTION: Res. 67-722 adopted approving plans and specifications and call for bids. (Clerk to handle)

~~Consent~~

11. Call for bids for construction parking lot #25 at the southeast corner of 9th and I Streets (Claremont Parking Lot). Resolution approving plans and specifications and calling for bids needed. Bid Opening: September 19, 1967 at 2:00 P.M. Estimated cost $23,000. Funds budgeted in Account No. 5307-57-209, Claremont Parking Lot. (Plans and specifications are completed. Funds in account 5307-57-209 were approved August 7 and August 14, 1967 for this project in the amount of $23,000. The construction is scheduled for completion November 21, 1967.) Additional information with agenda.

ACTION: Res. 67-723 adopted approving plans and specifications and call for bids. (Robinson/Shastid, unan) (Clerk to handle)

HEARINGS

12. Continued hearing on request of Jim Baugus for variance to build fence 7:40 P.M.

ACTION: Res. 67-724 adopted (Robinson/Shastid, unan) granting variance subject to the following conditions:

1. The fence be 24 inches high.
2. The fence be no closer than two feet to the sidewalk.
3. The fence be maintained.
4. Applicant, by accepting this permit, agrees to hold the City harmless and to furnish public liability and property damage insurance as required by Sec. 7-1.109 of the Modesto Municipal Code.
5. This permit is revocable by the City Council of Modesto at any time.

(P/W and Clerk to handle)

13. Woodrow No. 2 Addition to Modesto Municipal Sewer District No. 1 — 7:45 P.M.

ACTION: Res. 67-725 adopted (Smith/Simon, unan) annexing area. (Clerk to handle)

14. Amendment to Sec. 7-3-9 and 18-3-9 of zoning map (McMullen) — 7:50 P.M.

ACTION: Ord. 848-C.S. introduced (Shastid/Robinson, unan) rezoning area. (Clerk to handle)

15. Amendment to Sec. 5-4-9 of zoning map (Livermore Acres, Inc.) — 7:55 P.M.

ACTION: Ord. 851-C.S. introduced (Robinson/Mitchell, unan) rezoning area. (Clerk to handle)

16. Sidewalk, curb & gutter requirement, Lots 13 & 14, Block 412, west side of Washington south of Oak (Mrs. Velma White) — 8:05 P.M.

ACTION: Res. 67-726 adopted (Robinson/Hughes, unan) ordering work done. (P/W to handle)

17. Request of Frank Francek for variance to permit 62-foot driveway at SE corner of Granger and Tully — 8:10 P.M.

ACTION: By motion (Simon/Robinson, unan) request denied. (Clerk to handle)

Matters for the Good of the Community (These may be presented by citizens in the audience) — 8:15 P.M.

Everett Jolliff of the Farm-City Committee was introduced.

A progress report on the proposed Tuolumne River Regional Park was made by Councilman Mitchell and the Director of Parks & Recreation, and a sketch showing proposed development was displayed.

Robert Bienvenu, Assistant City Attorney, asked to be released from his contract with the City.

ACTION: Res. 67-727 adopted (Robinson/Smith, unan) granting this request effective August 31, 1967. (C/Atty & Finance to handle)

ACTION: Res. 67-728 adopted (Robinson/Smith, unan) commending Robert Bienvenu for his services as Assistant City Attorney. (Clerk to handle)

OLD BUSINESS

Consent
18. Consider amendments to the Position Classification Plan and the Salary Schedule for the City of Modesto. (a. A Resolution revising the Position Classification Plan for the City of Modesto; b. A Resolution amending Resolution No. 67-603 entitled "A Resolution establishing the Salary Schedule and fixing compensation for positions in the City Service.") Adoption of two resolutions needed. (On August 14, 1967, by motion, the City Council directed the City staff to prepare the above resolutions approving new job specifications and pay ranges for Assistant Airport Manager (549-667) and Assistant Pound Master (430-523) and to reinstate the job specification and pay range for Police Property Clerk (430-523.)

ACTION: Res. 67-729 adopted revising the Position Classification Plan.

Res. 67-730 adopted amending Res. No. 67-603. (Personnel & Finance to handle)

NEW BUSINESS

Consent
19. Approve subdivision agreement and final map of Greenwood Estates #4 Subdivision. Resolution approving subdivision agreement and final map needed. (The subdivision agreement has been signed and all fees paid. Greenwood Estates No. 4 subdivision is located North of Standiford Avenue between TWSRR and McHenry Avenue. It contains 4.99 acres.)

ACTION: Res. 67-731 adopted approving agreement and final map. (Clerk to handle)

Consent
20. Approve subdivision agreement and final map of Greenbrier No. 2 Subdivision. Resolution approving subdivision agreement and final map needed. (The subdivision agreement has been signed and all fees paid. Greenbrier No. 2 Subdivision is located on the South side of East Orangeburg Avenue between Coffee Road and Rose Avenue. It contains 5.31 acres.)

ACTION: Res. 67-732 adopted approving agreement and final map. (Clerk to handle)

Consent
21. Accept improvements in Sherwood Manor No. 3 Subdivision and authorize the City Clerk to file Notice of Completion and release bond upon expiration of the statutory lien period. Resolution needed. (Sherwood Manor No. 3 Subdivision is located north of Rumble Road between Claremont Avenue and Coffee Road. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid.)

ACTION: Res. 67-733 adopted accepting improvements and authorizing Clerk to file Notice of Completion. (Clerk to handle)

Consent

22. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below. Suggested hearing: September 11, 1967 at 7:40 P.M. Adoption of resolutions needed. (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 Supt. of Streets to post the property.)

Consent

(a) Mr. Richard M. Simpson, 2240 N. Redwood Dr., Anaheim, Calif. Curb & Gutter on Miller at 203 Phoenix, Lot 16, Blk. 2212.

ACTION: Res. 67-734 adopted setting hearing.
(P/W to handle)

Consent

(b) Mr. Jack B. Lamb, 920 LaLoma, Modesto. Sidewalk on Wilson at 920 LaLoma, Lot 4, Blk. 2018.

ACTION: Res. 67-735 adopted setting hearing.
(P/W to handle)

Consent

23. Report of Superintendent of Streets on the cost of installation of sidewalk, curb and gutter on the east side of Block 6250 on Carver Road (William K. Stensaas). Resolution setting date for hearing September 11, 1967 at 7:55 P.M. needed. Actual cost: Contract $224.25 (Incidental Exp. $10.00); Funds budgeted in Account No. 5302-51-101, Curbs & Gutters, Special. (The amounts assessed against the properties are included in reports distributed with the agenda. The City Clerk will set the date for hearing and the reports should be held until the hearing.)

ACTION: Res. 67-736 adopted setting hearing.
(Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

Consent

24. Consider amendment to Sections 10-2.2901 and 10-2.2903 of the zoning regulations (relating to Highway Frontage, H-1 zones). Resolution setting date for public hearing needed. Suggested hearing date: September 18, 1967 at 4:20 P.M. (On August 15, 1967, the Planning Commission adopted Resolution No. 67-86, recommending to the Council an amendment to Sections 10-2.2901 and 10-2.2903 of Article 29 of Chapter 2 of Title X of the Modesto Municipal Code and adding Section 10-2.2903.2 to Article 29 of Chapter 2 of Title X of the Modesto Municipal Code, zoning regulations relating to H-1 zones).

ACTION: Res. 67-737 adopted setting hearing.
(Clerk to handle)

Consent

25. Consider amendment to Section 10-2.2709 of the zoning regulations (relating to P-D zones). Resolution setting date for public hearing needed. Suggested hearing date: September 18, 1967 at 4:25 P.M. (On August 15, 1967, the Planning Commission adopted Resolution No. 67-85 recommending to the Council amendment to Section 10-2.2709 of Article 27 of Chapter 2 of Title X of the Municipal Code (zoning regulations), relating to P-D zones.)

ACTION: Res. 67-738 adopted setting hearing. (Clerk to handle)

Consent

26. Consider adoption of Airport Master Plan. Resolution setting date for public hearing needed. Suggested hearing date: September 18, 1967 at 4:30 P.M. (On August 1, 1967, the Planning Commission adopted Resolution No. 67-74, recommending to the City Council the adoption of an Airport Master Plan for development of land at Modesto City-County Airport.)

ACTION: Res. 67-739 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

None.

MISCELLANEOUS

27. Legislative Matters

None.

APPOINTMENTS

ACTION: Mayor Davies appointed Don Hammond as Chairman of the "Salute to City and County Government Week" for this area. (Clerk to handle)

Adjournment

At the request of the City Manager, the Council retired to executive session at 8:45 P.M. for the purpose of discussing the possible acquisition of a site for the Senior Citizens' Center. It was announced that the Council would not reconvene in open session.

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

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 5, 1967 AT 4:00 P.M.

Roll Call Present: Mitchell, Simon, Smith and Mayor Davies
Absent: Robinson, Shastid
Hughes arrived at 4:20 p.m.

Pledge of allegiance to the Flag
Invocation: Rev. J. Paul Miller, La Loma Grace Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 5, 6, 7, 8, 10a, 10b, 10c, 10d, 12, 13, 14a, ~~14b~~, 14c, 15, ~~16~~, 17
Mitchell/Smith, unan.
(Hughes, Robinson and Shastid absent.)
Remove items 8 and 16, Item 14b dropped
(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. Confirmation of canvass of votes in the Sunrise Addition Annexation Election. A resolution confirming the canvass and an ordinance annexing the area is required.

ACTION: Res. 67-740 adopted (Smith/Simon, unan. Hughes, Robinson and Shastid absent) Confirming canvass of votes.
Ord. 852 C.S. introduced and adopted (Mitchell/Smith, unan.) annexing area.
(Hughes, Robinson and Shastid absent.) See last page for further information.

APPROVAL OF MINUTES (Clerk to handle)

2. Regular meeting of August 28, 1967.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS & REMONSTRANCES

3. Letter from Federal Aviation Administration advising that $25,240 has been allocated for development at Modesto City-County Airport.

No action needed.

4. Letter from Harry O. Kline, landscape contractor, requesting that penalty on business license be waived. Report from Finance Department is attached.

ACTION:
By motion (Mitchell/ Simon, unan.) request denied. (Finance to handle)

BIDS

Consent

5. Accept as complete George Reed, Inc., contract for the improvement of Tully Road between Bowen Avenue and Standiford 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.)
Estimated cost: Contract $108,519.51; Funds budgeted in Account Nos. 6706-321, 6706-207 (1966-67 Budget) Tully Road-Bowen to Standiford.
Resolution accepting work as complete and authorizing the City Clerk to file a Notice of Completion needed.

ACTION: Res. 67-741 adopted accepting contract and authorizing Clerk to file notice of Completion. (Clerk to handle)

Consent

6. Approve plans and specifications and call for bids for the installation of water lines in Tradewinds No. 2 Subdivision. Bid Opening: September 19, 1967 at 10:10 A.M. Preliminary cost estimates are as follows: Construction Cost $4,570; Connection Charge $2,200; Net Revenue per year $550. Estimated cost: $4,570 (Materials $2,670; Labor $1,900). Funds budgeted in Account No. 6804-50-101, Water Line Extensions, page 43. Resolution approving plans and specifications and call for bids needed.

ACTION: Res. 67-742 adopted approving plans and specs and call for bids. (Clerk to handle).

Consent

7. Approve plans and specifications and call for bids for the installation of water lines in Highland Manor No. 3 Subdivision. Bid Opening: September 19, 1967 at 10:00 A.M. Preliminary cost estimates are as follows: Construction Cost $6,840, Connection Charge $4,400; Net Revenue per year $704. Estimated cost: $6,840 (Materials $4,160; Labor $2,680). Funds budgeted in Account No. 6804-50-101, Water Line Extensions, page 43. Resolution approving plans and specifications and call for bids needed.

ACTION: Res. 67-743 adopted approving plans and specs and call for bids. (Clerk to handle).

~~Consent~~

8. Approve plans and specifications and call for bids for furnishing and installing standby power units at Thousand Oaks and Emerald Avenue sewage lift stations. (Will provide emergency power in the event of M.I.D. power outages.) Estimated cost: Thousand Oaks $7,500 (Contract $7,000; Engr. & Cont. $500); Emerald Avenue $8,500 (Contract $8,000; Engr. & Cont. $500). Funds budgeted in Account No. 6569-212, Thousand Oaks Emerg. Power; Account No. 6570-212, Emerald Station Emergency Power. Resolution approving plans and specifications and call for bids needed. Bid opening September 26, 1967 at 10:00 A.M.

ACTION: Res. 67-744 adopted approving plans and specs and call for bids. (Simon/Smith, unan. Robinson and Shastid absent) (Clerk to handle)

HEARINGS

9. Sidewalk requirement, Lot 35, Block 2029, 320 Wilson Ave. (Mrs. Orrin S. Hagen) 4:20 P.M.

ACTION: Res. 67-745 adopted (Simon/Mitchell, unan. Robinson and Shastid absent) ordering work done. (P/W to handle).

Matters for the Good of the Community
(These may be presented by citizens in the audience) 4:25 P.M.

See Page 5

NEW BUSINESS

Consent

10. Report of Superintendent of Streets on cost of installation of sidewalk and/or curb and gutter. The amounts assessed against the properties are included in reports distributed with the agenda. The City Clerk will set the date for hearing. The reports should be held until the hearing. Resolutions setting date for hearings needed. Suggested hearing date: September 18, 1967 at 4:35 P.M.

Consent

(a) Sidewalk, curb and gutter on the west side of Block 926 on Carver Road (P. T. Lowe). Contract $195.47 (Incidental Exp. $10.00). Funds budgeted in Account No. 5302-51-101, Curbs & Gutters, Special.

ACTION: Res. 67-746 adopted setting hearing. (Clerk to handle)

Consent

(b) Sidewalk, curb and gutter on the west side of Block 6081 on Carver Road. Actual cost: Contract $448.91 (Incidental Exp. ($10.00). Funds budgeted in Account No. 5302-51-101, Curbs & Gutters, Special. (Property Owner: Miss Minnie Woo)

ACTION; Res. 67-747 adopted setting hearing. (Clerk to handle)

Consent

(c) Sidewalk on the north side of Block 6904 on Ribier Avenue (Anderson). Actual cost: Contract $108.00 (Incidental Exp. $10.00). Funds budgeted in Account No. 5302-51-101, Curbs & Gutters, Special.

ACTION: Res. 67-748 adopted setting hearing. (Clerk to handle)

Consent

(d) Sidewalk on the north side of Block 6904 on Ribier Avenue (Garrison). Actual cost: Contract $113.40 (Incidental Exp. $10.00). Funds budgeted in Account No. 5302-51-101, Curbs & Gutters, Special.

ACTION: Res. 67-749 adopted setting hearing. (Clerk to handle)

11. Request permission for City Manager to attend the annual International City Managers' Association Conference in New Orleans, October 8-12, 1967. Motion approving request needed.

ACTION: By motion (Hughes/Mitchell, unan.) request approved.

Consent

12. Consider agreement between City of Modesto and Lance E. Ellis for the installation of water line in Tradewinds No. 2 Subdivision. Memo of explanation distributed with the agenda. Resolution approving agreement and authorizing City Manager to execute agreement on behalf of the City needed.

ACTION: Res. 67-750 adopted approving agreement. (Clerk to handle)

Consent

13. Consider agreement between City of Modesto and Lance E. Ellis for the installation of water line in Highland Manor No. 3 Subdivision. Memo of explanation distributed with the agenda. Resolution approving agreement and authorizing City Manager to execute agreement on behalf of the City needed.

ACTION: Res. 67-751 adopted approving agreement. (Clerk to handle)

Consent

14. Resolutions instructing the Superintendent of Streets to give notice requiring construction of sidewalks and/or curbs and gutters at the locations listed below needed. (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 post the property.) Resolutions settings hearings needed. Suggested hearing date: September 18, 1967 at 4:40 P.M.

Consent

(a) Mr. Wallace I. Crist, 1006 Virginia Ave., Modesto. Sidewalk, curb & gutter at 1006 Virginia - Lot 10, Block 739.

ACTION: Res. 67-752 adopted setting hearing. (Clerk to handle)

Consent

(b) Mr. Glenn Robert Lowe, 1827 Miller Ave., Modesto. Curb & Gutter at 1827 Miller Ave. - Lot 3, Block 2184.

ACTION: Withdrawn as work has started.

Consent

(c) Mr. J. C. Cooper, 1605 Stetson Ave., Modesto. Sidewalk on Roble at 403 San Juan Drive - Lot 10, Block 2199.

ACTION: Res. 67-753 adopted setting hearing. (Clerk to handle)

Consent

15. Presentation of annual inventory of the City of Modesto fixed assets. (The City Charter, Section 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 to accept annual inventory needed.

ACTION: By motion, Annual inventory accepted.

~~Consent~~

16. Consider request for sewer service to property located on the east side of McHenry Avenue between E. Roseburg and E. Orangeburg Avenues. (Block 1132) (Pine Cone-Branding Iron Restaurant). (Property owners have signed an agreement to annex when requested to do so by City. Property is contiguous to the City.) Resolution approving agreement needed.

ACTION: Res. 67-754 adopted approving agreement with provision that annexation start immediately. (Mitchell/Smith, unan. Robinson and Shastid absent) (P/W to handle)

16A. Consider revision of sewer service rates to property annexed into the City but not annexed into the Modesto Municipal Sewer District No. 1. (In many cases there is as much as a 6-week lag from the time an area is annexed into the City and subsequently annexed into the Sewer District. The amendment to the sewer rates would provide that during this interim time, the sewer rates for the newly annexed area would be the same as if they were annexed into both the City and District. Ordinance needed.

ACTION: Ord. 853 C.S. introduced and adopted (Mitchell/Simon, unan. Robinson and Shastid absent) amending Sec. 5-6.02 of Chapter 6 of Title V of the Modesto Municipal Code relating to sewer service charges. (Finance & P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

Consent

17. Davis Park #2 Addition (Uninhabited). For referral to the Planning Commission. Information attached. Resolution referring to Planning Commission needed.

ACTION: Res. 67-755 adopted referring to P/C. (Planning to handle)

APPROPRIATION TRANSFERS

None

MISCELLANEOUS

None

APPOINTMENTS

No appointment. Mayor requested that names of potential members of the Planning Commission be submitted to him.

Adjournment at 4:40 p.m.

Following the Council action in annexing the Sunriseaddition to the City of Modesto, the Mayor commended the staff for the excellent work done in bringing this annexation to a successful conclusion. He gave a special commendation to the City Attorney and his staff and to John Doxie of the Planning Department.

MATTERS FOR THE GOOD OF THE COMMUNITY

The Mayor announced that a meeting of the Modesto Action Committee is scheduled for September 6 at the City Hall at 7:00 p.m. It is anticipated that this will be the final meeting and the Mayor urged all Councilmen to attend if possible.

Councilman Hughes requested that action be started to change the traffic pattern in Downtown Modesto. The Mayor directed the C/Mgr. to have a report prepared, including total costs and the time-table for the change. (C/Mgr to handle)

Councilman Mitchell reported that there will be a conference in Los Angeles concerning the undergrounding of facilities such as power lines and urged that Modesto be represented. The C/Mgr stated that this would be done. (C/Mgr. to handle)

ATTEST: W. T. Chynoweth

W. T. Chynoweth, City Clerk

AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 11, 1967 AT 7:30 P.M.

Roll Call Present: Mitchell, Shastid, Simon and Smith.

Absent: Hughes, Robinson and Mayor Davies

Councilman Shastid named as Mayor Pro-Tem. (Mitchell/Simon, unan.)

Pledge of allegiance to the Flag
Invocation: Reverend Gary Christopherson, First Southern Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 6, 13, 14, 15, 17, 18(a), 18(b), 18(c), 18(d), 20, 21, 23
Mitchell/Smith, unan.
Item 19 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. Minutes of September 5, 1967.

   Approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Request of St. Paul's Episcopal Church concerning abandonment of alley and park adjacent to church property.
   ACTION: Res. 67-756 adopted (Mitchell/Smith, unan.) setting 10/9/67 @ 7:45 p.m. for hearing on park abandonment.
   Res. of Intention 303 (1043-S.P.) (Mitchell/Smith, unan.) setting 10/9/67 @ 7:45 p.m. for hearing on abandonment of alley (Church Way)

CONSENT (Clerk to handle)

3. Request of American Oil Co. for permission to install sign on property at 600 H Street.
   (Suggested hearing date September 18, 1967 at 4:50 p.m. Resolution setting hearing needed)
   ACTION: Res. 67-757 adopted setting hearing (Clerk to handle)

4. Letter from Attorney Alan Straus requesting new hearing on Frank Francek variance.
   ACTION: Res. 67-758 adopted (Mitchell/Smith, unan.) setting Sept. 18, 1967 @ 4:55 p.m. for hearing. (Clerk to handle)

BIDS

5. Recommendation that installation of water lines in Norwegian Avenue from Coffee Road to 800 feet west be performed by city forces.
   (No bids were submitted for this project. In the opinion of the City Manager, the work can be performed 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 $3,060 (Materials $1990; labor $1,070). (Funds budgeted in Account 6804-50-101, Water Line Extensions p. 43)
   ACTION: This item continued to September 18, 1967 as five affirmative votes are needed.

