



**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**

Monday, June 17, 2019

7:00 PM

City Council Chambers

1. CALL TO ORDER:

Mayor McCarty called the meeting to order at 7:01 p.m.

2. COUNCIL/AGENCY MEMBERS PRESENT/ABSENT:

Present: Mayor McCarty
Council Member Bairos
Council Member Chiara
Council Member Murdoch
Council Member Smith

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Finance Director Avila
Public Services Director Gravel
Police Chief Heller
City Clerk Roberts
Sr. Building Inspector Odom

Absent: NONE

3. PLEDGE OF ALLEGIANCE:

Mayor McCarty led the pledge of allegiance.

4. INVOCATION:

Rabbi Shalom Bochner from the Congregation Beth Shalom provided the invocation.

5. PRESENTATIONS/ACKNOWLEDGEMENTS

None Scheduled.

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.



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7. PUBLIC COMMENTS

Josh Whitfield: District Representative for Heath Flora. Legislative update on various topics: Policing; Healthcare; Veterans. AB 8550 passed the Assembly with hearing scheduled Tuesday June 18th. Local governments sent a non-binding resolution to the Governor's office. Assemblyman Flora's office is working w/CalTrans on various issues including the request for a traffic signal at Stearns, which is complicated as it involves multiple jurisdictions. At this time, CalTrans is more open to lowering speed limits and installing permanent yellow lights than the requested traffic signal.

Karina Mendoza: Oakdale library update. Summer reading program began for both children & adults. Four (4) bikes were donated for 0-18 year olds and gift cards for adults. Teen/tween program and parties and events are scheduled. Kudos for the manners of Oakdale youth. The library is a cooling center, and water has been donated by this generous community. The library has a presence at Farmers Market. The library charging station is used often by both residents & tourists. The fencing of Meyers Park is moving forward, with funds set aside.

Bill Johnson: American Veterans Advisory Commission. Extended an invitation to Council and all interested parties to their next meeting in these Chambers on Monday, June 24 at 5:30 pm. Mr. Johnson requested Council support for AB550 – a veterans' bill making it easier for veterans to get into care homes.

Katie Jaycox: District Representative for Josh Harder. Their office is focusing on obtaining federal grants and bringing money back to Stanislaus County. Grant program assistant is Brea Gonzales, who can help if the City is seeking or applying for grants or in any case work needing federal assistance.

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

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.4 for June 17, 2019 as follows:

- 9.1: Approve the City Council and Oakdale Fire Protection District Special Meeting Minutes of May 29, 2019 and the City Council Regular Meeting Minutes of June 3, 2019.
- 9.2: Receive and File the Warrant List for the Period of May 24, 2019 to June 7, 2019.



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9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.

9.4: Rejection by Minute Order, Claim for Damages submitted by Debra Harper.

Moved by Council Member Bairos and seconded by Council Member Chiara and PASSED AND ADOPTED this 17th day of June 2019, by the following vote:

AYES:	COUNCIL MEMBERS: Bairos, Chiara, Murdoch, Smith and McCarty	(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: Introduce and Waive the First Reading of an Ordinance Amending Article IV of Chapter 4. Animals and Fowl, of the Oakdale Municipal Code relating to Feral Cats.

Chief Heller presented the proposed ordinance, stating that this offers efficient and humane options to manage feral cats: one cannot feed a feral cat without agreeing to the responsibility of community-based partnering.

There has been an increase in feral cat complaints. This ordinance is program-based, requiring those who desire to feed feral cats to register in the program. This has the cooperation w/veterinarians and creates partnerships with animal entities.

There will be an attempt to leverage existing grants to subsidize costs of spay/neutering. "Tipping ears" is a visual indication that the animal has been spay/neutered.

Public Comment opened at 7:29 p.m.

Brewster Burns spoke in favor of the ordinance stating that this is a very urgent problem. He suggested that the term "stray" be used instead of "feral".

Kathleen Westenberg spoke in favor of the ordinance stating that she experiences variety of problems regarding cats in her neighborhood. She suggested that ordinance information be included in water bill and advertised in the locale paper. She is in favor of not feeding stray cats at all.

Public Comment closed at 7:37 p.m.

Council Member Murdoch asked that feeding cats on others property w/o owner's written permission be identified as illegal. Feeding by river should also not be permitted as it brings raccoons and other animals close to town where they are not wanted. He also



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wanted consequences delineated regarding dropping off cats at other property locations. He expressed concern about the need to hold people accountable.

Chief Heller assured the Council that those behaviors are already not allowed. There are trespassing regulations. These concerns are also addressed in the program application. This ordinance focuses on program rather than punishment as a step to move forward in encouraging responsible behavior.

City Attorney Hallinan confirmed that there are already violations listed in the code and that the infractions may result in a misdemeanor or administrative citation/fine.

Mayor McCarty asked that the written permission sanction be noted in the ordinance.

Council Member Smith asked that the fine(s) be listed in the ordinance.

