



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

City Council Chambers
277 North Second Avenue
Oakdale, California

Monday, June 19, 2017

7:00 PM

City Council Chambers

1. CALL TO ORDER:

Mayor Pro Tem Dunlop called the meeting to order at 7:00 p.m.

2. CITY COUNCIL MEMBERS PRESENT/ABSENT:

Present: Mayor Pro Tem Dunlop
Council Member Bairos
Council Member McCarty
Council Member Murdoch

Excused: Mayor Paul

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Finance Director Avila
Police Lieutenant Carrillo
Police Chief Heller
City Clerk Teixeira

3. PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Dunlop led the Pledge of Allegiance.

4. INVOCATION:

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

5. PRESENTATIONS/ACKNOWLEDGEMENTS:

None scheduled.

6. ADDITIONS/DELETIONS:

No additions or deletions occurred at this time.

7. PUBLIC COMMENT:

No public comment received.

8. APPOINTMENT TO BOARDS AND COMMISSIONS:

None scheduled.



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9. CITY COUNCIL CONSENT AGENDA:

Mayor Pro Tem Dunlop asked whether there were any questions on any matter listed on the Consent Agenda. Council Member Bairos responded she had a question related to Agenda Item 9.6: City Co-Sponsorship of Oakdale Chamber of Commerce Concert in the Park Series.

Council Member Bairos advised with regard to City Co-Sponsorship of Oakdale Chamber of Commerce Concert in the Park Series she had been approached by local businesses asking if the City Council would look into allowing a booth for the sale of alcohol during the event. City Manager Whitemyer responded this is a Chamber event and the Chamber should be approached with accessory ideas to coincide with the Concerts in the Park. Police Chief Heller explained the process for obtaining a daily alcohol permit.

MOTION

To approve the City of Oakdale City Council Consent Agenda for June 19, 2017 comprised of Items 9.1 through 9.8 as submitted.

- 9.1: Approve the Special City Council Meeting Minutes of June 1, 2017.
- 9.2: Approve the Regular City Council Meeting Minutes of June 5, 2017.
- 9.3: Receive and File the Warrant List for the period of May 30, 2017 to June 13, 2017.
- 9.4: Waive Readings of Ordinances/Resolutions except by Title.
- 9.5: Second Reading of Ordinance 1248, an Ordinance of the City of Oakdale, California Approving Rezone 2016-12: Rezone from Residential Agriculture (R-A) to Planned Development 2016-12 (PD 16-12) to allow a Small Lot Single-Family Housing Development Property located at 1188 River Avenue, Assessor Parcel Number 063-002-004.
- 9.6: Approve by Minute Order City Co-Sponsorship of Oakdale Chamber of Commerce Concert in the Park Series.
- 9.7: By Minute Order Reject Claim for Damages Submitted by Kevin Lund.
- 9.8: Adopt Resolution 2017-061, a Resolution of the City Council of the City of Oakdale Authorizing the City Manager to Execute a Subdivision Improvement Agreement (SIA) for the Belmont at Bridle Ridge Phase 5 Subdivision Landscape Strip Improvements and Authorizing the City Clerk to File the SIA with the Stanislaus County Clerk Recorder's Office.

Moved by Council Member McCarty seconded by Council Member Murdoch and PASSED this 19th day of June 2017 by the following vote:



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

Motion carried 4/0 by City Council roll call vote.

10. PUBLIC HEARINGS:

10.1: Consider Introducing Ordinance 1249, an Ordinance of the City of Oakdale, California Amending the Oakdale City Code, Chapter 14 Health and Sanitation, by adding Article IV, Disposal of Pharmaceutical Controlled Substances.

Mayor Pro Tem Dunlop declared the hearing open at 7:07 p.m.

Lieutenant Carrillo introduced Jennifer Marsh representing Stanislaus County's Behavioral Health and Recovery Services Prevention Services.

A PowerPoint Presentation on the Pharmaceutical Controlled Substances Disposal Program was provided by Ms. Marsh.

Lieutenant Carrillo presented the staff report recommending the City Council introduce the Ordinance amending the Oakdale City Code, Chapter 14 Health and Sanitation, by adding Article IV, Disposal of Pharmaceutical Controlled Substances as recommended by staff.