CONSENT

6. Accept as complete Standard Materials Company's contract for the improvement of Leveland Lane at TWSRR crossing.
(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. Cost, Contract - $4,497.97; funds budgeted in Account 6647-321, Misc. Right of Way Improvements)

ACTION: Res. 67-759 adopted accepting contract and authorizing City Clerk to file notice of completion. (Clerk to handle)

HEARINGS

7. Sidewalk requirement on Wilson at 920 LaLoma, Lot 4, Block 2018 (Lamb). 7:40 P.M.

ACTION: Res. 67-760 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

8. Curb and gutter requirement on Miller at 203 Phoenix, Lot 16, Block 2212 (Simpson). 7:40 P.M.

ACTION: Res. 67-761 adopted (Simon/Smith, unan.) ordering work done. (P/W to handle)

9. Annexation of El Vecino No. 3 to Modesto Municipal Sewer District No. 1. 7:45 P.M.

ACTION: Res. 67-762 adopted annexing area. (Mitchell/Simon, unan.) (Clerk to handle)

10. Continued hearing on amendement to Sec. 22-3-9 of zoning map (City of Modesto). 7:50 P.M.

ACTION: By motion (Mitchell/Smith, unan.) continued to October 16, 1967 @ 4:15 p.m. (Clerk to handle)

11. Costs of installation of sidewalk, curb and gutter on east side of Block 6250 on Carver Road (Stensaas). 7:55 P.M.

ACTION: Res. 67-763 adopted (Smith/Mitchell, unan.) resetting for hearing on 9/25/67 @ 7:55 p.m. (P/W and Clerk to handle)

12. Hearing on rejection of application of Henry B. Davis for taxi driver's permit. 8:00 P.M.

ATION: Matter dropped at request of petitioner.

Matters for the good the community
(These may be presented by citizens in the audience) 8:05 P.M.

It was announced that the Modesto Action Committee would meet at 7:00 p.m. on 9/30/67 to discuss the Downtown Plan. All councilmen were urged to attend.

The staff was directed to furnish the Council copies of the proposed CATV ordinance as soon as possible so it can be studied prior to being formally submitted to the Council.

INTRODUCTION AND ADOPTION OF ORDINANCES

CONSENT
13. Final adoption of Ord. No. 848-C.S. (Amendment to Section Map 7-3-9 and 18-3-9, McMullen).
ACTION: By motion Ordinance adopted. (Clerk to handle)

CONSENT
14. Final adoption of Ord. No. 851-C.S. (Amendment to Section Map 5-4-9, Livermore Acres, Inc.)
ACTION: By motion Ordinance adopted. (Clerk to handle)

OLD BUSINESS

CONSENT
15. Renewal of Fidelity Bonds for the City Clerk and Auditor, Finance Director, Police Department and all other employees.
(Report to Council with agenda. Resolution needed)
ACTION: Res. 67-764 adopted authorizing renewal of bonds. (Finance to handle)

16. Communication from John Erreca to John Veneman regarding rest stops.
(Copy of letter with agenda)
ACTION: Res. 67-765 adopted (Mitchell/Simon, unan.) urging that State refrain from selling property proposed for rest stops on Highway 99. (Clerk to handle.)

NEW BUSINESS

CONSENT
17. Letter from William Lundgren requesting variance for an encroachment into the public right of way to permit installation of an awning at Sportsmen of Stanislaus Club.
(Letter requesting variance distributed with agenda. Resolution setting date for hearing needed. Suggested date September 18, 1967 at 4:45 P.M.).
ACTION: Res. 67-766 adopted setting hearing. (Clerk to handle.)

CONSENT
18. Report of Superintendent of Streets on cost of installation of sidewalk and/or curb and gutter. The amounts assessed against the properties are included in reports distributed with the agenda. The reports should be held until the hearing. Resolutions setting date for hearings needed. Suggested hearing date September 25, 1967 at 7:50 P.M.)

CONSENT
(a) Cost of installation of sidewalk, curb and gutter on the north side of Block 469 on Coldwell Avenue (Mr. Ewer).
(Resolution needed. Actual contract cost $450.47; Incidental Exp. $10.00; funds budgeted in Account 5302-51-101, Curbs and Gutters, Special).
ACTION: Res. 67-767 adopted setting hearing. (Clerk to handle.)

CONSENT
(b) Cost of installation of sidewalk on the north side of Block 413 on Oak Street (Mr. Reed)
(Resolution setting hearing needed. Actual contract cost $93.90; Incidental Exp. $10.00; funds budgeted in Account 5302-51-101, Curbs & Gutters, Special)
ACTION: Res. 67-768 adopted setting hearing. (Clerk to handle.)

CONSENT
(c) Cost of installation of sidewalk, curb and gutter on the south side of Block 407 on Vine Street (Mr. Worley)
(Resolution setting hearing needed. Actual contract cost $208.05; incidental Exp. $10.00; funds budgeted in Account 5302-51-101, Curbs & Gutters, Special)
ACTION: Res. 67-769 adopted setting hearing. (Clerk to handle.)

CONSENT
(d) Cost of installation of sidewalk on the north side of Block 466 on Coldwell Avenue (Mr. Ward)
(Resolution setting hearing needed. Actual contract cost $198.00; incidental exp. $10.00; funds budgeted in Account 5302-51-101, Curbs & Gutters, Special)
ACTION: Res. 67-770 adopted setting hearing. (Clerk to handle)

CONSENT
19. A resolution approving the final map of the Tully Manor No. 3 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(The subdivision agreement has been signed and all fees paid. Tully Manor No. 3 Subdivision is located on the west side of Tully Road between Standiford and Woodrow Avenues. It contains 14.13 acres. Adoption of resolution approving final map and authorizing execution of agreement by City needed)
ACTION: Res. 67-771 adopted approving final map and agreement. (Mitchell/Simon, unan.) (Clerk to handle.)

CONSENT
20. Consider approval of agreement between City of Modesto and Hager Supply Co. for the purchase of dried digested sludge by Hager Supply Co.
(Present agreement expires October 2, 1967. New agreement is effective October 3, 1967. No change in terms of the agreement except indication of increase in State Sales Tax from 4% to 5%. Resolution approving agreement needed)

ACTION: Res. 67-772 adopted approving agreement. (Clerk to handle.)

CONSENT

21. A resolution determining that the public interest and convenience require that an area be annexed to the Modesto Municipal Sewer District No. 1; setting forth a general description of the area proposed to be annexed to the District; and naming a time and place for hearing on the annexation of said territory to said District and providing for notice thereof. (Sunrise Addition).
(Resolution setting hearing needed. Suggested hearing date October 23, 1967 at 7:45 P.M.)

ACTION: Res. 67-773 adopted setting hearing. (Clerk to handle).

REPORTS

22. A report by the City Attorney regarding spreading assessments for curb, gutter and sidewalk construction over several years.
(A memorandum of explanation has been transmitted to the Mayor and Councilmen with agenda. Motion directing staff needed)

ACTION: By motion (Mitchell/Smith, unan.) C/Attoy directed to prepare resolution for submission to Council setting policy; resolution to include: (1) hardship must be shown; (2) 6% interest to be charged; (3) minimum payment of $50.00 per year; (4) 10-year maximum for payment. (City Attorney to handle.)

CONSENT

23. Report by Director of Parking and Traffic on Southern Pacific Depot lot agreement.
(The S.P. has now signed the agreement and a report by the Director of Parking and Traffic has been sent with the agenda. Motion accepting report needed)

ACTION: By motion report accepted.

REPORTS FROM THE PLANNING COMMISSION

NONE

APPROPRIATION TRANSFERS

NONE

MISCELLANEOUS

24. Request of Assemblyman Bob Monagan for support for Assembly Joint Resolution 29 pertaining to federal tax sharing.

ACTION: Action withheld for one week at request of Councilman Hughes.

Adjournment

Adjourned at 8:45 p.m.

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

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 18, 1967 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Shastid, Simon, Smith and Mayor Davies
Absent: Robinson
Councilman Shastid arrived at 4:02 P.M.
Councilman Hughes arrived at 4:06 P.M.

Pledge of allegiance to the Flag
Invocation: Reverend Luverne Sands, Covenant Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, ~~21~~, 22, 23, 24(a), 24(b), 24(c), 24(d), 24(e), 26(a), (26(b), 26(c), 26(d), ~~29~~, 30, 33, ~~34~~, 35, 36, 37, 38, 39
Shastid/Simon, unan.
Robinson absent
Remove 21 (Dickens portion) and 34

(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 September 11, 1967.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS & REMONSTRANCES

CONSENT
2. Request of Downtown Improvement District for closure of 10th Street - October 5, 6, and 7 - for sidewalk sales. (Resolution needed)

ACTION: Res. 67-774 adopted approving street closure as requested. (Police and P & T to handle)

BIDS

CONSENT
3. Recommendation that installation of water lines in Norwegian Avenue from Coffee Road to 800 feet west be performed by city forces. (No bids were submitted for this project. In the opinion of the City Manager, the work can be performed 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 $3060 (Materials $1,990; labor, $1,070). Funds budgeted in Account 6804-50-101, Water Line Extensions p. 43)

ACTION: Res. 67-775 adopted authorizing work to be done by City forces. (P/W to handle)

CONSENT
4. Consider award of bid for the installation of water lines in Greenbrier No. 2 Subdivision. (Bids were opened on September 12. The low bid submitted by Industrial Electrical Co., which is 10.2% 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 $4,765 (Contract $1,755; materials $3,010). Funds budgeted in Account 6804-50-101; Water Line Extension, p. 43)

ACTION: Res. 67-776 adopted awarding bid to Modesto Industrial Electrical Co. (P/W to handle)

CONSENT

5. Consider award of bid for the installation of water line in Greenwood Estates No. 4 Subdivision.
(Bids were opened on September 12. The low bid submitted by Industrial Electrical Co., which is 3.9% 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 $3,410 (Contract $1,380, Materials, $2030). Funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43)

ACTION: Res. 67-777 adopted awarding bid to Modesto Industrial Electrical Co. (P/W to handle)

CONSENT

6. Accept as complete R. B. Gregory and Associates contract for the installation of automatic sprinkler system in Beard Brook Park.
(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 a notice of completion. Resolution accepting work as complete and authorizing the City Clerk to file a notice of completion. Actual cost $23,559; funds budgeted in Account 6324-31-321, Beard Brook Park Sprinkler System)

ACTION: Res. 67-778 adopted accepting contract and authorizing Clerk to file Notice of Completion. (Clerk to handle)

CONSENT

7. Approve plans and specifications and call for bids for the installation of water lines in Tully Manor No. 3.
(Bid opening: 10:00 A.M. October 3, 1967; Preliminary costs estimates: Construction Cost, $10,460; Connection Charge, $6,050; Net revenue per year, $1,320. Resolution approving plans and specifications and call for bids needed. Estimated cost $10,460 (Materials $6,530; labor $2,930; funds budgeted in Account 6804-50-101, Water Line Extensions, p. 43).

ACTION: Res. 67-779 adopted approving plans and specifications and call for bids. (Clerk to handle)

8. Consider delaying bid opening and completion of Claremont Hotel parking lot two weeks.
(The demolition is proceeding slower than estimated. It appears that the wrecker will have to pay the City $50 per day liquidated damages). Delaying the bid opening would allow the bidders to better see the conditions of the property and result in lower bids. Resolution setting new dates - two weeks later than at present)

ACTION: Res. 67-780 adopted (Mitchell/Smith, unan.) approving addendum to plans and specifications and call for bids to provide delay in bid opening until October 3, 1967 at 2:00 P.M.
(Clerk to handle)

HEARINGS

9. Amendment to Sections 10-2-2901 and 10-2.2903 of the zoning regulations (Highway Frontage, H-1 Zone) 4:20 P.M.

ACTION: Ord. 854-C.S. introduced (Hughes/Shastid, majority - Davies no)

10. Amendment to Section 10-2.2709 of zoning regulations (P-D Zones) 4:25 P.M.

ACTION: Ord. 855-C.S. introduced (Hughes/Mitchell, unan.)

11. Proposed Airport Master Plan. 4:30 P.M.

ACTION: Res. 67-781 adopted (Hughes/Shastid, unan.) approving Master Plan as shown on map on file with City Clerk. (Clerk and Planning to handle)

12. Cost of installation, sidewalk, curb and gutter, west side of Block 926 on Carver Road (Lowe) 4:35 P.M.
(Due to incomplete notices it is necessary to reset the four hearings - Items 12, 13, 14, 15 - which are scheduled for 4:35 P.M. Suggested time for hearing is October 2, 1967 at 4:15 P.M. Resolution needed)

ACTION: Res. 67-782 adopted (Shastid/Smith, unan.) setting hearing. (Clerk to handle)

13. Cost of installation, sidewalk, curb and gutter, west side of Block 6081 on Carver Road (Woo). 4:35 P.M.
(Resolution resetting hearing to October 2, 1967 at 4:15 P.M. needed)

ACTION: Res. 67-783 adopted (Shastid/Smith, unan.) setting hearing. (Clerk to handle)

14. Cost of installation, sidewalk on north side of Block 6904on Ribier Ave. (Anderson). 4:35 P.M.
(Resolution resetting hearing to October 2, 1967 at 4:15 P.M. needed)

ACTION: Res. 67-784 adopted (Shastid/Smith, unan.) setting hearing. (Clerk to handle)

15. Cost of installation, sidewalk on north side of Block 6904 on Ribier Ave. (Garrison). 4:35 P.M.
(Resolution resetting hearing to October 2, 1967 at 4:15 P.M. needed)

ACTION: Dropped from agenda.

16. Sidewalk, curb and gutter requirement, Lot 10, Block 739, 1006 Virginia Ave. (Crist) 4:40 P.M.

ACTION: Res. 67-785 adopted (Hughes/Mitchell, unan.) ordering work done. (P/W to handle)

17. Sidewalk requirement, Lot 10, Block 2199, on Roble at 403 San Juan Drive (Cooper). 4:40 P.M.

ACTION: Res. 67-786 adopted (Hughes/Mitchell, unan.) ordering work done. (P/W to handle)

18. Request of S.O.S. Club for variance to permit awning in right of way. 4:45 P.M.

ACTION: Res. 67-787 adopted (Shastid/Smith, unan.) granting variance subject to conditions recommended by P/W. (P/W to handle)

19. Request of American Oil Co. for variance to install sign at 600 H Street. 4:50 P.M.

ACTION: By motion (Shastid/Simon, majority - Hughes no) request denied. (P/W to handle)

20. Request of Frank Francek for driveway variance. 4:55 P.M.

ACTION: Resolution granting request (Hughes/Simon) resulted in a tie vote. (Hughes, Simon and Smith voting yes; Mitchell, Shastid and Mayor Davies voting no) No further action taken.

Matters for the good of the community
(These may be presented by citizens in the audience 5:00 P.M.

By motion (Hughes/Shastid, unan.) request of West Side Center for use of Activity Bldg. at Mellis Park granted subject to execution of letter agreement under same terms and conditions as have been in effect previously. (P & R to handle)

A motion by Hughes to set Oct. 9 for hearing on Mayor's Downtown Traffic Plan died for want of a second. No further motions made pending meeting of Modesto Action Committee scheduled for Sept. 20.

Councilman Mitchell announced that the Report of Proceedings of the 44th Annual Congress of the National League of Cities will be available in the City Manager's office.

OLD BUSINESS

CONSENT (as to Whitehead portion only)

21. Consider renewal of lease agreement with A. O. Whitehead for the city property located on Riverside Drive, and new lease agreement with Arnold C. Dickens for approximately 5 acres farmed by him last year as a condition of the sale when the City purchased the property.
(Report with agenda. Resolution renewing lease agreement with Mr. Whitehead, and resolution renewing lease agreement with Arnold Dickens needed)

ACTION: Res. 67-788 adopted approving lease agreement with A. O. Whitehead.

Action on agreement with Dickens delayed for one week. (Finance to handle)

CONSENT

22. A resolution establishing a policy for payment of assessments in annual installments by property owners for installation of curbs, gutters and sidewalks when such installation work is performed by the City.
(A report on this matter was submitted by the City Attorney to the City Council at its meeting of September 11, 1967 at which time the Council, by motion, directed preparation of a resolution establishing a policy for payment of assessments for the installation of curbs, gutters and sidewalks. Resolution needed)

ACTION: Res. 67-789 adopted establishing policy. (Finance to handle)

CONSENT
23. Further consideration of annexation of El Vecino No. 3 Addition to the Modesto Municipal Sewer District No. 1.
(Memorandum of explanation sent with agenda. Resolution rescinding Resolution No. 67-762 and Resolution annexing El Vecino No. 3 Addition to the Modesto Municipal Sewer District No. 1 needed)

ACTION: Res. 67-790 adopted rescinding Res. 67-762.

Res. 67-791 adopted annexing El Vecino No. 3 to District. (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 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 Supt. of Streets to post the property. Suggested hearing date October 2, 1967 at 4:15 P.M.

CONSENT
(a) Curb and gutter on Las Palmas at 102 Village Road, Lot 18 Block 260 (Rinaldi).
(Resolution setting hearing needed)

ACTION: Res. 67-792 adopted setting hearing. (P/W to handle)

CONSENT
(b) Curb and gutter on Ruberto at 301 Ruberto, Lots 1 and 2, Block 344 (Lewis).
(Resolution setting hearing needed)

ACTION: Res. 67-793 adopted setting hearing. (P/W to handle)

CONSENT
(c) Sidewalk at 1410 Tuolumne Blvd., Lots 1, 2, 3, and 4, Block 353 (Summers)
(Resolution setting hearing needed)

ACTION: Res. 67-794 adopted setting hearing. (P/W to handle)

CONSENT
(d) Curb and gutter on Center Street, northside between Roselawn and Rosemont at Alley, Portions Lots 23 and 24, Block 327. (Wright)
(Resolution setting hearing needed)

ACTION: Res. 67-795 adopted setting hearing. (P/W to handle)

CONSENT

(e) Sidewalk on Ruberto at 202 Ruberto, Lots 23, 24, 25, 26, 27 and 28, Block 339 (Tye).
(Resolution setting hearing needed)

ACTION: Res. 67-796 adopted setting hearing. (P/W to handle)

25. Consider developing metered parking on Sears property north of Trailways Bus Depot.
(A memo from the Parking and Traffic Director explaining the matter has been sent with the agenda. Resolution approving the agreement and a resolution transferring $6,720 from the Parking Fund would be needed. Estimated cost $6,720)

ACTION: Res. 67-797 adopted (Smith/Mitchell, unan.) approving agreement. (Clerk to handle)

Res. 67-798 adopted (Smith/Mitchell, unan.) authorizing transfer of funds. (Finance to handle)

CONSENT

26. Reports of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at properties listed below.
(The amounts assessed against the properties are included in reports distributed with the agenda. The City Clerk will set the date for hearing. The reports should be held until the hearing. Suggested hearing date October 2, 1967 at 4:15 P.M.)

CONSENT

(a) Report on cost of installation of curb and gutter on the north side of Block 414 on Oak Street (Sheppard).
(Resolution setting hearing needed)

ACTION: Res. 67-799 adopted setting hearing. (P/W to handle)

CONSENT

(b) Report on cost of installation of curb and gutter on the north side of Block 738 on Roseburg Avenue. (Auernheimer).
(Resolution setting hearing needed)

ACTION: Res. 67-800 adopted setting hearing. (P/W to handle)

CONSENT

(c) Report on cost of installation of sidewalk, curb and gutter on the north side of Block 133 on LaLoma (Schwendiman).
(Resolution setting hearing needed)

ACTION: Res. 67-801 adopted setting hearing. (P/W to handle)

CONSENT

(d) Report on cost of installation of sidewalk, curb and gutter on the southwesterly side of Block 6 on Second Street (Calvary Temple).
(Resolution setting hearing needed)

ACTION: Res. 67-802 adopted setting hearing. (P/W to handle)

NEW BUSINESS

27. Consider resolution as a statement of City's policy relative to publication of prevailing wage rates on public works construction. (This statement of policy has been requested by the League of California Cities for its use in the consideration of a change of present legislation. Resolution needed)

ACTION: Res. 67-803 adopted (Mitchell/Shastid, unan.) expressing support for change in legislation to do away with need for publication of prevailing wage rates on public works construction. (Clerk and Manager to handle)

28. Request by Modesto Police Association for permission to have a payroll deduction for life insurance premiums. (Copies of memo submitted with agenda. Motion of direction needed)

ACTION: By motion (Shastid/Hughes, unan.) request granted. (Finance to handle)

29. Recommendation that the Public Projects Committee review the colors of the buses, the floor covering, and ubholstery so that if we obtain a federal grant, we will not have a delay while making these decisions.
(Motion referring matter to Public Projects Committee needed)

ACTION: By motion (Simon/Smith, unan.) reappointment of Hughes, Mitchell and Shastid to Public Projects Committee confirmed (Mitchell as Chairman). The Mayor then referred this matter to the Public Projects Committee. (Manager to handle)

CONSENT

30. Accept improvements in Fairway Estates No. 2 Subdivision and authorize City Clerk to file notice of completion and release bond upon expiration of the statutory lien period.
(Fairway Estates No. 2 Subdivision is located on the easterly side of Colorado at Pelton 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 upon expiration of statutory lien period needed)

ACTION: Res. 67-804 adopted accepting improvements and authorizing City Clerk to file Notice of Completion. (Clerk to handle)

31. Consider authorizing Director of Parking and Traffic to sell parking passes for the Southern Pacific Depot parking lot.
(It is estimated that six weeks will be required to draw plans, call for bids, etc. for construction of this lot. During this interim period, it is recommended that parking passes be sold at a rate of $4 each for the six weeks. Resolution needed. Estimated cost $30 for signs. Funds budgeted in Account 5302-57-209, Southern Pacific Parking Lot)

ACTION: Res. 67-805 adopted (Hughes/Mitchell, unan.) authorizing sale of parking passes. (P & T to handle)

REPORTS

32. Report on left turn study on McHenry Avenue.
(Memorandum with agenda)

ACTION: Motion (Smith/Shastid) directing staff to proceed in manner outlined by P & T resulted in a tie vote. At the request of Councilman Smith the Mayor directed that this matter be presented to Council when all members are present. (Clerk to handle)

CONSENT

33. Presentation of Financial Statement for August 1967.
(Motion accepting statement needed)

ACTION: By motion statement accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

34. Recommend policy statement concerning the reparceling of property zoned Highway Frontage Zone (H-L)
(On September 8, 1967 by Resolution 67-95 the Planning Commission adopted a policy statement concerning the reparceling of property zoned Highway frontage zone (H-1), and desires the Council's concurrence in this policy statement (Planning Commission resolution attached. Resolution concurring in policy statement needed)

ACTION: Res. 67-806 adopted (Mitchell/Shastid, majority - Davies no) concurring in policy statement. (Planning to handle)

CONSENT

35. Recommend amendment to Section 15-3-9 of the zoning map (Bomberger).
(By Resolution No. 67-94 adopted September 8, 1967 the Planning Commission recommends an amendment to Section 15-3-9 of the zoning map as requested by Robert Bomberger to rezone from One-Family Residential, R-1, to Multiple-Family Residential, R-3, property located at the northeast corner of Coffee Road and Celeste Drive. Resolution setting date for public hearing needed. Suggested date, October 9, 1967 at 8:00 P.M.)