City Manager Whitemyer assured the Council that citations/remedies already existed in administrative municipal code. The current focus is to redirect those whose compassion towards cats is inadvertently creating and/or adding to the problem.

Council Member Chiara cautioned that compliance be encouraged, not deterred.

Chief Heller assured the Council that multiple meetings have occurred with other entities and the participants vetted this ordinance and moved it forward to this point. The requirement of attaining written permission of the property owner was universally agreed upon.

Council Member Murdoch reiterated the need to provide enforcement information simultaneously when program information is introduced, including language for property owner's permission and listing the penalty for abandonment/dropping-off of cats, such as:

It shall be unlawful to feed or care for a cat on property where that person does not reside without the property owner's written permission. Abandoning/dropping off cats is punishable as a misdemeanor and/or administrative citation.

MOTION

To Introduce and Waive the First Reading of an Ordinance Amending Article IV of Chapter 4. Animals and Fowl, of the Oakdale Municipal Code relating to Feral Cats.

Moved by Council Member Murdoch and seconded by Council Member Smith and PASSED AND ADOPTED this 17th day of June 2019, by the following vote:

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



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

11. STAFF REPORTS

11.1: Consider the Adoption of the Preliminary Fiscal Year (FY) 2019-2020 Annual Budget.

City Manager Bryan Whitemyer presented the staff report and PowerPoint presentation of the preliminary annual budget for FY 2019-2020 which contains over 80 separate fund accounts, most of which have designated rules for expenditures by law. The largest of these are the Water, Sewer and General Funds. The General Fund contains the discretionary funds for which Council determines expenditures. The projected ending balance for FY 2018-19 is approximately 40% of the \$11,313,548 General Fund expenditures for FY 2018-2019. FY 2019-20 budgeted expenditures include maintaining police services to allow proactive policing, enhancing fire services (3 firefighters at Willowood Station) and the addition of two (2) additional fulltime streets maintenance workers focused on crack-sealing to maintain and preserve City streets.

The projected Revenues and Transfers-In for FY 2019-2020 are \$12,963,163 and the projected Expenditures and Transfers-Out for FY 2019-2020 are \$12,958,600.

In Measure Y revenues, 93% are expended for public safety services. The City will have three (3) Firefighters on each engine in the next fiscal year. An extension of this measure will be on ballot in November as Measure H.

Significant Capital Improvement projects are now under construction or will be in the near future.

To various questions from Council, City Whitemyer answered:

If Measure H fails in November, the City will receive only $\frac{3}{4}$ the projected revenues from that Measure, impacting the budget. At the mid-year budget review (February), Staff would recommend budget changes for Council approval.

Sewer fees are re-evaluated and adjusted when necessary approximately every five (5) years. Various strategies were discussed to increase equitability of the current fee structure.

Revenue Fund 110-211-31169 (Parking) is collected from downtown businesses and used to pay for street lights, parking maintenance, etc. in the central business district. Per Finance Director Avila, because this is structured as a "tax", the property owners would need to vote to increase the amount collected.

The \$30,000 difference in fines is a result of the State taking a higher percentage of fines and fees.



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Land Use Revenue varies from year to year as it is generated from a land lease where the revenue is 20% of the walnut crop.

PUBLIC COMMENT: none

MOTION

To Adopt Resolution 2019-052, a Resolution of the City Council of the City of Oakdale Adopting the Fiscal Year (FY) 2019-2020 Preliminary Annual Budget.

Moved by Council Member Smith and seconded by Council Member Chiara and PASSED AND ADOPTED this 17th day of June, by the following vote:

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

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

12. CITY MANAGER’S REPORT

City Manager Whitemyer presented the Department Reports for June 2019. He announced that the City of Modesto approved Fire Services Agreement with City of Oakdale and Oakdale Fire Protection District. The contract for services begins July 1st.

13. CITY COUNCIL ITEMS

At the request of Mayor McCarty, Council Member Bairos read a letter from PG&E cautioning citizens to be prepared for power outages during public safety power shut-offs. The Mayor urged all residents to be prepared: “We want to be sure our citizens are safe and cared for.”

Council Member Bairos invited everyone to the First 4th of July Parade & Event, June 29th at 6 pm. Parade starts at Oak and Poplar with a left turn on 2nd Avenue to B Street. Festivities follow in Dorada Park from 7 – 10 pm, including food vendors and live music.

Council Member Smith thanked fellow Council Members for welcoming and helping him these first 6 months of serving on the City Council. He announced Coffee with a Cop on Thursday at Moss Rose 7:30 AM. He asked whether or not there is space in Oakdale for a 30,000 sq. ft. cannabis grow and if it is possible to reach out to this business.

14. ADJOURNMENT

There being no further business, Mayor McCarty adjourned the meeting at 8:40 p.m.



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ATTEST:

APPROVED:

/s/ Rouze Roberts

/s/ J.R. McCarty

Rouzé Roberts, City Clerk

JR McCarty, Mayor