There being no one wishing to speak on the item, Mayor Pro Tem Dunlop closed the public hearing at 7:20 p.m.

MOTION

Introduce Ordinance 1249 Amending the Oakdale City Code, Chapter 14 Health and Sanitation, by adding Article IV, Disposal of Pharmaceutical Controlled Substances.

Moved by Council Member Murdoch, seconded by Council Member McCarty and PASSED AND ADOPTED this 19th day of June 2017 by the following vote:

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

Motion carried 4/0 by City Council roll call vote.



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11. STAFF REPORTS:

- 11.1: Consider Resolutions of the City of Oakdale City Council Initiating Landscape and Lighting Maintenance District Assessments for the City of Oakdale Landscape and Lighting Maintenance Districts (Burchell Hill, Bridle Ridge, and The Vineyard) for Fiscal Year 2017/2018.

Council Member Bairos declared a conflict of interest due to the proximity of her residence to one of the landscape and lighting maintenance districts for discussion. Council Member Bairos left the dais and meeting room.

Finance Director Avila presented the staff report advising the actions being recommended at this time are the first steps necessary in order to proceed to public hearing on July 17, 2017, for the Landscape and Lighting Maintenance Districts (Burchell Hill, Bridle Ridge, and The Vineyard) for Fiscal Year 2017/2018.

City Manager Whitemyer advised that City Staff will be holding a public meeting will be held on July 6 at 6:30 p.m. at the Gene Bianchi Community Center to provide an overview of the 2017-2018 assessments and respond to related questions for each of the districts for affected property owners.

Council Member McCarty questioned the increase to the Burchell Hill Lighting and Landscaping Maintenance District assessment. Finance Director Avila responded although the district is now in the black there have been many years of deferred maintenance which will need to be taken care of.

Mayor Pro Tem Dunlop asked for those wishing to provide public comment. No public comment was received.

MOTION

- (1) Adopt Resolution 2017-062, a Resolution of the City Council of the City of Oakdale Initiating Proceedings for Levy and Collection of Assessments and Ordering the Preparation of the Annual Engineer's Reports for the City of Oakdale Landscape and Lighting Maintenance Districts (Burchell Hill, Bridle Ridge, and The Vineyard) for Fiscal Year 2017/2018.
- (2) Adopt Resolution 2017-063, a Resolution of the City Council of the City of Oakdale Providing Preliminary Approval of the Annual Engineer's Report Regarding the Proposed Levy and Collection of Assessments for Burchell Hill Landscape and Lighting and Maintenance District for Fiscal Year 2017/2018.
- (3) Adopt Resolution 2017-064, a Resolution of the City Council of the City of Oakdale Providing Preliminary Approval of the Annual Engineer's Report Regarding the Proposed Levy and Collection of Assessments for Bridle Ridge Landscape and Lighting and Maintenance District for Fiscal Year 2017/2018.



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- (4) Adopt Resolution 2017-065, a Resolution of the City Council of the City of Oakdale Providing Preliminary Approval of the Annual Engineer’s Report Regarding the Proposed Levy and Collection of Assessments for Vineyard Landscape and Lighting and Maintenance District for Fiscal Year 2017/2018.

- (5) Adopt Resolution 2017-066, a Resolution of the City Council of the City of Oakdale Declaring its Intention for the Levy and Collection of Annual Assessments for the City of Oakdale Landscape and Lighting Maintenance Districts (Burchell Hill, Bridle Ridge, and The Vineyard) for Fiscal Year 2017/2018.

Moved by Council Member Murdoch seconded by Council Member McCarty and PASSED AND ADOPTED this 19th day of June 2017 by the following vote:

| | | | |
|------------|------------------|-----------------------------|-----|
| AYES: | COUNCIL MEMBERS: | McCarty, Murdoch and Dunlop | (3) |
| NOES: | COUNCIL MEMBERS: | None | (0) |
| ABSENT: | COUNCIL MEMBERS: | Paul | (1) |
| ABSTAINED: | COUNCIL MEMBERS: | Bairos | (1) |

Motion carried 3/1 by City Council roll call vote.