ACTION: Res. 67-807 adopted setting hearing. (Clerk to handle)

CONSENT

36. Recommend amendment to Section 15-3-9 of the zoning map (Bomberger).
(By Resolution No. 67-90 adopted on September 8, 1967 the Planning Commission recommends an amendment to Section 15-3-9 of the zoning map as requested by Robert Bomberger to rezone from One-Family Residential Zone, R-1, to Planned Development Zone, P-D, property located south of the intersection of Vera Cruz Drive and Celeste Drive, east of Coffee Road (Convalescent Hospita.) Resolution setting date for public hearing. Suggested hearing date October 9, 1967 at 8:00 P.M.)

ACTION: Res. 67-808 adopted setting hearing. (Clerk to handle)

CONSENT

37. Recommend amendment to Section 15-3-9 of the zoning map (Bomberger). (By Resolution No. 67-92 adopted on September 8, 1967 the Planning Commission recommends an amendment to Section 15-3-9 of the zoning map as requested by Robert Bomberger to rezone from One-Family Residential Zone, R-1, to Multiple-Family Residential Zone, R-3, property located on both Coffee Road and Vera Cruz Drive, South of Ensenada Drive, North of Celeste Drive (Multiple Family Residential). Resolution seeting date for public hearing needed. Suggested hearing date October 9, 1967 at 8:00 P.M.)

ACTION: Res. 67-809 adopted setting hearing. (Clerk to handle)

CONSENT

38. Recommend amendment to Section 15-3-9 of the zoning map (Robert Bomberger).
(By Resolution No. 67-91 adopted September 8, 1967 the Planning Commission recommends an amendment to Section 15-3-9 of the zoning map as requested by Robert Bomberger to rezone from One-Family Residential Zone, R-1, to Multiple-Family Residential Zone, R-3, property located at the northwest corner of the intersection of Vera Cruz and Celeste Drive (Boy Scout Service Center). Resolution setting hearing needed. Suggested hearing date October 9, 1967 at 8:00 P.M.)

ACTION: Res. 67-810 adopted setting hearing. (Clerk to handle)

CONSENT

39. Recommend amendment to Sections 5-4-9 and 8-4-9 of the zoning map (Sanders).
(By Resolution No. 67-89 adopted September 8, 1967 the Planning Commission recommends an amendment to Sections 5-4-9 and 8-4-9 of the zoning map as requested by Ralph C. Sanders to rezone from one-family zone, R-1, to multiple-family zone, R-3, property located between Hatch Road and the Tuolumne River west of Crows Landing Road. Resolution setting date for public hearing needed. Suggested hearing date October 9, 1967 at 8:05 P.M.)

ACTION: Res. 67-811 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

None

MISCELLANEOUS

40. Request of Assemblyman Bob Monagan for support for Assembly Joint Resolution 29 pertaining to federal tax sharing.

ACTION: Held over for one week.

41. Report on status of Modesto Sewerage Project.
(The staff will make a brief oral report on the present status of this project.)

ACTION: Report presented - no action taken.

42. Executive session to consider status of City's condemnation suit to acquire a remote sewer ponding site.

ACTION: The Council went into executive session and announced that they would not reconvene in open meeting.

Adjournment at 6:55 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 25, 1967 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 Arthur Brohm, Grace Lutheran Church

CONSENT ITEMS REQUIRING ROLL CALL VOTE: Items 4, 5, 9, 16, 17, 18, 19, 20, 21, 22a, 22b, 22c, 22d, 22e, 22f, 24a, 24b, 24c, 24d, 26, 28, 29
Shastid/Simon, unan.
Remove 6, 7 & 8

APPROVAL OF MINUTES

1. Minutes of September 18, 1967.

ACTION: approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Letter from Department of Housing and Urban Development concerning status of City's Urban Beautification Application.

ACTION: No action other than direction from Mayor to C/Mgr to inquire as to why Modesto has so low a priority for funds. (C/Mgr to handle)

3. Letter from District X, Division of Highways concerning acquisition of remaining rights of way for improvement of Route 108, between Bowen Avenue and Leveland Lane.

ACTION: City to continue efforts to acquire remaining right of way. (C/Mgr to handle)

4. "Highlights on Film and Book Story of the Persecution of Mother McCready" by Frank Andrews.

ACTION: Taken under advisement.

5. Request of Sportsmen of Stanislaus to purchase city-owned property adjacent to SOS property.

ACTION: By motion (Shastid/Robinson, unan.) referred to Planning Commission. (Planning to handle)

BIDS

6. Consider award of bid for the installation of water lines in Tradewinds Unit No. 2 Subdivision.
(Bids were opened on September 19th. The low bid submitted by E. Foster Company, which is 8.6% 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 $4,384 (Contract $1,714; material $2,670) funds budgeted in Account 6804-50-101, Water Line Extension, p. 43)

ACTION: Res. 67-812 adopted (Shastid/Simon, unan.) awarding bid to E. Foster Company. (P/W to handle)

CONSENT

7. Consider award of bid for the installation of water lines in Highland Manor No. 3 Subdivision.
(Bids were opened on September 19th. The low bid submitted by E. Foster Company, which is the same as 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 $6,839 (Contract $2,679; materials, $4,160). Funds budgeted in Account 6804-50-101, Water Line Extension, p. 43)

ACTION: Res. 67-813 adopted (Shastid/Simon, unan.) awarding bid to E. Foster Company. (P/W to handle)

CONSENT

8. Approve plans and specifications and call for bids for Project No. 1, Sewerage Works Improvement, Waste Water Pumping and Treatment Works Enlargement, at the Sewage Treatment Plant.
Bid opening, October 31, 1967 at 2:00 P.M., City Hall;Project Cost, $1,600,000.00, including engineering. Memo of explanation with agenda. Resolution approving plans, specifications and call for bids needed. Funds budgeted in Account 6553-405.)

ACTION: Res. 67-814 adopted (Robinson/Smith, unan.) approving plans and specifications and call for bids. (Clerk to handle)

HEARINGS

9. Final report by Committee to Study Crime. 7:45 P.M.

ACTION: Mayor directed City Staff and Council Committee (Hughes, Mitchell and Simon) to study report and make firm recommendations to Council.

10. Cost of installation of sidewalk, curb and gutter on north side of Block 469 on Coldwell Avenue (Ewer). 7:50 P.M.

ACTION: Res. 67-815 adopted (Robinson/Smith, unan.) confirming report, assessing costs, and directing collection to be spread over a period of eight years. (P/W & Finance to handle)

11. Cost of installation of sidewalk on north side of Oak St. - (Reed). 7:50 P.M.

ACTION: Res. 67-816 adopted (Robinson/Smith, unan.) confirming report, assessing costs, and directing method of collection. (P/W to handle)

12. Cost of installation of sidewalk/curb and gutter on south side of Block 407 on Vine St. (Worley). 7:50 P.M.

ACTION: Res. 67-817 adopted (Robinson/Smith, unan.) confirming report, assessing costs, and directing method of collection. (P/W to handle)

13. Cost of installation of sidewalk on north side of Block 466 on Coldwell Avenue (Ward). 7:50 P.M.

ACTION: Res. 67-818 adopted (Robinson/Smith, unan.) confirming report, assessing costs, and directing method of collection. (P/W to handle) NOTE: The staff was instructed to look into the matter of persons not paying for sidewalk, curb and gutter work receiving interest-free loans for the amount due because of the necessary time lag in placing an assessment against the subject property and report to Council. (Finance to handle)

14. Cost of installation of sidewalk, curb and gutter on east side of Block 6250 on Carver Road (Stensaas). 7:55 P.M

ACTION: Res. 67-819 adopted (Robinson/Smith, unan.) confirming report, assessing costs, and directing method of collection. (P/W to handle)

15. Final report of Modesto Action Committee. 8:15 P.M

ACTION: Res. 67-820 adopted (Hughes/Smith, unan.) setting October 9, 1967 at 8:20 P.M. as time for informal hearing on downtown portion of Mayor's Traffic Plan. (Clerk to handle)

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

The C/Mgr reported that demolition of the old police building was about to start.

The Dir. of P & T reported that demolition of the Claremont Hotel had been stopped but that arrangements had been made to resume the work.

Councilman Robinson reported that he was to serve on a panel at a conference on S. J. Valley Air Pollution at Fresno City College on September 30.

It was announced that the Public Projects Committee had requested the City Beautification Committee for recommendations on the decor of the buses

John Funnell of the Farm-City Committee was introduced.

ORDINANCES

CONSENT

16. Final adoption of Ord. No. 854-C.S. (amendment to zoning regulations - H-1 Zones)

ACTION: By motion Ordinance adopted. (Clerk to handle)

CONSENT

17. Final adoption of Ord. No. 855, C.S. (amendment to zoning regulations - P-D Zones).

ACTION: By motion Ordinance adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

18. Consider lease agreement with Arnold C. Dickens for approximately 5 acres farmed by him last year as a condition of the sale when the City purchased the property.
(Report submitted with agenda. Resolution needed)

ACTION: Res. 67-821 adopted approving lease agreement. (Finance to handle

CONSENT

19. Request to participate in the Junior Fire Marshal Program. (See attached memo to the City Manager. Motion indicating Council's intention needed)

ACTION: By motion participation of Fire Dept. in Program authorized. (Fire Dept. to handle)

CONSENT

20. Consider a grant deed of city-owned land to Hiram D. and Anna C. Hughson in return for dedication by the Hughsons of a parcel of land for street purposes. (Memorandum with agenda. Resolution needed)

ACTION: Res. 67-822 adopted approving right of way contract with Hiram D. and Anna C. Hughson and authorizing Mayor and City Clerk to execute deed to the Hughsons. (C/Atty & C/Clerk to handle)

CONSENT

21. Consider Personnel Commission recommendation to establish provisions for night differential pay for night street sweepers. (Information with agenda. Resolution amending Resolution No. 67-603 which establishes salary schedules and fixes compensation needed)

ACTION: Res. 67-823 adopted amending Res. 67-603 as to night differential pay for night street sweepers. (Personnel to handle)

CONSENT

22. 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 Supt. of Streets to post the property. Resolution needed. Suggested hearing date October 9, 1967 at 7:55 P.M.)

CONSENT

(a) Curb and gutter requirement, Lot 18, Block 2129 at 432 Camellia Ave. (Barse)
(Resolution setting hearing needed)

ACTION: Res. 67-824 adopted setting hearing. (P/W to handle)

CONSENT

(b) Curb and gutter requirement, Portion of Block 2184-A, 306 No. Conejo Avenue (Lemons)
(Resolution setting hearing needed)

ACTION: Res. 67-825 adopted setting hearing. (P/W to handle)

CONSENT

(c) Curb and gutter requirement, Lots 3, 4, and 5, Block 406, 121 Spruce Street (Thompson)
(Resolution setting hearing needed)

ACTION: Res. 67-826 adopted setting hearing. (P/W to handle)

CONSENT
(d) Sidewalk requirement, Lot 18, Block 2130, 432 Severin Avenue (Ahart)
(Resolution setting hearing needed)

ACTION: Res. 67-827 adopted setting hearing. (P/W to handle)

CONSENT
(e) Sidewalk requirement, Lot 14, Block 3087, 614 Hudson Lane (Lucero).
(Resolution setting hearing needed)

ACTION: Res. 67-828 adopted setting hearing. (P/W to handle)

CONSENT
(f) Sidewalk requirement, Lots 15 and 16, Block 345, 328 Ruberto Street (Hull)
(Resolution setting hearing needed)

ACTION: Res. 67-829 adopted setting hearing. (P/W to handle)

23. Authorizing hiring the law firm of Jensen and Underwood to represent the City in the legal actions involving the City in the acquisition of a remote sewer ponding site.
(Resolution needed)

ACTION: Res. 67-830 adopted (Shastid/Smith, unan.) approving letter agreement with Jensen & Underwood and authorizing C/Atty to accept terms of same on behalf of City. (C/Atty to handle)

CONSENT
24. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at properties listed below: (The amounts assessed against the properties are included in reports distributed with the agenda. The City Clerk will set the date for the hearing; the reports should be held until the hearing. Resolution setting date for hearing needed. Suggested hearing date October 9, 1967 at 8:15 P.M.)

CONSENT
(a) Report on cost of installation of sidewalk on north side of Block 413 on Oak Street (Vasquez).
(Resolution setting hearing needed)

ACTION: Res. 67-831 adopted setting hearing. (P/W to handle)

CONSENT
(b) Report on cost of installation of sidewalk on west side of Block 2054 on No. Santa Ana (Bennett).
(Resolution setting hearing needed)

ACTION: Res. 67-832 adopted setting hearing. (P/W to handle)

24. (continued)
CONSENT

(c) Report on cost of installation of sidewalk on west side of Block 2054 on No. Santa Ana Ave. (Anderson).
(Resolution setting hearing needed)

ACTION: Res. 67-833 adopted setting hearing. (P/W to handle)

CONSENT

(d) Report on cost of installation of sidewalk, curb and gutter on the north side of Block 235 on LaLoma (Clark).
(Resolution setting hearing needed)

ACTION: Res. 67-834 adopted setting hearing. (P/W to handle)

REPORTS

25. Report on left turn study on McHenry Avenue.
(This will only be considered in the event the entire Council is present).

ACTION: Held over for one week.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

26. Recommend approval of a plan for Fire Station locations and a revision thereto.
(On May 21, 1963 the Planning Commission, By Resolution 947, recommended to the Council a plan for fire station locations, upon which no formal action was taken. On September 8, 1967 the Planning Commission (By Resolution No. 67-88) recommended to the Council a revision of a portion of the Fire Stations Locations Plan, to relocate Fire Station No. 3 in the vicinity of El Vista and Encina Avenues. Resolution approving the Plan as recommended by the Planning Commission in Resolution No. 947, as revised in Resolution 67-88, needed)

ACTION: Res. 67-835 adopted approving plan. (C/Mgr to handle)

27. Recommendation that the Local Agency Formation Commission be requested to undertake a poll of residents in the "disputed area" between Modesto and Ceres to determine which city the majority of the residents prefer to annex to, and to define areas of interest.
(On September 19, 1967 by motion the Planning Commission recommended to the Council that the City request a poll be undertaken by the LAF Commission of the residents in the "disputed area" between Modesto and Ceres to determine trends in the preferences of the residents regarding annexation to Modesto or Ceres at some point in the future.
(Information with agenda. Motion needed)

ACTION: By motion (Shastid/Simon, unan.) Clerk authorized to write to Local Agency Formation Commission requesting that poll be taken.
(City Clerk to handle)

CONSENT

28. Recommend commencement of annexation proceedings - Davis Park No. 2 Addition.
(By Resolution No. 67-100 adopted on September 19, 1967 the Planning Commission recommends commencement of proceedings for the annexation of uninhabited territory known as Davis Park #2 Addition. Resolution setting date for public hearing needed. Suggested date, November 13, 1967 at 7:45 P.M.)

ACTION: Res. 67-836 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

29. Transfer from Capital Outlay Reserve to Legion Park property acquisition.
(Some time ago the American Legion agreed to give the City some property south of the American Legion Building and adjacent to Legion Park in order that the City could annex it and the Mancini property across the river. The $750.00 is necessary to prepare the maps and process the matter through the agencies involved. Motion Resolution approving appropriation transfer needed)

ACTION: Res. 67-837 adopted authorizing appropriation transfer. (Finance to handle)

MISCELLANEOUS

30. Request of Assemblyman Bob Monagan for support for Assembly Joint Resolution 29 pertaining to federal tax sharing.

ACTION: No action taken.

APPOINTMENTS

Adjournment at 10:10 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 2, 1967 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: Reverend R. E. Patterson, Chaplain, Scenic General Hospital

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 7, 8, 21, 22, 25a, b, c, d, e, 26, 27 28a, b, c, d, e, f, 29, 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 September 25, 1967.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Letter from California Highway Commission concerning state-owned land which Modesto wishes for development as rest stops.

ACTION: Staff directed to reaffirm previous city stand and to send a strongly worded letter in answer to Highway Commission. (C/Mgr. to handle)

CONSENT
3. Request of Sears, Roebuck & Co. for closure of portion of alley between main store and Home Improvement Building, extending approximately 150 feet north of K Street.
(Closure requested for October 7, 1967. Motion granting request needed)

ACTION: By motion, request granted.
(P & T and Police to handle)

4. News release from Frank Andrews concerning groundbreaking for New Don Pedro Dam.

NO ACTION.

5. Letter from Modesto Junior Chamber of Commerce thanking City for assistance with TransAmerica Sedan Race.

NO ACTION.

6. Resignation of J. W. Hoge from the Personnel Commission.
ACTION: Res. 67-838 adopted (Shastid/Simon, unan.) commending J. W. Hoge for services on Personnel Commission (Clerk to handle) Staff to prepare letter to Mr. Hoge for Mayor's signature. (C/Mgr. to handle)

CONSENT
7. Consider award of bid for installation of standby power units at Thousand Oaks and Emerald Avenue Sewage lift stations.
(Bids were opened on September 26. The low bid submitted by Ferrero Electric, Inc., which is 4.6% 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 Thousand Oaks $6,675 (Contract $6,425; Engr. & Insp. $250); Funds budgeted in 6569-212, 1000 Oaks Park Station Emergency Power; estimated cost Emerald Station, $8,125 (Contract $7,875; Engr. & Insp. $250); funds budgeted in Account 6570-212, Emerald Station Emergency Power)

ACTION: Res. 67-839 adopted awarding bid to Ferrero Electric, Inc. (P/W to handle)

CONSENT
8. Approve plans and specs and call for bids for construction of parking lot #26 on east side of 10th Street between K and L Streets (Small Sears lot)
(Plans and specifications are completed. Funds in Account 6223-57-209 were approved September 18, 1967 for this project in the amount of $6,000. The construction is scheduled for completion December 4, 1967. The lot will have 36 spaces. Resolution approving plans, specifications, call for bids needed. Bid opening date, October 18, 1967 at 2:00 P.M. Estimated cost $6,000; funds budgeted in Account 6223-57-209, Sears Lot Development)

ACTION: Res. 67-840 adopted approving plans and specs and call for bids.
(P/W to handle)

HEARINGS

9. Cost of installation of curb and gutter on north side of Block 414 on Oak Street (James Sheppard). 4:15 P.M.

ACTION: Res. 67-841 adopted (Smith/Robinson, unan) confirming report, assessing costs and directing method of collection.
(P/W to handle)

10. Cost of installation of curb and gutter on north side of Block 738 on Roseburg Ave. (Auernheimer) 4:15 P.M.

ACTION: Res. 67-842 adopted (Smith/Robinson, unan) confirming report, assessing costs and directing method of collection.
(P/W to handle)

11. Cost of installation of sidewalk, curb and gutter on north side of Block 133 on LaLoma Avenue (Mrs. Schwendiman) 4:15 P.M.

ACTION: Res. 67-843 adopted (Smith/Robinson, unan) confirming report, assessing costs and directing method of collection.
(P/W to handle)

12. Cost of installation of sidewalk, curb and gutter on southwesterly side of Block 6 on Second St. (Calvary Temple of God in Christ) 4:15 P.M.

ACTION: Res. 67-844 adopted (Smith/Robinson, unan) confirming report, assessing costs and directing collection to be spread over a period of 9 years.
(P.W and Finance to handle)

13. Cost of installation of sidewalk, curb and gutter on west side of Block 926 on Carver Road (Poy Tim Lowe). 4:15 P.M.

ACTION: Res. 67-845 adopted (Smith/Robinson, unan) confirming report, assessing costs and directing method of collection.
(P/W to handle)

14. Cost of installation of sidewalk, curb and gutter on west side of Block 6081 on Carver Road (Miss Minnie Woo). 4:15 P.M.

