



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES**



*The City of Oakdale recognizes and supports  
the Choose Civility program, an initiative of the  
Stanislaus County Office of Education.*

**City Council Chambers  
277 North Second Avenue • Oakdale • CA 95361**

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**Monday, November 4, 2019**

**7:00 PM**

**City Council Chambers**

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**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 Smith

Staff Present: City Manager Whitemyer  
City Attorney Hallinan  
Police Chief Heller  
Public Works Superintendent Bridgewater  
Management Analyst Mondragon  
Council Services Manager Christel  
Sr. Building Inspector Odom  
Contract Planner Niskanen  
Contract Planner George Osner

Absent: Council Member Murdoch

**3. PLEDGE OF ALLEGIANCE:**

Mayor McCarty led the pledge of allegiance.

**4. INVOCATION:**

Pastor Ryan Poling from The River Christian Community provided the invocation.

**5. PRESENTATIONS/ACKNOWLEDGEMENTS**

5.1: Certificate of Acknowledgment to Zach Hinckley, winner of Sierra View Elementary School's 2019 Spelling Bee.

Item moved to the November 18, 2019 City Council Meeting.

5.2: Presentation of Certificates to 2019 City of Oakdale Aspiring Leaders.

Management Analyst Mondragon provided a presentation to the City Council on the City of Oakdale's Aspiring Leaders Program and acknowledged those that graduated the



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program by presenting them their 2019 City of Oakdale Aspiring Leaders their Certificates of Graduation. Mayor McCarty and City Manager Whitemyer presented the certificates.

**6. ADDITIONS/DELETIONS**

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

**7. PUBLIC COMMENTS**

Public Comment Opened at 7:07 p.m.

Kathleen Westenberg, an Oakdale resident, gave a brief report of the Life Community Church's Trunk or Treat event this past Halloween and thanked the Police Department for their support. Mayor McCarty congratulated them on having such a successful event.

Karina Mendoza, Branch Supervisor from the Oakdale Library, reminded everyone that the Library is a designated voting site. She also updated the City Council on various projects and events going on at the Library.

Katie Jaycox, a representative from Representative Josh Harder's office, provided the City Council with an update of all the projects, bills, and events Representative Harder has been working on.

Public Comment Closed at 7:14 p.m.

**8. APPOINTMENT TO BOARDS AND COMMISSIONS**

None Scheduled.

**9. CITY COUNCIL 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**

The consent agenda is comprised of Items 9.1 through 9.6. Unless there is discussion by a member of the audience/Council they may be approved in one motion.

9.1: Approve the Regular City Council Meeting Minutes of October 21, 2019.

9.2: Receive and File the Warrant List for the Period of October 16, 2019 through October 31, 2019.



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- 9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.
- 9.4: Approve by Minute Order, the September 2019 Treasurer’s Report.
- 9.5: Adopt City Council Resolution 2019-125, a Resolution of the City of Oakdale City Council Approving a Contract with Applegate Teeples Drilling Co., Inc. for the Rehabilitation of four (4) drywells in the amount of \$16,000.00 to be funded by the Sewer Sanitation Fund 622 (622-4150-425003).
- 9.6: Approve by Minute Order, the Co-Sponsorship Special Event Application from the VFW Post #2922 Veteran’s Day Parade and Memorial Event on November 11, 2019.

**MOTION**

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.6 for November 4, 2019.

Moved by Council Member Chiara and seconded by Council Member Smith and PASSED AND ADOPTED this 4th day of November 2019, by the following vote:

AYES:	COUNCIL MEMBERS: Chiara, Smith, Bairos, and McCarty	(4)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: Murdoch	(1)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 4/0 by City Council roll call vote.

**10. PUBLIC HEARINGS**

- 10.1: First Reading of Ordinance to Amend Chapter 7 of the Oakdale Municipal Code Adopting the 2019 Building Codes with Local Amendments.

