



**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, April 1, 2019

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
Council Member Bairos
Council Member Chiara
Council Member Murdoch
Council Member Smith

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Finance Director Avila
Public Works Superintendent Bridgewater
Council Services Manager Christel
Public Services Director Gravel
Police Chief Heller
Management Analyst Mondragon
Management Analyst Anderson

Absent: None

3. PLEDGE OF ALLEGIANCE:

Mayor McCarty led the pledge of allegiance.

4. INVOCATION:

Pastor Korey Buchanek from River Oak Grace provided the invocation.

5. REPORT OUT OF CLOSED SESSION:

Mayor McCarty reported a special meeting was called to order at 6:00 p.m. Council Member Murdoch was not in attendance at the meeting. The City Council met in closed session to discuss with legal counsel the following closed session agenda item:

4.1: CONFERENCE WITH LEGAL COUNSEL
Potential Litigation
(Pursuant to Government Code Section 54956.9(4))



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Number of Cases (1) One

Mayor McCarty advised the City Council had provided direction to staff.

6. PRESENTATIONS/ACKNOWLEDGEMENTS

Mayor McCarty recognized each of the following volunteer organizations and made the following proclamations:

Proclamation Declaring April 7, 2019 – April 13, 2019 National Library Week
Proclamation Declaring April 8, 2019 – April 14, 2019 National Animal Care & Control Appreciation Week.
Proclamation Declaring April 14, 2019 – April 20, 2019 National Public Safety Telecommunicators Week.
Proclamation Declaring April 7, 2019 – April 13, 2019 National Volunteer Week:
Animal Shelter to Riverbank and Oakdale (ASTRO)
Oakdale Shelter Pet Alliance (OSPA)
Oakdale Senior Center Volunteers
Oakdale Citizens Volunteer In City Services (CIVICS)
Citizen Auxiliary Police Services (CAPS)
Proclamation Declaring April 2019 as "Oakdale Rodeo Month."

Representatives from each group received their proclamation and were thanked by Mayor McCarty and the City Council for all their efforts.

7. ADDITIONS/DELETIONS

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

8. PUBLIC COMMENTS

Sue Field, a member of Water Exercise Therapy (WET) class, thanked the City Council for working with the Hospital District on the indoor pool project and for looking out for them!

Arlene Jones, representing a group of homeowners that live on Belsera Drive, addressed the City Council regarding concerns they have with all the new homes being built around that area and with North Stearns Road being the only outlet for residences in or out of that area. She also expressed their concerns with all the traffic accidents that occur at the intersection of Hwy 108 & Stearns Road. She thanked the City Council for putting in a stipulation on Phase 2 of the Tesoro development that no new homes can be occupied until D Street is built. Mrs. Jones also spoke in favor of D Street and welcomes it as another exit for the residents in her area.

Alice Garcia voiced her disapproval of D Street going through to Stearns Road and feels it will be used as a short cut to get to the highway.



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Another resident of Stearns Road, name not given, voiced her support for D Street and wanted to know if there was something the city could do regarding the traffic, accidents, and safety issues that continue to occur around that intersection. City Manager Whitemyer explained how the highway is within CalTrans jurisdiction but that he has attended several CalTrans meetings, explaining the ongoing concerns with the Stearns Road and the Hwy 108/120 area. Mayor McCarty suggested those interested in having their concerns heard by CalTrans, attend the StanCOG meetings where CalTrans has a representative attend.

Benjamin Amaral, an Oakdale resident, wanted to follow up with the City Council regarding the sidewalk shaving project and asked if anyone had the chance to inspect the sidewalk areas proposed for repair. Council Member Smith responded to Mr. Amaral's question stating he did. Mayor McCarty said he walked a few areas as well. Mr. Amaral also asked a question about Section 8 housing to which Council Member Chiara responded.

Close public comment 7:40p.m.

9. APPOINTMENT TO BOARDS AND COMMISSIONS

None scheduled.

10. 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 9.6 for April 1, 2019 as follows:

- 9.1: Approve the City Council Regular Meeting Minutes of March 18, 2019.
- 9.2: Receive and File the Warrant List for the Period of February 28, 2019 to March 18, 2019.
- 9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.
- 9.4: Consider a Resolution, 2019-026, Authorizing the City Manager to enter in a contract with Crown Painting for services to paint the interior walls of the Public Services offices located at 455 S. Fifth Avenue in the amount of \$8,150.00, Fund 119 Engineering, Fund 622 Sewer Sanitation, & Fund 645 Water Maintenance.
- 9.5: Accept by Minute Order, the removal of one (1) oak tree located at 130 Little John Creek Drive.



