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CITY OF OAKDALE CITY COUNCIL REGULAR MEETING MINUTES

City Council Chambers
277 North Second Avenue
Oakdale, CA 95361

Tuesday, January 21, 2020

7:00 PM

City Council Chambers

1. CALL TO ORDER:

Mayor McCarty called the meeting to order at 7:00 p.m.

2. COUNCIL/AGENCY MEMBERS PRESENT/ABSENT:

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

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Police Chief Heller
Public Works Superintendent Bridgewater
Management Analyst Mondragon
Council Services Manager Christel
Fire Inspector Odom
City Planner and Environmental Consultant Augustine

Absent: None

3. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor McCarty led the pledge of allegiance and Pastor Bill Kenoyer of Redeemer Oakdale provided the invocation.

4. REPORT OUT OF CLOSED SESSION

Mayor McCarty reported out of closed session stating that staff was provided direction.

5. PRESENTATIONS/ACKNOWLEDGEMENTS

5.1: Introduction, Oath of Office, and Promotional Badge Pinning of Oakdale Police Department's Police Sergeant Don Stilwell and New Police Lieutenant Jeff Henderson.

Chief Heller introduced Police Sergeant Don Stilwell and Lieutenant Jeff Henderson and provided brief biographies for each. Council Services and Legislative Records Manager Christel gave the oath of office to both Sgt. Stilwell and Lt. Henderson.



**CITY OF OAKDALE
CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, January 21, 2020**

Next City Council Resolution: 2020-008

Next Ordinance: 1270

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.

7. Public Comments

Public Comment opened at 7:09 p.m.

Nancy Abdallah, resident and representative of residents from the Bel Sera area, questioned the City Council on the progress of the "D" Street expansion. City staff responded to her questions and Mayor McCarty stated that staff would be more than happy to speak with her and the residents of Bel Sera at any time.

Alice Garcia, an Oakdale resident, reminded the City Council that she had submitted a petition to their attention that had a hundred signatures of residents who were opposed to the extension of "D" Street and stated that she felt the people from Bel Sera were receiving preferential treatment and that the City Council was disregarding the will of the people who signed the petition. Mayor McCarty thanked her for

Public Comment closed at 7:12 p.m.

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.

The consent agenda is comprised of Items 9.1 through 9.6. Unless there is discussion by a member of the audience/Council they may be approved in one motion.

9.1: Approve the Regular City Council Meeting Minutes of December 16, 2019.

9.2: Receive and File the Warrant List for the Period of November 23, 2019 through December 13, 2019.

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

9.4: Adopt City Council Resolution 2020-001, A Resolution of the City of Oakdale City Council Accepting the East J Street Slurry Seal Project Improvements and Authorizing the Filing of a Notice of Completion.

9.5: Adopt City Council Resolution 2020-002, A Resolution of the City of Oakdale City Council Accepting the East G Street Slurry Phase 1 Project Improvements and Authorizing the Filing of a Notice of Completion.

9.6: Accept by Minute Order, the December 2019 Treasurer's Report.



**CITY OF OAKDALE
CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, January 21, 2020**

Next City Council Resolution: 2020-008

Next Ordinance: 1270

- 9.7: Adopt City Council Resolution 2020-003, A Resolution of the City of Oakdale City Council Approving the Revisions to the Salary Schedule for Part-Time and Temporary Employees.
- 9.8: Adopt City Council Resolution 2020-004, A Resolution of the City of Oakdale City Council Authorizing the City Manager to Execute All Master Agreements, Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements, and any Amendments thereto with the California Department of Transportation.

Mayor McCarty requested a motion be made for this item.

MOTION

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.8 for January 21, 2020.

Moved by Council Member Murdoch and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of January, 2020, by the following vote:

| | | | |
|------------|------------------|---|-----|
| AYES: | COUNCIL MEMBERS: | Murdoch, Chiara, Smith, Bairos, 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: A Public Hearing to Consider Adoption of Resolution 2020-005, A Resolution of the City Council of the City of Oakdale Certifying the Expanded Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the City of Oakdale Wastewater River Crossing Replacement Project. (*Public Hearing Notice published in the Oakdale Leader January 8, 2020.*)

Mayor McCarty opened the Public Hearing at 7:13 p.m. Public Services Director Gravel provided a staff report and PowerPoint Presentation on the Wastewater River Crossing Replacement Project.

