



**City of Oakdale  
City Council  
Draft Regular Meeting Minutes**

City Council Chambers  
277 North Second Avenue  
Oakdale, California

---

**Monday, February 19, 2019**

**7:00 PM**

**City Council Chambers**

---

**1. CALL TO ORDER:**

Mayor McCarty called the meeting to order at 7:00 p.m.

**2. COUNCIL/AGENCY MEMBERS PRESENT/ABSENT:**

Present: Mayor McCarty  
Council Member Bairos  
Council Member Chiara  
Council Member Murdoch  
Council Member Smith

Staff Present: City Manager Whitemyer  
City Attorney Hallinan  
Finance Director Avila  
Public Works Superintendent Bridgewater  
Council Services Manager Julie Christel  
Public Services Director Gravel  
Police Chief Heller  
Brian Odom, Senior Building Inspector

**3. PLEDGE OF ALLEGIANCE:**

Mayor McCarty led the pledge of allegiance.

**4. INVOCATION:**

Pastor Bill Kenoyer of Redeemer Oakdale provided the invocation.

**5. REPORT OUT OF CLOSED SESSION:**

Mayor McCarty reported a special meeting was called to order at 6:30 p.m. The City Council met in closed session to discuss with legal counsel the following closed session agenda item:

4.1: CONFERENCE WITH LEGAL COUNSEL  
Initiation of Litigation  
(Pursuant to Government Code Section 54956.9(4))  
Number of Cases: (1) One

Mayor McCarty advised the City Council had provided direction to staff.

**6. PRESENTATIONS/ACKNOWLEDGEMENTS:**

None scheduled.

**7. ADDITIONS/DELETIONS:**



**City Council  
Draft Regular Meeting Minutes**

**Monday, March 4, 2019**

**Next City Council Resolution: 2019-016**

**Next Ordinance: 1263**

---

Mayor McCarty asked whether there were any additions or deletions to the City Council agenda. City Manager Whitemyer advised there were none.

**8. PUBLIC COMMENTS:**

Public Comment opened at 7:03 p.m.

Dave Perez, an Oakdale resident, thanked the City Council and city staff for their assistance in getting speed bumps installed on a section of H Street. He specifically thanked Chief of Police Heller and Public Services Director Gravel and reported there has been a noticeable reduction in the number of drivers speeding through that area.

Mr. Rockefeller thanked the City Council for their efforts and assistance with getting signs up and flashing lights on Stearns Road. Mr. Porter echoed Mr. Rockefeller's comments adding that the posted sign noticeably slowed down traffic. He also noticed CHP patrolling that area over the weekend which added to the lower speed limits.

Joshua Whitfield, Field Representative for Assemblymember Heath Flora, provided a general update from Sacramento and the office of Heath Flora. He discussed new programs and bills Assemblymember Flora is working on and stated that a representative from the Assemblymember's office will be attending one City Council meeting a month to provide updates and answer questions.

Mayor McCarty thanked Mr. Whitefield for the updates and for attending the meeting.

Mayor McCarty thanked Boy Scout Troop 42 for attending the Council meeting. Den Leader Vernon Gladney said that attending a City Council meeting was part of a project requirement for a merit badge.

Larry Didal spoke about the recovery fee with Stanislaus Consolidated Fire Protection District and wanted it to be known that their recovery fee was a tax, not a fee. City Manager Whitemyer explained that he was referring to a fee that Stanislaus Consolidated Fire Protection District charges in an effort to recoup fees.

Closed public comment at 7:17 p.m.

**9. APPOINTMENT TO BOARDS AND COMMISSIONS:**

None scheduled.

**10. CONSENT AGENDA:**

Mayor McCarty asked are there any questions or requests to remove items from the Consent Agenda. No questions or requests to remove items from the Consent Agenda were requested.