ACTION: Res. 67-846 adopted (Smith/Robinson, unan)confirming report, assessing costs and directing method of collection.
P/W to handle)

15. Cost of installation of sidewalk on north side of Block 6094 on Ribier Ave. (James Anderson). 4:15 P.M.

ACTION: Res. 67-847 adopted (Smith/Robinson, unan) confirming report, assessing costs, and directing method of collection.
(P/W to handle)

16. Curb and gutter requirement, Lot 18, Block 260, 102 Village Road (Mrs. Rinaldi). 4:15 P.M.

ACTION: Res. 67-848 adopted (Hughes/Robinson, unan) ordering work done six months from Oct. 2, 1967.
(P/W to handle)

17. Curb and gutter requirement, Lots 1 and 2, Block 344, 301 Ruberto St. (Jack Lewis) 4:15 P.M.

ACTION: Res. 67-849 adopted (Hughes/Robinson, unan) ordering work done.
(P/W to handle)

18. Sidewalk requirement, Lots 1, 2, 3, and 4, Block 353, 1410 Tuolumne (Mrs. Lulu Summers) 4:15 P.M.

ACTION: Res. 67-850 adopted (Hughes/Robinson, unan) ordering work done.
(P/W to handle)

19. Curb and gutter requirement, Lots 23 and 24, Block 327, on Center Street (Lamon Wright) 4:15 P.M.

ACTION: Res. 67-851 adopted (Hughes/Robinson, unan) ordering work done.
(P/W to handle)

20. Sidewalk requirement, Lots 23, 24, 25, 26, 27, 28, Block 339, 202 Ruberto St. (William Tye) 4:15 P.M.

ACTION: Res. 67-852 adopted (Hughes/Robinson, unan) ordering work done. (P/W to handle)

Matters for the good of the community.
(These may be presented by citizens in the audience) 4:20 P.M.

Councilman Mitchell introduced Miss Renate Seibold of Schwabisch, Gmeund, Germany, who has been a guest of the Mitchells.

Councilman Robinson made a brief report on the Air Pollution Conference held in Fresno on September 30. He reported that there is a problem which is increasing. A written report will be made later.

A proposed sewer service agreement with Tri-Valley was discussed and changes suggested. The staff was directed to incorporate the changes in the agreement and submit the amended agreement to Tri-Valley.

It was reported that demolition of the Claremont Hotel was at a standstill due to State restrictions.

Juanita Miller of the Community Action Committee was introduced.

OLD BUSINESS

CONSENT
21. Consider authorization of interest charges relating to annual assessments for installment payments of curbs, gutters and sidewalks installed by the City.
(Report attached, Resolution needed)

ACTION: Res. 67-853 adopted authorizing interest charges.
(Finance to handle)

CONSENT
22. Development of State Highway Route 132 using Jennie and Grand Streets as one-way streets.

(a) Resolution designating Grand Street, from D Street to Las Flores Avenue in an easterly direction and Jennie Street from Burney Street to Las Flores Avenue in a westerly direction, as one way streets.

ACTION: Res. 67-854 adopted designating portions of Grand Street and Jennie St. as one-way streets.
(Clerk to handle)

(b) Resolution requesting California Highway Commission to adopt Jennie Street located in the City of Modesto as Route 132.
(This matter was considered by the Council at its meeting of August 14, 1967 at which time it authorized preparation of appropriate documents to comply with a request of the Division of Highways for development of State Highway Route 132 using Jennie and Grand Streets as one-way streets for carrying the traffic. The development of State Highway Route 132 was considered at a joint public hearing of the Council and the Division of Highways on June 12, 1967)

ACTION: Res. 67-855 adopted requesting Highway Commission to adopt Jennie St. as Route 132.
(Clerk to handle)

23. Further consideration of McHenry Avenue left-turn study.

ACTION: By motion (Robinson/Smith, majority) staff directed to perform study after the new police chief has been appointed. (P & T to handle)

24. Request by Alan Strauss, representing Frank Francek, for further consideration of driveway variance and parking arrangements on the Granger Avenue frontage of the Food Fair Market located on the south-east corner of Granger Avenue and Tully Road.
(Copy of Mr. Strauss' letter distributed with agenda. Resolution approving request, or motion denying request needed).

ACTION: By order of the Mayor, further consideration of this matter to be placed on agenda for October 19. P & T, P/W and C/Atty to prepare report for Council prior to meeting. (P & T to handle)

NEW BUSINESS

CONSENT

25. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at properties listed below. (The amounts assessed against the properties are included in reports distributed with agenda. The City Clerk will set date for hearing. The reports should be held until the hearing. Resolution setting date for hearing needed. Suggested hearing date October 23, 1967 at 7:50 P.M. Contract costs with agenda. Funds budgeted in Account 5302-51-101, Curbs & Gutters, Special)

(a) Sidewalk on north and east sides of Block 6717 on Bowen and Phelps Avenues. (Lilliam M. Allard)

ACTION: Res. 67-856 adopted setting hearing. (P/W to handle)

(b) Sidewalk on north side of Block 6815 on Bowen Avenue. (Delbert Jones).

ACTION: Res. 67-857 adopted setting hearing. (P/W to handle)

(c) Sidewalk on south side of Block 6253 on West Orangeburg Ave. (Lenser).

ACTION: Res. 67-858 adopted setting hearing. (P/W to handle)

(d) Sidewalk, curb and gutter on the north and east sides of Block 412 on Oak and Washington Streets. (Wally DeVe).

ACTION: Res. 67-859 adopted setting hearing. (P/W to handle)

(e) Sidewalk, curb and gutter on the east side of Block 412 on South Washington Street. (Mrs. Isabel M. Fox)

ACTION: Res. 67-860 adopted setting hearing. (P/W to handle)

CONSENT
26. An agreement between the City of Modesto and Modesto City Schools for the operation of an Afterschool Recreation Program. (This agreement is the usual agreement which has been entered into previously and provides that the City of Modesto agrees to operate AfterSchool Recreation Programs on the Modesto Elementary District Playgrounds from October 3, 1967 to June 7, 1968. Adoption of Resolution needed).

ACTION: Res. 67-861 adopted approving agreement. (P & R to handle)

CONSENT
27. Agreement with Ribera and Sue. (The agreement provides that Ribera and Sue will develop plans and specifications for Stage 1 Development of Marshall Park Site, for a lump sum figure of $2,750. Resolution approving agreement needed. Estimated cost $2,750; funds budgeted in Account 6274-321, Marshall Park Phase 1)

ACTION: Res. 67-862 adopted approving agreement. (P & R to handle)

CONSENT
28. 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 post the property. Resolutions needed. Suggested hearing date October 23, 1967 at 7:55 P.M.

CONSENT
(a) Curb and gutter on LaLoma at No. Santa Cruz - Lots 5 and 6, Block 2061-B (Melva D. Davenport).

ACTION: Res. 67-863 adopted setting hearing. (P/W to handle)

CONSENT
(b) Sidewalk, curb and gutter on So. Madison at 302 Ruberto, Lots 27 and 28, Block 345 (Frank M. Lozada)

ACTION: Res. 67-864 adopted setting hearing. P/W to handle)

CONSENT
(c) Sidewalk on Ruberto St. at 226 Ruberto Street, Lots 15 and 16, Block 339 (James Martin).

ACTION: Res. 67-865 adopted setting hearing. P/W to handle)

CONSENT
(d) Curb and gutter on Spruce St. at 101 Spruce St., Lots 13 and 14, Block 406 (Arthur C. Bassard)

ACTION: Res. 67-866 adopted setting hearing. (P/W to handle)

CONSENT
(e) Curb and gutter on So. Franklin at 403 Oak Street, Lot 1 Block 4093 (Ira Kinchion).

REMOVED FROM AGENDA.

CONSENT
(f) Curb and gutter on So. Franklin St. at 405 Maple St., Lot 1, Block 4094 (Demetria Pepelis).

ACTION: Res. 67-867 adopted setting hearing.(P/W to handle)

CONSENT

29. Accept improvements in Dry Creek Estates No. 1 Subdivision and authorize City Clerk to file notice of completion and release bond upon expiration of the statutory lien period.
(Dry Creek Estates No. 1 Subdivision is located on the west side of El Vista Avenue between Ellis Street and Dry Creek. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements and authorizing release of bond needed)

ACTION: Res. 67-868 adopted accepting improvements and authorizing City Clerk to file notice of completion.
(Clerk to handle)

CONSENT

30. Agreement between the City of Modesto and Craig Hubbard for appraisal of property owned by Hailwood, Inc., against which City has filed eminent domain proceedings to acquire for a remote sewer pond site. Memo of explanation with agenda. Resolution approving agreement needed. Funds budgeted in Account 6553, Municipal Sewer District)

ACTION: Res. 67-869 adopted approving agreement.
(C/Atty to handle)

CONSENT

31. Request by City Manager to take one day of vacation on Friday, October 13, 1967.
(Motion needed)

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

32. Discussion concerning possible tour of city operations by City Council and City Planning Commission.

It was announced that visits to city facilities were planned for November for councilmen and planning commissioners.
(C/Mgr. to handle)

33. Letter from Pacific Fire Rating Bureau regarding transfer of grading jurisdiction.

NO ACTION.

Adjournment at 5:45 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 9, 1967 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~~
A moment of silent prayer was observed.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items ~~4~~, 6, 7, 25, 26, 27, 28, 29, 32, 33, ~~34~~, 35
Shastid/Robinson, unan.

Remove 5 & 34

(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 October 2, 1967.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Resolution of Greater Modesto Chamber of Commerce saluting local governments.

No action.

3. Letter from Sonora Police Department commending Detective M. O. Ikerd.

ACTION: Detective Ikerd commended by Mayor and staff directed to place a copy of this letter in his personnel file. (Personnel to handle)

4. Request of Citizens' Cultural Center Committee to have covered patio area at rear of old Police Building fenced to permit use of area for display of large items.

ACTION: Res. 67-870 adopted (Shastid/Robinson, unan.) approving appropriation transfer of $305 to cover cost of fence. (Public Works and Finance to handle)

~~CONSENT~~

5. Award contract for construction of a vehicular parking lot at the corner of 9th and I Streets (Claremont Hotel).
(Mr. Lee White is low bidder at $20,899.50, $300 lower than the engineer's estimate. Bid tabulation is sent with agenda. Resolution awarding bid needed. Funds budgeted in Account 209-57-6222, Claremont Parking Lot)

ACTION: Res. 67-871 adopted (Shastid/Mitchell, unan.) awarding contract to Lee White (Item 1 on call for bids - construction and paving). (P & T to handle)

CONSENT

6. Consider award of bid for the installation of water lines in Tully Manor No. 3 Subdivision.
(Bids were opened on October 3. The low bid submitted by Modesto Industrial Electrical Co., Inc., dba Industrial Electrical Co., which is 3.2% 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, $10,342;(contract $3,812; materials $6,530). Funds budgeted in Account 6804-50-101, Water Line Extension, p. 43)

ACTION: Res. 67-872 adopted awarding contract to Modesto Industrial Electrical Co., Inc. (P/W to handle)

CONSENT

7. Approve plans and specifications and call for bids for the construction of wading pool at Catherine Everett Park.
(Bid opening October 31, 1967 at 10:00 A.M. This wading pool is part of the Catherine Everett Park Development Plan and is the same as those constructed at various other city parks. Resolution approving plans, specifications and call for bids needed. Estimated cost $11,100 (Contract $10,600; Engr. $500); funds budgeted in Account 6299-324, Catherine Everett Wading Pool, Play Area, Lights p. 63).

ACTION: Res. 67-873 adopted approving plans and specifications and call for bids. (P/W to handle)

8. Approve plans and specifications and call for bids for construction of Parking Lot #27, Southern Pacific Depot Parking Lot between I and K Streets.
(Plans and specifications are completed. The construction is scheduled for completion December 11, 1967. The lot will have 125 metered spaces and 18 spaces reserved for Southern Pacific. Bid opening 10/25/67 at 2:00 P.M. Estimated cost $5,000; funds budgeted in Account 5302-57-709, Southern Pacific Lot) Resolution approving plans and specifications, and call for bids needed.

ACTION: Res. 67-874 adopted (Shastid/Smith, unan.) approving plans and specifications and call for bids. By motion (Shastid/Smith, unan.) staff directed to proceed with Alternate #3. (P & T to handle)

HEARINGS

9. Abandonment of alley known as Church Way. 7:45 P.M.

ACTION: S.P. No. 1044 adopted (Hughes/Robinson, majority - Mitchell, Shastid & Smith no) abandoning alley but retaining easement for water line. (C/Atty & C/Clerk to handle)

10. Abandonment or lease of park east of St. Paul's Episcopal Church. 7:45 P.M.

ACTION: Res. 67-875 adopted (Hughes/Robinson, majority - Mitchell, Shastid & Smith no) abandoning park. (C/Atty & C/Clerk to handle)

11. Curb & gutter requirement on Encina at 432 Camellia Avenue. (Lot 18, Block 2129 (Barse) 7:55 P.M.

ACTION: Res. 67-876 adopted (Shastid/Hughes, unan.) ordering work done. (P/W to handle)

12. Curb and gutter requirement, on Uccello Avenue at 306 No. Conejo, portion of Block 2184(a).(Lemmons) 7:55 P.M.

ACTION: Res. 67-877 adopted (Shastid/Hughes, unan.) ordering work done. (P/W to handle)

13. Curb and gutter requirement, 121 Spruce, Lots 3, 4 & 5, Block 406 (Thompson). 7:55 P.M.

ACTION: Res. 67-878 adopted (Shastid/Hughes, unan.) ordering work done. (P/W to handle)

14. Sidewalk requirement, 614 Hudson Lane, Lot 14, Block 3087 (Lucero) 7:55 P.M.

ACTION: Res. 67-879 adopted (Shastid/Hughes, unan.) ordering work done. (P/W to handle)

15. Sidewalk requirement on So. Franklin at 328 Ruberto, Lots 15 and 16, Block 345 (Hull) 7:55 P.M.

ACTION: Res. 67-880 adopted (Shastid/Hughes, unan.) ordering work done. (P/W to handle)

16. Hearing on amendment to Section 15-3-9 of zoning map from R-1 to R-3 (Bomberger). 8:00 P.M.

ACTION: Ord. 856-C.S. adopted (Hughes/Shastid, unan.) amending zoning map. (Clerk to handle)

17. Hearing on amendment to Section 15-3-9 of zoning map from R-1 to P-D 34 (Bomberger) 8:00 P.M.

ACTION: Ord. 857-C.S. adopted (Hughes/Shastid, unan.) amending zoning map. (Clerk to handle) Res. 67-881 adopted (Hughes/Shastid, unan.) approving P.D. plan. (Planning to handle)

18. Hearing on amendment to Section 15-3-9 of zoning map from R-1 to P-D 35 (Bomberger) 8:00 P.M.

ACTION: Ord. 857-C.S. adopted (Hughes/Shastid, unan.) amending zoning map. (Clerk to handle) Res. 67-882 adopted (Hughes/Shastid, unan.) approving P.D. plan. (Planning to handle)

19. Hearing on amendment to Section 15-3-9 of zoning map from R-1 to P-D 36 (Bomberger) 8:00 P.M.

ACTION: Ord. 857-C.S. adopted (Hughes/Shastid, unan.) amending zoning map. (Clerk to handle) Res. 67-883 adopted (Hughes/Shastid, unan.) approving P.D. plan. (Planning to handle)

20. Hearing on amendment to Sections 5-4-9 and 8-4-9 of zoning map (Sanders). 8:05 P.M.

ACTION: Ord. 858-C.S. adopted (Mitchell/Hughes, unan.) amending zoning map. (Clerk to handle) Res. 67-884 adopted (Mitchell/Hughes, unan.) approving P.D. plan. (Planning to handle)

NOTE: Items 17, 18 & 19 were included in one ordinance.

21. Cost of installation of sidewalk on north side of Block 413 on Oak Street (Vasquez). 8:15 P.M.

ACTION: Res. 67-885 adopted (Hughes/Simon, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

22. Cost of installation of sidewalk on west side of block 2054 on No. Santa Ana (Anderson). 8:15 P.M.

ACTION: Res. 67-886 adopted (Hughes/Simon, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

23. Cost of installation of sidewalk,curb and gutter on north side of Block 235 on LaLoma (Clark). 8:15 P.M.

ACTION: Res. 67-887 adopted (Hughes/Simon, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

24. Informal hearing on downtown portion of Mayor's traffic plan. 8:20 P.M.
ACTION: By motion (Smith/Robinson, unan.) intention to adopt Mayor's traffic plan declared. Res. 67-888 adopted (Smith/Hughes, maj. - Davies no) amending one-way street resolution (10th & 11th two-way by 11/1/67 and G, H, & I change as soon as possible after 1/1/68). (P & T and C/Atty to handle). By motion (Smith/Robinson) Staff directed to implement balance of Mayor's traffic plan and place on agenda after January 1, 1968. (Manager to handle)

Matters for the good of the community.
(These may be presented by citizens in the audience) 8:30 P.M.

By motion (Shastid/Hughes, unan.) request of George Gagos, Chairman of the City Planning Commission, for study of the possibility of lowering the ratio of parking places to seats in downtown churches, referred to P/C.

It was announced that Don Toombs, Personnel Officer, had submitted his resignation effective October 20.

Council members were urged to attend the Sing Out America concert on October 12. It was requested that an effort be made to assist in obtaining sleeping accommodations for the members of the group.

OLD BUSINESS

CONSENT
25. Consider revision to flat-rate charges for water service to the Central Catholic High School.
(Rates were last established September 19, 1966. Recently the school made extensive changes in the area under sprinkler irrigation. The proposed new rates reflect these changes. Resolution establishing flat rate charges needed)

ACTION: Res. 67-889 adopted establishing new rates. (Finance to handle)

CONSENT
26. Consider approval of Modesto City Schools disposing of their garden refuse at the City sanitary landfill.
(Memorandum of explanation with agenda). (Resolution needed)

ACTION: Res. 67-890 adopted permitting Modesto City Schools to dispose of garden refuse at City sanitary landfill. (P/W to handle)

CONSENT

27. Request for refund of business license tax.
(A request for refund of business license taxes has been submitted by Mary Molles, who operates the Aloha Club, in the amount of $172.13 for the quarter ending June 30, 1967. Tax calculated in error at 1% instead of 1 mill. 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 refunding $172.13 needed (refund of current business license revenue received).

ACTION: Res. 67-891 adopted approving refund. (Finance to handle)

CONSENT

28. Report of Superintendent of Streets on the cost of installation of sidewalk on the south side of Block 417 at 102-112 Oak Street (James D. Morris).
(The amount assessed against the property is included in report with agenda. City Clerk will set date of hearing; report should be held until hearing. Resolution setting date for hearing needed. Suggested hearing date October 23, 1967 at 7:50 P.M. Funds budgeted in Account 5302-51-101, Curbs & Gutters, Special)

ACTION: Res. 67-892 adopted setting hearing. (P/W to handle)

CONSENT

29. Option agreement between City and Kirkpatrick Homes, Inc., whereby the City will acquire an option to purchase certain real property for a future fire station site.
(Memorandum of explanation with agenda. Resolution authorizing option agreement needed. Estimated cost $8,000)

ACTION: Res. 67-893 adopted approving option agreement. (Manager and C/Atty to handle)

REPORTS

30. Report of Public Projects Committee on colors for new city buses.
(A report from the Chairman has been distributed with agenda. Motion deciding the matter is needed).

ACTION: By motion (Mitchell/Robinson, unan.) colors for new buses approved as recommended by Public Projects Committee. (Light blue and white, blue upholstery, mottled grey floor and light blue ceiling) (P & T to handle)

31. Report of Public Projects Committee on advertising on the outside of the new city buses.
(A memo from the Chairman distributed with agenda. Committee recommends that such advertising not be permitted. Motion deciding matter is needed) ACTION: By motion (Shastid/Smith, majority) staff to meet with bus operator to work out a plan whereby operator will be reimbursed for loss of revenue caused by omission of advertising on outside of buses. (P & T to handle)

CONSENT

32. Presentation of financial statement for September 1967.
(Motion accepting needed).

ACTION: By motion financial statement for September, 1967, accepted.

REPORTS FROM PLANNING COMMISSION

CONSENT

33. Recommend 60-foot dedicated and improved street located within and adjacent to P-D(27) east of Coffee Road be named "Professional Court".
(Resolution No. 67-107 adopted by the Planning Commission October 3, 1967 recommends to the Council that the 60-foot dedicated and improved street located within and adjacent to P-D(27) east of Coffee Road be named "Professional Court". Resolution needed)

ACTION: Res. 67-894 adopted naming street "Professional Court" (Clerk to handle).

APPROPRIATION TRANSFERS

CONSENT

34. Consider appropriation of $5,000 for the Sunrise Avenue Siphon. (The City Council, by motion, indicated their intention to share with the County the cost of the Sunrise Avenue siphon in the amount of $5,000. The total cost of the Siphon was in excess of $40,000. Memo sent with agenda. Resolution appropriating $5,000 needed and resolution authorizing payment to Stanislaus County needed)

ACTION: Res. 67-895 adopted (Shastid/Smith,unan.) approving appropriation transfer from Gas Tax Funds. Res. 67-896 adopted authorizing payment to Stanislaus County. (Finance to handle)

CONSENT

35. Consider request for an appropriation transfer of $265 from the Library's General Reserve to Account 5301-62, Parking Lot Lighting. (Two outside lights are needed for the parking lot behind the library. one light to be installed on an existing pole; a new pole to be installed for the other light. There is no lighting for patrons and personnel of the library at night when they must use this lot. Street parking is not adequate. This item was not budgeted. Resolution needed.)

ACTION: Res. 67-897 adopted approving appropriation transfer. (Finance to handle)

Adjournment at 10:50 P.M.

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

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 16, 1967 AT 4:00 P.M.
(NOTE: This meeting will be adjourned to October 19, 1967 at 4:00 P.M. and all matters scheduled for October 16 will be considered on October 19)

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, and Mayor Davies
Absent: None
Councilman Hughes arrived at 4:10 P.M.