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9.6: Accept by Minute Order, the removal of one (1) oak tree located at 123 West J Street.

Moved by Council Member Chiara and seconded by Council Member Bairos and PASSED AND ADOPTED this 1st day of April, 2019, by the following vote:

AYES: COUNCIL MEMBERS: Chiara, Bairos, 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.

11. PUBLIC HEARINGS

10.1: Introduce and Waive the First Reading of an Ordinance Amending Chapter 19, Adding Article XVI Noise Control to the Oakdale Municipal Code to consider regulations to prohibit unnecessary, excessive and annoying sound levels from all sources, which disturbs the peace and quiet.

A PowerPoint Presentation was provided.

Management Analyst Anderson presented a comprehensive staff report recommending the City Council to Introduce and Waive the First Reading of an Ordinance Amending Chapter 19, Adding Article XVI Noise Control to the Oakdale Municipal Code to consider regulations to prohibit unnecessary, excessive and annoying sound levels from all sources, which disturbs the peace and quiet.

The City Council asked questions of staff which were responded to by staff.

Council Member Murdoch stated he would like to eliminate Section 19-180, A, Motor Vehicles on Streets and Roads of the City from the Ordinance.

Mayor McCarty declared the hearing open at 8:03 p.m. asking whether there was anyone wishing to address the City Council at this time.

Public Testimony

Kathleen Westenburg wanted to know who to call during the middle of the day for noise infractions. City Manager Whitemyer, Chief Heller and City Attorney Hallinan responded to her concern.

Mr. Amaral asked Chief Heller about the administrative citation process to which Chief Heller responded.

Alice Garcia question the difference between the noise with this ordinance and the noise



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that would come from traffic on D Street. Council Member Smith addressed her question explaining the difference between traffic noise and noises that this ordinance addresses.

There being no further public testimony, Mayor McCarty closed the public hearing at 8:16 p.m.

MOTION

To introduce and waive the first reading of an Ordinance Amending Chapter 19, adding Article XVI Noise Control to the Oakdale Municipal Code to consider regulations to prohibit unnecessary, excessive and annoying sound levels from all sources, which disturbs the peace and quiet. Section 19-180, A, will be eliminated as it currently reads.

Moved by Council Member Murdoch and seconded by Council Member Chiara and PASSED AND ADOPTED this 1st day of April 2019, 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.

12. STAFF REPORTS

11.1: Consider a Resolution Awarding a Contract to George Reed, Inc. in the Amount of \$693,281.00 for the H and Ash Street Improvement Project (CP 1814) to be funded from Measure L Fund 222 in the Amount of \$238,339.67, Water Fund 644 in the Amount of \$276,510.67, and Sewer Fund 621 in the Amount of \$178,430.67, as well as including 15% Contingency in the Amount of \$103,992.00 and 10% Construction Engineering Amount of \$69,328.00, for a total Project Appropriation of \$866,601.00.

Cody Bridgewater, Public Works Superintendent, presented a staff report and PowerPoint Presentation recommending the City Council award a Contract to George Reed, Inc. in the Amount of \$693,281.00 for the H and Ash Street Improvement Project (CP 1814) to be funded from Measure L Fund 222 in the Amount of \$238,339.67, Water Fund 644 in the Amount of \$276,510.67, and Sewer Fund 621 in the Amount of \$178,430.67, as well as including 15% Contingency in the Amount of \$103,992.00 and 10% Construction Engineering Amount of \$69,328.00, for a total Project Appropriation of \$866,601.00.

MOTION

To Adopt City of Oakdale City Council Resolution 2019-027, a Resolution of the City Council of the City of Oakdale Awarding a Contract to George Reed, Inc. in the Amount of \$693,281.00 for the H and Ash Street Improvement Project (CP 1814) to be funded



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from Measure L Fund 222 in the Amount of \$238,339.67, Water Fund 644 in the Amount of \$276,510.67, and Sewer Fund 621 in the Amount of \$178,430.67, as well as including 15% Contingency in the Amount of \$103,992.00 and 10% Construction Engineering Amount of \$69,328.00, for a total Project Appropriation of \$866,601.00.

No public comment was received.

Moved by Council Member Chiara and seconded by Council Member Smith and PASSED AND ADOPTED this 1st day of April 2019, by the following vote:

AYES:	COUNCIL MEMBERS:	Chiara, Smith, Bairos, Murdoch, 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 Consider a Resolution to Purchase One (1) 250 HP Geared Turbo Blower at the Wastewater Treatment Plant from Lone Star Blower in the Amount of \$252,134.43 funded by the Sewer Capital Replacement Fund 621 CP1908.