Public Services Director Gravel provided a staff report and PowerPoint Presentation on the Wastewater River Crossing Replacement Project and advised the City Council that consideration for this item was to certify the expanded initial study and mitigated negative declaration with Mitigation Monitoring and Reporting Plan for this project. Director Gravel then provided an overview of the project and provided a video that showed the method of construction for the proposed river crossing. Once the video ended, Director Gravel introduced the City's Planner and Environmental Consultant, Amy Augustine, who provided a summary of the environmental document and what items would be left to do



**CITY OF OAKDALE
CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, January 21, 2020**

Next City Council Resolution: 2020-008

Next Ordinance: 1270

once the environmental document was approved. She stated that the environmental document is primary biological and doing pre-construction surveys prior to the start of the process.

She stated there was one clerical error on the environmental document that she wanted the correction read onto the record which was on the Mitigation Measure Bio 2 that talked about the flight period for the Valley Elderberry Longhorn Beetle. She stated that the flight period time referenced in that section, "March through June", should be deleted. The correct language will read, "To work outside of the flight period of the elderberry beetle."

Mayor McCarty asked if there were any comments, questions, or protests from the audience. There were none.

City Council asked questions to staff to which staff responded.

There being no further questions, Mayor McCarty closed the Public Hearing at 7:36 p.m. and stated that City Council needed to consider a motion to be made.

MOTION

To Adopt City Council Resolution 2020-005, Certifying the Expanded Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the City of Oakdale Wastewater River Crossing Replacement Project.

Moved by Council Member Smith and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of January, 2020, by the following vote:

| | | | |
|------------|------------------|--|-----|
| AYES: | COUNCIL MEMBERS: | Smith, Chiara, Bairos, Murdoch 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.

11. Staff Reports

- 11.1: Continued from December 16, 2019 City Council Meeting, Consider a Resolution Authorizing the City Manager to Enter into an Agreement with RED INC Architects for Consulting and Construction Administration Services throughout the duration of the PD/City Hall Facility Improvement Project for a cost not to exceed \$29,000.00 to be Funded from Facility Maintenance Fund 540 CP1819.

City Manager Whitemyer provided an update on the proposed agreement with RED INC Architects for the PD/City Hall Facility Improvement Project that was previously presented at the December 16, 2019 City Council meeting. He reviewed revisions made



**CITY OF OAKDALE
CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, January 21, 2020**

Next City Council Resolution: 2020-008

Next Ordinance: 1270

to the Scope of Services and the revised Contract Proposal that addressed some of the concerns and questions presented by City Council at the previous meeting. He concluded his presentation by recommending the City Council authorize staff to enter into an Agreement with RED INC Architects for Consulting and Construction Administration Services throughout the duration of the PD/City Hall Facility Improvement Project.

Staff responded to questions presented by City Council.

Public Comment: None.

MOTION

To Adopt Resolution 2020-006, A Resolution authorizing the City Manager to enter into an Agreement with RED INC Architects for consulting and construction administration services throughout the duration of the Police Department/City Hall Facility Improvement Project for a cost not to exceed \$29,000.00 not including reimbursable expenses, to be Funded from Facilities Maintenance Fund 540 CP1819.

Moved by Council Member Smith and seconded by Council Member Bairos and PASSED AND ADOPTED this 21st day of January, 2020, by the following vote:

| | | |
|------------|---|-----|
| AYES: | COUNCIL MEMBERS: Smith, Bairos, Chiara, Murdoch 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.

11.2: Accept by Minute Order, the Fiscal Year 2018/2019 Audited Financial Statements.

Finance Director Avila introduced the City's auditor, Ahmed Badawi.

Mr. Badawi, representing Badawi & Associates, Certified Public Accountants provided handouts (Exhibit A incorporated herein as part of the Minutes) to the City Council and staff.

A PowerPoint Presentation was provided.

Mr. Badawi presented the scope and results of the 2018/2019 Financial Audit. Areas of emphasis included management override of controls, revenues and receivables, and pensions.

The City Council discussed with staff and Mr. Badawi the Audited Financial Statements.

In conclusion, Finance Director Avila recommended that the City Council accept by Minute Order, the Fiscal Year 2018/2019 Audited Financial Statements.



**CITY OF OAKDALE
CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, January 21, 2020**

Next City Council Resolution: 2020-008

Next Ordinance: 1270

City Council asked questions to staff which staff answered.

