



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

City Council Chambers
277 North Second Avenue
Oakdale, California

Monday, December 5, 2016

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
Mayor Pro Tem Dunlop
Council Member Bairos
Council Member McCarty
Council Member Murdoch (Arrived at 7:12 p.m.)

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Finance Director Avila
Interim Public Services Manager Black
Interim Public Services Director Gravel
Police Chief Heller
Community Services Officer Hilgen
Police Lieutenant Johnson
Interim Public Services Manager Odom
Incoming City Treasurer Sulhoff
City Clerk Teixeira

3. PLEDGE OF ALLEGIANCE:

At the request of Mayor Paul, Jonathan representing Boy Scouts of America Troop 42 led the assembly in the Pledge of Allegiance.

4. INVOCATION:

The invocation was provided by Pastor Rick Burnam, Oakdale Community Church.

5. PRESENTATIONS/ACKNOWLEDGEMENTS:

5.1: Oath of Office to City Clerk Kathy Teixeira

Deputy City Clerk Whitemyer administered the Oath of Office to City Clerk Teixeira.

5.2: Oath of Office to City Treasurer Christine Sulhoff

City Clerk Teixeira administered the Oath of Office to new City Treasurer, Christine Sulhoff.

5.3: Oath of Office to Council Members Tom Dunlop and Richard Murdoch

City Clerk Teixeira administered the Oath of Office to Council Member Dunlop.



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5.4: Presentation to Outgoing City Treasurer Carolyn Wheeler

Mayor Paul advised City Treasurer Wheeler was unable to attend; City staff will mail a plaque thanking Ms. Wheeler for her service to the citizens of Oakdale.

6. ADDITIONS/DELETIONS:

No items were added or deleted.

7. PUBLIC COMMENT:

Alice Garcia stating she is familiar with the area of Oakland where the fire took place and her comments would be related. Ms. Garcia stated she believes it is time for every City to look into vacant buildings we have and we need a good inspector to look at the yards that have illegal lighting and gas fixtures that they permit themselves. She advised she has let the Public Works Department know, and she is letting the City Council know that the City of Oakland will be sued, and she is letting the City Council know that the City of Oakdale has areas, some bad areas where illegal construction is occurring and wished the Public Works Department and City Council would start doing their job. She advised there is illegal building going on and the east side of town is the worst. She has been told there are carports being built without permits or inspections. She concluded stating she hopes, so that the City does not get sued like Oakland that the City Council takes to heart because she would hate to see that happen to any family in Oakdale.

City Manager Whitemyer responded the tragedy of Oakland is devastating. He advised he is privileged to be working with individuals who value the safety of our community and, that whenever we hear of something like this occurring it causes us to pause and reflect on what we are doing and what we can do better. He stated he appreciates the comments made by Ms. Garcia in that he would encourage the residents of Oakdale, if they know of any illegal building activity that they report it to the City and staff will proactively review reports and situations as they occur. If you, the public see things are going that may or may not be in compliance with building permits please call us at 845-3600 and City staff will gladly inspect anything of concern.

8. APPOINTMENT TO BOARDS AND COMMISSIONS:

None scheduled.

9. CITY COUNCIL CONSENT AGENDA:

Mayor Paul asked whether there were any questions on any matter listed on the Consent Agenda. No questions were asked.

MOTION

To approve the City of Oakdale City Council Consent Agenda for December 5, 2016 comprised of Items 9.1 through 9.9.

9.1: Approve the Regular City Council Meeting Minutes of November 21, 2016.

9.2: Receive and File the Warrant List for the period of November 16, 2016 to November 28, 2016.



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- 9.3: Waive Readings of Ordinances/Resolutions except by Title.
- 9.4: Adopt Resolution 2016-137, a Resolution of the City Council of the City of Oakdale Adopting by Reference FPPC Title 2, Division 6, California Administrative Code Sections 18730 and 18730.1, the 2016 Conflict of Interest Code List of Designated City Positions, and the Economic Interest Disclosure Categories.
- 9.5: Adopt Resolution 2016-138, a Resolution of the City Council of the City of Oakdale Accepting the Subdivision Improvement Agreement for Bridle Ridge Village "H" Infill Parkways from Lafferty Communities.
- 9.6: By Minute Order Reject Claim for Damages Submitted by Richard Blevins.
- 9.7: By Minute Order Reject Claim for Damages Submitted by Joseph Curdy.
- 9.8: By Minute Order Reject Claim for Damages Submitted by Jesus Quirarte.
- 9.9: Adopt Resolution 2016-139, a Resolution of the City Council of the City of Oakdale Police Department Staff To Purchase One (1) 2015 Chevrolet Impala Vehicle From Steves Chevrolet Buick Oakdale, CA Using Funds from the Supplemental Law Enforcement Services Account (203-2110-421-41.09) for the amount of \$18,494.59.