The Public Hearing at 7:18 p.m. Sr. Building Inspector Odom provided a staff report and PowerPoint Presentation on the first reading of an Ordinance to Amend Chapter 7 of the Oakdale Municipal Code to adopt the 2019 Building Codes with Local Amendments.

Mayor McCarty asked if there were any comments, questions, or protests from the audience. There being none, Mayor McCarty closed the Public Hearing at 7:21 p.m. and stated that Council needed to consider a motion to be made.

**MOTION**

To approve the First Reading of an Ordinance to Amend Chapter 7 of the Oakdale Municipal Code Adopting the 2019 Building Codes with Local Amendments.

Moved by Council Member Smith and seconded by Council Member Bairos and PASSED



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AND ADOPTED this 4th day of November 2019, by the following vote:

AYES:	COUNCIL MEMBERS: Smith, Bairos, Chiara, and McCarty	(4)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: Murdoch	(1)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 4/0 by City Council roll call vote.

- 10.2: First Reading of Ordinance to Amend Chapter 12 of the Oakdale Municipal Code Adopting the 2019 Fire Code with Local Amendments.

Mayor McCarty announced that this is the time and place for the public hearing for the first reading of Ordinance to amend Chapter 12 of the Oakdale Municipal Code adopting the 2019 Fire Code with Local Amendments. He asked if anyone wished to file a written protest and, if so, they needed to file them now with the City Clerk. With none being filed, Mayor McCarty opened the Public Hearing at 7:22 p.m. and announced the presentation by City staff.

Sr. Building Inspector Odom provided a staff report and PowerPoint Presentation on the first reading of an Ordinance to Amend Chapter 12 of the Oakdale Municipal Code to adopt the 2019 Fire Code with Local Amendments.

Mayor McCarty asked if there were any comments, questions, or protests from the audience. There being none, Mayor McCarty closed the Public Hearing at 7:24 p.m. and stated that Council needed to consider a motion to be made.

**MOTION**

To Approve the First Reading of an Ordinance to Amend Chapter 12 of the Oakdale Municipal Code Adopting the 2019 Fire Code with Local Amendments.

Moved by Council Member Chiara and seconded by Council Member Smith and PASSED AND ADOPTED this 4th day of November 2019, by the following vote:

AYES:	COUNCIL MEMBERS: Chiara, Smith, Bairos, and McCarty	(4)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: Murdoch	(1)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 4/0 by City Council roll call vote.

- 10.3: Public Hearing to Consider General Plan Amendment and Specific Plan Amendment No. 2019-10 – East F Street Corridor Specific Plan and Associated Infrastructure Finance Plan and Development Agreement, and Final Supplement to the Environmental Impact Report and Mitigation Monitoring and Reporting Plan for the Project.



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Mayor McCarty announced that this is the time and place for the public hearing to consider General Plan Amendment and Specific Plan Amendment No. 2019-10 – East F Street Corridor Specific Plan and Associated Infrastructure Finance Plan and Development Agreement, and Final Supplement to the Environmental Impact Report and Mitigation Monitoring and Reporting Plan for the Project. He asked if anyone wished to file a written protest and, if so, they needed to file them now with the City Clerk. With none being filed, Mayor McCarty opened the Public Hearing at 7:26 p.m. and announced the presentation by City staff.

City of Oakdale Contract Planner Mark Niskanen and George Osner provided a staff report and PowerPoint Presentation regarding General Plan Amendment and Specific Plan Amendment No. 2019-10 – East F Street Corridor Specific Plan and Associated Infrastructure Finance Plan and Development Agreement, and Final Supplement to the Environmental Impact Report and Mitigation Monitoring and Reporting Plan for the Project. Mr. Osner provided the history and background of the East F Street Corridor Specific Plan, discussed the proposed General Plan Amendments, Specific Plan Amendments, current EFCSP Land Uses and Proposed Land Uses, and a Land Use Summary. He also discussed the Public Facilities Financing Plan and described the purpose of the plan and briefly talked about public outreach and efforts made over the years with property owners and those impacted by the plans.

