



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

City Council Chambers
277 North Second Avenue
Oakdale, California

Monday, November 7, 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
Interim Public Services Manager Black
Fire Chief Daly
Interim Public Services Director Gravel
Police Chief Heller
Interim Public Services Manager Odom
Fire Marshal Spears
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 Kent Roberts, The River Christian Community.

5. PRESENTATIONS/ACKNOWLEDGEMENTS:

5.1: Introduction and Badge Pinning Ceremony of Oakdale Police Department's Newest Police Officer Antonio Magaña.

Oath of Office Administered by City Clerk Teixeira

Police Chief Heller introduced newly hired Police Officer Antonio Magaña.

City Clerk Teixeira administered the Oath of Office which was followed by Police Officer Magaña's badge pinning by Katie Magaña.

5.2: The Transportation Development Act and the Unmet Transit Needs Process.

A Presentation by the Stanislaus Council of Governments.

Stephen Hanamaikai representing StanCOG provided a PowerPoint presentation on The Transportation Development Act and the Unmet Transit Needs Process.



**City Council
Regular Meeting Minutes**

**Monday, November 7, 2016
Next City Council Resolution: 2016-130**

**City Council Chambers
Next Ordinance: 1243**

Mr. Hanamaikai advised a Public Hearing will be held in Oakdale at the Gene Bianchi Community Center on Thursday, November 10, 2016 from 6:00 to 7:00 p.m.

6. ADDITIONS/DELETIONS:

No items were added or deleted.

7. PUBLIC COMMENT:

Dave Perez stated his concerns related to unsafe driving by high school students. He asked the City Council for recommendations to improve safety.

Mayor Paul thanked Mr. Perez for bringing the matter to the City Council's attention. Mayor Paul noted that the City Council could not discuss the matter this evening but referred the matter to Police Chief Heller for review.

Police Chief Heller advised a multi-agency traffic enforcement operation is scheduled for Wednesday, November 9.

Alice Garcia requested "Not a Truck Route" signs be installed on Maag Avenue and on A Street, coming off of Sierra Avenue.

Kathleen Westenberg stated she would like to clarify comments she made at the last meeting related to Measure O. Ms. Westenberg read a prepared statement.

"My comments were not intended to accuse the City of mismanaging Measure O funds. All Measure O monies have been used according to the Measure's intent. My frustration lies with the fact that Measure O does not and will not solve the financial woes of the City budget. The City faces a dam with a major leak and applying a band aid is not going to fix the problem. What is next, higher taxes and more debt? My position stands, spending in Sacramento is out of control and there is millions and billions around, leaving hard working families and future generations to pay the debt they have created. The Mayor has championed, using the voter box, as one solution but we all know that voter fraud and culture who votes with entitlement, subsidy and welfare mentality and a state legislature which supports it only produces more dependency and debt. Now there is Measure L on tomorrow's ballot that voters are asked to pass, this is Oakdale's solution to help fund another piece of the pie of the Oakdale City budget. Oakdale is projected to receive 3.8% of the funds over 25 years. How much has Oakdale contributed to StanCOG for promoting Measure L and whether or not the third time around is the magic number for the measure to pass. My position is this, that it is time for StanCOG and the rest of the hurting counties who are fighting, jockeying, scraping, pleading for funds from the State to stand up on behalf of the people they represent to fight for and hold Sacramento accountable for mismanagement of the people's money."

Mayor Paul thanked Ms. Westenberg for her comments and requested Ms. Westenberg mail her letter to the State legislators.

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.



City Council
Regular Meeting Minutes

Monday, November 7, 2016
Next City Council Resolution: 2016-130

City Council Chambers
Next Ordinance: 1243

MOTION

To approve the City of Oakdale City Council Consent Agenda for November 7, 2016, as presented:

- 9.1: Approve the Regular City Council Meeting Minutes of October 17, 2016.
- 9.2: Receive and File the Warrant List for the period of October 9, 2016 to October 31, 2016.
- 9.3: Waive Readings of Ordinances/Resolutions except by Title.
- 9.4: By Minute Order Reject Claim for Damages Submitted by Anthony John Ayala, Sr.
- 9.5: Adopt Resolution 2016-130, a Resolution of the City Council of the City of Oakdale Authorizing Changes to the Police Officer I, Police Officer II, Sergeant and Lieutenant Job Descriptions.
- 9.6: Adopt Resolution 2016-131, a Resolution of the City Council of the City of Oakdale Declaring Property Surplus and Authorizing Staff to Dispose of Surplus Property by Public Auction, Sale or other Method.