Council Member Bairos reentered the meeting room and took her seat at the dais

- 11.2: Consider Resolutions of the City of Oakdale City Council Initiating Landscape and Lighting Maintenance District Assessment for Lighting and Landscaping Maintenance District No. 03-1, Zone 1 (Live Oak) and Zone 3 (Sunset Meadows) for Fiscal Year 2017/2018.

Finance Director Avila presented the staff report advising the actions being recommended at this time are the first steps necessary in order to proceed to public hearing on July 17, 2017, for the assessments on the Landscape and Lighting Maintenance District No. 03-1, Zone 1 (Live Oak) and Zone 3 (Sunset Meadows) for Fiscal Year 2017/2018.

Mayor Pro Tem Dunlop asked for those wishing to provide public comment.

Public Comment

Kathleen Westenberg – Question related to tree and sidewalk maintenance liability.

MOTION

- (1) Adopt Resolution 2017-067, a Resolution of the City Council of the City of Oakdale Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of an Annual Engineer’s Report for the City of Oakdale’s Landscape and Lighting Maintenance District No. 03-1, Zone 1 (Live Oak) for Fiscal Year 2017/2018.



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- (2) Adopt Resolution 2017-068, a Resolution of the City Council of the City of Oakdale Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of an Annual Engineer's Report for the City of Oakdale's Landscape and Lighting Maintenance District No. 03-01, Zone 3 (Sunset Meadows) for Fiscal Year 2017/2018.
- (3) Adopt Resolution 2017-069, a Resolution of the City Council of the City of Oakdale Providing Preliminary Approval of the Annual Engineer's Report Regarding the Proposed Levy and Collection of Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 1 (Live Oak) for Fiscal Year 2017/2018.
- (4) Adopt Resolution 2017-070, a Resolution of the City Council of the City of Oakdale Providing Preliminary Approval of the Annual Engineer's Report Regarding the Proposed Levy and Collection of Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 3 (Sunset Meadows) for Fiscal Year 2017/2018.
- (5) Adopt Resolution 2017-071, a Resolution of the City Council of the City of Oakdale Declaring its Intention for the Levy and Collection of Annual Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 1 (Live Oak) for Fiscal Year 2017/2018.
- (6) Adopt Resolution 2017-072, a Resolution of the City Council of the City of Oakdale Declaring its Intention for the Levy and Collection of Annual Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 3 (Sunset Meadows) for Fiscal Year 2017/2018.

Moved by Council Member Murdoch seconded by Council Member Bairos and PASSED AND ADOPTED this 19th day of June 2017 by the following vote:

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

Motion carried 4/0 by City Council roll call vote.

- 11.3: Consider Initiating Landscape and Lighting Maintenance District Assessment for Landscaping and Lighting Maintenance District No. 03-1, Zone 2 (Reinman Court) for Fiscal Year 2017/2018.

Finance Director Avila presented the staff report advising the actions being recommended at this time are the first steps necessary in order to proceed to public hearing on July 19, 2017, for Landscape and Lighting Maintenance District No. 03-1, Zone 2 (Reinman Court) for Fiscal Year 2017/2018.

Mayor Pro Tem Dunlop asked for those wishing to provide public comment. No public comment was received.



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MOTION

- (1) Adopt Resolution 2017-073, a Resolution of the City Council of the City of Oakdale Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of an Annual Engineer's Report for the City of Oakdale's Landscape and Lighting Maintenance District No. 03-1, Zone 2 (Reinman Court) for Fiscal Year 2017/2018.
- (2) Adopt Resolution 2017-074, a Resolution of the City Council of the City of Oakdale Providing Preliminary Approval of the Annual Engineer's Report Regarding the Proposed Levy and Collection of Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 2 (Reinman Court) for Fiscal Year 2017/2018.
- (3) Adopt Resolution 2017-075, a Resolution of the City Council of the City of Oakdale Declaring its Intentions for the Levy and Collection of Annual Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 2 (Reinman Court) for Fiscal Year 2017/2018.

Moved by Council Member Murdoch seconded by Council Member McCarty and PASSED AND ADOPTED this 19th day of June 2017 by the following vote:

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

Motion carried 4/0 by City Council roll call vote.

- 11.4: Consider Resolutions of the City of Oakdale City Council Initiating Landscape and Lighting Maintenance District Assessment for Landscaping and Lighting Maintenance District No. 03-1, Zone 4 (Sterling Hills) for Fiscal Year 2017/2018.