Mr. Niskanen provided the history and background of the Environmental Impact Report (EIR) for the Specific Plan. He discussed the CEQA Supplement and Mitigation Monitoring and Reporting Program and talked about the Mitigation Measures that were adopted in 2006 and new Mitigation Measures developed in the Draft/Final Supplement and what the new measures include. He reviewed the completion of D Street, East F Street Widening, and the East F Street/North Stearns Area.

Mr. Osner concluded his report requesting the City Council approve Resolution No. 2019-126, certifying the Final Supplement to the East F Street Corridor Specific Plan Environmental Impact Report (SCH No. 2003072147) and adopting the Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; Approve Resolution No. 2019-127, adopting General Plan Amendment No. 2019-10, amending the General Plan Land Use Diagram; Approve Ordinance No. 1267, adopting Specific Plan Amendment No. 2019-10 (East F Street Corridor Specific Plan Amendment); Approve Resolution No. 2019-128, adopting the East F Street Public Facilities Financing Plan; and, approve Ordinance No. 1268, adopting the amended and restated Development Agreement between the City of Oakdale and Tesoro Homes, Inc.

Mayor McCarty asked if there were any comments, questions, or protests from the audience.

Public Comment Received From:

James Maderos, owner of a lot on “F” Street, voiced his support for this project.



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With no more public comments, Mayor McCarty closed the Public Hearing at 7:46 p.m. and asked if the City Council had any comments or questions.

Council Member Smith had a question about the Statement of Changing that's designated to a residential to a 16-acre commercial center on the NE corner of Stearns and F Street and asked whether that was correct because the NE corner was outside of the dotted line. Mr. Osner stated that it is actually the NW corner, which is inside the area discussed and that the final documents reflect this. Mr. Niskanen said it was made on the draft supplement and not on the final supplement, however, for the record, they will make the change on the draft supplement to show NW instead of NE as mentioned by Council Member Smith.

Mayor McCarty stated the City Council needed to consider a motion to be made.

**MOTION**

To Approve the following:

- 1) Resolution No. 2019-126, certifying the Final Supplement to the East F Street Corridor Specific Plan Environmental Impact Report (SCH No. 2003072147) and adopting the Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program
- 2) Resolution No. 2019-127, adopting General Plan Amendment No. 2019-10, amending the General Plan Land Use Diagram
- 3) Ordinance No. 1267, adopting Specific Plan Amendment No. 2019-10 (East F Street Corridor Specific Plan Amendment)
- 4) Resolution No. 2019-128, adopting the East F Street Public Facilities Financing Plan
- 5) Ordinance No. 1268, adopting the amended and restated Development Agreement between the City of Oakdale and Tesoro Homes, Inc.

Moved by Council Member Smith and seconded by Council Member Chiara and PASSED AND ADOPTED this 4th day of November 2019, by the following vote:

AYES:	COUNCIL MEMBERS: Smith, Chiara, Bairos, and McCarty	(4)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: Murdoch	(1)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 4/0 by City Council roll call vote.

**11. STAFF REPORTS**

- 11.1: Consider a Resolution Authorizing the Finance Director to submit the Fiscal Year (FY) 2019-2020 Local Transportation Funds Claim to the Stanislaus Council of Governments (StanCOG).



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Finance Director Avila provided a staff report and PowerPoint Presentation to City Council regarding the Fiscal Year (FY) 2019-2020 Local Transportation Funds Claim and requested the City Council adopt a Resolution to submit the Fiscal Year (FY) 2019-2020 Local Transportation Funds Claim to the Stanislaus Council of Governments (StanCOG).

City Staff responded to questions asked by the City Council.

PUBLIC COMMENT: None

**MOTION**

Adopt City of Oakdale City Council Resolution 2019-129, a Resolution of the City Council of the City of Oakdale Authorizing the Finance Director to submit the Fiscal Year (FY) 2019-2020 Local Transportation Funds Claim to the Stanislaus Council of Governments (StanCOG).

