



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

City Council Chambers
277 North Second Avenue
Oakdale, California

Monday, June 6, 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

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Finance Director Avila
Public Services Director Clark
Public Workers Superintendent Gravel
Interim Police Chief Harden
CSO Hilgen
Police Lieutenant Redd
City Clerk Teixeira

3. PLEDGE OF ALLEGIANCE:

Mayor Paul led the assembly in the Pledge of Allegiance.

4. INVOCATION:

The invocation was provided by Pastor Jeff Cavanaugh, Calvary Chapel Oakdale Church.

5. PRESENTATIONS/ACKNOWLEDGEMENTS:

5.1: Presentation: Certificates of Recognition for Extraordinary Personal Action.

Interim Police Chief Harden addressed the City Council stating as part of the City's Senior Outreach Program, a team of volunteers pay home visits to a number of residents. On June 1, 2016, Debbie Hampson and Lupe Aguilera paid a home visit to a 60 year old resident; during that visit, they did not receive an answer to the front door so they took it upon themselves to try to call the resident, still not receiving a response they checked through windows discovering a female who was down. The female had fallen and had been unconscious for a period of time, fire and ambulance crews were called and arrived on scene and transported the resident to a local medical facility. It



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was later determined that she had most likely suffered a heart attack, was severely dehydrated and had been down for approximately two days. A terrible tragedy was avoided due to the fine work of Ms. Hampton and Ms. Aguilera.

In recognition for their tremendous dedication and selfless service to the Oakdale Community and to the many senior citizens who look upon them for a helping hand and sympathetic ear, Interim Chief Harden presented Senior Outreach Volunteers Lupe Aguilera and Debbie Hampton with Certificates of Recognition for Extraordinary Personal Action.

Ms. Aguilera encouraged citizens to volunteer for the Senior Outreach Program by contacting Dan Hilgen, Community Services Officer at the Police Department by calling 847-2231.

Mayor Paul thanked CAPS volunteers for their service to the community.

6. ADDITIONS/DELETIONS:

Mayor Paul asked whether there were any additions or deletions to the agenda. No items were added or deleted.

7. PUBLIC COMMENTS:

Chamber of Commerce Chief Executive Officer Mary Guardiola addressed the City Council thanking the entire Oakdale community for their support of the Chocolate Festival. Oakdale had just over 70,000 people in town the weekend of May 21 – May 22, 2016. The June Chamber Mixer will be held June 16th at Oakdale Collision from 5:00 to 7:00 p.m.

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. There were none.

Mayor Pro Tem Dunlop advised due to his absence on June 6, he would abstain from voting on the Minutes of the June 6, 2016 City Council meeting.

MOTION

To approve the City of Oakdale City Council consent Agenda for June 6, 2016, as presented:

9.1: Approving the Regular City Council Meeting Minutes of May 16, 2016.

9.2: Receive and File the Warrant List for the period of May 5, 2016 to May 31, 2016.



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- 9.3: Waive Readings of Ordinances/Resolutions except by Title.
- 9.4: Adopting City Council Resolution 2016-049, 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 2016-2017.
- 9.5: Adopting City Council Resolution 2016-050, a resolution of the City of Oakdale City Council authorizing the emergency HVAC unit replacement at Gladys L. Lemmons Senior Community Center at a cost of \$6,600 from Facility Maintenance Internal Service Fund 540-1910-419.41.05.
- 9.6: Adopting City Council Resolution 2016-051, a resolution of the City of Oakdale City Council authorizing annual contract renewal with Knorr Systems, Inc. for Royse Memorial Pool maintenance in the amount of \$8,844 from Pool Facilities Fund 217-7230-472-25.03.
- 9.7: Adopting City Council Resolution 2016-052, a resolution of the City of Oakdale City Council approving call for the holding of a general municipal election to be held on Tuesday, November 8, 2016, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities.

Adopting City Council Resolution 2016-053, a resolution of the City of Oakdale City Council requesting the Board of Supervisors of the County of Stanislaus to consolidate a general municipal election to be held on November 8, 2016, with the statewide general election to be held on the date pursuant to §10403 of the Elections Code.
- 9.8: Rejecting by Minute Order a Claim for Damages submitted by Graham Lori.