Moved by Mayor Pro Tem Dunlop, seconded by Council Member Bairos and PASSED AND ADOPTED this 7th day of November 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. PUBLIC HEARINGS:

- 10.1: Consider Introducing and Waiving the First Reading of Ordinance 1243, an Ordinance of the City of Oakdale, California Adopting the 2016 California Building Code, 2016 California Residential Code, 2016 California Plumbing Code, 2016 California Mechanical Code, and the 2016 California Electrical Code Together with Certain Amendments to these California Codes Deemed Necessary to Serve the Public Interest by Reducing the Risk to Life and Property of the Citizens of Oakdale because of Unique Local Conditions. *Notice of Public Hearing published in the Oakdale Leader October 19, 2016 and October 26, 2016.*

Interim Public Services Manager Odom presented the staff report recommending the City Council introduce and waive the first reading of an Ordinance adopting the 2016 California Building Code, 2016 California Residential Code, 2016 California Plumbing Code, 2016 California Mechanical Code, and the 2016 California Electrical Code together with certain amendments to these California Codes deemed necessary to serve the public interest by reducing the risk to life and property of the citizens of Oakdale because of unique local conditions.

Mayor Paul opened the public hearing to public testimony at 7:21 p.m.

There being no public testimony, Mayor Paul closed the public hearing at 7:22 p.m.



**City Council
Regular Meeting Minutes**

**Monday, November 7, 2016
Next City Council Resolution: 2016-130**

**City Council Chambers
Next Ordinance: 1243**

MOTION

To Introduce and Waive the First Reading of Ordinance 1243, an Ordinance of the City of Oakdale, California Adopting the 2016 California Building Code, 2016 California Residential Code, 2016 California Plumbing Code, 2016 California Mechanical Code, and the 2016 California Electrical Code Together with Certain Amendments to these California Codes Deemed Necessary to Serve the Public Interest by Reducing the Risk to Life and Property of the Citizens of Oakdale because of Unique Local Conditions.

Moved by Mayor Pro Tem Dunlop, seconded by Council Member McCarty and PASSED AND ADOPTED this 7th day of November 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 Introducing and Waiving the First Reading of Ordinance 1244, An Ordinance of the City of Oakdale, California, Adopting the 2016 California Fire Code, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion Hazards Arising from the Storage, Handling and Use of Hazardous Substances, Materials and Devices, and from Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of Oakdale; Providing for the Issuance of Permits and Collection of Fees Therefore; Repealing Ordinance No. 1220 of the City Of Oakdale and All Other Ordinances and Parts of the Ordinances in Conflict Therewith. *Notice of Public Hearing published in the Oakdale Leader October 19, 2016 and October 26, 2016.*

Interim Public Services Manager Odom presented the staff report recommending the City Council introduce and waive the first reading of an Ordinance adopting the 2016 California Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Oakdale; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 1220 of the City of Oakdale and all other ordinances and parts of the ordinances in conflict therewith.

Mayor Paul opened the public hearing to public testimony at 7:25 p.m.

There being no public testimony, Mayor Paul closed the public hearing at 7:53 p.m.

MOTION

To Introduce and Waive the First Reading of 1244, An Ordinance of the City of Oakdale, California, Adopting the 2016 California Fire Code, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion Hazards Arising from the Storage, Handling and Use of Hazardous Substances, Materials and Devices, and from Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of Oakdale; Providing for the Issuance of Permits and Collection of Fees Therefore; Repealing Ordinance No. 1220 of the City Of Oakdale and All Other Ordinances and Parts of the Ordinances in Conflict Therewith.



**City Council
Regular Meeting Minutes**

**Monday, November 7, 2016
Next City Council Resolution: 2016-130**

**City Council Chambers
Next Ordinance: 1243**

Moved by Council Member Bairos seconded by Council Member McCarty and PASSED AND ADOPTED this 7th day of November 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 accepting by Minute Order the Treasurer's Report for September 2016.

