



**CITY OF OAKDALE
City Council
Regular Meeting Minutes**

City Council Chambers
277 North Second Avenue
Oakdale, California

Monday, December 18, 2017

7:00 PM

City Council Chambers

1. CALL TO ORDER:

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

2. CITY COUNCIL MEMBERS PRESENT/ABSENT:

Present: Mayor Paul
Council Member Bairos
Mayor Pro Tem Dunlop
Council Member McCarty
Council Member Murdoch

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Finance Director Avila
Public Workers Superintendent Bridgewater
Police Chief Heller
City Clerk Teixeira
Acting Fire Chief Wapnowski

3. PLEDGE OF ALLEGIANCE:

Mayor Paul led the assembly in the Pledge of Allegiance.

4. INVOCATION:

The invocation was provided by Pastor Bob Dye, Calvary Chapel Oakdale.

5. PRESENTATIONS/ACKNOWLEDGEMENTS:

5.1: Certificate of Appreciation to Planning Commission Chairperson Wayne Pacheco.

Mayor Paul presented outgoing Planning Commission Chairperson, Wayne Pacheco with a Certificate of Appreciation for his service on the City's Planning Commission.

6. ADDITIONS/DELETIONS:

Mayor Paul asked whether there were any additions or deletions to the agenda. There were no requests to add or delete items from the agenda.



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7. PUBLIC COMMENTS:

Alice Garcia referencing the Stanislaus County Grand Jury Report related to taxes distributed to Oakdale Irrigation District asked whether Mayor Paul, Council Member Bairos and City Manager Whitemyer would continue meeting with Oakdale Irrigation District after the first of the year.

Mayor Paul stated she hoped to and City Manager Whitemyer confirmed it is staff's intention to continue these open dialog meetings.

Ms. Garcia stated she wished to be notified of the meetings.

Brandy Lafore representing Assemblyman Heath Flora's office introduced herself and advised she would be attending the City Council meetings on a monthly basis.

Karina Mendoza introduced herself as the new Branch Manager for the Oakdale Branch of the Stanislaus County Library and advised she will attend the City Council meetings on a monthly basis.

8. APPOINTMENT TO BOARDS AND COMMISSIONS:

8.1: Consider appointment of Ami Poncabare to the Planning Commission.

MOTION

To appoint by Minute Order, Ami Poncabare to the Planning Commission.

Moved by Council Member McCarty, seconded by Mayor Pro Tem Dunlop and PASSED this 18th day of December 2017, by the following vote:

AYES:	COUNCIL MEMBERS: Bairos, Dunlop, McCarty, Murdoch and Paul	(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.

9. CITY COUNCIL CONSENT AGENDA:

Mayor Paul asked whether there were any questions or requests to remove items from the Consent Agenda.

There were no questions, comments or requests to remove items from the Consent Agenda.



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MOTION

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.6 for December 18, 2017 as follows:

- 9.1: Approve the Regular City Council Meeting Minutes of December 4, 2017.
- 9.2: Receive and File the Warrant List for the period of November 30, 2017 to December 13, 2017.
- 9.3: Waive Readings of Ordinances/Resolutions except by Title.
- 9.4: Approve by Minute Order Tree Removal Permit for (1) Cork Oak Tree (Quercus suber) Located in the Front Yard of a Residence Located at 153 Little Johns Creek Drive.
- 9.5: Adopt Resolution 2017-142, a Resolution of the City of Oakdale City Council Authorizing the City Manager to Execute an Annual Funding Agreement with the City of Turlock/Stanislaus County HOME Consortium Designating the City of Oakdale as a Sub-Recipient of HOME Investment Partnership Program Funds for Fiscal Year 2017- 2018.
- 9.6: Adopt Resolution 2017-143, a Resolution of the City of Oakdale City Council Authorizing the Purchase of a Replacement Radiator Core for the Wastewater Treatment Plant Emergency Generator from Energy Systems in the Amount of \$25,560.65 Funded by the Sewer Sanitation Fund Equipment Maintenance Account 622-4151-444-24-02.

Moved by Council Member McCarty, seconded by Mayor Pro Tem Dunlop and PASSED AND ADOPTED this 18th day of December 2017, by the following vote:

AYES:	COUNCIL MEMBERS: Bairos, Dunlop, McCarty, Murdoch and Paul	(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.

10. PUBLIC HEARINGS:

- 10.1: Consider Introducing and Waiving the First Reading of an Ordinance of the City of Oakdale, California (also known as CODE TEXT AMENDMENT 2017-18) an Ordinance of the City of Oakdale, California Cannabis Zoning Regulations: Municipal Code Text Amendment to Section 36-6 – “R-A” Residential-Agricultural District, Section 36-7 - “R-1” Single-Family Residential Zone, Section 36-8 - “R-2/R-2-M” Duplex-Residential District, Section 36-9 “R-3” Multiple-Family Residential District, Section 36-10 - “C-1” Neighborhood-Commercial District, Section 36-11 – “C-C” Central-Commercial District, Section 36-12 – “C-2” General-Commercial District, Section 36-13 – “L-M” Limited-



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Industrial District and Section 36-14 – “M-1” Light- Industrial District of the Oakdale City Code, Chapter 36 - Zoning, to allow for personal and commercial cannabis activities.

The proposed project is exempt from analysis under the California Environmental Quality Act (CEQA) under the general rule that CEQA applies only to projects that have the potential for causing significant environmental effects, as specified in Section 15061(b)(3). Additionally, the Medicinal and Adult-Use Cannabis Regulation and Safety Act provides an exemption under CEQA for any ordinance, rule, or regulation by a city that requires discretionary review and approval for commercial cannabis activity, as specified in subdivision (h) of Section 20655 of the Business and Professions Code. Public Hearing Notice Published in the Oakdale Leader December 6, 2017.