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

CONSENT ITEMS - roll call vote required: Items 4, 6, 9, ~~14~~, 15, 18
Robinson/Shastid, unan. - Hughes absent
Item 14 removed

(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 items 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 October 9, 1967.

ACTION: approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Letter from Division of Highways pertaining to signs adjacent to Interstate and Federal-Aid primary highways.

ACTION: Res. 67-898 adopted (Mitchell/Shastid, unan. -Hughes absent) requiring that applicants for State sign permits obtain certificates of local zoning compliance (C/Atty & Planning to handle). Staff to prepare report on possibility of eliminating flashing and animated signs (Planning to handle).

3. News release from Frank Andrews concerning donations for Humane Society.

No action taken.

CONSENT
4. Request of Salvation Army for encroachment permit to place drop box between sidewalk and street corner at 7th and K Streets. (Resolution setting hearing needed. Suggested date November 6, 1967 at 4:15 P.M.)

ACTION: Res. 67-899 adopted setting hearing (Clerk to handle).

5. Request of Albertson's Inc. for additional curb cut on Bowen Avenue.

ACTION: By motion (Robinson/Simon, unan.) request denied (Clerk to handle). (Justification of request should be submitted if request is to be considered.)

CONSENT
6. Request of Chamber of Commerce for payment of $15,000 allocated in 1967-68 budget for advertising, promotion and industrial development. (Motion granting request needed)

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

7. Request of Roy Anderson for permission to pay costs of installation of sidewalk at 180 No. Santa Ana in three installments.

ACTION: Res. 67-900 adopted (Shastid/Smith, unan.) rescinding Res. 67-886, reconfirming report, assessing costs and directing that collection be made over a three-year period (Finance to handle) (Clerk to write to Mr. Anderson)

8. Letter from Division of Highways concerning changes in methods of allocation of gas tax funds.

No action required.

CONSENT

9. Request of First Baptist Church for 300 parking meter courtesy cards for use during American Baptist Convention of Northern California on October 20-22.
(On June 12 a similar request by the United Pentecostal Church was granted. Motion approving request needed)

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

HEARINGS

10. Continued hearing on amendment to Section 22-3-9 of zoning map. (City of Modesto) 4:15 P.M.

ACTION: By motion (Mitchell/Shastid, unan.) hearing continued to November 27, 1967 at 7:45 P.M. (Clerk to handle).

MATTERS FOR THE GOOD OF THE COMMUNITY
(These may be presented by citizens in the audience) 4:20 P.M.

Staff directed to check with County Staff to determine whether City is less restrictive as to signs and whether or not enforcement is a problem (Public Works to handle).

A short discussion was held on the air pollution problem. It was pointed out that this is a regional problem rather than just local.

Mayor Davies announced that Mary Grogan had been elected president of the Parks and Recreation Division of the League of California Cities.

OLD BUSINESS

11. Further consideration of Frank Francek request for driveway variance.

ACTION: Res. 67-901 adopted (Robinson/Hughes, majority - Mitchell, Shastid, and Davies no) granting variance for 62-foot driveway, 45 degree angle parking and four parking spaces. (P/W to handle)

12. Staff report on negotiations with operator of Modesto Motor Bus Company relative to reimbursement for loss of outdoor advertising on new buses.
(Draft of proposed amendment to agreement between City and Operator of Modesto Motor Bus Company distributed with agenda)

ACTION: By motion (Shastid/Simon, majority) proposed agreement approved in principle (P & T to handle).

13. Possible reconsideration of the abandonment of the park adjacent to St. Paul's Episcopal Church.
(Several councilmen have requested that this item be placed on the agenda for possible reconsideration. An explanation will be made at the meeting.) ACTION: Res. 67-902 adopted (Davies/Robinson, majority - Hughes no) rescinding Res. 67-875 (park abandonment) and S.P. No. 1044 (alley abandonment). By motion (Shastid/Smith, unan.) Staff directed to work with church representatives to arrive at agreement whereby Church will have necessary parking and City will have assurance that uses of area will not change in future without permission of Council (C/Atty & C/Mgr to handle).

NEW BUSINESS

CONSENT
14. Resolution approving agreement for formation of the Stanislaus Area Planning Advisory Association.
(This agreement was approved as to form by a legal representative of the Housing and Urban Development Agency, staff people of the City of Ceres, Modesto and County, and the Board of Supervisors. It is now ready for consideration by the Modesto City Council, and the councils of the other cities in this County. Resolution needed)

ACTION: Res. 67-903 adopted (Smith/Simon, unan.) approving agreement (Clerk to handle).

CONSENT
15. Resolution of intention to call special election for annexation of East Briggsmore Addition to the City of Modesto.
(A petition containing 107 valid signatures and requesting that the East Briggsmore Addition be annexed to the City of Modesto has been filed with the City Clerk. This represents 33.44% of the registered voters. Resolution setting time and place for hearing protests to this annexation needed. Suggested hearing date: November 13, 1967 at 7:50 P.M.

ACTION: Res. 67-904 adopted setting hearing (Clerk to handle).

16. Communication from Kenneth E. Smith regarding aircraft paint and upholstery shop.
(Copy of letter and report with agenda. Motion directing staff needed)
ACTION: By motion (Smith/Hughes, unan.) approval declared of plan of Mr. Smith to locate shop at City-County Airport. Mr. Smith urged to obtain private financing to construct building. If he is unable to do so, City may reconsider financing of construction costs for building to house shop (C/Mgr to handle).

REPORTS

17. Report on municipal court costs.
(The Public Relations Committee will report on its discussions with a committee of the Board of Supervisors regarding distribution of municipal court revenues and costs)

ACTION: By motion (Smith/Mitchell, unan.) City Staff directed to meet with County Staff to review operational costs of Municipal Court and report to Council (C/Mgr to handle).

REPORTS FROM PLANNING COMMISSION

CONSENT

18. Consider ordinance amending the zoning regulations of the Municipal Code for extension of a use across a zone boundary line. (On October 3, 1967 the Planning Commission adopted Resolution No. 67-104, recommending to the Council an amendment to Section 10-2.2003.1 to Article 20 of Chapter 2 of Title X of the Modesto Municipal Code (zoning regulations relating to showings for extension of a use across a zone boundary line. Resolution setting date for public hearing needed. Suggested date November 13, 1967 at 8:00 P.M.)

ACTION: Res. 67-905 adopted setting hearing (Clerk to handle).

MISCELLANEOUS MATTERS

Executive session to consider appointments to Planning Commission and Personnel Commission. At request of City Attorney appointment of Assistant City Attorney to be considered also.

Adjournment to executive session at 6:00 P.M.

Return to open session at 6:15 P.M.

ACTION: Res. 67-906 adopted (Simon/Robinson, unan.) appointing Henry L. Fogle as a member of the Modesto Personnel Commission for the unexpired term of John Hoge (Clerk to handle).

Adjournment at 6:20 P.M.

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, CITY CLERK

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 23, 1967 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 Robert Richter (United Congregation)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 19, 20
Smith/Simon, unan.
Item 1 removed
(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. Consider resolution recognizing "International Key Club Week," October 29 - November 4, 1967.
(Members of the Downey High School Key Club, who have requested that a resolution of recognition be adopted, will be present at the council meeting. Motion adopting resolution needed)

ACTION: Res. 67-907 adopted (Shastid/Smith, unan.) proclaiming week of October 29 - November 4, 1967 as "International Key Club Week." (Clerk to handle) Club members commended by Mayor and Council.

BIDS

CONSENT
2. Award contract for construction of a vehicular parking lot on the east side of 10th Street between K and L Streets, and approve appropriation transfer of $400.
(Sears property north of the Trailways Bus Depot. George Reed, Inc., is low bidder at $5,748. Explanation and bid tabulation with agenda. Resolution awarding bid to George Reed, Inc. needed. Estimated cost $6,400; $6,000 budgeted in Account 209-57-6223, Develop Lot #26, Sears. Resolution approving appropriation transfer needed)

ACTION: Res. 67-908 adopted awarding contract to George Reed, Inc. (P & T to handle). Res. 67-908A adopted approving appropriation transfer of $400 (Finance to handle).

INTRODUCTION AND ADOPTION OF ORDINANCES

CONSENT
3. Adoption of Ordinance 856-C.S. amending Section 15-3-9 of zoning map. (Bomberger)

ACTION: By motion Ordinance adopted (Clerk to handle).

CONSENT
4. Adoption of Ordinance 857-C.S. amending Section 15-3-9 of zoning map. (Bomberger)

ACTION: By motion Ordinance adopted (Clerk to handle).

CONSENT
5. Adoption of Ordinance 858-C.S. amending Sections 5-4-9 and 8-4-9 of the zoning map (Sanders).

ACTION: By motion Ordinance adopted (Clerk to handle).

HEARINGS

6. Hearing on annexation of Sunrise Addition to Modesto Municipal Sewer District No. 1. 7:45 P.M.

ACTION: Res. 67-909 adopted (Mitchell/Shastid, unan.) annexing area. (Clerk to handle) Mr. Hurst commended for his fine work on this.

7. Cost of installation of sidewalk on north and east sides of Lot 6A, Block 6717, on Bowen and Phelps Avenues (Lillian Allard). 7:50 P.M.

ACTION: Res. 67-910 adopted (Hughes/Smith, unan.) confirming report, assessing costs, and directing method of collection (Finance to handle).

8. Cost of installation of sidewalk, Lot 1 of Block 6815 on Bowen Avenue (Delbert Jones). 7:50 P.M.

ACTION: Res. 67-911 adopted (Hughes/Smith, unan.) confirming report, assessing costs, and directing method of collection (Finance to handle).

9. Cost of installation of sidewalk on south side of Block 417 at 102 - 112 Oak Street, Lots 15, 16, 17, 18, 19 and 20 (James Morris). 7:50 P.M.

ACTION: Res. 67-912 adopted (Hughes/Smith, unan.) confirming report, assessing costs, and directing method of collection (Finance to handle).

10. Cost of installation of sidewalk, Lot 1 of Block 6253, West Orangeburg (Bill Lenser). 7:50 P.M.

ACTION: Res. 67-913 adopted (Hughes/Smith, unan.) confirming report, assessing costs, and directing method of collection (Finance to handle).

11. Cost of installation of sidewalk, curb and gutter, north 70 feet of Lots 13 and 14, Block 412, Oak and Washington Streets (Wally DeVe). 7:50 P.M.

ACTION: Res. 67-914 adopted (Hughes/Smith, unan.) confirming report, assessing costs, and directing method of collection (Finance to handle).

12. Cost of installation of sidewalk, curb and gutter at the south 60'2" of Lots 13 and 14, Block 412, on South Washington (Mrs. Isabel Fox). 7:50 P.M.

ACTION: Res. 67-915 adopted (Hughes/Smith, unan.) confirming report, assessing costs, and directing method of collection (Finance to handle).

13. Curb and gutter requirement, Lots 5 and 6, Block 2061-B, on LaLoma at No. Santa Cruz (Mrs. Davenport). 7:55 P.M.

ACTION: Res. 67-916 adopted (Simon/Mitchell, unan.) ordering work done (P/W to handle).

14. Sidewalk, curb and gutter requirement, Lots 27 and 28, Block 345, on So. Madison at 302 Ruberto (Frank Lozada). 7:55 P.M.

ACTION: Res. 67-917 adopted (Simon/Mitchell, unan.) ordering work done (P/W to handle).

15. Curb and gutter requirement, Lot 1, Block 4094, on So. Franklin at 405 Maple (Mrs. Pepelis). 7:55 P.M.

ACTION: Res. 67-918 adopted (Simon/Mitchell, unan.) ordering work done (P/W to handle).

16. Curb and gutter requirement, Lots 13 and 14, Block 406, 101 Spruce Street (Arthur Bassard). 7:55 P.M.

ACTION: Res. 67-919 adopted (Simon/Mitchell, unan.) ordering work done (P/W to handle).

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

Mrs. Cornelia Leach of the League of Women Voters and Mrs. Bolden of the Community Action Committee were introduced.

At the request of John Martin of the Stanislaus County Taxpayers' Assn., the curb and gutter and sidewalk requirements were explained.

It was announced that Modesto had been awarded second place in Group 4 cities for its safety record.

The Mayor proclaimed October 28, 1967 as Anti-Poverty Day and urged all residents to attend the Community Action Committee Open House.

The Mayor proclaimed November 1, 1967 as "Ray Whitburn Day."

OLD BUSINESS

17. Consider asking County to honor its agreement to pay its share of the Roseburg-McHenry traffic signals.
(The intersection was recently annexed to the City. The Director of Parking and Traffic recommends that the Council ask the Board of Supervisors to pay its share of the cost agreed upon before annexation. The County Counsel has opined that the County is not required to pay. A report has been sent with the agenda. Motion authorizing Mayor to contact County needed)

ACTION: By motion (Hughes/Simon, unan.) Mayor authorized to request County to pay its share of the costs of the Roseburg-McHenry traffic signals (C/Mgr to handle).

18. Consider cancellation of Claremont Hotel demolition contract.
(At the time of the close of the agenda the contractor has just started work. This item has been placed on the agenda in case he stops again. A report will be made at the Council meeting if cancellation is to be recommended. If the contract is to be termin ated, it would be by resolution).

ACTION: Res. 67-920 adopted (Shastid/Hughes, unan.) authorizing staff to terminate contract at any time it is deemed advisable (C/Mgr and P & T to handle). By motion (Shastid/Hughes, unan.) staff authorized to solicit informal bids for completion of demolition in event contract is cancelled and also take action to collect on bond filed with State by contractor (C/Mgr and P & T to handle).

NEW BUSINESS

CONSENT

19. Consider budgeting 2107 Gas Tax Funds for the current (1967-68 fiscal year.
(Memorandum of explanation with agenda. Resolution adopting and submitting a budget for expenditure of funds allocated from State Highway Funds to Cities)

ACTION: Res. 67-921 adopted approving budget and authorizing submission of same to Sacramento (Finance and P/W to handle).

APPROPRIATION TRANSFERS

CONSENT

20. Request for appropriation transfer - Downtown Improvement District.
(Secretarial wages were originally budgeted under Salaries and Wages, Regular, Account 110. Memorandum with agenda. Request for transfer of $1,000 from Account 110 to Account 301, Office Supplies. Resolution needed)

ACTION: Res. 67-922 adopted authorizing appropriation transfer (Finance to handle).

Adjournment at 8:55 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 6, 1967 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Simon, Smith, and Mayor Davies
Absent: Shastid
Councilman Hughes arrived at 4:05 P.M.

Pledge of allegiance to the Flag
Invocation: Reverend Greer, Trinity Nazarene Church

1. Presentation of Certificate to League of Women Voters of Modesto in appreciation of public service in promoting observance of United Nations Day 1967.

ACTION: Award presented to Mrs. Henry Oschner, ~~President of League of Women~~ Chairman of the United Nations Program.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 7, 9, 10, 12, 14, 15, 16, 17, 18, ~~19~~, 20, 22, 23, 24, 26, 30, 31
Smith/Robinson, unan. (Hughes & Shastid absent)
Item 19 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

2. Minutes of October 19 and October 23, 1967.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

3. Letter from Department of Housing and Community Development stating that Open Space Land Grant for Chrysler Park has not been approved.

ACTION: No action needed. For information only.

4. Letter from Division of Highways asking if City of Modesto will assume maintenance of trees that may be planted within city limits at Prescott Interchange.

ACTION: Res. 67-923 adopted (Mitchell/Smith, unan. - Shastid absent) agreeing to City of Modesto assuming maintenance of trees. (Clerk to handle)

5. Affidavit that Frank Andrews has had published a "Notice of Intent to Circulate a Petition in the City of Modesto, California, to Tear Down and Scrap the Water-Wealth-Contentment-Health Arch across Eye Street."

ACTION: No action.

6. Request of fourth grade class at James Marshall School for permission to plant a tree or wild flowers in Marshall Park.

ACTION: By motion (Smith/Robinson, unan.) request granted. Planting to be approved by Parks & Recreation Dept. (P & R to handle)
Class commended by Mayor.

CONSENT

7. Request of Downtown Improvement District for use of equipment and personnel to put up and take down Christmas decorations.

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

8. Letter from Division of Highways concerning disposal of properties which City desires to develop as roadside parks.

ACTION: No action needed as Assemblyman Veneman is working on this and Senator Teale has been asked to help him.

BIDS

CONSENT

9. Consider award of bid for the construction of wading pool at Catherine Everett Park.
(Bids were opened on October 31. The low bid submitted by Sunkist Pools, Inc. which is 7.2% 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 $10,342 (Contract $9,842; Engr. $500); funds budgeted in Account 6299-324, Catherine Everett Wading Pool, Play Area,Lights)

ACTION: Res. 67-924 adopted awarding contract to Sunkist Pools, Inc. (P/W to handle)

CONSENT

10. Award contract for construction of a vehicular parking lot on the Southern Pacific Depot Lot between I and K Streets and approve an appropriation transfer of $1,000.
(George Reed, Inc., is low bidder at $5,310. Explanation and bid tabulation with agenda. Resolution awarding bid to George Reed, Inc. and resolution approving appropriation transfer needed. Estimated cost $5,310; funds budgeted in Account 5302-57-209, Southern Pacific Parking Lot)

ACTION: Res. 67-925 adopted awarding contract to George Reed, Inc. (P & T to handle)
Res. 67-926 adopted authorizing appropriation transfer of $1,000.00 (Finance to handle).

HEARINGS

11. Request of Salvation Army for encroachment permit to place drop box at corner of 7th and K Streets. 4:15 P.M.

ACTION: Res. 67-927 (Mitchell/Simon, unan. - Shastid absent) request granted subject to "Hold Harmless" agreement, liability insurance, and a revocation clause in the permit. (P/W to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY 4:20 P.M.
(These may be presented by citizens in the audience)

Larry McCormick, Modesto Junior Chamber of Commerce, invited the Councilmen and their wives to be guests of the Junior Chamber at the Outstanding Young Farmer Banquet to be held on November 22 at the Hotel Covell.

Frank Van Konynenburg, the new Assistant City Attorney, was introduced.

ORDINANCES

CONSENT

12. Proposed amendments to Modesto Municipal Code relating to street dedication and improvement for referral to the Modesto City Planning Commission.
(A memorandum of explanation has been sent to the Mayor and Council with the agenda together with copies of the proposed amendments. Adoption of resolution referring to the Planning Commission needed)

ACTION: Res. 67-928 adopted referring proposed amendments to P/C. (Planning to handle)

13. Consider ordinance establishing mandatory garbage collection in the City.
(On June 26, 1967 the City Council authorized the staff to prepare an ordinance for mandatory garbage collection. Subsequently the garbage companies have requested that the City bill for residential garbage services in conjunction with the new mandatory program. A report is submitted herewith giving further details. Motion introducing ordinance needed)

ACTION: By motion (Robinson/Simon, unan. - Shastid absent) Ordinance 859-C.S. introduced. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

14. Resolution authorizing City to submit application for Open-Space funds for construction of Phase I in the development of Davis Park.
(Memo with agenda. Resolution needed)

ACTION: Res. 67-929 adopted authorizing submission of application. (C/Mgr & P & R to handle)

CONSENT

15. Agreement between City of Modesto and Tri-Valley Growers for sewer service to its Kiernan Road plant.
(Agreement previously considered by the Council at its meeting of October 2, 1967. The changes recommended by the Council have been incorporated in the final agreement. Resolution approving agreement needed)

ACTION: Res. 67-930 adopted approving agreement. (C/M to handle)

CONSENT

16. Resolution authorizing extension of lease for Broughton Branch Library.
(Under terms of lease dated May 25, 1964 the City may, at the same rent, exercise option for extension of lease for 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, 1968 and ending May 31, 1969 needed)

ACTION: Res. 67-931 adopted authorizing extension of lease. (Clerk to handle)

NEW BUSINESS

CONSENT

17. A resolution determining that the public interest and convenience require that Coffee 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 necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date December 18, 1967 at 4:25 P.M. Resolution setting hearing needed. 2/3 affirmative vote needed)

ACTION: Res. 67-932 adopted setting hearing. (Clerk to handle)

CONSENT

18. A resolution determining that the public interest and convenience require that Downey Park No. 4 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 necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date December 18, 1967 at 4:30 P.M. Resolution setting hearing needed. 2/3 affirmative vote needed)

ACTION: Res. 67-933 adopted setting hearing. (Clerk to handle)

~~CONSENT~~

19. Request for refund of business license tax.
(A request for refund of business license taxes has been submitted by the Tiki bar, in the amount of $113.22 for the period from 9/30/64 through 6/30/67. This firm included sales of alcoholic beverages which are exempt from the business license tax. The request for refund has been audited by the Finance Department and it is recommended that it be approved. Refunds of business license taxes of $100 or more require City Council approval. Estimated cost $113.22 - refund of business license tax overpayment)

ACTION: Dropped from agenda at request of Director of Finance.

CONSENT

20. Consider right of way contracts relating to dedication of property to the City of Modesto for widening of Yosemite Boulevard for state highway purposes. City to pay all title, transfer and escrow fees incurred in the two following dedications:

(a) Right of Way contract signed by George R. Nation.