Council Member Smith thanked City Manager Whitemyer for all the work staff has done on this project but wanted to make sure that the nomenclature included "and do something" whenever the word "review" was used. City Manager Whitemyer agreed that it did.

Public Comment: None.

MOTION

To accept by Minute Order, the Fiscal Year 2018/2019 Audited Financial Statements.

Moved by Council Member Smith and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of January, 2020, by the following vote:

| | | |
|------------|---|-----|
| AYES: | COUNCIL MEMBERS: Smith, Chiara, Bairos, Murdoch 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.

- 11.3: Consider a Resolution Authorizing the City Manager to Enter into an Agreement with API Architects for Preliminary Design Services for the Branding Iron Park and Gymnasium Project.

City Manager Whitemyer provided a staff report and PowerPoint Presentation on the Branding Iron Park and Gymnasium Project. He discussed the project and stated that the City had been collecting funds through its Parks Capital Facility Fee program to build a sports park facility on the City owned property located at the southeast corner of Greger Street and Branding Iron Street which will ultimately include a parking lot, gymnasium and sports fields. He continued, stating that the project is now at a point where architectural design services are needed to develop a conceptual master plan for the entire park site that will include a site plan that depicts the location and layout of the parking lot, gymnasium, sports field and other recreational amenities and that once this is complete, the City can move this project to the next step of developing construction drawings for the project. City Manager Whitemyer concluded his presentation by requesting City Council approve a Resolution authorizing the City Manager to Enter into an Agreement with API Architects for Preliminary Design Services for the Branding Iron Park and Gymnasium Project.

Staff responded to questions asked by the City Council.

Mayor McCarty discussed the "Challenge Playground" which is a playground for children with disabilities and stated that he would like to see one in this area.



**CITY OF OAKDALE
CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, January 21, 2020**

Next City Council Resolution: 2020-008

Next Ordinance: 1270

Public Comment: None

MOTION

To Adopt City of Oakdale City Council Resolution 2020-007, a Resolution of the City Council of the City of Oakdale Authorizing the City Manager to Enter into an Agreement with API Architects for Preliminary Design Services for the Branding Iron Park and Gymnasium Project.

Moved by Council Member Bairos and seconded by Council Member Smith and PASSED AND ADOPTED this 21st day of January, 2020, by the following vote:

| | | |
|------------|---|-----|
| AYES: | COUNCIL MEMBERS: Bairos, Smith, Chiara, Murdoch 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.

12. City Manager's Report

12.1: January 2020 Department Reports.

City Manager Whitemyer advised City Council that the January 2020 Department Reports were included in the agenda packets for their review.

13. City Council Items

Council Member Bairos asked Public Services Director Gravel if there was anything that could be done about removing signs/flags at locations where the businesses were no longer there. Director Gravel stated that his department is currently working on ways to address those sign issues and should have a plan in place within the next 30 days or so.

Council Member Smith stated that he is on the Stanislaus Homeless Alliance and wanted to share that he had met with Representative Josh Harder who introduced a bill, The Homeless Emergency Declaration Act, that will allow governors to request federal emergency declaration to obtain federal support for the homeless situation.

Council Member Smith also announced that every year, the Oakdale High School holds a Sober Grad Night which offers seniors a safe and sober place to celebrate on graduation night. The Sober Grad Night Committee is currently looking for volunteers and seeking donations for this year's upcoming event so if anyone is interested in doing either, please contact the committee.



CITY OF OAKDALE
CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, January 21, 2020

Next City Council Resolution: 2020-008

Next Ordinance: 1270

Mayor McCarty announced that there will be another presentation of Without Permission on Thursday, January 23, 2020 at 6:00 p.m. at the Gene Bianchi Community Center.

Mayor McCarty reminded everyone that the State of the City Event is scheduled for Wednesday, January 29, 2020 at the Community Center. The event begins at noon tickets are still available if anyone is interested.

Lastly, Mayor McCarty announced that at the February 3, 2020 City Council meeting, the City Council will be recognizing the Oakdale High School Marching Band who will also be performing at the meeting.

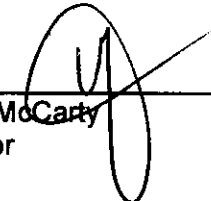
14. Adjournment

There being no further business, Mayor McCarty adjourned the meeting at 8:45 p.m.

ATTEST:


Julie Christel
Council Services and Legislative
Records Manager

APPROVED:


J.R. McCarty
Mayor