**MOTION**

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.7 for February 19, 2019, as follows:



**City Council  
Draft Regular Meeting Minutes**

**Monday, March 4, 2019**

**Next City Council Resolution: 2019-016**

**Next Ordinance: 1263**

---

- 9.1: Approve the City Council Regular Meeting Minutes of February 4, 2019.
- 9.2: Receive and File the Warrant List for the period of January 29, 2019 to February 7, 2019.
- 9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.
- 9.4: Accept by Minute Order, the December 2018 Treasurer's Report.
- 9.5: Adopt City of Oakdale City Council Resolution 2019-007, Declaring surplus property from the Police Department's Property and Evidence Room as surplus and Authorize the release of the surplus property to the California Auction Company for sale in an upcoming auction.
- 9.6: Adopt City of Oakdale City Council Resolution 2019-008, Authorizing Staff to purchase a 2019 Chevrolet Malibu from Steves Chevrolet and outfit the vehicle with emergency equipment with installation by Cook's Communication in the total amount of \$21,688.86 budgeted from Fund 203 to replace a 2002 Chevrolet Impala (Vehicle 416).
- 9.7: Adopt City of Oakdale City Council Resolution 2019-009, Authorizing a one-year contract extension to Gilton Solid Waste Management, Inc. for annual street sweeping services, including streets, parking lots and airport in the amount of \$76,377.04 and authorizing a contingency amount of \$3,622.96 for a grand total budget of \$80,000, to be funded from Aviation Fund 657 - Contract Services, in the amount of \$2,169.05 and General Fund 110 - Contract Services, in the amount of \$77,830.95.

Moved by Council Member Chiara and seconded by Council Member Murdoch and PASSED AND ADOPTED this 19th day of February, 2019 by the following vote:

AYES:	COUNCIL MEMBERS:	Chiara, Murdoch, Smith, Bairos, and McCarty	(5)
NOES:	COUNCIL MEMBERS:	None	(0)
ABSENT:	COUNCIL MEMBERS:	None	(0)
ABSTAINED:	COUNCIL MEMBERS:	None	(0)

Motion carried 5/0 by City Council roll call vote.

**11. PUBLIC HEARINGS:**

None scheduled.

**12. STAFF REPORTS:**

- 11.1 Consider Accepting by Minute Order, the Fiscal Year 2017/2018 Audited Financial Statements.

City Manager Whitemyer introduced the City's auditor, Ahmed Badawi, representing Badawi & Associates, Certified Public Accountants. Mr. Badawi presented the scope and



**City Council  
Draft Regular Meeting Minutes**

**Monday, March 4, 2019**

**Next City Council Resolution: 2019-016**

**Next Ordinance: 1263**

results of the 2017/2018 Financial Audit. Areas of emphasis included the risk of management override of controls; revenues and receivables and pension.

A PowerPoint Presentation was provided.

The City Council discussed with staff and Mr. Badawi the Audited Financial Statements.

City Manager Whitemyer thanked Mr. Badawi for their assistance in this process and stated how important this process of transparency is.

**MOTION**

To accept by Minute Order, the Fiscal Year 2017/2018 Audited Financial Statements.

Moved by Council Member Chiara and seconded by Council Member Smith and PASSED AND ADOPTED this 19th day of February, 2019 by the following vote:

AYES:	COUNCIL MEMBERS:	Chiara, Smith, Bairos, Murdoch, and McCarty	(5)
NOES:	COUNCIL MEMBERS:	None	(0)
ABSENT:	COUNCIL MEMBERS:	None	(0)
ABSTAINED:	COUNCIL MEMBERS:	None	(0)

Motion carried 5/0 by City Council roll call vote.

- 11.2 Consider a Resolution of the City of Oakdale Approving a Contract with Howk Systems, Inc. for the Well 9 Rehabilitation Project in the amount of \$16,427.50, and Authorizing funds in the amount of \$15,959.79 for materials to relocate an 8-inch Cla-Valve for a total project cost of \$32,387.29 funded by the Water Capital Replacement Fund 644 (644-4169-442001).

Cody Bridgewater provided a presentation to City Council on the Well 9 Rehabilitation Project.

A PowerPoint Presentation was provided.

The City Council discussed with staff the project as proposed and asked questions of staff that were responded to by staff.