Moved by Council Member McCarty, seconded by Council Member Murdoch and PASSED AND ADOPTED this 6th day of June 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: Dunlop	(1)

Motion carried 5/0 by City Council roll call vote (Note: Mayor Pro Tem Dunlop abstention from voting on Agenda Item 9.1: Approve the Regular City Council Meeting Minutes of May 16, 2016 due to his absence from the meeting.)

10. PUBLIC HEARINGS:

- 10.1: Consider resolutions of the City of Oakdale City Council accepting and closing the Proposition 218 Public Notification and Protest Process as it relates to a proposed rate



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increase for solid waste disposal services; and authorizing the City Manager to execute an agreement for the collection of solid waste in the City of Oakdale and adjusting residential and commercial refuse collection rates for said services. *Notice of Public Hearing mailed by United States Postal Service to ratepayers in compliance with Prop 218.*

The time being 7:06 p.m., Mayor Paul advised this is the time and place for the public hearing relating to an agreement with Gilton Solid Waste Management for the collection of solid waste in the City and adjusting residential and commercial refuse collection rates for those services. This public hearing provides a forum for affected property owners to offer comment on the proposed rate increase. All protests to the rate increases must be submitted in writing and will be collected until the close of the public hearing.

A PowerPoint Presentation was provided.

City Manager Whitemyer presented the staff report recommending that the City Council conduct the Prop 218 public hearing, tabulate any protests, and, upon compliance with Prop 218, adopt the resolutions approving the Prop 218 proceedings and approving the franchise agreement with Gilton.

Public Testimony

Vicki Madsen

Mayor Paul asked whether there are any property owners or registered voters in the proposed who wish to file written protests? If so, they must be filed with the City Clerk at this time.

There being no further public testimony, Mayor Paul closed the public hearing at 7:15 p.m. requesting the City Clerk count the protests.

City Clerk Teixeira advised no majority protest has been received.

MOTION

To adopt Resolution 2016-54, a resolution of the City Council of the City of Oakdale accepting and closing the Proposition 218 Public Notification and Protest Process as it relates to a proposed rate increase for solid waste disposal services.

Moved by Mayor Pro Tem Dunlop seconded by Council Member McCarty and PASSED AND ADOPTED this 6th day of June 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)



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

MOTION

To adopt Resolution 2016-55, a resolution of the City Council of the City of Oakdale authorizing the City Manager to execute an agreement for the collection of solid waste in the City of Oakdale and adjusting residential and commercial refuse collection rates for said services.

Moved by Council Member McCarty, seconded by Council Member Murdoch and PASSED AND ADOPTED this 6th day of June 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: Consider the adoption of the Preliminary Fiscal Year (FY) 2016-2017 Annual Budget. *A Notice of Public Hearing was published in the May 18, 2016 edition of the Oakdale Leader.*

City Manager Whitemyer requested that the City Council continue the public hearing to consider the adoption of the Preliminary Fiscal Year (FY) 2016-2017 Annual Budget.

Mayor Paul declared the hearing open at 7:19 p.m. asking whether there was anyone wishing to address the item at this time.

Public Testimony
No one appeared.

MOTION

To continue the public hearing to June 20, 2016.

Moved by Council Member McCarty, seconded by Council Member Murdoch and PASSED AND ADOPTED this 6th day of June 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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11. STAFF REPORTS:

11.1: Discuss request to place portable toilet at the G Street Fire Station site.

PowerPoint slides illustrating the location proposed for placement of a portable toilet was presented.

City Manager Whitemyer presented the staff report, recommending the City Council not approve the placement of a portable toilet at the G Street Fire Station site at this time. Staff will continue to assess the situation and if the need arises we can revisit this issue.

Curtis Lineberger addressed the City Council stating his appreciation for the City Manager working with him on his proposal and advised whatever the City Council's ultimate decision he would respect that decision. He stated his objective was to provide a portable facility on a 90 day trial and if it does not work he would remove it. He advised he received quite a few signatures from the businesses in the area to place a portable toilet for a trial period.