City Manager Whitemyer advised City staff would like to continue presentation and discussion of this item to the Tuesday, January 16, 2018 City Council meeting.

At 7:06 p.m. Mayor Paul opened the public hearing to public comment. There being no public comment at this time, Mayor Paul called for a motion to continue the public hearing to Tuesday, January 16, 2018.

MOTION

To continue the public hearing to Tuesday, January 16, 2018.

Moved by Mayor Pro Tem Dunlop, seconded by Council Member McCarty and PASSED this 18th day of December 2017, by the following vote:

AYES:	COUNCIL MEMBERS:	Bairos, Dunlop, McCarty, Murdoch and Paul	(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.

- 10.2: Consider Introducing and Waiving the First Reading of an Ordinance of the City of Oakdale, California, a City-initiated amendment to the Oakdale Municipal Code, Chapter 28 to consider, review and receive public comment on amending the Oakdale Municipal Code, Chapter 28, Sewers and Sewage Disposal, pertaining to the rules and regulations governing sewage disposal. The Code Text Amendment includes specific language related to the City of Oakdale’s Pretreatment Program, required by the Clean Water Act, Title 40 of the Code of Federal Regulations (CFR), Part 403, which identifies specific discharge standards and requirements that apply to sources of non-domestic sewage disposal. *Public Hearing Notice Published in the Oakdale Leader December 6, 2017.*

The proposed Ordinance does not Constitute a Project under the California Environmental Quality Act. The Proposed Project is Exempt from Analysis under the California Environmental Quality Act (CEQA) under the General Rule that CEQA applies have the



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Potential for Causing Significant Environmental Effects, as specified in Section 15061(b)(3).

City Manager Whitemyer advised City staff would like to continue presentation and discussion of this item to the Tuesday, January 16, 2018 City Council meeting.

At 7:08 p.m. Mayor Paul opened the public hearing to public comment. There being no public comment at this time, Mayor Paul called for a motion to continue the public hearing to Tuesday, January 16, 2018.

MOTION

To continue the public hearing to Tuesday, January 16, 2018.

Moved by Mayor Pro Tem Dunlop, seconded by Council Member McCarty and PASSED this 18th day of December 2017, by the following vote:

AYES:	COUNCIL MEMBERS:	Bairos, Dunlop, McCarty, Murdoch and Paul	(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. STAFF REPORTS:

11.1: Consider a Resolution of the City of Oakdale City Council Awarding a Contract to Modesto Sand and Gravel for the Demolition of a City Owned Mobile Home and Site in the Amount of \$10,100.00 which includes a 10% Contingency to be funded from Sewer Sanitation Fund 622.

Public Works Superintendent Bridgewater presented the staff report recommending the City Council award the contract to Modesto Sand and Gravel for the Demolition of a City owned mobile home and site in the amount of \$10,100.00 which includes a 10% contingency to be funded from Sewer Sanitation Fund 622.

MOTION

To adopt Resolution 2017-144, a Resolution of the City Council of the City of Oakdale Awarding a Contract to Modesto Sand and Gravel for the Demolition of a City Owned Mobile Home and in the Amount of \$10,100.00 which includes a 10% Contingency to be funded from Sewer Sanitation Fund 622.



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Moved by Council Member McCarty, seconded by Mayor Pro Tem Dunlop and PASSED AND ADOPTED this 18th day of December 2017, by the following vote:

AYES: COUNCIL MEMBERS: Bairos, Dunlop, McCarty, Murdoch and Paul (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 Accepting by Minute Order the October 2017 Treasurer’s Report.

Finance Director Avila presented the staff report recommending the City Council accept by Minute Order the October 2017 Treasurer’s Report.

MOTION

To accept by Minute Order the October 2017 Treasurer’s Report.

Moved by Council Member McCarty, seconded by Council Member Murdoch and PASSED this 18th day of December 2017, by the following vote:

AYES: COUNCIL MEMBERS: Bairos, Dunlop, McCarty, Murdoch and Paul (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 Authorizing the City Manager to Execute the Measure L Master Funding Agreement between the Stanislaus County of Governments and the City of Oakdale.

A PowerPoint Presentation was provided.

City Manager Whitemyer presented the staff report recommending the City Council authorize the City Manager execute the Measure L Master Funding Agreement between the Stanislaus County of Governments and the City of Oakdale.

MOTION

To adopt Resolution 2017-145, a Resolution of the City Council of the City of Oakdale Authorizing the City Manager to Execute the Measure L Master Funding Agreement between the Stanislaus County of Governments and the City of Oakdale.



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Moved by Council Member McCarty, seconded by Mayor Pro Tem Dunlop and PASSED AND ADOPTED this 18th day of December 2017, by the following vote:

AYES:	COUNCIL MEMBERS: Bairos, Dunlop, McCarty, Murdoch and Paul	(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:

12.1: December 2017 Department Reports.

City Manager Whitemyer advised the City Council that the department reports for December 2017 have been provided in the City Council packet for review.

City Manager Whitemyer advised he and the Acting Fire Chief Wapnowski are meeting regularly related to critical issues including the Safer Grant.

13. CITY COUNCIL ITEMS:

Council Member Bairos wished everyone a Merry Christmas.

14. ADJOURNMENT:

There being no further business, Mayor Paul adjourned the meeting at 7:21 p.m.

ATTEST:

APPROVED:

/s/Kathy Teixeira
Kathy Teixeira, CMC
City Clerk

/s/Pat Paul
Pat Paul
Mayor