



**City of Oakdale  
Regular  
City Council Meeting Minutes**

City Council Chambers  
277 North Second Avenue  
Oakdale, California

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**Monday, August 6, 2018**

**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. COUNCIL MEMBERS PRESENT/ABSENT:**

Present: Mayor Paul  
Council Member Bairos  
Council Member McCarty  
Council Member Murdoch

Staff Present: City Manager Whitemyer  
City Attorney Hallinan  
Finance Director Avila  
Public Works Superintendent Bridgewater  
Police Lieutenant Carrillo  
Public Services Director Gravel  
Police Chief Heller  
Management Analyst Mondragon  
City Clerk Teixeira

**3. PLEDGE OF ALLEGIANCE:**

Mayor Paul led the pledge of allegiance.

**4. INVOCATION:**

Pastor Korey Buchanek, River Oak Grace Community Church provided the Invocation.

**5. PRESENTATIONS/ACKNOWLEDGEMENTS:**

Mayor Paul advised those in attendance she would read a letter from Mayor Pro Tem, Tom Dunlop.

*“Dear Mayor Paul, Oakdale City Council Members and Citizens of Oakdale,*

*Please accept this letter as my resignation as Oakdale City Councilmember effective August 6, 2018.*

*Serving the people of Oakdale in the capacity of City Councilmember and Mayor Pro Tem the last 13 years has been an honor. I have had the pleasure of working alongside many capable, honest and hard-working public servants. We have accomplished much together over the years.*



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*I am saddened to be leaving the City of Oakdale, it will always be home. However, I am looking forward to new challenges and opportunities as my family relocates to the great state of Idaho.*

*I am grateful to those who have taught me, served with me and voted for me over four elected terms. May Oakdale continue to be a thriving community with citizens who love Oakdale and will work to preserve its small town charm, agricultural heritage and amazing volunteer spirit.*

*I remain sincerely,  
Tom Dunlop  
Oakdale City Councilmember"*

Mayor Paul concluded stating it is with sadness that the City Council accepts his resignation.

Mayor Paul continued stating Mayor Pro Tem Dunlop was an amazing volunteer having spirit and commitment. Mayor Pro Tem Dunlop served on LAFCO, StanCOG and many more committees; anything that was asked of him he would step up. He always had a wonderful historical perspective and she appreciated having him on the City Council; he will be dearly missed.

City Manager Whitemyer stated it has truly been a privilege to work with Mayor Pro Tem Tom Dunlop who has served the community as the Mayor mentioned for almost 14 years being first elected in 2004 and being reelected in 2008, 2012 and again in 2016. Mayor Pro Tem Dunlop has helped the City throughout the years in different capacities, helping lead the City through tough financial times, during the great recession and was also instrumental in helping through the economic recovery. He brought a breath of knowledge and experience, helping to shore up the City's finances with a steady hand leading the organization forward. He was also instrumental in the ultimate consolidation of the City's Fire Department with Stanislaus Consolidated Fire Protection District which has helped the citizens of Oakdale save hundreds of thousands of dollars a year while also receiving great fire protection services. He was a staunch supporter of public safety and his contributions to the community are many. He concluded stating personally thanking Mayor Pro Tem Dunlop and his family for allowing him to serve for so many years.

Council Member McCarty stated he would also like to thank Council Member Dunlop. Mayor Pro Tem Dunlop will be missed by the City as he brought a wealth of knowledge to the City Council and he wished the best for Mayor Pro Tem Dunlop and his family.

Council Member Bairos stated the City Council will miss Mayor Pro Tem Dunlop, and she wished him and his family luck in Idaho.

Council Member Murdoch spoke on Mayor Pro Tem Dunlop's dedication prior to and during his tenure on the City Council. He continued stating he is very grateful for the time Mayor Pro Tem Dunlop gave as a Council member and he has been a great friend and a great mentor and he will certainly be missed.



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In response to the question raised by Mayor Paul, City Attorney Hallinan advised legal counsel will come to council members at the next meeting to discuss replacement options, which may include a nomination or appointment process as to avoid the cost of a special election.