Moved by Mayor Pro Tem Dunlop, seconded by Council Member McCarty and PASSED AND ADOPTED this 5th day of December 2016, by the following vote:

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

Motion carried 4/1 by City Council roll call vote.

10. PUBLIC HEARINGS:

- 10.1: Continued Public Hearing from November 21, 2016 - Consider Adopting a Resolution of the City of Oakdale City Council Approving an Amendment to the City of Oakdale General Plan Public Health and Safety Element and Introducing and Waiving the First Reading of Ordinance 1245, an Ordinance of the City of Oakdale, California Amending Chapter 31, Subdivisions and Chapter 36, Zoning to Address the Requirements of California Senate Bill 5 (2007) and Associated Legislation Related to Provision of 200-Year Flood Protection for California Urban Areas.

Mayor Paul advised this public hearing had been continued from November 21, 2016.

Interim Public Services Director Gravel recommended the City Council adopt the resolution approving an amendment to the City of Oakdale General Plan Public Health and Safety Element and introduce and waive the first reading of Ordinance 1245, an Ordinance amending Chapter 31, Subdivisions and Chapter 36, Zoning to address the requirements of California Senate Bill 5 (2007) and associated legislation related to provision of 200-Year Flood Protection for California Urban Areas.

Mayor Paul requested public testimony at 7:14 p.m.



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There being no public testimony, Mayor Paul closed the public hearing at 7:15 p.m.

MOTION

To adopt Resolution 2016-140, a Resolution of the City of Oakdale City Council Approving an Amendment to the City of Oakdale General Plan Public Health and Safety Element Pursuant to the Requirements of California Senate Bill 5 and Associated Legislation Related to Provision of 200-Year Flood Protection for California Urban Areas.

Introduce and Waive the First Reading of Ordinance 1245, an Ordinance of the City of Oakdale, California Amending Chapter 31, Subdivisions and Chapter 36, Zoning to Address the Requirements of California Senate Bill 5 (2007) and Associated Legislation Related to Provision of 200-Year Flood Protection for California Urban Areas.

Moved by Mayor Pro Tem Dunlop, seconded by Council Member McCarty and PASSED AND ADOPTED this 5th day of December 2016, 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: Annexation of Territory to the Community Facilities District No. 2007-1 (Public Safety Services) Annexation No. 8. The special tax amount to be charged is as authorized by the original Rate and Method of Apportionment for City of Oakdale Community Facilities District 2007-1 (Public Safety Services). Public Safety Services include, fire services, law enforcement, code enforcement and animal control. Funding will also include the costs of personnel, equipment replacement, maintenance, and professional contract services and services related thereto, including collection and accumulation of funds to pay for anticipated operating cost shortfalls and reserves for repair and replacement of facilities, improvements, vehicles and equipment. Notice of Publication published in the Oakdale Leader on November 16, 2016.

Mayor Paul stated this is the time and place for the public hearing for the establishment of Community Facilities District No. 2007-1, (Public Safety Services) Annexation No. 8.

Mayor Paul asked whether there are any property owners or registered voters in the proposed District who wish to file written protests? If so, they must be filed with the City Clerk at this time. There being none, Mayor Paul declared the hearing open at 7:17 p.m.

A PowerPoint of the Annexation Map was provided.

Finance Director Avila presented the staff report recommending the City Council adopt the resolutions provided in the staff report to approve annexation of territory to the Community Facilities District No. 2007-1, Annexation No. 8, authorize the levy of special taxes therein and submit levy of special taxes to qualified elector; and, to declare the results of the special annexation election, determining validity of prior proceedings and direct the recording of a ninth amendment to Notice of Special Tax Lien - Annexation No. 8.

There being no one wishing to speak on the item, Mayor Paul closed the public hearing at 7:19 p.m.