**MOTION**

To adopt Resolution 2019-010, a Resolution of the City of Oakdale City Council Awarding a contract with Howk Systems, Inc. for the Well 9 Rehabilitation Project in the amount of \$16,427.50, and Authorizing funds in the amount of \$15,959.79 for materials to relocate an 8-inch Cla-Valve for a total project cost of \$32,387.29 funded by the Water Capital Replacement Fund 644 (644-4169-442001).

Moved by Council Member Bairos and seconded by Council Member Smith and PASSED AND ADOPTED this 19th day of February, 2019 by the following vote:



**City Council  
Draft Regular Meeting Minutes**

**Monday, March 4, 2019**

**Next City Council Resolution: 2019-016**

**Next Ordinance: 1263**

---

AYES:	COUNCIL MEMBERS:	Bairos, Smith, Chiara, Murdoch, and McCarty	(5)
NOES:	COUNCIL MEMBERS:	None	(0)
ABSENT:	COUNCIL MEMBERS:	None	(0)
ABSTAINED:	COUNCIL MEMBERS:	None	(0)

Motion carried 5/0 by City Council roll call vote.

- 11.3 Consider a Resolution of the City of Oakdale City Council Approving a contract with United Pavement Maintenance for the North Maag Sidewalk Repair Project in the amount of \$50,000.00, which includes a 10% contingency, to be funded from Local Transportation Fund 221 CP 1724 (221-4149-442001).

Public Works Superintendent Bridgewater presented a staff report recommending the City Council approve a contract with United Pavement Maintenance for the North Maag Sidewalk Repair Project.

A PowerPoint Presentation was provided.

The City Council discussed with staff the project as proposed and asked questions of staff that were responded to by staff.

**MOTION**

To adopt Resolution 2019-011, a Resolution of the City of Oakdale City Council Approving a contract with United Pavement Maintenance for the North Maag Sidewalk Repair Project in the amount of \$50,000.00, which includes a 10% contingency, to be funded from Local Transportation Fund 221 CP 1724 (221-4149-442001).

Moved by Council Member Smith and seconded by Council Member Bairos and PASSED AND ADOPTED this 19th day of February, 2019 by the following vote:

AYES:	COUNCIL MEMBERS:	Smith, Bairos, Chiara, Murdoch, and McCarty	(5)
NOES:	COUNCIL MEMBERS:	None	(0)
ABSENT:	COUNCIL MEMBERS:	None	(0)
ABSTAINED:	COUNCIL MEMBERS:	None	(0)

Motion carried 5/0 by City Council roll call vote.

- 11.4: Consideration of a Resolution of the City of Oakdale City Council Authorizing the City Manager to execute an Agreement with Alley Tree and Landscape, Inc. for the Airport Pilots Center Phase 1 Landscape Improvements Project in the amount of \$7,106.40, wood mulch purchase in the amount of \$1,200 from Central Valley Ag Group and a contingency in the amount of \$693.60, for a grand total project budget of \$9,000, to be funded from Airport Capital Projects (CP1902) Fund 659.

Michael Renfrow presented a staff report to the City Council recommending of the Airport Pilots Center Phase 1 Landscape Improvements Project.



**City Council  
Draft Regular Meeting Minutes**

**Monday, March 4, 2019**

**Next City Council Resolution: 2019-016**

**Next Ordinance: 1263**

---

A PowerPoint Presentation was provided.

**MOTION**

To adopt Resolution 2019-012, a Resolution of the City of Oakdale City Council Authorizing the City Manager to execute an Agreement with Alley Tree and Landscape, Inc. for the Airport Pilots Center Phase 1 Landscape Improvements Project in the amount of \$7,106.40, wood mulch purchase in the amount of \$1,200 from Central Valley Ag Group and a contingency in the amount of \$693.60, for a grand total project budget of \$9,000, to be funded from Airport Capital Projects (CP1902) Fund 659.