Council Member McCarty declared a conflict of interest due to his residence being within Zone 4, Sterling Hills Lighting and Landscaping Maintenance District. Council Member McCarty left the dais and meeting room.

Finance Director Avila presented the staff report advising the actions being recommended at this time are the first steps necessary in order to proceed to public hearing on July 19, 2017, for Landscape and Lighting Maintenance District No. 03-1, Zone 4 (Sterling Hills) for Fiscal Year 2017/2018.

Mayor Pro Tem Dunlop asked for those wishing to provide public comment. No public comment was received.



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- (1) Adopt Resolution 2017-076, a Resolution of the City Council of the City of Oakdale Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of an Annual Engineer's Report for the City of Oakdale's Landscape and Lighting Maintenance District No. 03-1, Zone 4 (Sterling Hills) for Fiscal Year 2017/2018.
- (2) Adopt Resolution 2017-077, a Resolution of the City Council of the City of Oakdale Providing Preliminary Approval of the Annual Engineer's Report regarding the Proposed Levy and Collection of Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 4 (Sterling Hills) Fiscal Year 2017/2018.
- (3) Adopt Resolution 2017-078, a Resolution of the City Council of the City of Oakdale Declaring its Intention for Initiating Proceedings for Levy and Collection of Assessments for Lighting and Landscaping Maintenance District No. 03-1, Zone 4 (Sterling Hills) for Fiscal Year 2017/2018.

Moved by Council Member Bairos seconded by Council Member Murdoch and PASSED AND ADOPTED this 19th day of June 2017 by the following vote:

| | | | |
|------------|------------------|----------------------------|-----|
| AYES: | COUNCIL MEMBERS: | Bairos, Murdoch and Dunlop | (3) |
| NOES: | COUNCIL MEMBERS: | None | (0) |
| ABSENT: | COUNCIL MEMBERS: | Paul | (1) |
| ABSTAINED: | COUNCIL MEMBERS: | McCarty | (1) |

Motion carried 3/1 by City Council roll call vote.

Council Member McCarty reentered the meeting room and took his seat at the dais

- 11.5: Consider Resolutions of the City of Oakdale City Council Initiating Landscape and Lighting Maintenance District Assessment for Landscaping and Lighting Maintenance District No. 03-1, Zone 5 (Murdoch Estates) for Fiscal Year 2017/2018.

Council Member Murdoch declared a conflict of interest due to his residence being within Zone 5, Murdoch Estates Hills Lighting and Landscaping Maintenance District. Council Member Murdoch left the dais and meeting room.

Finance Director Avila presented the staff report advising the actions being recommended at this time are the first steps necessary in order to proceed to public hearing on August 1, for Landscape and Lighting Maintenance District No. 03-1, Zone 5 (Murdoch Estates) for Fiscal Year 2016/2017.

Mayor Pro Tem Dunlop asked for those wishing to provide public comment. No public comment was received.



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MOTION

- (1) Adopt Resolution 2017-079, a Resolution of the City Council of the City of Oakdale Initiating Proceedings for the Annual Levy and Collection of Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 5 (Murdoch Estates) for Fiscal Year 2017/2018.
- (2) Adopt Resolution 2017-080, a Resolution of the City Council of the City of Oakdale Providing Preliminary Approval of the Annual Engineer’s Report Regarding the Proposed Levy and Collection of Assessments No. 03-1, Zone 5 (Murdoch Estates) for Fiscal Year 2017-2018.
- (3) Adopt Resolution 2017-081 a Resolution of the City Council of the City of Oakdale Declaring its Intention for the Levy and Collection of Annual Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 5 (Murdoch Estates) for Fiscal Year 2017/2018.

Moved by Council Member Bairos seconded by Council Member McCarty and PASSED AND ADOPTED this 19th day of June 2017 by the following vote:

| | | | |
|------------|------------------|----------------------------|-----|
| AYES: | COUNCIL MEMBERS: | Bairos, McCarty and Dunlop | (3) |
| NOES: | COUNCIL MEMBERS: | None | (0) |
| ABSENT: | COUNCIL MEMBERS: | Paul | (1) |
| ABSTAINED: | COUNCIL MEMBERS: | Murdoch | (1) |

Motion carried 3/1 by City Council roll call vote.