ACTION: Res. 67-934 adopted approving right of way contract with George R. Nation. (C/Atty to handle)

(b) Right of way contract signed by Glenn E. Taylor and Ann J. Taylor, husband and wife.
(The above mentioned properties are located on the south side of Yosemite Boulevard east of Conejo Avenue. Adoption of two resolutions approving right of way contracts needed. Funds budgeted in Account 6712-207, Yosemite, Las Flores to East City Limits, p. 57)

ACTION: Res. 67-935 adopted approving right of way contract with Glenn E. Taylor and Ann J. Taylor. (C/Atty to handle)

21. Discussion of proposed auditorium by Councilman Ray Simon.

ACTION: By motion (Robinson/Hughes, unan.) staff directed to place Mayor's Downtown Plan on agenda for November 13 for further discussion and fixing time for public hearing. (Clerk to handle)

CONSENT

22. Consider request by Glen A. Lillquist, 325 LaLoma, to construct an 8-inch concrete wall immediately behind sidewalk in public right of way. (Resolution setting hearing date needed. Suggested hearing date November 13, 1967 at 8:05 P.M.)

ACTION: Res. 67-936 adopted setting hearing (Clerk to handle).

CONSENT

23. Consider request by Dr. W. Bruce Wilson, 160 Bonita Circle to permit an encroachment of galvanized pipe under alley behind his property. (Resolution setting hearing needed. Suggested date November 13, 1967 at 8:10 P.M.)

ACTION: Res. 67-937 adopted setting hearing (Clerk to handle).

CONSENT

24. Notification of transfer of the Modesto Reds and request to assign agreement to new owner, Bill Giahos.
(Mr. Joe Gagliardi, owner of the Modesto Reds, has notified the City that he has sold the Club to Mr. Bill Giahos and asks that his lease on Del Webb Field be assigned to the new owner. Resolution approving assignment needed)

ACTION: Res. 67-938 adopted assigning lease with Joe Gagliardi to Bill Giahos. (P & R to handle)

REPORTS

25. Report on Library study.
(Memo with agenda)

ACTION: By motion (Robinson/Hughes, unan.) library study plan approved with emphasis on January 1, 1968 as target date for completion of study. (C/Mgr to handle)

CONSENT

26. Report on cost of installation of water mains.
(Reports with agenda. Motion accepting reports needed)

ACTION: By motion report accepted.

27. Report on status of negotiations with St. Paul's Episcopal Church.

ACTION: It was reported that the Senior Warden of St. Paul's has requested that the City take no further action until the Vestry of the church has had an opportunity to study the proposal presented by the City.

28. Report on Claremont Hotel demolition.

ACTION: Motion (Hughes/Robinson): Authorize Mayor to call Special Meeting for the purpose of awarding new contract for demolition of Claremont Hotel if this is deemed necessary. Amendment to motion (Smith/Robinson): Instruct staff to obtain immediately a time table of the demolition which shall terminate within thirty days; time table to be used as a criterion for determining whether or not contractor is fulfilling his contract. Amendment passed by majority vote (Simon & Davies, no). Amended motion passed by unanimous vote.

REPORTS FROM PLANNING COMMISSION

29. Report from Planning Commission on off-street parking requirements for churches in the downtown area, as previously requested by Council. (Information sent with agenda)

ACTION: By motion (Smith/Hughes, unan.) report approved and concurrence of Council with Planning Commission indicated. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

30. Request for appropriation transfer, to transfer $4,250 to Account 6706-207, Special Gas Tax Street Improvements, Tully Road, Bowen to Standiford.
(The total cost for this project exceeded the budgeted amount of $122,000 by $780. In addition, funds in the amount of $3,470 require transferring in order to keep Gas Tax Fund accounting correct for this project; therefore, a transfer in the amount of $4,250 from Account 60-207, Special Gas Tax Street Improvement, General Reserve, to Account 6706-207, Special Gas Tax Street Impr., Tully Road, Bowen to Standiford, is required. Resolution approving appropriation transfer needed)

ACTION: Res. 67-939 adopted approving appropriation transfer. (Finance to handle)

CONSENT

31. Consider appropriation transfer of $20,000 from the General Reserve to be used in conjunction with the mandatory sidewalk program. (Memorandum with agenda. Resolution approving appropriation transfer needed)

ACTION: Res. 67-940 adopted approving appropriation transfer. (Finance to handle)

Adjournment at 6:35 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 13, 1967 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: None
Pledge of allegiance to the Flag
Invocation: Reverend Halstead Gates, First Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 4, 5, ~~13~~, 14, 18, 19, 20, (a), (b), (c), (d), (e), 21, 22, ~~23~~, 25, 27
Shastid/Robinson, unan.
Remove 13 from agenda and 23 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. Minutes of November 6, 1967.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Letter from Roy J. Passadori expressing appreciation for council action in restoring 10th and 11th Streets to two-way traffic and commending Director of Parking and Traffic for the smooth transition.

ACTION: No action.

3. Letter from Frank Andrews "Refusing to Listen to Sound and Practical Advice Proving Very Costly."

ACTION: No action.

BIDS

CONSENT

4. Consider waiver of formal bid procedure and authorization of purchase of grounds sweeper from Goodwin Equipment Service Co., Manteca, California.
(Memorandum with agenda. Resolution authorizing purchase needed. Estimated cost $2,884; funds budgeted in Account 5412-48-512, Capital Outlay, Service Div., p. 67)

ACTION: Res. 67-941 adopted waiving formal bid procedure and authorizing purchase from Goodwin Equipment Service Co. (Finance to handle)

CONSENT

5. Consider approval of specifications and authorize call for bids on six radios to be opened November 28, 1967 at 2:00 P.M. (Resolution needed. Estimated cost $4,170; funds budgeted in Account 5401-26-101, Radio Equipment (Civil Defense) p. 29)

ACTION: Res. 67-942 adopted approving specifications and call for bids. (Finance to handle)

6. Consider award of bid for construction of Project Unit No. 1, Sewerage Works Improvement Program. (Memorandum of explanation distributed with agenda. Resolution awarding bid needed)

ACTION: As technical problems in the bid procedure have not been solved the Mayor ordered this item continued for one week. (Clerk to handle)

HEARINGS

7. Hearing on annexation of Davis Park No. 2 to City of Modesto. 7:45 P.M. (Information with agenda)

ACTION: Res. 67-943 adopted (Smith/Shastid, unan.) annexing Davis Park No. 2 to City of Modesto. (Clerk to handle)

8. Hearing on annexation of East Briggsmore Addition to City of Modesto. (Information with agenda.) 7:50 P.M.

ACTION: By motion (Shastid/Robinson, unan.) hearing continued to November 27, 1967 at 7:50 P.M. (Clerk to handle)

9. Hearing on amendment to zoning regulations for extension of a use across a zone boundary line. (Information with agenda.) 8:00 P.M.

ACTION: Ord. 860-C.S. introduced (Shastid/Robinson, unan.) (Clerk to handle)

10. Hearing on request by Glen Lillquist, 325 LaLoma, to construct an 8" concrete wall immediately behind sidewalk in public right of way. 8:05 P.M. (Information with agenda)

ACTION: Res. 67-944 adopted (Hughes/Mitchell, unan.) granting request subject to conditions recommended by Director of Public Works. (P/W to handle)

11. Hearing on request of Dr. W. Bruce Wilson, 160 Bonita Circle, to permit an encroachment of galvanized pipe under alley behind his property. 8:10 P.M.
(Information with agenda)

ACTION: Res. 67-945 adopted (Shastid/Simon, unan.) granting request subject to conditions recommended by Director of Public Works. (P/W to handle)

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

By motion (Shastid/Robinson, unan.) Councilman Mitchell authorized to attend meeting of Town Affiliation Association of the U.S. to be held in Los Angeles on November 30 to December 2, 1967.

Tom Berglund expressed the appreciation of the Downtown Improvement District for the change in downtown traffic patterns.

The C/Mgr reported that he expected a report on applicants for Police Chief around the end of December.

It was reported that letters from the Community Action Commission were needed to obtain a Project Release for the West Side Neighborhood Center.

The Mayor announced that he would call a meeting of the City/County Airport Committee.

It was reported that the Claremont Hotel demolition was progressing satisfactorily.

ORDINANCES

12. Adoption of Ordinance 859-C.S. (Garbage Collection).

ACTION: By motion (Mitchell/Smith, unan.) ordinance adopted. (Clerk to handle)

OLD BUSINESS

CONSENT
13. Resolution amending Personnel Rule 13.1 (b) Hours worked by Firemen. (Memorandum with agenda. Resolution needed)

DROPPED FROM AGENDA

CONSENT
14. Clarification of additional personnel for Fire Department. (Motion approving proposal needed)

ACTION: By motion approval given to proposal whereby the four additional positions authorized for Fire Department effective January 1, 1968 will be allocated to Fire Engineer classification. (Personnel to handle)

15. Discussion of Mayor's Downtown Plan.

ACTION: By motion (Shastid/Hughes, unan.) November 20, 1967 at 5:00 P.M. set as time for first informal hearing on Mayor's Downtown Plan. (Clerk to handle)

16. Report and recommendation regarding Del Webb Field lighting. (Memorandum with agenda. Motion directing staff and resolution approving appropriation transfer needed. Estimated cost $15,900; Funds to be transferred from Account 60-321, Special Fund for Capital Outlay, Gen. Reserve, to Account 6398-31-321, Del Webb Field Lighting)

ACTION: By motion (Robinson/Mitchell, unan.) staff directed to replace existing wiring and controls (P/W to handle.

Res. 67-946 adopted (Robinson/Mitchell, unan.) approving appropriation transfer (Finance to handle).

17. Reconsideration of proposed parking lot on west side of 11th between I and J (Wherry Furniture, etc.)
(Some councilmen have expressed an interest to have this matter reconsidered. The Parking and Traffic report dated February 23, 1967 has been reproduced and distributed with the agenda. If the Council is interested, a motion directing the staff to negotiate for the acquisition of these properties would be in order. Motion directing staff needed. Funds to be requested later from Fund 60-57-209, General Reserve. Actual costs are not known at this time)

See attached sheet

CONSENT

18. A resolution approving final map of Yorkshire Manor 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. Yorkshire Manor No. 4 Subdivision is located on the north side of Edison Avenue between El Vecino Avenue and Bel Air Court. It contains 4.998 acres. Resolution approving final map and authorizing execution of agreement needed).

ACTION: Res. 67-947 adopted approving final map and authorizing execution of agreement (Clerk to handle).

CONSENT

19. Consider submission of Request for Aid under the Federal Aid Airport Program for the extension of Runway 29R11L 1000 feet, and the conversion of Runway 29R11L lighting from low to high intensity. (Memorandum of explanation with agenda. Resolution authorizing City Manager to sign and submit a Request for Aid on behalf of City needed)

ACTION: Res. 67-948 adopted authorizing submission of Request for Aid for extension of Runway 29R11L ($101,897) and conversion of Runway 29R11L lighting ($33,750). (P/W to handle)

CONSENT
20. 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 curbs and gutters. The work has not been done; therefore, it is recommended that resolutions be adopted authorizing the Superintendent of Streets to post the property. Resolutions setting hearing needed. Suggested hearing date November 27, 1967 at 7:40 P.M.)

CONSENT
(a) Curb and gutter at 1827 Miller, Lot 3, Block 2184 (Glenn Robert Lowe)
(Resolution setting hearing needed)

ACTION: Res. 67-949 adopted setting hearing. (P/W to handle)

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

ACTION: Res. 67-950 adopted setting hearing. (P/W to handle)

CONSENT
(c) Curb and gutter at 202 Rowland, Lots 7 and 8, Block 2088, (J. E. Wherry).
(Resolution setting hearing needed)

ACTION: Res. 67-951 adopted setting hearing. (P/W to handle)

CONSENT
(d) Curb and gutter on Rhein and Fusco Avenues at 1833 Rhein, Lot 1, Block 2184A, (Maurice W. Davis)
(Resolution setting hearing needed)

ACTION: Res. 67-952 adopted setting hearing. (P/W to handle)

CONSENT
(e) Curb and gutter on Franklin at 403 Oak St., Lot 1, Block 4093, (Ira Kinchion).
(Resolution setting hearing needed)

ACTION: Res. 67-953 adopted setting hearing. (P/W to handle)

CONSENT

21. Consider right of way contracts for widening Yosemite Boulevard for state highway purposes.
(a) Ethel Jeanne Parker - Parcel No. 67.
(Resolution approving right of way contract needed)

ACTION: Res. 67-954 adopted approving right of way contract.
(P/W & Finance to handle)

(b) Clara A. Stebbins - Parcel No. 10
(Resolution approving right of way contract needed. A memorandum of explanation has been sent with agenda. Funds budgeted in Account 6712, Yosemite - Las Flores to east city limits)

ACTION: Res. 67-955 adopted approving right of way contract.
(P/W & Finance to handle)

CONSENT

22. The establishment of the rates and time limits on the parking lot on the east side of 10th Street between K and L Streets (Sears property north of Trailways Bus Depot)
(A three-hour time limit is suggested for this lot due to the need of turnover for shopper parking in this area. The rate should be the same as the surrounding parking lots, 10¢/hour. Further explanation is attached to the agenda. A resolution establishing the rates and time limits and an ordinance to revise the Parking Meter Zoning Map needed)

ACTION: Res. 67-956 adopted establishing rates and time limits.
(P & T to handle)

Ord. 861-C.S. introduced and adopted revising Parking Meter Zoning Map. (Clerk to handle)

REPORTS

CONSENT

23. Quarterly Report (July, August, Sept. 1967) of Greater Modesto Chamber of Commerce.
(Motion accepting report needed)

ACTION: By motion (Hughes/Mitchell, unan.) report accepted.
City Clerk to write and state that City Council desires representative of Chamber of Commerce to present report personally so questions could be answered. (City Clerk to handle)

24. Report on status of Yosemite Boulevard project.(with agenda)

ACTION: By motion (Hughes/Mitchell, unan.) Council indicated its intention to acquire all dedications necessary for the Yosemite Blvd. Project no later than January 22, 1968. (C/Mgr to handle)

CONSENT

25. Presentation of Financial Statement for October 1967.
(Motion accepting report needed)

ACTION: By motion report accepted.

26. Report on street lighting modernization program.

ACTION: No action.

REPORTS FROM PLANNING COMMISSION

CONSENT

27. Recommend amendment to Section 16-3-9 of the zoning map (Commission initiated) (Pfeifer).
(By Resolution No. 67-113, adopted November 7, 1967 the Planning Commission recommends an amendment to Section 16-3-9 of the zoning map as requested by the Planning Commission of the City of Modesto, to rezone from Planned Development Zone (P-D)(19) to One-Family Residential, R-1, property located on the south side of Floyd Avenue, west of Jasmin Avenue. Resolution setting date for public hearing needed. Suggested hearing date December 11, 1967 at 7:45 P.M.)

ACTION: Res. 67-957 adopted setting hearing. (Clerk to handle)

APPOINTMENTS

28. Consider appointment of members to City Committee.. (Resolution making appointments needed)

ACTION: Res. 67-958 adopted (Hughes/Shastid, unan.) appointing Frank Van Konynenburg and Larry Carter as additional members of the Farm-City Advisory Committee for terms expiring 5/1/70. (City Clerk to notify)

MISCELLANEOUS

Reminder that inspection tour of Public Works facilities by City Council and Planning Commission is scheduled for November 14 at 2:00 P.M.

Just prior to adjournment Councilman Mitchell announced that the Local Agency Formation Commission would give further consideration to the proposed sphere of influence between Ceres and Modesto at a meeting scheduled for 7:30 P.M. on November 29, 1967. He urged that as many councilmen as possible attend.

Adjournment at 10:10 P.M.

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

Supplementary sheet, Modesto City Council Minutes and Action Agenda for Meeting of Monday, November 13, 1967 at 7:30 P.M.

17. Reconsideration of proposed parking lot on west side of 11th between I and J (Wherry Furniture, etc.)

ACTION: A motion (Smith/Robinson) was made directing the staff to enter into negotiations for the possible purchase of property on the west side of 11th Street between I and J Streets (J. C. Penney annex and Wherry Furniture); property to be used for a parking lot.

Following discussion a motion to amend was made by Councilman Shastid and seconded by Councilman Mitchell. The amendment provided that in addition to the Penney Annex and Wherry Building, there should be negotiations for the purpose of formulating an overall program whereby the entire block except the Beaty Building would be acquired using the parking lot bonding capacity of the proposed Parking District, together with available parking meter funds and other funds to come from a source yet to be determined. One suggestion was for the additional funds to be obtained from revenue bonds and another was that they be obtained as an advance from the general fund against the revenue to be derived from parking.

The amendment then carried by majority vote with Mayor Davies dissenting.

The motion as amended then carried by majority vote with Mayor Davies dissenting. (C/Mgr to handle)

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 20, 1967 AT 4:00 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: None
Councilman Hughes arrived at 4:10 P.M.
Pledge of allegiance to the Flag
Invocation: Reverend Ben Jennings, Central Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 4, 5, 8, 9, 10, 12, 14(a), (b), (c), (d), (e), 15(a), (b), (c), 16, 17
Shastid/Simon, unan. - Hughes 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 November 13, 1967.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Copy of letter from Frank Andrews to Governor Reagan.

ACTION: No action.

BIDS

CONSENT
3. Accept as complete Industrial Electrical Co., Inc. contract for the installation of water line in Yorkshire Manor No. 4 and in Ramona Avenue and Oxford Way.
(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. Actual cost $3,507.81. Funds budgeted in Account 6804-50, Water Line Extension)

ACTION: Res. 67-959 adopted accepting contract. (Clerk to handle)

CONSENT
4. Accept as complete Industrial Electrical Co., Inc. contract for the installation of water line in Greenwood Estates No. 4 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 needed. Funds budgeted in Account 6804-50, Water Line Extension. Actual cost, $1,405)

ACTION: Res. 67-960 adopted accepting contract. (Clerk to handle)

CONSENT

5. Accept as complete Industrial Electrical Co. Inc. Contract for the installation of water line in Northview Park 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 completed needed. Actual cost $1,102.27. Funds budgeted in Account 6804-50, Water Line Extension).

ACTION: Res. 67-961 adopted accepting contract. (Clerk to handle)

6. Further consideration of award of bid for construction of Project Unit No. 1, Sewerage Works Improvement Program. (Memorandum of explanation distributed with agenda. Resolution awarding bid needed)

ACTION: Res. 67-962 adopted (Smith/Shastid, unan. - Hughes absent) awarding contract to George R. Osborn Construction Co. ($1,551,000) (City Clerk and C/Mgr to handle)

7. Consider approval of specifications and authorize call for bids for automotive equipment to be opened December 11, 1967 at 2:00 P.M. (Included are one 4-door sedan, four 1/2 ton pickups, one 3/4 ton pickup, one 1-ton and two 2-ton trucks. All are supplemental equipment, included in the budget. Specifications are the same as last year. Resolution needed. Estimated cost $24,350; funds budgeted in Accounts 5417, 5418, 5424, 5428, 5429, 5432-48-512, Working Service Fund Capital Outlay, pp. 66 and 67; 7901/212, p. 57, Sewer Service Fund)

ACTION: Res. 67-963 adopted (Robinson/Simon, unan. - Hughes absent) approving specifications and call for bids. (Clerk to handle)

CONSENT

8. Accept as complete Industrial Electrical Co., Inc. contract for the installation of water line in Greenbrier No. 2 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 needed. Actual cost $1,772.50; funds budgeted in Account 6804-50, Water Line Extension)

ACTION: Res. 67-964 adopted accepting contract. (Clerk to handle)

CONSENT

9. Accept as complete the Ferrero Electric, Inc. contract for the furnishing and installing of softball sports lighting at Beard Brook Park. (All work on the contract has been completed to the satisfaction of the Public Works Department and it would be in order for the City Council to accept the contract as complete and authorize the City Clerk to file a notice of completion. Resolution accepting work needed. Actual cost $13,122.35; funds budgeted in Account 6294-31-321, Beard Brook Park - Light Softball Field)

ACTION: Res. 67-965 adopted accepting contract. (Clerk to handle)

CONSENT

10. Approve specifications and call for bids for furnishing street lighting equipment for (a) modernization of city lighting, and (b) street lighting on Briggsmore, Prescott Road to McHenry Avenue. (Street lighting equipment to be obtained will be installed by Modesto Irrigation District on MID poles and by city forces on PT and T and city poles. Resolution approving specifications and call for bids needed. Bid opening December 12 at 10:00 AM. Estimated cost (a) $12,000; (b) $1,500; funds budgeted in Accounts (a) 6626-321, Modernize City Lighting, State 2; (b) 6630-321, Street lighting, Briggsmore, Prescott to McHenry, Special Fund for Capital Outlays)

ACTION: Res. 67-966 adopted approving specifications and call for bids. (Clerk to handle)

HEARINGS

11. Informal hearing on Mayor's Downtown Plan. 5:00 P.M.

ACTION: Res. 67-967 adopted (Shastid/Robinson, unan.) as amended by motion (Smith/Robinson, unan.) approving traffic elements of Mayor's Downtown Plan with the provision that plan be implemented at such time as traffic studies show need for change in traffic patterns and with the further provision that no position is taken at this time on the location of any railroad underpasses. (P & T to handle)
*(See below)

Matters for the good of the community 5:15 P.M.
(These may be presented by citizens in the audience)

The C/Mgr stated that Cities were to be limited to two or three appointments to League Committees. He requested that any Councilman wishing to serve on a committee should notify him before 11/24/67.

Howard Neyens, newly appointed Personnel Officer, was introduced.

A letter from Edward Keller, attorney for St. Paul's Church, stated that the church is no longer interested in negotiations for the acquisition of parking areas adjacent to the church.

Doug Carmody reported that demolition of the Claremont Hotel was progressing in a satisfactory manner and should be completed by the December 6, 1967 deadline.