**6. ADDITIONS/DELETIONS:**

Mayor Paul asked whether there were any additions or deletions to the City Council agenda. City Manager Whitemyer advised there are none.

**7. PUBLIC COMMENTS:**

Amy Velasco addressed the City Council reminding those in attendance that tomorrow is National Night Out; a great opportunity to get out and meet neighbors. Events will be held at Vista Verano Court, Golden Empire Apartments, School/Olive, and Eric Medlen Park, Cottleswood Park, Burchell Hill Park, as well as the Oakdale Community Park.

Ms. Velasco also advised the first clothing free for all of new or gently used clothing will be held Saturday, August 11 between the hours of 9:00 a.m. to 1:00 p.m. at the Gene Bianchi Community Center with her fellow organizers, Lisa Ballard and Cherilyn Bairos.

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

None scheduled.

**9. CONSENT AGENDA:**

Mayor Paul asked whether there were any questions or requests to remove items from the Consent Agenda. There were no questions or requests to remove items from the Consent Agenda.

**MOTION**

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.9 for August 6, 2018 as follows:

- 9.1: Approve the Regular City Council Meeting Minutes of July 16, 2018.
- 9.2: Receive and File the Warrant List for the period of July 12, 2018 to July 25, 2018.
- 9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.
- 9.4: Accept by Minute Order, the removal of one (1) Oak tree located at 118 Little Johns Creek Drive.
- 9.5: Accept by Minute Order, the April 2018 Treasurer's Reports.



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- 9.6: Second Reading by Title Only and Adoption of Ordinance 1260, a Development Agreement by and between the City of Oakdale and Prem Gen Corp, a California Corporation for a cannabis nursery business proposed to be located at 780 Wakefield Court, Oakdale, California, County of Stanislaus, State of California Assessor's Parcel Number 064-044-062.
- 9.7: Adopt Resolution 2018-129, a Resolution of the City Council of the City of Oakdale Accepting the Poplar Lane Subdivision Public Landscape Improvements and Authorizing the Filing of a Notice of Completion.
- 9.8: Accept by Minute Order, Rejection of Claim for Damages submitted by Ernest DeCoite, Jr.
- 9.9: Adopt Resolution 2018-130, a Resolution of the City Council of the City of Oakdale Authorizing an Edit to the Maintenance Worker II and Senior Maintenance Worker Job Descriptions.

Moved by Council Member McCarty and seconded by Council Member Bairos and PASSED AND ADOPTED this 6<sup>th</sup> day of August 2018, by the following vote:

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

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

**10. PUBLIC HEARINGS:**

- 10.1: Consider the First Reading by Title Only and Introduction of a Proposed Ordinance for the Approval of a Development Agreement by and between the City of Oakdale and Sierra Deluxe Logistics, LLC, a California Limited Liability Company for a Distribution Business proposed to be located at 509 Armstrong Way, Suite A, Oakdale, California, County of Stanislaus, State of California Assessor's Parcel Number 064-039-092.

Environmental Review Status: Pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines relating to existing facilities, the cannabis distribution business consists of the operation of existing facilities, involving no expansion of use beyond that currently in existence. (Public Hearing Notice published in the Oakdale Leader July 4, 2018.)

Public Services Supervisor Gravel advised he had spoken with the applicant who requested that this item be continued to August 20, 2018.

At 7:12 p.m., Mayor Paul opened the public hearing requesting public testimony. No public testimony was received.



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**MOTION**

Moved by Council Member McCarty and seconded by Council Member Bairos and CARRIED UNANIMOUSLY to continue the Public Hearing to August 20, 2018.

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

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

- 10.2: Consider an Appeal submitted by Florsheim Homes of Planning Commission Denial of a Time Extension Request Approving a 12-month extension to Vesting Tentative Subdivision Map 2005-05 a 22± lot subdivision on property located at the southeast corner of Crane Road and Greger Street zoned Single-Family (R-1) District with a General Plan Land Use Designation of Single-Family Low-Density Residential (SFLDR) pursuant to the Subdivision Map Act Section 66452.6e. (Public Hearing Notice published in the Oakdale Leader July 25, 2018.)