Council Member Bairos stated her appreciation of Mr. Lineberger's efforts; however she does not like the proposed location.

Council Member McCarty concurred with Council Member Bairos in applauding Mr. Lineberger's efforts. He continued, stating if the issue was a homeless situation the Council would be more supportive. He advised one of the reasons he cannot support the proposal is that people at the parks are the ones drinking alcohol and doing drugs; when the sun goes down they go home and providing a public toilet would encourage people to continue to do what they are doing.

Mayor Paul advised she was willing to support a 90-day trial based on concerns raised by businesses with individuals using their facilities; a bathroom was at the top of the homeless list, i.e., their desire for somewhere to go to the bathroom, providing them with that dignity.

Mayor Pro Tem Dunlop advised he concurs with the Mayor, if a facility is needed. A good location does not exist but he was willing to give it a try if needed. He continued stating he does not think placement of a toilet would attract or prevent what is going on in the community but he is not willing to go against staff and their recommendation on this issue. In conclusion he stated he is hopeful that with the bathrooms at A Street and at the new skate park that this issue will be indirectly addressed somewhat during the day.

Mayor Paul thanked Mr. Lineberger for his efforts.

Mr. Lineberger stated he respected the City Council's decision and thanked them for their time.



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11.2: Consider accepting Treasurer’s Report for April 2016 by Minute Order.

Finance Director Avila presented the staff report recommending the City Council accept the April 2016 Treasurer’s Report by Minute Order.

MOTION

To accept by Minute Order the April 2016 Treasurer’s Report.

Moved by Council Member McCarty, seconded by Mayor Pro Tem Dunlop and PASSED AND ADOPTED this 6th day of June 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.

11.3: Consider a Resolution of the City of Oakdale City Council authorizing the City Manager negotiate and execute an agreement with Tuckfield and Associates to conduct a Wastewater and Water Rate Study and Connection Fee Study with a cost not to exceed \$29,700 (\$14,850 - Fund 625 Water – 625-4161-445-25.03 and \$14,850 – Fund 622 Sewer – 622-4153-444-25.03).

City Manager Whitemyer presented the staff report, recommending the City Council authorizing the City Manager negotiate and execute an agreement with Tuckfield and Associates to conduct a Wastewater and Water Rate Study and Connection Fee Study with a cost not to exceed \$29,700 to be paid 50 percent from the Water Fund and 50-percent from the Sewer Fund.

Public Comment:

Vicki Madsen
Kathleen Westenberg

MOTION

To adopt Resolution 2016-56, a resolution of the City Council of the City of Oakdale authorizing the City Manager to negotiate and execute an agreement with Tuckfield and Associates to conduct a Wastewater and Water Rate Study and Connection Fee Study with a cost not to exceed \$29,700 (\$14,850 - Fund 625 Water – 625-4161-445-25.03 and \$14,850 – Fund 622 Sewer – 622-4153-444-25.03).

Moved by Mayor Pro Tem Dunlop, seconded by Council Member McCarty and PASSED AND ADOPTED this 6th day of June 2016, by the following vote:



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

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

- 11.4: Consider a Resolution of the City of Oakdale City Council authorizing Police Department Staff to purchase twenty-one (21) Taser Axon Body Officer-Worn Digital Video Cameras, plus necessary hardware and warranties and a three-year warranty and licensing to Evidence.com using funds from AB109 Public Safety Realignment Account (210-2140-421-41.05).

Interim Police Chief Harden introduced the staff report advising Lieutenant Redd would be presenting the staff report.

A comprehensive PowerPoint Presentation was provided.

Lieutenant Redd presented the staff report noting that staff is recommending some adjustments to type and number of officer-worn digital video camera devices. Staff is recommending that the City Council authorize Police Department staff to purchase Taser Axon Body Officer-Worn Digital Video Cameras, plus necessary hardware and warranties and a three-year warranty and licensing to Evidence.com using funds from AB109 Public Safety Realignment Account.

The City Council and staff discussed the proposal.