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MOTION

To adopt Resolution 2016-141, a Resolution of the City Council of the City of Oakdale Annexation of Territory to the City of Oakdale Community Facilities District No. 2007-1 (Public Safety Services), Authorizing the Levy of Special Taxes Therein and Submitting Levy of Special Taxes to Qualified Elector Annexation No. 8.

Moved by Mayor Pro Tem Dunlop, seconded by Council Member McCarthy and PASSED AND ADOPTED this 5th day of December 2016, 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.

Mayor Paul requested the City Clerk announce the results of the property owner's vote. City Clerk Teixeira announced the results of the special election for Community Facilities District No. 2007-01 Annexation No. 8 certifying 10 votes were received in favor, representing 100-percent of the property owners.

Mayor Paul stated the record shows that the property owner's vote is in favor of the levy of the special taxes and the City Council may now proceed with the final actions for the annexation of territory into the District.

MOTION

To adopt Resolution 2016-142, a Resolution of the City Council of the City of Oakdale, Declaring Results of Special Annexation Election, Determining Validity of Prior Proceedings and Directing the Recording of a Eighth Amendment to Notice of Special Tax Lien - Annexation No. 8.

Moved by Mayor Pro Tem Dunlop, seconded by Council Member McCarthy and PASSED AND ADOPTED this 5th day of December 2016, 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.

- 10.3: Annexation of Territory to the Community Facilities District No. 2007-1 (Public Safety Services) Annexation No. 9. The special tax amount to be charged is as authorized by the original Rate and Method of Apportionment for City of Oakdale Community Facilities District 2007-1 (Public Safety Services). Public Safety Services include, fire services, law enforcement, code enforcement and animal control. Funding will also include the costs of personnel, equipment replacement, maintenance, and professional contract services and services related thereto, including collection and accumulation of funds to pay for anticipated operating cost shortfalls and reserves for repair and replacement of facilities, improvements, vehicles and equipment. Notice of Publication published in the Oakdale Leader on November 16, 2016.



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Mayor Paul stated this is the time and place for the public hearing for the establishment of Community Facilities District No. 2007-1, (Public Safety Services) Annexation No. 9.

Mayor Paul asked whether there are any property owners or registered voters in the proposed District who wish to file written protests? If so, they must be filed with the City Clerk at this time. There being none, Mayor Paul declared the hearing open at 7:20 p.m.

A PowerPoint of the Annexation Map was provided.

Finance Director Avila presented the staff report recommending the City Council adopt the resolutions provided in the staff report to approve annexation of territory to the Community Facilities District No. 2007-1, Annexation No. 9, authorize the levy of special taxes therein and submit levy of special taxes to qualified elector; and, to declare the results of the special annexation election, determining validity of prior proceedings and direct the recording of a ninth amendment to Notice of Special Tax Lien - Annexation No. 9.

There being no one wishing to speak on the item, Mayor Paul closed the public hearing at 7:21 p.m.

MOTION

To adopt Resolution 2016-143, a Resolution of the City Council of the City of Oakdale approving Annexation of Territory to the City of Oakdale Community Facilities District No. 2007-1 (Public Safety Services), Authorizing the Levy of Special Taxes Therein and Submitting Levy of Special Taxes to Qualified Elector Annexation No. 9.

Moved by Mayor Pro Tem Dunlop seconded by Council Member McCarthy and PASSED AND ADOPTED this 5th day of December 2016, 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.

Mayor Paul requested the City Clerk announce the results of the property owner's vote. City Clerk Teixeira announced the results of the special election for Community Facilities District No. 2007-01 Annexation No. 9 certifying 10 votes were received in favor, representing 100-percent of the property owners.

Mayor Paul stated the record shows that the property owner's vote is in favor of the levy of the special taxes and the City Council may now proceed with the final actions for the annexation of territory into the District.

MOTION

To adopt Resolution 2016-144, a Resolution of the City Council of the City of Oakdale, Declaring Results of Special Annexation Election, Determining Validity of Prior Proceedings and Directing the Recording of a Ninth Amendment to Notice of Special Tax Lien - Annexation No. 9.



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Moved by Mayor Pro Tem Dunlop seconded by Council Member McCarthy and PASSED AND ADOPTED this 5th day of December 2016, 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 Directing the City Clerk to Record Notice of Cessation of Special Tax for Capital Facility District 2003-1 for Parcels Annexed into CFD 2007-1.