Environmental Status: The project is consistent with the previously certified Mitigated Negative Declaration adopted by the Oakdale City Council on January 19, 1999, including a Notice of Determination filed with the Stanislaus County Recorder on January 21, 1999.

A PowerPoint Presentation was provided.

Contract Planner Mann presented a comprehensive staff report advising the applicant, Florsheim Homes is appealing the Planning Commission denial of a 12-month extension and staff is recommending the following actions to be taken by the City Council:

- 1) The City Council move to approve the draft resolution contained in the staff report approving a 12-month time extension for Vesting Tentative Subdivision Map 2005-05, to allow development of a 22± lot subdivision on property located at the southeast corner of Crane Road and Greger Street; and,
- 2) The City Council find that the Time Extension for Vesting Tentative Subdivision Map No. 2005-05 is exempt from further environmental review in accordance with Section 15162 (Previously Adopted Negative Declaration) of the CEQA Guidelines.

At 7:18 p.m. Mayor Paul opened the public hearing to public comment.

**Public Testimony**

Sharon Nelson stated her concerns include absence of a fire break and no irrigation; Issue with an overhang belonging to her that hangs over the neighboring property and



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whether they will be responsible for removal and replacement or will the builder take care of that cost.

Contract Planner Mann advised he is aware by driving by, that the project site is overgrown with weeds and that the property owner and applicant have been appraised of the problem.

Randy Bling, President for Florsheim Homes addressed the City Council that the project site is currently under contract, and that he anticipates construction to begin next year.

Angela Hinkley addressed the City Council advising she resides on the property with her mother-in-law, Ms. Nelson.

In response to the question raised by Council Member Murdoch, Dave Hinkley also addressed the City Council advising they had purchased the property approximately three years ago and there is a shop with a 12-foot overhang that hangs over the neighboring property. They are wondering what their responsibilities will be as property owners in relationship to this project.

The City Council discussed the project with staff.

There being no further public testimony, Mayor Paul closed the public hearing at 7:34 p.m.

In response to a question raised by Council Member Murdoch, Randy Bling, President for Florsheim Homes advised Council Member Murdoch he has his word that Florsheim Homes will ensure that the property is cleaned up and no longer a fire hazard within two weeks.

**MOTION**

To adopt Resolution 2018-131, a Resolution of the City Council of the City of Oakdale Approving a 12-month time extension for Vesting Tentative Subdivision Map 2005-05, to allow development of a 22± lot subdivision on property located at the southeast corner of Crane Road and Greger Street; and, finding the Time Extension for Vesting Tentative Subdivision Map No. 2005-05 is exempt from further environmental review in accordance with Section 15162 (Previously Adopted Negative Declaration) of the CEQA Guidelines.

Moved by Council Member Murdoch and seconded by Council Member McCarty and PASSED AND ADOPTED this 6th day of August 2018, by the following vote:

AYES:	COUNCIL MEMBERS:	Bairos, McCarty, Murdoch and Paul	(4)
NOES:	COUNCIL MEMBERS:	None	(0)
ABSENT:	COUNCIL MEMBERS:	None	(0)
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 a Resolution of the City Council of the City of Oakdale Approving Architectural Design Review Application No. 2018-18 for an Art Mural to be placed on an existing building adjacent to 110 South Second Avenue (Gene Bianchi Community Center) as requested by Oakdale Tourism and Visitors Bureau.

A PowerPoint Presentation was presented.

Contractor Planner Mann presented the staff report recommending the City Council adopt the draft resolution contained in the staff report approving Architectural Design Review Application No. 2018-18 for an Art Mural to be placed on an existing building adjacent to and visible to the plaza located at 110 South Second Avenue (Gene Bianchi Community Center) as requested by Oakdale Tourism and Visitors Bureau.

Pam Dumas representing the Oakdale Tourism and Visitors Bureau presented conceptual drawings of the proposed mural asking for City Council input on whether the drawing should be in color or sepia.

The City Council discussed with staff and Ms. Dumas the project.

In response to Council Member McCarty’s question of who would be paying for the cost and upkeep of the Mural Ms. Dumas responded the Oakdale Tourism and Visitors Bureau.

Alice Garcia addressed the City Council stating her opposition to any drawings on buildings advising murals will bring more graffiti, are not attractive and will not bring people to Oakdale.