Moved by Council Member Murdoch and seconded by Council Member Chiara and PASSED AND ADOPTED this 19th day of February, 2019 by the following vote:

AYES:	COUNCIL MEMBERS: Murdoch, Chiara, Smith, Bairos, and McCarty	(5)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: None	(0)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 5/0 by City Council roll call vote.

- 11.5: Consideration of a Resolution of the City of Oakdale City Council Authorizing the City Manager to Negotiate Salary and Benefit Packages for Newly Hired Lateral and Promotional Management/Confidential Employees.

Management Analyst Patrick Mondragon provided a presentation to City Council on his staff report requesting City Council authorizing the City Manager to Negotiate Salary and Benefit Packages for newly hired lateral and promotional Management/Confidential employees.

The City Council discussed with staff the request and asked questions of staff that were responded to by staff.

**MOTION**

To adopt Resolution 2019-013, a Resolution of the City of Oakdale City Council Authorizing the City Manager to Negotiate Salary and Benefit Packages for Newly Hired Lateral and Promotional Management/Confidential Employees.

Moved by Council Member Smith and seconded by Council Member Murdoch and PASSED AND ADOPTED this 19th day of February, 2019 by the following vote:

AYES:	COUNCIL MEMBERS: Smith, Murdoch, Bairos, Chiara, and McCarty	(5)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: None	(0)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 5/0 by City Council roll call vote.



**City Council  
Draft Regular Meeting Minutes**

**Monday, March 4, 2019**

**Next City Council Resolution: 2019-016**

**Next Ordinance: 1263**

- 11.6: Consideration of a Resolution of the City of Oakdale City Council Authorizing the City Manager to enter into a Fire Services Consultant Agreement.

City Manager Whitemyer provided a presentation to the City Council on the staff report requesting authorization from the City Council to allow the City Manager to enter into a Fire Services Consultant Agreement.

Mayor McCarty stated he liked the idea of bringing on a consultant and endorses this agreement. Council Member Murdoch echoed Mayor McCarty saying that he also endorses this concept and wholeheartedly endorses Mr. Botto for this position.

**MOTION**

To adopt Resolution 2019-014, a Resolution of the City of Oakdale City Council Authorizing the City Manager to enter into a Fire Services Consultant Agreement.

Moved by Council Member Bairos and seconded by Council Member Chiara and PASSED AND ADOPTED this 19th day of February, 2019 by the following vote:

AYES:	COUNCIL MEMBERS: Bairos, Chiara, Smith, Murdoch, and McCarty	(5)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: None	(0)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 5/0 by City Council roll call vote.

- 11.7: Discuss Current Fire Services Agreement with Stanislaus Consolidated Fire Protection District and Options Available to the City of Oakdale.

City Manager Whitemyer discussed the current fire service agreement with Stanislaus Consolidated Fire Protection District and the options available to the City of Oakdale. At the January 22, 2019 City Council meeting, City Council directed city staff to send a letter to Stanislaus Consolidated Fire Protection District with recommendations of what the City would like to see with the current agreement and what they would be willing to accommodate.

City Manager Whitemyer received a response from the Stanislaus Consolidated's Fire Board and presented that response to City Council.

In regards to the City of Oakdale's request that Stanislaus Consolidated Fire Protection District hire an outside firm to conduct a fiscal health assessment with input from the City of Oakdale and the Oakdale Fire Protection District, City Manager Whitemyer stated that they have hired an outside consultant and advised the data and figures from that study will be presented at Stanislaus Consolidated's March 14, 2019 meeting. With that, City Manager Whitemyer recommended to City Council that no formal action be taken on extending the fire services agreement until after the March 14, 2019 SCFPD financial presentation.



**City Council  
Draft Regular Meeting Minutes**

**Monday, March 4, 2019**

**Next City Council Resolution: 2019-016**

**Next Ordinance: 1263**

---

Council Member Bairos said she would like to hear from the Oakdale Rural Fire Protection District Board on their thoughts on this issue.

Vincent Victorine, an Oakdale Rural Fire Protection District Board Member, was in attendance at the City Council meeting and stated that his board has concerns regarding the items Stanislaus Consolidated Fire Protection District responded no to, especially in regards to the JPA and being able to have a seat at the table during negotiations. He said he is agreement with City Manager Whitemyer regarding budgetary issues and agrees with waiting until the March 14, 2019 financial presentation before making a decision.