Finance Director Avila presented the staff report recommending the City Council direct the City Clerk to record the notice of cessation of the special tax for Capital Facility District 2003-1 for parcels annexed into CFD 2007-1, Annexation 8 and Annexation 9.

MOTION

To direct, by Minute Order the City Clerk Record the Notice of Cessation of Special Tax Lien Capital Facility Fee District 2003-1 for parcels annexed into CFD 2007-1, Annexation 8 and Annexation 9.

Moved by Council Member McCarty, seconded by Mayor Pro Tem Dunlop and PASSED AND ADOPTED this 5th day of December 2016, 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 Treasurer's Report for October 2016 by Minute Order.

Finance Director Avila presented the Treasurers Report for October 2016 recommending the City Council accept the report by Minute Order.

MOTION

To accept by Minute Order the October 2016 Treasurer's Report.

Moved by Council Member McCarty, seconded by Council Member Bairos and PASSED AND ADOPTED this 5th day of December 2016, 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.



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Staff Report of the Successor Agency for the Former Oakdale Community Redevelopment Agency:

- 11.3: Consider a Resolution of the City of Oakdale Successor Agency for the Former Oakdale Community Redevelopment Agency Approving A Legal Services Agreement and Advance Conflict Waiver with Best Best & Krieger Attorneys At Law for Redevelopment Dissolution Services.

City Manager Whitemyer presented the staff report recommending that the City Council approve a legal services agreement and advance conflict waiver with Best Best & Krieger Attorneys at Law for Redevelopment Dissolution Services.

City Council discussed with staff the process for proceeding with receiving reimbursement.

MOTION

To adopt Resolution 2016-002, a Resolution of the City of Oakdale Successor Agency for the Former Oakdale Community Redevelopment Agency Approving Redevelopment Consultant Agreement.

Moved by Agency Member Dunlop, seconded by Agency Member McCarty and PASSED AND ADOPTED this 5th day of December 2016, by the following vote:

AYES:	AGENCY MEMBERS:	Bairos, Dunlop, McCarty, Murdoch and Paul	(5)
NOES:	AGENCY MEMBERS:	None	(0)
ABSENT:	AGENCY MEMBERS:	None	(0)
ABSTAINED:	AGENCY MEMBERS:	None	(0)

Motion carried 5/0 by City of Oakdale Successor Agency for the Former Oakdale Community Redevelopment Agency roll call vote.

12. CITY MANAGER'S REPORT:

City Manager Whitemyer provided updates on recently completed and current Capital Improvement Projects.

In response to the question on recent chlorination of the water system raised by Council Member Murdoch, Interim Public Services Director Gravel responded advising the recent chlorination of the city's water lines was due to construction and in no way a response to "fecal matter" in the system. He explained during the course of the C Street project dirt got into the waterline main line and per regulations, the City contacted the state to report the infiltration and for direction on how to proceed. The city was advised to chlorinate the water system with a low dose of edible grade chlorine and as part of the process the City is currently flushing the contaminated areas, followed by re-flushing the lines with only water to get the chlorine out of the system. In conclusion, Interim Public Services Director Gravel advised the e chlorine taste and smell will taper off within the next few days.

City Manager Whitemyer shared with those present, a portion of the notice that was mailed with the City utility bills.



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13. CITY COUNCIL ITEMS:

Council Member Bairos thanked the groups who organized the Downtown Oakdale Christmas event. She announced that the Annual Can Tree Breakfast benefiting Community Sharing will be held at the Gene Bianchi Community Center with breakfast from 7:00 to 9:00 a.m. The cost for breakfast tickets is \$5.00.

Council Member McCarty thanked the Spirit of Oakdale and all of the volunteers who provided all families with the opportunity to enjoy a Thanksgiving meal; over 1,000 meals were served.

Mayor Paul thanked the CAPS volunteers for delivering meals to shut-ins and others who were unable to come to the Community Center for a meal.

5.3: Oath of Office to Council Member Richard Murdoch

City Clerk Teixeira administered the Oath of Office to Council Member Murdoch.

Mayor Paul reminded everyone to support the Oakdale High School Football Team, Go Mustangs.

14. ADJOURNMENT:

There being no further business, Mayor Paul adjourned the meeting at 7:41 p.m.

ATTEST:

APPROVED:

/s/Kathy Teixeira
Kathy Teixeira, CMC
City Clerk

/s/Pat Paul
Pat Paul
Mayor