MOTION

To adopt Resolution 2016-57, a resolution of the City Council of the City of Oakdale authorizing Police Department Staff to purchase twenty-three (23) Taser Axon Body Officer-Worn Digital Video Cameras, plus necessary hardware and warranties and a three-year warranty and licensing to Evidence.com using funds from AB109 Public Safety Realignment Account (210-2140-421-41.05).

Moved by Council Member Murdoch, seconded by Council Member McCarty and PASSED AND ADOPTED this 6th day of June 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

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

- 11.5: Consider accepting by Minute Order the Planning Commission’s recommendation to approve the Final Concept Plan for the J Street Right-of-Way Improvements.



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A PowerPoint Presentation was provided.

Public Services Director Clark presented the staff report recommending the City Council accept by Minute Order the Planning Commission's recommendation to approve the Final Concept Plan for the J Street Right-of-Way Improvements.

MOTION

To accept by Minute Order the Planning Commission's recommendation to approve the Final Concept Plan for the J Street Right-of-Way Improvements.

Moved by Council Member McCarty, seconded by Council Member Murdoch and PASSED AND ADOPTED this 6th day of June 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	

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

12. CITY MANAGER'S REPORT:

City Manager Whitemyer addressed the City Council, advising the utility mailing service used by the City had experienced technical difficulties resulting in incorrect information being printed on customer billing statements. City Manager Whitemyer advised Finance Director Avila will explain what occurred and how it is being rectified.

Finance Director Avila explained the standard process by which the Finance Department processes and transmits the information to the utility mail service. He advised while the statements did contain misinformation, the mailing address, amount owed and current charges are correct. City staff will be double checking every transaction to ensure accounts are being properly credited and the utility mailing service company is researching what transpired to ensure the error does not occur again.

City Manager Whitemyer stated his apologizes to members of the community, as well as the City's front line staff.

Council Member Bairos inquired if a customer service announcement had been posted on the City's Facebook page alerting residents of the error.

City Manager Whitemyer responded no; however, it will be posted on the site once the mailing center has provided a full report. He advised as the amount listed on the bill is correct, staff is encouraging individuals to turn in their payments. The City will be flexible and will not assess late fees for this time period.



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13. CITY COUNCIL ITEMS:

Council Member Bairos advised following the last County Corridor meeting the City Council received several emails. One of the emails she received was from Mrs. Baker, an individual who was unable to attend the meeting. She advised she promised Mrs. Baker she would read the email during the City Council meeting; that email reads as follows:

“In reference to the proposed bypass to connect Highway 99 and State Route 108/120 we would like to strongly express our opposition to the Stearns Road Alternative and the roundabout proposed at Atlas. Of the various routes proposed, this appears to most impact the residential neighborhoods in the area. To put the roundabout at Atlas would most definitely affect our property values along with making increased traffic congestion at this intersection. If you travel this route, especially on weekends or holidays you are aware there is a bottle jam from Dillwood on as you approach town to the signal at the intersection by Denny’s. For those travelers that want to travel on to Modesto and Highway 99 it makes a lot more sense to divert traffic further east. Those people who are going on to Escalon and Manteca are not going to go over the bypass anyway. If the property values decrease in this area of high value homes then the County would lose valuable revenue derived by our property taxes. At a time when all the dollars count towards County improvements and upkeep I would think this would be a very important consideration. I also believe an off-ramp to west Oakdale would be more beneficial to the City, allowing tourists and others, not large delivery trucks to travel through the town and thereby increase business, not detract from it. Please consider all options when supporting the bypass on the agenda.”

Mayor Paul requested Council Member Bairos forward the email to Matt Machado at the County.

Council Member McCarty thanked Officers Taylor and Nixon for their great team work Friday evening in handling a situation where a gentleman was trying to hurt himself on the bridge. He then welcomed Interim Chief Harden and reminded everyone to vote.

14. ADJOURNMENT:

There being no further business, Mayor Paul adjourned the meeting at 8:27 p.m.

ATTEST:

APPROVED:

/s/Kathy Teixeira
Kathy Teixeira, CMC
City Clerk

/s/Pat Paul
Pat Paul
Mayor