Cody Bridgewater, Public Works Superintendent, presented a staff report and PowerPoint Presentation recommending the City Council purchase One (1) 250 HP Geared Turbo Blower at the Wastewater Treatment Plant from Lone Star Blower in the Amount of \$252,134.43 funded by the Sewer Capital Replacement Fund 621 CP1908.

City Council asked questions of staff to which staff responded.

No public comment received.

MOTION

To Adopt City of Oakdale City Council Resolution 2019-028, a Resolution of the City Council of the City of Oakdale to Purchase One (1) 250 HP Geared Turbo Blower at the Wastewater Treatment Plant from Lone Star Blower in the Amount of \$252,134.43 funded by the Sewer Capital Replacement Fund 621 CP1908.

Moved by Council Member Smith and seconded by Council Member Murdoch and PASSED AND ADOPTED this 1st day of April 2019, by the following vote:

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



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

- 11.3 Consider a Resolution Accepting a Bid from Westurf Nursery for Two Exmark Lazer x 801KA Platform 60" Mowers in the Amount of \$25,620.31 from LLD Maintenance Fund 565 – LLMD Landscape Maintenance (565-7215-441005) Machinery and Equipment.

Rolando Avila, Parks Maintenance Supervisor, presented a staff report and PowerPoint Presentation recommending City Council accept a bid from Westurf Nursery for two Exmark Lazer x 801KA Platform 60" Mowers in the amount of \$25,620.31 from LLD Maintenance Fund 565 – LLMD Landscape Maintenance (565-7215-441005) Machinery and Equipment.

City Council Smith stated he felt that the recommended mower was not comparable to the mower currently being used and questioned why a bid was not received from Ace Hardware in Oakdale. The bid process was discussed and members of the City Council decided that this item be postponed until the April 15, 2019 City Council meeting. Parks Maintenance Supervisor Avila will contact Ace Hardware in Oakdale to an estimate.

No public comment received.

MOTION

To continue Item 11.3, Accepting a Bid from Westurf Nursery for Two Exmark Lazer x 801KA Platform 60" Mowers in the Amount of \$25,620.31 from LLD Maintenance Fund 565 – LLMD Landscape Maintenance (565-7215-441005) Machinery and Equipment at the April 15, 2019 City Council meeting.

Moved by Council Member Smith and seconded by Council Member Murdoch and PASSED AND ADOPTED this 1st day of April 2019, by the following vote:

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

- 11.4: Consider a Resolution Awarding a Contract to United Pavement Maintenance, Inc. in the Amount of \$263,057.36 for the G and Maag Intersection Project to be Funded from Surface Transportation Fund 316 (CP1909) in the Amount of \$237,526.00 and Gas Tax Fund 215 (CP1904) in the Amount of \$64,531.36, as well as including 5% Contingency in the Amount of \$13,000.00 and 10% Construction Engineering in the Amount of \$26,000.00, for a Total Project Cost of \$302,057.36.



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Cody Bridgewater, Public Works Superintendent, presented a staff report and PowerPoint Presentation recommending City Council award a contract to United Pavement Maintenance, Inc. in the amount of \$263,057.36 for the G and Maag Intersection Project to be funded from Surface Transportation Fund 316 (CP1909) in the Amount of \$237,526.00 and Gas Tax Fund 215 (CP1904) in the Amount of \$64,531.36, as well as including 5% Contingency in the amount of \$13,000.00 and 10% Construction Engineering in the amount of \$26,000.00, for a total project cost of \$302,057.36.

The City Council asked questions of staff to which staff responded.

No public comment was received.

MOTION

To Adopt City of Oakdale City Council Resolution 2019-029, a Resolution of the City Council of the City of Oakdale Awarding a Contract to United Pavement Maintenance, Inc. in the Amount of \$263,057.36 for the G and Maag Intersection Project to be Funded from Surface Transportation Fund 316 (CP1909) in the Amount of \$237,526.00 and Gas Tax Fund 215 (CP1904) in the Amount of \$64,531.36, as well as including 5% Contingency in the Amount of \$13,000.00 and 10% Construction Engineering in the Amount of \$26,000.00, for a Total Project Cost of \$302,057.36.

Moved by Council Member Smith and seconded by Council Member Bairos and PASSED AND ADOPTED this 1st day of April 2019, 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.

- 11.5 Discuss Appointment of City of Oakdale Representative and Alternate Representative to the Stanislaus Homeless Alliance.

