



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

City Council Chambers  
277 North Second Avenue  
Oakdale, California

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**Monday, April 3, 2017**

**7:00 PM**

**City Council Chambers**

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**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 Goldstein  
Management Analyst Andersen  
Finance Director Avila  
Interim Public Services Manager Black  
Public Services Director Gravel  
Police Chief Heller  
Interim Public Services Manager Odom  
Interim Police Lieutenant Savage  
City Clerk Teixeira

**3. PLEDGE OF ALLEGIANCE:**

Mayor Paul led the Pledge of Allegiance.

**4. INVOCATION:**

The invocation was provided by Pastor Kent Roberts, The River Community.

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

Mayor Paul advised the City Council met in closed session. Mayor Paul advised there was no reportable action.

**6. PRESENTATIONS/ACKNOWLEDGEMENTS:**

6.1: Proclamation Declaring April 9, 2017 – April 15, 2017 National Library Week.

Wayne Philbrook, Librarian accepted the Proclamation Declaring April 9, 2017 – April 15, 2017 National Library Week and advised those in attendance of upcoming events at the Oakdale Library.

6.2: Proclamation Declaring April 9, 2017 – April 15, 2017 National Public Safety Telecommunications Week.

Police Chief Heller introduced Public Safety Dispatch-Clerk Supervisor Janeen Yates, who accepted the proclamation on behalf of Oakdale's Public Safety Records Clerks and Dispatchers.



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- 6.3: Proclamation Declaring April 9, 2017 – April 15, 2017 National Animal Care & Control Appreciation Week.

Police Chief Heller introduced Animal Control Officer Beth Crawley who accepted the proclamation on behalf of the Oakdale Animal Shelter personnel. Animal Control Officer Crawley thanked OPSA and ASTRO for their assistance by volunteering at the Oakdale Animal Shelter as well as their auxiliary services to protect and care of pets and strays in the community. Members of OPSA and ASTRO, including current President of OPSA, Lisa Dolling and members of ASTRO, including Board Member Jaydeen Vicente were present and spoke of the services and goals of each organization.

**7. ADDITIONS/DELETIONS:**

No additions or deletions occurred at this time.

**8. PUBLIC COMMENT:**

Teresa Kinney spoke on behalf of Congressman Jeff Denham advising on April 17 a Government Night-Town Hall Meeting will be held in Denair and, on July 5 a Naturalization Ceremony will be held at Stanislaus State.

Mary Guardiola, Chief Executive Officer of the Oakdale Chamber advised the City Council on upcoming events.

Alice Garcia addressed the City Council related to correspondence she received from Oakdale Irrigation District.

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

- 9.1: Consider Appointment of Chris Kinney to the Planning Commission.

- 9.2: Consider Appointment of Amy Velasco to the Planning Commission.

**MOTION**

To appoint Chris Kinney to the Planning Commission.

Moved by Council Member Murdoch seconded by Council Member McCarty and PASSED AND PASSED this 3rd day of April 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.

**MOTION**

To appoint Amy Velasco to the Planning Commission.



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**Next City Council Resolution: 2017-030**

Moved by Council Member Murdoch seconded by Council Member McCarty and PASSED AND PASSED this 3rd day of April 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. CITY COUNCIL CONSENT AGENDA:**

Mayor Paul asked whether there were any questions on any matter listed on the Consent Agenda.

Council Member Murdoch advised due to his absence from the March 20, 2017 meeting he would abstain from voting on the March 20, 2017 City Council Meeting Minutes.

City Manager Whitemyer advised the City Council of a correction to the resolution for Consent Agenda Item 10.5, a Resolution of the City Council of the City of Oakdale Approving Public Services Director Appointment, Ratifying Employment Agreement and Authorizing Execution of Agreement with Jeff Gravel noting item 1. listed in the resolution should be corrected with Mr. Gravel's name.

**MOTION**

To approve the City of Oakdale City Council Consent Agenda for April 3, 2017 comprised of Items 10.1 through 10.8 as submitted.

- 10.1: Special City Council Meeting Minutes of March 13, 2017.
- 10.2: Regular City Council Meeting Minutes of March 20, 2017.
- 10.3: Receive and File the Warrant List for the period of March 16, 2017 to March 28, 2017.
- 10.4: Waive Readings of Ordinances/Resolutions except by Title.
- 10.5: Adopt Resolution 2017-030, a Resolution of the City Council of the City of Oakdale Approving Public Services Director Appointment, Ratifying Employment Agreement and Authorizing Execution of Agreement as corrected to read Jeff Gravel, as corrected.
- 10.6: Adopt Resolution 2017-031, a Resolution of the City Council of the City of Oakdale Authorizing Application for Fiscal Year (FY) 2016/2017 Local Transportation Funds (LTF) Claim.
- 10.7: By Minute Order Reject Claim for Damages Submitted by June Newman.
- 10.8: Adopt Resolution 2017-032, a Resolution of the City Council of the City of Oakdale Declaring Property Surplus and Authorizing Wastewater Treatment Plant Staff to Dispose of Surplus Property by Public Auction, Sale or other Method.



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Moved by Council Member McCarty seconded by Council Member Bairos and PASSED AND ADOPTED this 3rd day of April 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:	Murdoch (Agenda Item 10.2)	(1)

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

**11. PUBLIC HEARINGS:**

11.1: Consider Water Rate Adjustments. Notice mailed by United States Postal Service to Ratepayers on February 6, 2017.

A PowerPoint Presentation was provided.