Finance Director Avila presented the staff recommending the City Council accept by Minute Order the Treasurer's Report for September 2016.

The City Council discussed with staff the Treasurer's Report.

MOTION

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

Moved by Council Member McCarty and seconded by Council Member Murdoch and PASSED AND ADOPTED this 7th day of November 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 a Resolution of the City of Oakdale City Council Authorizing the Replacement of the Council Chambers Video and Broadcasting Production Equipment.

Finance Director Avila presented the staff report recommending the City Council authorize the replacement of the City Council Chambers Video and Broadcasting Production Equipment to professional video and sound.

Staff and the City Council discussed the project, specific to equipment and warranty.

MOTION

To adopt Resolution 2016-132, a Resolution of the City of Oakdale City Council Authorizing the Replacement of the Council Chambers Video and Broadcasting Production Equipment.

Moved by Council Member Murdoch seconded by Mayor Pro Tem Dunlop and PASSED AND ADOPTED this 7th day of November 2016, by the following vote:



City Council
Regular Meeting Minutes

Monday, November 7, 2016
Next City Council Resolution: 2016-130

City Council Chambers
Next Ordinance: 1243

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 Declaring Intent to Annex Territory to the City of Oakdale Community Facilities District No. 2007-1 (Public Safety Services) and to Authorize the Levy of Special Taxes Therein (Annexation No. 8).

A PowerPoint of the map illustrating proposed Annexation Area 8 was provided.

Finance Director Avila presented the staff report recommending the City Council declaring intent to annex territory to the City of Oakdale Community Facilities District No. 2007-1 (Public Safety Services) and to authorize the levy of special taxes therein (Annexation No. 8).

MOTION

To adopt Resolution 2016-133, a Resolution of the City of Oakdale City Council Declaring Intent to Annex Territory to the City of Oakdale Community Facilities District No. 2007-1 (Public Safety Services) and to Authorize the Levy of Special Taxes Therein (Annexation No. 8).

Moved by Council Member Murdoch seconded by Mayor Pro Tem Dunlop and PASSED AND ADOPTED this 7th day of November 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.

- 11.4: Consider a Resolution of the City of Oakdale City Council Declaring Intent to Annex Territory to the City of Oakdale Community Facilities District No. 2007-1 (Public Safety Services) and to Authorize the Levy of Special Taxes Therein (Annexation No. 9).

A PowerPoint of the map illustrating proposed Annexation Area 9 was provided.

Finance Director Avila presented the staff report recommending the City Council declaring intent to annex territory to the City of Oakdale Community Facilities District No. 2007-1 (Public Safety Services) and to authorize the levy of special taxes therein (Annexation No. 9).

Kathleen Westenberg asked if annexation of the area would require the City to provide additional services, Finance Director Avila responded no, funding is allocated for department funding towards equipment, not additional staffing.



**City Council
Regular Meeting Minutes**

**Monday, November 7, 2016
Next City Council Resolution: 2016-130**

**City Council Chambers
Next Ordinance: 1243**

City Manager Whitemyer reminded those in attendance, property tax revenue by itself does not create enough funding for services; the assessment will help fund the departments.

MOTION

To adopt Resolution 2016-134, a Resolution of the City of Oakdale City Council Declaring Intent to Annex Territory to the City of Oakdale Community Facilities District No. 2007-1 (Public Safety Services) and to Authorize the Levy of Special Taxes Therein (Annexation No. 9).

Moved by Council Member Murdoch seconded by Council Member McCarty and PASSED AND ADOPTED this 7th day of November 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.

12. CITY MANAGER'S REPORT:

City Manager Whitemyer welcomed Police Chief Heller and recognized Interim Public Services Managers' Dave Black and Brian Odom.

13. CITY COUNCIL ITEMS:

Council Member Bairos advised this month's Chamber of Commerce Mixer will be hosted by and held at Basi Insurance this Thursday, November 10, from 5:00 to 7:00 p.m.

Council Member McCarty reminded everyone to vote.

14. ADJOURNMENT:

There being no further business, Mayor Paul adjourned the meeting at 8:13 p.m.

ATTEST:

APPROVED:

/s/Kathy Teixeira
Kathy Teixeira, CMC
City Clerk

/s/Pat Paul
Pat Paul
Mayor