ORDINANCES

CONSENT

12. Adoption of Ordinance No. 860-C.S. (Extension of use across a zone boundary)

ACTION: By motion Ordinance No. 860-C.S. adopted. (Clerk to handle)

*Item 11, continued (Mayor's Downtown Plan)

By motion (Hughes/Robinson, unan.) Mayor authorized to appoint a committee of three councilmen to work with staff on all Phases of the Mayor's Downtown Plan. (C/Mgr to handle)

The Mayor then appointed Councilmen Robinson, Simon, and Smith to said committee with Councilman Robinson to serve as chairman.

NEW BUSINESS

13. Establish rates and time limits for the parking lot at 9th and I Streets (Claremont) and for the Southern Pacific Depot lot between I and K Streets.
(A three hour time limit with a 10¢/hour rate is recommended for the Claremont lot. The rate of 20¢/all day with no time limit is recommended for the Southern Pacific Lot.
(Ordinance revising Parking Meter Zoning Map to establish Claremont and Southern Pacific Lots needed; resolution revising Resolution 66-731 to change lot PMT-10 (parking meter lot), 8th Street between I and K Streets to PTL-10 (parking ticket lot), and the $10.00 monthly parking rate on metered and attendant lots to rates to be determined by the Director of Parking and Traffic, and adding PML-25 (Claremont) and PML-27(Southern Pacific Depot)

ACTION: Ordinance No. 862-C.S. adopted (Robinson/Hughes, unan.) revising Parking Meter Zoning Map. (Clerk to handle)

Res. 67-968 adopted (Robinson/Hughes, unan.) revising Res. 66-731 as shown above. (P & T to handle)

CONSENT
14. Resolution 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 instructing the Supt. of Streets to give notice requiring construction of sidewalks and/or curbs and gutters. Resolutions setting hearings needed. Suggested hearing date December 4, 1967 at 4:15 P.M.)

CONSENT
(a) Sidewalk at 637 Hudson Lane, Lot 2, Block 3086, (Manuel Gogue Aflague)
(Resolution needed)

ACTION: Res. 67-969 adopted setting hearing (P/W to handle).

CONSENT
(b) Sidewalk at 310 Colorado Ave., Lots 1 and 2, Block 350 (Elzie Hall)
(Resolution needed)

ACTION: Res. 67-970 adopted setting hearing (P/W to handle).

CONSENT
(c) Curb and gutter at 602 Ramona, Lot 5, Block 607 (Henry O. Meyer)
(Resolution needed)

ACTION: Res. 67-971 adopted setting hearing (P/W to handle).

CONSENT
(d) Sidewalk, Lot 11, Block 3086, on Hudson Lane (George W. Easley)
(Resolution needed)

ACTION: Res. 67-972 adopted setting hearing (P/W to handle).

CONSENT

(e) Sidewalk on Hudson Lane at 1601 Rouse, Lot 1, Block 3086, (James L. Jackson) (Resolution needed)

ACTION: Res. 67-973 adopted setting hearing (P/W to handle).

CONSENT

15. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at properties listed below. (The amounts assessed against the properties are included in reports distributed with the agenda. The City Clerk will set the date for the hearing, the reports should be held until the hearing. Resolution setting date of hearing needed. Suggested date: December 4, 1967 at 4:20 P.M. Funds budgeted in Account 5302-51-101, Curbs and Gutters, Special)

CONSENT

(a) Sidewalk, curb and gutter at 201 Spruce Street, Lots 13 and 14, Block 407 (C. W. Hester) (Resolution setting hearing needed)

ACTION: Res. 67-974 adopted setting hearing (P/W to handle).

CONSENT

(b) Curb and gutter at 105 Oak Street, Lots 11 and 12, Block 412, (Christena Fortson) (Resolution setting hearing needed)

ACTION: Res. 67-975 adopted setting hearing (P/W to handle).

CONSENT

(c) Curb and gutter on West Granger Avenue at 1600 Tully Road, Lots 13, Block 6142) (Western Farms, Inc.) (Resolution setting hearing needed)

ACTION: Res. 67-976 adopted setting hearing (P/W to handle).

CONSENT

16. Consider easement contract and deed of easement from John Colin Campbell and Jean Campbell Roman relating to acquisition of property by the City of Modesto for the Tenaya trunk line sewer project. (A memo of explanation has been sent to the Council with agenda. Resolution approving easement contract and accepting deed of easement needed. Funds budgeted in Account 6553-405, Metro Sewer Improvement)

ACTION: Res. 67-977 adopted approving contract and accepting deed. (Clerk to handle)

CONSENT

17. Consider amendments to Chapter 2 of Title X of the Modesto Municipal Code (Zoning Regulations) (Planning Commission Resolution 67-114 adopted November 7, 1967 recommends to the City Council amendments to Chapter 2 of Title X of the Municipal Code (P-D section of the zoning regulations. Resolution setting date for public hearing needed. Suggested date: 12/18/67 at 4:35 P.M.)

ACTION: Res. 67-978 adopted setting hearing (Clerk to handle).

Adjournment at 6:40 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 27, 1967 AT 7:30 P.M.

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

Pledge of allegiance to the Flag
Invocation: Reverend George Telle, Trinity Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 4, 5, ~~14~~ 15, 16, 18, 19, 20, 21
(Mitchell, Smith, unan. - Hughes and Robinson absent)
Item 14 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 November 20, 1967.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Letter from Helen Pritt protesting proposed annexation of the Santa Cruz Addition to the City of Modesto.

ACTION: Staff to contact Mrs. Pritt and clarify some things which are apparently misunderstood. (City Attorney to handle)

BIDS

CONSENT
3. Accept traffic signal modernization work at 10th & K, 10th & L, 11th & G, 11th & H, and 11th & K Streets and authorize City Clerk to file notice of completion.
(The work on the above project has been satisfactorily completed. The final contract cost is $18,290.81. Resolution accepting work needed. Actual cost $18,290.81; funds budgeted in Accounts Nos. 6175-56-321, Modernize 10th & K; 6176-56-321, Modernize 10th & L; 6201-56-321, Modernize 11th St. Signals at G,H,& K)

ACTION: Res. 67-979 adopted accepting work. (Clerk to handle)

CONSENT
4. Accept as complete E. Foster Company's contract for the installation of water line in Tradewinds Unit No. 2 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 needed. Actual cost $1,736.80; funds budgeted in Account 6804-50, Water Line Extension)

ACTION: Res. 67-980 adopted accepting contract. (Clerk to handle)

CONSENT

5. Accept as complete E. Foster Company's contract for the installation of water line in Highland Manor No. 3 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 needed. Actual cost $2,662.20, funds budgeted in Account 6804-50, Water Line Extension)

ACTION: Res. 67-981 adopted accepting contract. (Clerk to handle)

6. Approve specifications and call for bids for four buses.
(It is suggested that bids be received at 2:00 p.m. on December 8, 1967. A memo has been sent with agenda explaining why the buses should be purchased at this time instead of waiting for the federal grant. Resolution approving specifications and call for bids needed. Estimated cost $76,000 plus contingencies; funds budgeted in Account 321-56-6219)

ACTION: Res. 67-982 adopted (Smith/Shastid, unan. - Hughes & Robinson absent) approving specifications and call for bids. (Clerk and P & T to handle)

HEARINGS

7. Curb & gutter requirement, 1827 Miller, Lot 3, Block 2184 (Glenn Lowe) 7:40 P.M.

ACTION: Res. 67-983 adopted (Simon/Mitchell, unan. - Hughes & Robinson absent) ordering work done. (P/W to handle)

8. Curb & gutter requirement, on Franklin at 325 Oak, Lots 1 & 2, Block 414 (James Sheppard) 7:40 P.M.

ACTION: Res. 67-984 adopted (Simon/Mitchell, unan. - Hughes & Robinson absent) ordering work done. (P/W to handle)

9. Curb & gutter requirement, on Rowland at 202 Rowland, Lots 7 and 8, Block 2088 (J. E. Wherry) 7:40 P.M.

ACTION: Res. 67-985 adopted (Simon/Mitchell, unan. - Hughes & Robinson absent) ordering work done. (P/W to handle)

10. Curb & gutter requirement, on Rhien & Fusco at 1833 Rhien, Lot 1, Block 2184A (M. Davis) 7:40 P.M.

ACTION: Res. 67-986 adopted (Simon/Mitchell, unan. - Hughes & Robinson absent) ordering work done. (P/W to handle)

11. Curb & gutter requirement, on Franklin at 403 Oak, Lot 1, Block 4093 (Ira Kinchion) 7:40 P.M.

ACTION: Res. 67-987 adopted (Simon/Mitchell, unan. - Hughes & Robinson absent) ordering work done. (P/W to handle)

12. Continued hearing on amendment to Section 22-3-9 of the zoning map (City of Modesto) 7:45 P.M.

ACTION: By motion (Shastid/Simon, unan.) application withdrawn. (Clerk to handle)

13. Continued hearing on annexation of East Briggsmore Addition to the City of Modesto. 7:50 P.M.

ACTION: Res. 67-988 adopted (Mitchell/Simon, unan. - Hughes and Robinson absent) declaring that majority protest has been made. (Clerk to handle)

Matters for the good of the community 8:00 P.M.
(These may be introduced by citizens in the audience)
(see end of minutes, page 4)

ORDINANCES

CONSENT
14. Proposed park ordinance.
(Memo and proposed ordinance with agenda. Introduction of ordinance needed)

ACTION: Ord. 863-C.S. introduced (Shastid/Smith, unan. - Hughes & Robinson absent) (Clerk to handle)
(The ordinance as introduced contained certain changes suggested by the Council.)

CONSENT
15. An ordinance adding Article 8 to Chapter 2 of Title VIII of the Modesto Municipal Code relating to imposing a documentary stamp tax on the sale of real property.
(A memo of explanation has been sent to the Mayor and Councilmen with the agenda. Introduction of ordinance needed)

ACTION: Ord. 864-C.S. adopted. (Clerk to handle)

OLD BUSINESS

CONSENT
16. Purchase property for fire station - El Vista Avenue.
(The National Board of Fire Underwriters has approved the proposed fire station site on El Vista Avenue, and it is now in order to exercise the option for lots 1 and 2 of Block 2283, City of Modesto. Purchase price is $8,000. Resolution needed exercising option, and resolution authorizing appropriation transfer. Estimated cost $8,000 plus incidental costs. Appropriation transfer of $9,000 required)

ACTION: Res. 67-989 adopted authorizing exercise of option. (C/A to handle)
Res. 67-990 adopted authorizing appropriation transfer of $9,000.00 (Finance to handle)

17. Consideration of option for Senior Citizens' Center.
(Council may desire executive session)

ACTION: Res. 67-991 adopted (Smith/Shastid, unan. - Hughes & Robinson absent) authorizing exercise of option for Odd Fellows Hall at the corner of Bodem and Scenic. (C/A to handle)

CONSENT

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

ACTION: Res. 67-992 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider request for sewer service to property at 608 Covena Avenue located on the east side of Covena Avenue between Edgebrook Drive and Dry Creek.
(The property owner has signed an agreement to annex when requested to do so by the City. The property is contiguous to the City and a line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 67-993 adopted approving agreement. (Clerk to handle)

CONSENT

20. Authorize preparation of agreement with Modesto City Schools for joint acquisition of 4th high school and related park site.
(The Modesto Board of Education has authorized in principle the acquisition of property on Sylvan Road under the Joint Powers Act. They are asking that the city staff prepare an agreement for approval by the City Council and Board of Education. A letter from the School district is with the agenda. Motion authorizing preparation of agreement needed. Funds are budgeted for purchase of this park site in the 1967-68 budget under Special Fund for Capital Outlays. Account 321-6397, Land Acquisition, 4th high school park)

ACTION: By motion, preparation of agreement authorized. (C/A to handle)

REPORTS FROM PLANNING COMMISSION

CONSENT

21. Dry Creek No. 2 Addition Annexation petition - for referral to Planning Commission.
(Information sheets attached. Resolution referring to Planning Commission needed)

ACTION: Res. 67-994 adopted referring to Planning Commission. (Planning to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

A Girl Scout troop from Ceres with Mrs. Helen Greener as leader was in the audience.

John Del Dotto requested that Robert Meester be reinstated as Police Chief and be paid his regular salary for the time since his resignation. Mr. Del Dotto was thanked for his comments.

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, DECEMBER 4, 1967 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: Reverend Gary Christopherson, Orangeburg Ave. Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 5, 6, 7, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26
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 November 27, 1967.

ACTION: Minutes approved.

CORRESPONDENCE, PETITIONS AND REMONSTRANCES

2. Request of Stanislaus County Director of Planning that two councilmen be appointed as members and two as alternate members of the Stanislaus Advisory Planning Association.

ACTION: Res. 67-995 adopted (Shastid/Mitchell, unan.) appointing Mayor Davies and Councilman Smith as members and Councilmen Hughes and Robinson as alternates. (Clerk to handle)

CONSENT
3. Request of Chateau Convalescent Hospital for encroachment permit for the placement of a dry well in an alley.)Suggested hearing date December 11, 1967 at 7:50 P.M.) Resolution setting hearing needed)

ACTION: Res. 67-996 adopted setting hearing. (Clerk to handle)

4. Letter from Frank Andrews titled "Saving and Rebuilding Modesto."

ACTION: No action.

BIDS

CONSENT
5. Approve plans and specifications and call for bids for installation of wiring and control system for Del Webb Field lighting.
(New wiring and control system needed to replace overloaded existing facility. Resolution approving plans and call for bids needed. Bid opening date December 26, 1967 at 10:00 A.M. Estimated cost $15,900 (Contract $14,400; Engr. & cost, $1,500; funds budgeted in Account 6398-31-321, Del Webb Field Lighting)

ACTION: Res. 67-997 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 automatic sprinkler system at Del Webb Field.
(This is the first of a two-stage installation and includes a portion of the area formerly used as a parking lot. Resolution approving plans and specifications and call for bids needed. Estimated cost $9,500; funds budgeted in Account 6363-31-321, Del Webb Field, Automatic Sprinklers, Stage 1, p. 61. Bid opening: December 19, 1967 at 10:00 AM)

ACTION: Res. 67-998 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

7. Consider accepting low bid of Motorola C & E, Inc., to supply six (6) radios and authorize purchase.
(Memo with agenda. Resolution needed. Estimated cost $3,505; funds budgeted in Account 5401/26/101, Radio Equipment, Civil Defense, p.29)

ACTION: Res. 67-999 adopted authorizing purchase from Motorola C & E, Inc. (Finance to handle)

HEARINGS

8. Hearing, sidewalk requirement, 637 Hudson Lane, Lot 2, Block 3086 (Manuel Gogue Aflague) 4:15 P.M.

ACTION: Dropped from agenda. Work started.

9. Hearing, sidewalk requirement, 310 Colorado, Lots 1 and 2, Block 350 (Elzie Hall) 4:15 P.M.

ACTION: Res. 67-1000 adopted (Simon/Robinson, unan.) ordering work done. (P/W to handle)

10. Hearing, curb and gutter requirement, 602 Ramona, Lot 5, Block 607 (Henry O. Meyer) 4:15 P.M.

ACTION: Res. 67-1001 adopted (Simon/Robinson, unan.) ordering work done. (P/W to handle)

11. Hearing, sidewalk requirement, on Hudson Lane at 1601 Rouse, Lot 1, Block 3086 (James L. Jackson) 4:15 P.M.

ACTION: Dropped from agenda. Work started.

12. Hearing, cost of installation of sidewalk, curb and gutter on S. Jefferson and Spruce at 201 Spruce, Lots 13 and 14, Block 407 (C.W.Hester) 4:20 P.M.

ACTION: Res. 67-1002 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

13. Hearing on cost of installation of curb and gutter, 105 Oak, Lots 11 and 12, Block 412 (Christena Fortson) 4:20 P.M.

ACTION: Res. 67-1003 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

14. Hearing on cost of installation of curb and gutter on W. Granger at 1600 Tully, Lot 13, Block 6142 (Western Farms, Inc.) 4:20 P.M.

ACTION: Res. 67-1004 adopted (Shastid/Smith, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

Matters for the good of the community 4:25 P.M.
(These may be introduced by citizens in the audience)

Staff requested to look into matter of maintenance and ownership of triangular piece of property at Santa Barbara/Haddon intersection.

Traffic problems on 10th & 11th Streets were discussed. Prohibition of right turns at certain hours was expected to help alleviate the tie-ups.

Robert Bienvenu requested that the transcript of the Meester/Coats trial be studied with particular emphasis on alleged perjury by certain police officers. The C/Mgr stated that he had made arrangements to read the transcript in Sacramento.

Ex-police officer Gene Coats requested permission to appear before an Executive Session of the Council to discuss alleged illegal activities by members of the Police Dept. By motion (Mitchell/Hughes, unan.) the request was granted. It was decided that the Executive Session would be held at the conclusion of the December 11th meeting. The City Attorney was requested to advise the Council as to privilege of information received in Executive Session.

ORDINANCES

CONSENT

15. Final adoption of Ordinance 863-C.S. (Use of park facilities)

ACTION: By motion Ordinance 863-C.S. adopted. (Clerk to handle)

OLD BUSINESS

CONSENT

16. Consider resubmission of Request for Aid under the Federal Aid Airport Program for the extension of Runway 29R11L 1000 feet, the conversion of Runway 29R11L lighting from low to high intensity, and the installation of security lighting.
(Memorandum of explanation with agenda. Resolution authorizing City Manager to sign and resubmit a Request for Aid on behalf of City needed)

ACTION: Res. 67-1005 adopted authorizing resubmission of Request for Aid. (C/Mgr to handle)

NEW BUSINESS

CONSENT

17. Request City Council authorize the scheduling of a full grading survey of the City of Modesto fire defenses for insurance rating purposes by the American Insurance Association - recommended time for survey August 1968.
(Memorandum with agenda. Motion authorizing staff to schedule survey needed)

ACTION: By motion staff authorized to schedule survey. (C/Mgr to handle)

CONSENT

18. Request for refund of wholesale business license fees.
(A request for refund of wholesale business license fees has been submitted by San Joaquin Supply Company (formerly San Joaquin Paper & Janitor Supply), in the amount of $150.00. For the fiscal years of 1966-67 and 1967-68 this firm paid $75, each year, for the wholesale business license, as a carryover from the prior owner's operation; however, wholesale sales were eliminated approximately 5 years ago. This request has been audited by the Finance Department and we recommend that it be approved. Resolution needed)

ACTION: Res. 67-1006 adopted authorizing refund. (Finance to handle)

CONSENT

19. Letter from The Salvation Army.
(The Salvation Army has requested permission to pick the oranges from trees located in city parks. They plan to use the oranges in their Christmas baskets. The Council approved this request last year. Motion directing staff to grant request needed)

ACTION: By motion staff directed to grant request. (P & R to handle)

CONSENT

20. Report of Superintendent of Streets on the cost of installation of sidewalk and/or curb and gutter at 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 December 18, 1967 at 4:40 P.M. Contract costs listed below with properties. Funds budgeted in Account 5302-51-101, Curbs and Gutters, Special)

(a) Curb and gutter at 121 Las Palmas Ave., Lot 17, Block 260, (John E. Wickering)
(Actual cost, contract - $239.03; incidental expense $10.00)

ACTION: Res. 67-1007 adopted setting hearing. (P/W to handle)

CONSENT

21. Approve project application for construction of economy approach lighting aids designated by FAA as medium intensity approach light system with sequenced flashing lights (MALS/SF), and expansion of aircraft parking apron at passenger terminal.
(A request for federal aid has been approved by the Federal Aviation Agency. Plans and specifications have been submitted to FAA and it would now be in order for the City Council to approve submission of a project application to FAA. Resolution authorizing City Manager to sign project application on behalf of city needed. Estimated cost, Medium Intensity approach lights, $35,000; expansion of aircraft parking apron, $14,000; funds budgeted in Accounts 6510-321, Airport Approach Lights; 6511-306, Aircraft Parking Ramp)

ACTION: Res. 67-1008 adopted authorizing submission of project application. (P/W to handle)

CONSENT

22. A resolution approving the final map of Coffee Plaza 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. Coffee Plaza No. 2 Subdivision is located on the east side of Coffee Road between Floyd Avenue and MID Lateral No. 3. It contains 33.986 acres. (Resolution approving final map and authorizing execution of agreement needed)

ACTION: Res. 67-1009 adopted approving final map and authorizing execution of agreement. (Clerk to handle)

CONSENT

23. Consider request for sewer service to property at 2220 Glendale Avenue, Modesto, California.
(The property is located on the south side of Glendale Avenue between El Vista Avenue and Colfax Avenue. The property owners have signed an agreement to annex when requested to do so by City. The property is continguous to the City, and a line exists to serve it. No city funds are involved. Resolution approving agreement needed)

ACTION: Res. 67-1010 adopted approving request. (Clerk to handle)

REPORTS

CONSENT

24. Acceptance of annual audit report for the fiscal year ending June 30, 1967 and authorization for payment of annual fee.
(The annual report for the fiscal year ending June 30, 1967 has been filed and copies forwarded to each councilman in accordance with the terms of an agreement with Nattinger, Lowry & Martin, Accountants, dated October 3, 1966. Motion accepting report and authorizing payment of annual fee needed. Estimated cost $2,100; funds budgeted in Account 65-235, Miscellaneous - Unclassified)

ACTION: By motion report accepted and payment of annual fee authorized. (Finance to handle)

APPROPRIATION TRANSFERS

CONSENT

25. Approve a transfer and appropriation of General Fund and Special Fund for Capital Outlay money for the financing of the Senior Citizens Center.
(Report with agenda. Three resolutions transferring and appropriating funds needed) ACTION: Res. 67-1011 adopted transferring $59,191 from General Fund to Special Fund for Capital Outlays. Res. 67-1012 adopted appropriating $50,605 from Unappropriated Fund balance to the General Reserve in the Special Fund for Capital Outlays. Res. 67-1013 adopted approving appropriation transfer of $99,000 for purchase of Senior Citizens Center. (Finance to handle)

CONSENT

26. Approve an appropriation transfer to adjust the Finance Department budget to provide funds necessary as a result of the new mandatory city garbage collection and city billing.
(Report has been submitted to the City Council. Resolution needed)

ACTION: Res. 67-1014 adopted approving appropriation transfer of $5,752. (Finance to handle)

APPOINTMENTS

27. Consider appointment to Planning Commission to fill existing vacancy. (Resolution appointing new member needed)

ACTION: Res. 67-1015 adopted (Shastid/Smith, unan.) appointing John Sutton as member of the Planning Commission for the unexpired term of Elwood G. Schroeder. (Clerk to handle)

Adjournment at 5:35 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 11, 1967 AT 7:30 P.M.