City Manager Whitemyer presented the staff report recommending the City Council re-open the public hearing initiated at the March 20, 2017 City Council meeting, accept public comment and protests to the rate increases and then close the public hearing and protest voting period. At the April 17, 2017 City Council meeting the City Clerk will present the protest vote count to the City Council. At that meeting the City Council could vote to approve the rate increases if the protest vote totals do not reach the 50% + 1 threshold.

The time being 7:33 p.m. Mayor Paul opened the public hearing to receive public testimony.

Public Testimony

Alice Garcia

There being no further public testimony and no ballots received Mayor Paul closed the public hearing at 7:35 p.m.

**MOTION**

To close the public hearing and direct the City Clerk to review, count and validate the Protest Votes for presentation at the April 17, 2017 City Council meeting; and, continue City Council action on the matter to the next regularly scheduled City Council meeting of April 17, 2017 at 7:00 p.m.

Moved by Mayor Pro Tem Dunlop seconded by Council Member McCarty and PASSED this 3<sup>rd</sup> day of April 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.



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**12. STAFF REPORTS:**

12.1: Consider a Resolution of the City of Oakdale City Council Authorizing the Award of a Contract for the Secondary Clarifier Recoating Project to Crown Painting, Inc. in the amount of \$56,500 which includes a 10% Contingency as well as \$10,000 for Inspections to be funded from Sewer Capital Replacement Fund 621 (CP1702).

A PowerPoint Presentation was provided.

Waste Water Treatment Plant Supervisor Bridgewater presented the staff report recommending the City Council authorize awarding the contract for the Secondary Clarifier Recoating Project to Crown Painting, Inc. in the amount of \$56,500 which includes a 10% Contingency as well as \$10,000 for Inspections to be funded from Sewer Capital Replacement Fund 621 (CP1702).

**MOTION**

To adopt City of Oakdale City Council Resolution 2017-033, a Resolution of the City of Oakdale City Council Authorizing the Award of a Contract for the Secondary Clarifier Recoating Project to Crown Painting, Inc. in the amount of \$56,500 which includes a 10% Contingency as well as \$10,000 for Inspections to be funded from Sewer Capital Replacement Fund 621 (CP1702).

Moved by Council Member McCarty seconded by Council Member Bairos and PASSED AND ADOPTED this 3<sup>rd</sup> day of April 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.

12.2: Consider a Resolution of the City of Oakdale City Council Approving an Amendment to the 2017 Street Overlay Project to include the Road Segments of Lee Avenue from F Street to Poplar Street and Pontiac Street from Oak Avenue to Lee Avenue and appropriating \$900,000 in Future Measure L Funds for the Project.

A PowerPoint Presentation was provided.

City Manager Whitemyer presented the staff report recommending the City Council adopt a resolution approving an amendment to the 2017 Street Overlay Project to include the Road Segments of Lee Avenue from F Street to Poplar Street and Pontiac Street from Oak Avenue to Lee Avenue and appropriating \$900,000 in Future Measure L Funds for these projects.

**MOTION**

To adopt City of Oakdale City Council Resolution 2017-034, a Resolution of the City of Oakdale City Council Approving an Amendment to the 2017 Street Overlay Project to include the Road Segments of Lee Avenue from F Street to Poplar Street and Pontiac Street from Oak Avenue to Lee Avenue and appropriating \$900,000 in Future Measure L Funds for the Project.



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Moved by Mayor Pro Tem Dunlop seconded by Council Member Murdoch and PASSED AND ADOPTED this 3<sup>rd</sup> day of April 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.

**12.3: Consider a Resolution of the City of Oakdale City Council Opposing AB 199 (Chu).**

City Manager Whitemyer noted John Beckman Executive Director representing the Building Industry Association is in the audience this evening. Staff is recommending the City Council adopt the resolution to oppose AB 199 (Chu).

To adopt City of Oakdale City Council Resolution 2017-035, a Resolution of the City of Oakdale City Council opposing AB 199.

Moved by Mayor Pro Tem Dunlop seconded by Council Member Bairos and PASSED AND ADOPTED this 3<sup>rd</sup> day of April 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.

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

City Manager Whitemyer stated staff is prepared to provide a Marijuana educational session on April 10.

City Attorney Goldstein advised Legislative Advocate and Attorney Josiah Young with Churchwell White (City Attorney's office) will be present at the public meeting to facilitate open dialog related to the complexities of the new Prop 64 legislation.

**CITY COUNCIL CONSENSUS**

The City Council unanimously agreed to hold a special meeting at 5:00 p.m. on Monday, April 10 in the Large Conference Room at the Gene Bianchi Community Center for the purpose of receiving an overview of the Medical and Recreational Marijuana Act Post Proposition 64.

**14. CITY COUNCIL ITEMS:**

Mayor Paul advised 2017-2018 Civil Grand Jury Selection Process began in March 2017 and applications are being accepted now through April 14, 2017. The Civil Grand Jury investigates complaints from citizens, civic groups, government employees and others about the operations of County and City governments and special districts and school districts and the conduct of their officers and employees.



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In response to questions raised by Council Member Murdoch related to pot holes, Public Services Director Gravel assured the City Council City staff continues to fill potholes on a daily basis. City Manager Whitemyer asked the public if they see potholes to please contact the City by calling the Public Services Department at 209-845-3600 with specific locations of areas to be filled.

**15. ADJOURNMENT:**

There being no further business, Mayor Paul adjourned the meeting at 8:05 p.m.

ATTEST:

/s/Kathy Teixeira  
Kathy Teixeira, CMC  
City Clerk

APPROVED:

/s/Pat Paul  
Pat Paul  
Mayor