Council Member Murdoch reentered the meeting room and took his seat at the dais.

11.6: Consider Accepting by Minute Order the May 2017 Treasurer’s Report.

Finance Director Avila presented the staff recommending the City Council accept by Minute Order the May 2017 Treasurer’s Report.

MOTION

To accept by Minute Order the May 2017 Treasurer’s Report.

Moved by Council Member McCarty, seconded by Council Member Bairos and PASSED this 19th day of June 2017 by the following vote:

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

Motion carried 4/0 by City Council roll call vote.



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- 11.7: Consider a Resolution of the City of Oakdale City Council Authorizing an Agreement with Tyler Technologies for Replacement of Accounting and Utility Billing Software and Authorizing the City Manager to Execute Documents.

Finance Director Avila presented the staff report recommending that the City Council authorize the agreement with Tyler Technologies for the replacement of Accounting and Utility Billing Software and authorize the City Manager to the contract documents.

MOTION

Adopt Resolution 2017-082 a Resolution of the City Council of the City of Oakdale Authorizing an Agreement with Tyler Technologies for Replacement of Accounting and Utility Billing Software and Authorizing the City Manager to Execute Documents.

Moved by Council Member McCarty, seconded by Council Member Bairos and PASSED AND ADOPTED this 19th day of June 2017 by the following vote:

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

Motion carried 4/0 by City Council roll call vote.

- 11.8: Consider a Resolution of the City of Oakdale City Council Accepting the California Department of Alcoholic Beverage Control Grant Assistance Program (GAP) for \$37,735.00 and Authorizing the Chief of Police to Execute the Grant Contract Agreement.

Police Chief Heller presented the staff report recommending the City Council accept the California Department of Alcoholic Beverage Control Grant Assistance Program (GAP) for \$37,735.00 and authorize the execution of the Grant Contract Agreement.

MOTION

Adopt Resolution 2017-083, a Resolution of the City Council of the City of Oakdale Accepting the California Department of Alcoholic Beverage Control Grant Assistance Program (GAP) for \$37,735.00 and Authorizing the Chief of Police to Execute the Grant Contract Agreement.

Moved by Council Member McCarty seconded by Council Member Bairos and PASSED AND ADOPTED this 19th day of June 2017 by the following vote:



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

Motion carried 4/0 by City Council roll call vote.

- 11.9: Consider a Resolution of the City Council of the City of Oakdale Approving Amendment to the Joint Powers Agreement of the Stanislaus Council of Governments.

City Manager Whitemyer presented the staff report recommending that the City Council approve the amendment to the Joint Powers Agreement of the Stanislaus Council of Governments.

MOTION

Adopt Resolution 2017-084, a Resolution of the City Council of the City of Oakdale Approving Amendment to the Joint Powers Agreement of the Stanislaus Council of Governments.

Moved by Council Member McCarty seconded by Council Member Bairos and PASSED AND ADOPTED this 19th day of June 2017 by the following vote:

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

Motion carried 4/0 by City Council roll call vote.

12. CITY MANAGER'S REPORT:

- 12.1: June 2017 Department Reports.

City Manager Whitemyer reminded the City Council that the department reports for June 2016 have been provided in the City Council packet.

City Manager Whitemyer provided an update on the Cannabis Pilot Program Application process advising at the close of the submittal period, 14 proposals had been received.

The City Council discussed the process with City Manager Whitemyer and City Attorney Hallinan.



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13. CITY COUNCIL ITEMS:

City Manager Whitemyer and Finance Director Avila responded to a question raised by Council Member Murdoch related to how the City ensures collection of sales tax revenue. City Manager Whitemyer suggested MuniServices, LLC, contractors for the City providing tax revenue collection audits, provide an overview at a future City Council meeting.

Council Member McCarty advised the Oakdale branch of the Stanislaus County Library will be providing a cooling center for those in need and requested individuals check on their elderly neighbors during high temperatures.

14. ADJOURNMENT:

There being no further business, Mayor Pro Tem Dunlop adjourned the meeting at 8:25 p.m.

ATTEST:

/s/Kathy Teixeira
Kathy Teixeira, CMC
City Clerk

APPROVED:

/s/Tom Dunlop
Tom Dunlop
Mayor Pro Tem