City Manager Whitemyer presented a staff report to City Council recommending the appointment of the City Manager as the City of Oakdale Representative and Council Member Smith as the Alternate Representative to the Stanislaus Homeless Alliance.

MOTION

By Minute Motion, Appoint City of Oakdale Representative and Alternate Representative to the Stanislaus Homeless Alliance.



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Moved by Council Member Bairos and seconded by Council Member Chiara and PASSED AND ADOPTED this 1st day of April 2019, by the following vote:

AYES:	COUNCIL MEMBERS:	Bairos, Chiara, Smith, 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.

- 11.6 Consider a Resolution of the City of Oakdale City Council Authorizing Staff to Enter into a Purchase Agreement with Dailey-Wells Communications, Inc. in the total Amount of \$291,721.45 for the Purchase, Installation, and Project Management Services of the Communications Center Dispatch Console Replacement Project to be Funded with \$200,000 from the Police Capital Facility Fund 356 and \$91,721.45 from the Police Equipment Fund 545 with an Appropriation of \$92,000 from the Reserves of Fund 545.

Scott Heller, Chief of Police, provided a staff report and PowerPoint Presentation to City Council recommending City Council authorize staff to enter into a purchase agreement with Dailey-Wells Communications Center Dispatch Console Replacement Project to be funded with \$200,000 from the Police Capital Facility Fund 356 and \$91,721.45 from the Police Equipment Fund 545 with an Appropriation of \$92,000 from the Reserves of Fund 545.

City Council asked questions to staff to which staff responded.

No public comment was received.

MOTION

To Adopt City of Oakdale City Council Resolution 2019-030, a Resolution of the City Council of the City of Oakdale Authorizing Staff to Enter into a Purchase Agreement with Dailey-Wells Communications, Inc. in the total Amount of \$291,721.45 for the Purchase, Installation, and Project Management Services of the Communications Center Dispatch Console Replacement Project to be Funded with \$200,000 from the Police Capital Facility Fund 356 and \$91,721.45 from the Police Equipment Fund 545 with an Appropriation of \$92,000 from the Reserves of Fund 545.

Chief Heller, along with Mike Priola from Harris Radio, answered questions presented by City Council.

No public comment was received.



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Moved by Council Member Chiara and seconded by Council Member Bairos and PASSED AND ADOPTED this 1st day of April 2019, by the following vote:

AYES:	COUNCIL MEMBERS: Chiara, Bairos, Smith, 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 Consider a Resolution Approving the Site Location of a Future Therapy Pool to be Constructed by the Oak Valley Hospital District on City Property Located South of the Royse Memorial Swimming Pool Near Dorada Park.

City Manager Whitemyer provided a staff report and PowerPoint Presentation to the City Council recommending approving the Site Location of a Future Therapy Pool to be Constructed by the Oak Valley Hospital District on City Property Located South of the Royse Memorial Swimming Pool Near Dorada Park.

The City Council asked questions of staff which were responded to by staff.

No public comment was received.

MOTION

To Adopt City of Oakdale City Council Resolution 2019-031, a Resolution of the City Council of the City of Oakdale Approving the Site Location of a Future Therapy Pool to be Constructed by the Oak Valley Hospital District on City Property Located South of the Royse Memorial Swimming Pool Near Dorada Park.

Moved by Council Member Smith and seconded by Council Member Bairos and PASSED AND ADOPTED this 1st day of April 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.



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12.2 Update and Discussion on Water Exercise Therapy (WET) Program [Oral Report].

City Manager Whitemyer provided an update to the City Council regarding possible funding sources for the Water Exercise Therapy (WET).

13. CITY COUNCIL ITEMS

Council Member Smith reminded everyone that Coffee with a Cop is scheduled for Thursday, April 8th at 7:30 a.m. at McDonalds and also gave a shout out to the Boy Scouts for their work assisting with the landscape renovation project. He also thanked both city staff Al Pacheco and Jeff Roberts for their assistance during the renovation.

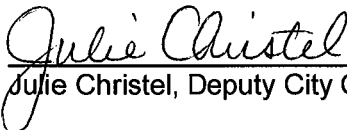
Mayor McCarty announced that April 6th is the Love Oakdale event and encouraged everyone to go online and register. He also reminded everyone that the Oakdale Rodeo is scheduled for April 13th and 14th.

14. ADJOURNMENT

There being no further business, Mayor McCarty adjourned the meeting at 9:28 p.m.

ATTEST:

APPROVED:



Julie Christel, Deputy City Clerk



J.R. McCarty, Mayor