Roll Call Present: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
Absent: None (Councilman Shastid arrived at 7:35 P.M.)
Pledge of allegiance to the Flag
Invocation: Reverend Mark Randy, Church of Jesus Christ

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 12, 13, Robinson/Mitchell, unan. - Shastid absent 14, 16, 18, 19, 20, 21, 22, 23

(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 4, 1967.

ACTION: Minutes approved.

CONSENT

2. Request of Champion Muffler, 1310 10th Street, for variance to permit 37-foot driveway.
(Resolution setting hearing needed. Suggested date 12/18/67 at 4:45 P.M.)

ACTION: Res. 67-1016 adopted setting hearing. (Clerk to handle)

CONSENT

3. Resignation of Personnel Commissioner Joe A. Welch.
(Resolution accepting resignation with regret needed)

ACTION: Res. 67-1017 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT

4. Accept as complete Industrial Electrical Co., Inc. contract for the installation of water lines in Tully Manor No. 3 Subdivision.
(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 notice of completion. Resolution accepting work needed. Actual cost $3,893.65; funds budgeted in Account 6804-50-101, Water Line Extension)

ACTION: Res. 67-1018 adopted accepting contract. (Clerk to handle)

CONSENT

5. Approve plans and specifications and call for bids for drilling, casing, testing and development of one deep well for the City of Modesto - Well No. 36.
(Bid opening: 12/27/67 at 10:00 A.M. Resolution accepting plans and specifications and call for bids needed. Estimated cost $4,500; funds budgeted in Account 6834-50, Well at Moose Park)

ACTION: Res. 67-1019 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

6. Accept as complete George Reed's contract for construction of parking lot on the east side of 10th Street between K and L Streets (Sears property north of Trailways Bus Depot) and authorize City Clerk to file notice of completion.
(The work on the above project has been satisfactorily completed. The final contract cost is $5,898, $150 over the original contract bid price. The additional $150 was for the removal of an old gas storage tank found under the sidewalk after construction started.
(Resolution accepting work needed. Estimated cost $5,898; funds budgeted in Account 6223-57-209, Develop Lot 26/Sears)

ACTION: Res. 67-1020 adopted accepting contract. (Clerk to handle)

CONSENT

7. Approve plans and specifications and call for bids for the installation of water lines in Coffee Plaza No. 2.
(Bid opening 12/26/67 at 10:05 A.M. Preliminary cost estimates are as follows: Construction cost $6,000; connection charge $9,068.98; net revenue per year $3,885. Resolution approving plans and specifications and call for bids 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. 67-1021 adopted approving plans and specifications and call for bids. (Clerk to handle)

8. Consider purchase of four new buses.
(Bids were opened at 2:00 p.m. Friday, December 8. A report will be made at the council meeting. Resolution awarding contract if council decides to purchase buses needed. Cost will be available at the meeting. Funds budgeted in Account 6219-56-321).

ACTION: Res. 67-1022 adopted (Shastid/Simon, unan.) awarding contract ($82,236.88 cost) to General Motors Corporation, General Motors Truck & Coach Division, subject to Federal approval. (P & T to handle)

HEARINGS

9. Hearing on amendment to Section 16-3-9 of the zoning map. (Pfeifer) 7:45 P.M.

ACTION: Ord. 865-C.S. introduced (Smith/Hughes, unan.) rezoning property located on the south side of Floyd Ave., west of Jasmin Avenue from P-D 19 to R-1. (Clerk to handle)

10. Hearing on request of Chateau Convalescent Hospital for encroachment permits. 7:50 P.M.

ACTION: Res. 67-1023 adopted (Shastid/Robinson, unan.) granting request. (P/W to handle)

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

It was reported that Mayor Davies had endorsed a project of the Stanislaus Committee on Alcoholism to establish a halfway house to aid alcoholics. The Committee has now requested that the entire Council endorse this project. By motion (Robinson/Smith, unan.) request granted. (Clerk to handle)

11. Discussion concerning Robert L. Meester (Requested by Homer Smith, Chairman of the Committee to Rehire Meester). 8:00 P.M.

A thorough discussion was held concerning the rehiring of Robert L. Meester as Police Chief. Homer Smith presented a petition requesting that Mr. Meester be rehired. Following a statement by City Manager Keefe to the effect that he did not intend to rehire Mr. Meester but would not make his reasons public unless requested to by Mr. Meester, Mr. Homer Smith requested the return of the petitions. Upon motion by Mitchell, seconded by Robinson, the request was granted. The City Manager announced that the Deputy City Manager and the Acting Police Chief would look into the alleged perjury by members of the Police Department. (C/Mgr to handle)

NEW BUSINESS

CONSENT
12. A resolution approving the final map of the Cranbrook Colony 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. Cranbrook Colony No. 2 Subdivision is located on the east side of Rose Avenue between M.I.D. Lateral No. 3 and Scenic Drive. It contains 7.699 acres. Resolution approving final map and authorizing execution of agreement by City needed)

ACTION: Res. 67-1024 adopted approving final map and authorizing execution of agreement. (Clerk to handle)

CONSENT
13. A resolution approving the final map of the Northview Park 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. Northview Park Subdivision is located on the north side of Woodrow Avenue between T.W.S.R.R. and McHenry Avenue. It contains 4.6 acres. Resolution approving final map and authorizing execution of agreement by city needed)

ACTION: Res. 67-1025 adopted approving final map and authorizing execution of agreement. (Clerk to handle)

CONSENT

14. 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 setting hearing needed. Suggested hearing date December 26, 1967 at 7:40 P.M.)

CONSENT

(a) Sidewalk at 338 Johnson St., portions of Lots 43 and 44, Block 571, (Howard DeHart)
(Resolution needed)

ACTION: Res. 67-1026 adopted setting hearing. (P/W to handle)

CONSENT

(b) Sidewalks on Baywood and Linwood Drives at 1434 Baywood Drive, Lot 12, Block 6115, Earnest C. Aderholt)
(Resolution needed)

ACTION: Res. 67-1027 adopted setting hearing. (P/W to handle)

15. Authorize the acceleration from the 1968-69 to the 1967-68 C.I.P. budget the relocation of Fire Station No. 3 from Downey Avenue to El Vista Avenue, and authorize the engineering staff to prepare plans with outside assistance. An appropriation transfer of $5,000 will be needed at this time for the preparation of plans. Resolution accelerating project needed; resolution approving appropriation transfer of $5,000 for preparation of plans needed)

ACTION: Res. 67-1028 adopted (Simon/Shastid, unan.) accelerating project. (Finance to handle)
Res. 67-1029 adopted (Simon/Shastid, unan.) approving appropriation transfer. (Finance to handle)

CONSENT

16. Accept improvements in Yorkshire Manor No. 4 Subdivision and authorize the City Clerk to file a notice of completion and release the bond upon expiration of the statutory lien period.
(Yorkshire Manor No. 4 Subdivision is located at the northwest corner of El Vecino and Edison. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements and authorizing release of bond needed)

ACTION: Res. 67-1030 adopted accepting improvements. (Clerk to handle)

17. Authorize repairs to Modesto Fire Department Engine #11.
(Modesto Fire Department Engine No. 11 was damaged in an accident at 7 and H Streets on Monday, December 4, 1967. The party responsible for the accident was cited for traffic violation by the Modesto Police Department. He is insured with the California State Automobile Association and, as soon as the insurer releases Engine No. 11 for repairs, we wish to proceed with the work so the engine can be returned to service promptly. Motion authorizing immediate repairs needed. Resolution approving appropriation transfer needed. $5,000 for repairs is estimated)

ACTION: By motion (Smith/Shastid, unan.) immediate repairs authorized. (Fire Dept. to handle)
Res. 67-1031 adopted (Smith/Shastid, unan.) approving appropriation transfer of $2,500.00 (Finance to handle).

CONSENT
18. Consider request for sewer service to property at 804 Rio Vista located on the east side of Rio Vista between Vista Drive and Brookvale Drive.
(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. No city funds required. Resolution approving agreement needed)

ACTION: Res. 67-1032 adopted approving agreement. (Clerk to handle)

REPORTS

CONSENT
19. Report on Western Pipe Cases and an explanation of the amount of settlement to which the City of Modesto is entitled.
(Modesto's share of the settlement was $38,177.11, of which $31,771.22 has been received, leaving a balance to be paid later in the amount of $4,923.06. An excerpt of the settlement roll is attached which explains other factors relating to the settlement, and also attached are copies of letters relating to this matter. No council action needed)

ACTION: Report accepted.

REPORTS FROM PLANNING COMMISSION

CONSENT
20. Pinecone Addition annexation petition - for referral to Planning Commission.
(Information sheets attached. Resolution referring petition to Planning Commission for report and recommendation needed)

ACTION: Res. 67-1033 adopted referring petition to Planning Commission. (Planning to handle)

CONSENT
21. Milo Addition annexation petition - for referral to Planning Commission.
(Information sheets attached. Resolution referring petition to Planning Commission for report and recommendation needed)

ACTION: Res. 67-1034 adopted referring petition to Planning Commission. (Planning to handle)

CONSENT

22. Recommend commencement of annexation proceedings - Dry Creek No. 2 Addition (uninhabited).
(By Resolution No. 67-122 adopted December 5, 1967 the Planning Commission recommends commencement of proceedings for the annexation of uninhabited territory known as Dry Creek No. 2 Addition. Resolution setting date for public hearing needed. Suggested date, December 26, 1967 at 7:45 P.M.)

ACTION: Res. 67-1035 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider request for appropriation transfer to replace pump at sewage lift station on Coldwell Avenue between Myrtle and North Olive.
(Memo with agenda. Resolution approving request for appropriation transfer of $1,600 needed)

ACTION: Res. 67-1036 adopted approving appropriation transfer. (Finance to handle)

24. Consider appropriation transfer of $1,000 from General Fund, General Reserve for operation of Senior Citizens' Center.

ACTION: Res. 67-1037 adopted (Robinson/Smith, unan.) approving appropriation transfer. (Finance to handle)

EXECUTIVE SESSION TO BE HELD AT CLOSE OF MEETING TO DISCUSS PERSONNEL PROBLEMS.

The Council adjourned to Executive Session at 9:35 P.M. and returned to open meeting at 11:35 P.M.

By motion (Mitchell/Smith) the Council unanimously affirmed and ratified the announced decision of the City Manager to not rehire Robert Meester as Police Chief.

Adjournment at 11:40 P.M.

Attest: W. T. CHENOWETH, City Clerk

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 18, 1967 AT 4:00 P.M.

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

Absent: Hughes

Pledge of allegiance to the Flag

Invocation: ~~Reverend Robert Kilpatrick, Crossroad Grace Brethren Church~~ Reverend Laverne W. Sands, Covenant Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 11, 12a, b, c, d, e, 13, 14, 15, 16, 18

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 December 11, 1967.

ACTION: Minutes approved.

BIDS

CONSENT

2. Approve plans and specifications and call for bids for construction of Tenaya Trunk Sewer, Project Unit No. 3, Sewerage Works Improvement Program.
(This trunk sewer, when completed, will provide sewer service to the developing industrial area south of Yosemite Boulevard and east of the City-County Airport. Bid opening: 2:00 P.M. Tuesday, January 23, 1968. Resolution approving plans and specifications and call for bids needed. Estimated Project Cost $1,000,000; funds budgeted in Account 65-53-405; Muni. Sewer District Interceptors)

ACTION: Res. 67-1038 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

3. Approve specifications and call for bids for the furnishing and installation of hot patch box unit on City of Modesto Truck No. 230.
(Bid opening: January 3, 1968 at 10:00 A.M. Same with agenda. Resolution accepting specifications and call for bids needed. Estimated cost $6,980; funds budgeted in Account 5826-48, Patch Box with Butane Heater)

ACTION: Res. 67-1039 adopted approving specifications and call for bids (Color to be optional as an addendum to the specifications). (Clerk to handle)

Page 1 12/18/67

CONSENT

4. Approve plans and specifications and call for bids for the furnishing and installation of street lighting materials at various intersections in the post top area and along Briggsmore Avenue.
(Bid opening: January 16, 1968 at 10:00 A.M. Resolution approving plans and specifications and call for bids needed. Funds budgeted in Account 6626-321, Modernize City Lighting, Stage 2; Street Lighting, Briggsmore, Prescott to McHenry Special Fundfor Capital Outlays)

ACTION: Res. 67-1040 adopted approving plans and specifications and call for bids. (Clerk to handle)

CONSENT

5. Consider award of contract to supply vehicles to low bidders as listed below.
(Helm Chevrolet Co., 1 sedan and 6 pickups, $15,041.65; Griswold and Wight, 1 2-ton truck, $5,014.30. Bid tabulation and memo with agenda. Resolution needed. Estimated cost $20,055.95; funds budgeted in Accounts Nos. 5417, 5418, 5424, 5426, 5429, 5432/48/512, Working service Fund Capital Outlay, pp. 66, 67 of budget)

ACTION: Res. 67-1041 adopted awarding contract to Helm Chevrolet (one sedan and six pickups). (Finance to handle)

Res. 67-1042 adopted awarding contract to Griswold & Wight (one two-ton truck). (Finance to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY 4:15 P.M.
(These may be presented by citizens in the audience)

The City Manager reported that the Federal Government had approved the award of the contract for buses to General Motors. It was reported that shipment would be made as soon as notification from the City has been received.

The Mayor and Council were given holiday greetings from the staff and the staff was given holiday greetings from the Mayor and Council.

HEARINGS

6. Hearing on annexation of Coffee No. 2 Addition to Modesto Municipal Sewer District. 4:25 P.M.
(Information with agenda)

ACTION: Res. 67-1043 adopted (Robinson/Smith, unan.) annexing area. (Clerk to handle)

7. Hearing on annexation of Downey Park No. 4 Addition to the Modesto Municipal Sewer District. 4:30 P.M.

ACTION: Res. 67-1044 adopted (Shastid/Smith, unan.) annexing area. (Clerk to handle)

8. Hearing on amendments to Modesto Municipal Code (Zoning Regulations) (P-D Zone in downtown area) 4:35 P.M.
(Information with agenda)

ACTION: Ord. No. 866-C.S. introduced (Shastid/Robinson, unan.) amending Modesto Municipal Code. (Clerk to handle)

9. Hearing on cost of installation of curb and gutter at 121 Las Palmas, Lot 17, Block 260 (John E. Wickering) 4:40 P.M.
(Information with agenda)

ACTION: Res. 67-1045 adopted (Smith/Simon, unan.) confirming report, assessing costs, and directing method of collection. (Finance to handle)

10. Request of Champion Muffler for variance to permit a 37-foot driveway. 4:45 P.M.

ACTION: Res. 67-1046 adopted (Robinson/Mitchell, unan.) granting request subject to conditions recommended by Public Works. (P/W to handle)

OLD BUSINESS

CONSENT

11. Consider Personnel Commission recommendation to reduce the Firemen's work week from 67.2 to 63 hours effective January 1, 1968 and amend the City Personnel Rules to reflect this reduction.
(Letter from Personnel Commission Chairman with agenda. Resolution amending Personnel Rules to reflect the reduction needed. Funds budgeted in Account 110-21-101, Salaries & Wages, Regular, p. 27, 1967-68 budget)

ACTION: Res. 67-1047 adopted amending City Personnel Rules as explained above. (Personnel to handle)

NEW BUSINESS

CONSENT

12. 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 Supt. of Streets to give notice requiring the construction of sidewalks and/or curbs and gutters. Resolution setting hearing needed. Suggested hearing date January 2, 1968 at 4:15 P.M.)

CONSENT

(a) Sidewalk, curb and gutter on South Jefferson St. at 202 Maple St., Lots 15 and 16, Block 419 - Silas W. Green)
(Resolution needed)

ACTION: Res. 67-1048 adopted setting hearing. (P/W to handle)

CONSENT
12. (b) Sidewalk at 1438 Roosevelt Drive, portions of Lots 9 and 10, Block 6067,(R. W. Stewart).
(Resolution needed)
ACTION: Res. 67-1049 adopted setting hearing. (P/W to handle)

CONSENT
(c) Sidewalk, curb and gutter on California Ave., Lots 21, 22, Block 401 (R. Carley).
(Resolution needed)
ACTION: Res. 67-1050 adopted setting hearing. (P/W to handle)

CONSENT
(d) Sidewalk at 211 California Avenue, Lts, 6, 7 and 8, Block 339, (Mrs. C. Bowman).
(Resolution needed)
ACTION: Res. 67-1051 adopted setting hearing. (P/W to handle)

CONSENT
(e) Sidewalk, curb and gutter at 217 California Avenue, Lots 8, 9 and 10, Block 339 (E. Bowman)
ACTION: Res. 67-1052 adopted setting hearing. (P/W to handle)

CONSENT
13. Accept improvements in Northview Park Subdivision and authorize the City Clerk to file a notice of completion and release the bond upon expiration of the statutory lien period.
(Northview Park Subdivision is located on the north side of Woodrow Avenue between the Tidewater Southern Railroad and McHenry 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 the City Clerk to file notice of completion and release bond upon expiration of statutory lien period needed)
ACTION: Res. 67-1053 adopted accepting improvements. (Clerk to handle)

CONSENT
14. Adoption of resolutions withdrawing certain annexations from fire protection districts.
(a) Woodland Avenue Fire Protection District;
(Resolution needed)
ACTION: Res. 67-1054 adopted withdrawing North 99 No. 2, McWilliams, and Davis Park No. 2 Additions. (Clerk to handle)

(b) McHenry Dry Creek Fire Protection District in Stanislaus County;
(Resolution needed)
ACTION: Res. 67-1055 adopted withdrawing Woodrow No. 2, El Vecino No. 3, Downey Park No. 4, Coffee No. 2, and Sunrise Additions. (Clerk to handle)

(c) Salida Fire Protection District.
(Resolution needed)
ACTION: Res. 67-1056 adopted withdrawing Greenwood Estates No. 2 Addition. (Clerk to handle)

(The City Clerk's Office has been advised that several annexations of territory which the City has processed during the year 1967 have been approved by the Secretary of State. The annexations are now considered complete and it is therefore in the best interests of the City to withdraw the territories from the above-mentioned fire protection districts)

CONSENT

15. Consider right-of-way contracts from George W. Eisenhut and Mary Mildred Eisenhut; Pearle T. Mann; ~~xxxx xxxxx xxxxx xxxx~~ and Glenn E. and Veta I. Schach relating to dedication of property for widening of Yosemite Boulevard for state highway purposes. City to pay all title, transfer and escrow fees incurred. (Adoption of 3 resolutions approving right of way contracts needed)

(a) Parcel No. 71 from George W. and Mary Mildred Eisenhut - in addition to routine costs, city agrees to pay $1500 for loss and damage to grantors' improvements.

ACTION: Res. 67-1057 adopted approving contract. (P/W & Finance to handle)

(b) Parcel No. 28 from Pearle T. Mann - ~~xxxxx~~ city agrees to cause relocation of signs presently on the property.

ACTION: Res. 67-1058 adopted approving contract. (P/W to handle)

(c) Parcel No. 55 from Glenn E. Schach, et ux - City, at no expense to grantors, agrees to cause relocation of an electric sign and power pole.

ACTION: Res. 67-1059 adopted approving contract. (P/W to handle)

CONSENT

16. Presentation of financial statement for November 1967. (Copies of report with agenda) Motion accepting report needed.

ACTION: By motion report accepted.

17. Report by City Council Downtown Action Committee relative to Time Fire and Casualty Co. proposed building.

ACTION: It was reported that Time Fire & Casualty Co. proposes to erect a seven-story office building on 12th Street between K and L Streets. The Company was assured that the City Council and staff will do whatever is possible to assist in this plan.

APPROPRIATION TRANSFERS

CONSENT

18. Appropriation transfer of $350 for construction of traffic signals at McHenry and Roseburg Avenues.
(The State received and opened bids for construction of traffic signals at McHenry and Roseburg. The low bid was higher than the State Estimate and the City share is now estimated at $5,350, $350 more than the executed agreement with the State. The bids were higher because the estimate is more than a year old and construction has been done in the northeast and southwest corners, requiring more work by the contractor. Resolution approving appropriation transfer of $350 needed)

ACTION: Res. 67-1060 adopted approving appropriation transfer. (Finance to handle)

19. Executive session to consider appointments.

ACTION: The Council adjourned to executive session at 4:25 P.M. and reconvened at 4:55 P.M. The Mayor announced that members of the Council will contact potential members of Boards and Commissions and that appointments will be made shortly.

Adjournment at 5:03 P.M.

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