**MOTION**

To adopt Resolution 2018-132, a Resolution of the City Council of the City of Oakdale Approving Architectural Design Review Application No. 2018-18 for an Art Mural to be placed on an existing building adjacent to 110 South Second Avenue (Gene Bianchi Community Center) as requested by Oakdale Tourism and Visitors Bureau.

Moved by Council Member McCarty and seconded by Council Member Bairos and CARRIED UNANIMOUSLY by the following vote:

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

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



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11.2: Consider a Resolution of the City Council of the City of Oakdale Approving a Fee Waiver for Community Sharing's new 6,000 Square Foot Warehouse Building to be Constructed at 551 Center Street (APN 129-007-002).

A PowerPoint Presentation was presented.

City Manager Whitemyer presented the staff report recommending the City Council adopt the draft resolution contained in the staff report approving the requested Fee Waiver for Community Sharing's new 6,000 Square Foot Warehouse building to be constructed at 551 Center Street (APN 129-007-002).

The City Council and staff discussed the project with staff.

**MOTION**

To adopt Resolution 2018-133, a Resolution of the City Council of the City of Oakdale Approving a Fee Waiver for Community Sharing's new 6,000 Square Foot Warehouse Building to be constructed at 551 Center Street (APN 129-007-002) with exception of the plan check fee the County can cover that not to exceed \$35,700 and exclude the Plan Check fee.

Moved by Council Member Murdoch and seconded by Council Member McCarty and CARRIED UNANIMOUSLY by the following vote:

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

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

11.3: Consider a Resolution of the City Council of the City of Oakdale Approving the Maintenance Worker Supervisor Job Description and Salary Range and Amending the City's Personnel Classification System to Add Said Position.

A PowerPoint Presentation was presented.

Management Analyst Mondragon presented the staff report recommending the City Council adopt the draft resolution contained in the staff report approving the Maintenance Worker Supervisor Job Description and Salary Range and amending the City's Personnel Classification System to include the position.

**MOTION**

To adopt Resolution 2018-134, a Resolution of the City Council of the City of Oakdale Approving the Maintenance Worker Supervisor Job Description and Salary Range and amending the City's Personnel Classification System to include the position of Maintenance Worker Supervisor.





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Moved by Council Member McCarty and seconded by Council Member Bairos and CARRIED UNANIMOUSLY by the following vote:

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

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

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

City Manager Whitemyer advised he had received a thank you note from Dave White, the CEO of Opportunity Stanislaus thanking the City Council for their continued support of their organization.

City Manager Whitemyer reminded the City Council and members of the community on August 20<sup>th</sup> there is a rally in Sacramento to stop the State water grab which will be held at 12 noon on the north steps of the State Capital building. He reminded the City Council this issue has been going on for a long time, in 2013 the City Council adopted a resolution opposing the State Water Resources Control Board proposal to require the Stanislaus, Tuolumne, and Merced Rivers to release thirty-five percent (35%) of unimpaired flows.

City Manager Whitemyer continued stating as a response to additional comments recently he submitted a letter to Ms. Townsend of the State Water Resources Control Board which he then read aloud.

**13. CITY COUNCIL REPORT:**

In response to Council Member Bairos request for an update on the Magnolia Avenue Street Project; Public Services Director Gravel provided an update advising that they believe the road will be drivable the first day of school. Mr. Gravel also provided an update on the new stop signs on D Street and Johnson Avenue.

In response to Council Member Bairos request, Chief Heller provided an update on red light and speeding enforcement.

Council Member McCarty congratulated staff on the success of receiving the Airport Grant. He also reported he had attended the event held yesterday by OSPA, a great event.

Mayor Paul reported she also attended the Summer Paw-ty and agreed it was a great event by OSPA and thanked Betsie Corwin for hosting the event.



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**14. ADJOURNMENT:**

There being no further business, Mayor Paul adjourned the meeting at 8:15 p.m.

ATTEST:

APPROVED:

/s/Kathy Teixeira  
Kathy Teixeira, CMC  
City Clerk

/s/Pat Paul  
Pat Paul  
Mayor