Council Member Smith asked for clarity regarding the liability shortfall that Stanislaus Consolidated Fire Protection District stated they expected Oakdale city and Oakdale Rural Fire Protection District to cover.

Council Member Chiara asked if the current Stanislaus Consolidated Fire /Firefighters Association Local 3399 MOU expires in December 2019, when will they begin negotiations to which City Manager Whitemyer replied he believes they are in negotiations right now.

Derek Nichols, Local 3399 President, advised that the Firefighters Association (Local 3399) are currently in talks with the Stanislaus Consolidated Fire Protection District Board and that Local 3399 understands the liability issues and that they and the District Board are working hard at it.

City Manager Whitemyer concluded his report to City Council with the recommendation that no formal action be taken on extending the fire services agreement until after the March 14, 2019 SCFPD financial presentation.

All Members of the City Council concurred on taking no action until after Stanislaus Consolidated Fire Protection District's financial presentation at their March 14, 2019 meeting.

- 11.8: Consider a Resolution of the City of Oakdale City Council Approving the Fiscal Year (FY) 2018-2019 Mid-Year Budget.

A PowerPoint presentation was provided.

City Manager Whitemyer presented the staff report recommending the City Council adopt the resolution approving the Fiscal Year (FY) 2018-2019 Mid-Year Budget as presented in the staff report.

Council Member Murdoch congratulated city staff and City Manager Whitemyer and stated that he appreciates their support and the work they do.



**City Council  
Draft Regular Meeting Minutes**

Monday, March 4, 2019

Next City Council Resolution: 2019-016

Next Ordinance: 1263

---

**MOTION**

To adopt Resolution 2019-015, a Resolution of the City of Oakdale City Council Approving the Fiscal Year (FY) 2018-2019 Mid-Year Budget.

Moved by Council Member Murdoch and seconded by Council Member Smith and PASSED AND ADOPTED this 19th day of February, 2019 by the following vote:

AYES:	COUNCIL MEMBERS:	Murdoch, Smith, Bairos, Chiara, and McCarty	(5)
NOES:	COUNCIL MEMBERS:	None	(0)
ABSENT:	COUNCIL MEMBERS:	None	(0)
ABSTAINED:	COUNCIL MEMBERS:	None	(0)

Motion carried 5/0 by City Council roll call vote.

**12. CITY MANAGER'S REPORT:**

City Manager Whitemyer advised the City Council department reports for February 2019 have been provided in the City Council's packet for their review.

**13. CITY COUNCIL REPORT**

Mayor McCarty reported that LOVE Oakdale will be back this year on April 6, 2019.

Council Member Bairos thanked Chief Heller for putting the radar sign trailer out on Stearns Road and asked if the Police Department would be interested in partnering with Assembly Member's Heath Flora's Office regarding enforcement tools for the Stearns Road area.

Police Chief Heller agreed saying the Police Department would definitely be interested in a partnership of some kind.

Mayor McCarty thanked the Lion's Club for putting the flags out for President's Day. He also thanked the Oakdale Rotary Club for hosting the Boots and Bows Dance.

Mayor McCarty mentioned the upcoming City Council workshops that Council Members will be attending and stated that members of the public are invited to attend these workshops as well. He encouraged all Council Members to attend and after the workshops, he would like to have a goal setting session for City Council. City Manager Whitemyer suggested scheduling this goal setting session for some time in May.

**13. ADJOURNMENT:**

There being no further business, Mayor McCarty adjourned the meeting at 9:01 p.m.



**City Council  
Draft Regular Meeting Minutes**

**Monday, March 4, 2019**

**Next City Council Resolution: 2019-016**

**Next Ordinance: 1263**

---

ATTEST:

APPROVED:

\_\_\_\_\_  
Julie Christel, Deputy City Clerk

\_\_\_\_\_  
J.R. McCarty, Mayor