Moved by Council Member Smith and seconded by Council Member Bairos and PASSED AND ADOPTED this 4th day of November 2019, by the following vote:

AYES:	COUNCIL MEMBERS: Smith, Bairos, Chiara, and McCarty	(4)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: Murdoch	(1)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 4/0 by City Council roll call vote.

- 11.2: Consider a Resolution Authorizing Staff to Purchase Three (3) Police Canines and Associated Training from Top Dog Police K9 Training and Consulting, LLC in the Total Amount of \$34,896.25 with existing donated funds from the Police Department's K-9 Unit Trust Fund (110-246-4600).

Police Chief Heller provided a staff report on the Police Department's K9 Program and discussed the purpose for the purchase and the succession program that the department is currently working on. He discussed the various types of training and detection abilities the new canines will have and the type of training program the canines and trainers go through. Chief Heller also took a moment to announce the names of program donors and thanked them for their generous contributions to the program. He concluded his presentation requesting the City Council approve a Resolution authorizing staff to purchase three (3) police canines and associated training from Top Dog Police K9 Training and Consulting, LLC in the total amount of \$34,896.25 with existing donated funds from the Police Department's K-9 Unit Trust Fund (110-246-4600).

Sgt. Andy Stever also provided a background of the K9 program and discussed some of the training that goes in to the canine and the program itself.

Staff responded to questions asked by the City Council.



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Public Comment: None

**MOTION**

Adopt City of Oakdale City Council Resolution 2019-130, a Resolution of the City Council of the City of Oakdale Authorizing Staff to Purchase Three (3) Police Canines and Associated Training from Top Dog Police K9 Training and Consulting, LLC in the Total Amount of \$34,896.25 with existing donated funds from the Police Department's K-9 Unit Trust Fund (110-246-4600).

Moved by Council Member Bairos and seconded by Council Member Chiara and PASSED AND ADOPTED this 4th day of November 2019, by the following vote:

AYES:	COUNCIL MEMBERS: Bairos, Chiara, Smith, and McCarty	(4)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: Murdoch	(1)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 4/0 by City Council roll call vote.

**12. CITY MANAGER'S REPORT**

City Manager Whitemyer congratulated the graduating Aspiring Leaders and wanted to thank Patrick Mondragon for all his efforts and hard work in putting this class together. He also discussed the temporary traffic issues created by the Greger and Willowood Slurry Seal project and the measures staff has taken to inform the public about the project. Staff understands the frustration the public may have with the delays; however, the City is working diligently to complete the project as soon as possible.

Council Member Bairos asked City Manager Whitemyer for an update on "D" Street. He stated that with tonight's action, we will be transferring the funds to an escrow account tomorrow and it should close within the next few days which will enable us to have the contractor and developer to continue with construction.

At Council Member Bairos' request, City Manager Whitemyer provided an update on possible retailers for the Kmart location. City Staff continues to work on this project and reach out to potential retailers including Target. We do not have any information yet but will keep City Council updated as things continue to move forward in this process.

**13. CITY COUNCIL ITEMS**

Council Member Bairos thanked Boy Scout Troop 43 for their help in cleaning up at their event last weekend and reminded everyone to vote tomorrow. She also reminded everyone about the upcoming Veterans Day Memorial Service and Parade on November 11, 2019. The parade starts at 10:00 am and the Memorial Service at 11:00 p.m.



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Mayor McCarty announced that Pacific Projects Heroes will be holding a Veterans Day Breakfast which will be free to all veterans. He also reminded everyone to get out and vote!

**14. ADJOURNMENT**

There being no further business, Mayor McCarty adjourned the meeting at 8:13p.m.

ATTEST:

APPROVED:

  
\_\_\_\_\_  
Julie Christel  
Council Services and Legislative  
Records Manager

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