



The City of Oakdale recognizes and supports the Choose Civility program, an initiative of the Stanislaus County Office of Education.

# CITY OF OAKDALE CITY COUNCIL REGULAR MEETING MINUTES

City Council Chambers  
277 North Second Avenue  
Oakdale, CA 95361

**Monday, August 3, 2020**

**7:00 PM**

**City Council Chambers**

## 1. CALL TO ORDER:

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

Council Services Manager Christel conducted roll call with Council Member Bairos, Council Member Smith, Council Member Chiara, Council Member Murdoch and Mayor McCarty responding they were present.

## 2. COUNCIL/AGENCY MEMBERS PRESENT/ABSENT:

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

Staff Present: City Manager Whitemyer  
City Attorney Hallinan  
Police Chief Heller  
Finance Director Avila  
Public Services Director Gravel  
Public Works Superintendent Bridgewater  
Management Analyst Andersen  
Council Services Manager Christel  
City Clerk Roberts  
Assistant to the City Manager Mondragon

Absent: None

## 3. PLEDGE OF ALLEGIANCE

Mayor McCarty asked everyone to stand for the pledge of allegiance.

## 4. INVOCATION

Pastor Korey Buchanek of River Oak Grace provided the invocation.

After the invocation, City Manager Whitemyer read aloud the official notice of the meeting:

This meeting will be held in accordance with Executive Order N-29-20, issued by California Governor Gavin Newsom on March 17, 2020, the Ralph M. Brown Act (California Government Code Section 54950, et seq.), and the Federal Americans with Disabilities Act.



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**Next City Council Resolution: 2020-099**

**Next Ordinance: 1275**

This meeting will be held via teleconference and will not be physically open to the public. All members of the public may participate in the meeting via teleconferencing at <https://us02web.zoom.us/j/86596173976> and via teleconference by calling (888)788-0099, meeting ID: 86596173973 and will be given the opportunity to provide public comment. This meeting will be televised on Comcast channel 7 and available for public viewing on Oakdale's Livestream channel, <https://livestream.com/cityofoakdale>. He also provided viewing and participation instructions during Public Comment.

**5. PRESENTATION AND ACKNOWLEDGEMENTS**

None

**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**

City Manager Whitemyer provided instructions on how to participate in public comment via teleconferencing, calling in or via email.

Mayor McCarty opened public comment at 7:05 p.m.

Casey Knee, resident of Bridle Ridge, expressed a complaint he and his neighbors have regarding the increased train activity near the bike path and dog park near Crane Road and the nuisances the train's horn causes when going through the area. He suggested the City look at installing wayside horns at railway crossings which will reduce overall noise in the area. City Manager Whitemyer responded that the City is working with Congressman Josh Harder's office and they are continuing to reach out to Union Pacific Railroad on this issue.

Mayor McCarty closed public comment at 7:09 p.m.

**8. APPOINTMENT TO BOARDS AND COMMISSIONS**

None

**9. CITY COUNCIL CONSENT AGENDA**

Mayor McCarty asked are there any questions or requests to remove items from the Consent Agenda. Council Member Bairos asked for clarification on agenda item 9.6. City Manager Whitemyer and Finance Director Avila responded to her question. 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 July 20, 2020.



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- 9.2: Receive and File the Warrant List for the Period July 11, 2020 through July 27, 2020.
- 9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.
- 9.4: Adopt City of Oakdale City Council Resolution Approving the Community Development Block Grant Subrecipient Agreement Between the County of Stanislaus and the City of Oakdale and Authorize the City Manager to execute the Community Development Block Grant Subrecipient Agreement for FY 2020-2021.
- 9.5: Adopt City of Oakdale City Council Resolution Approving Grant Deed Actions from Douglas Vincent Hummer Properties to City of Oakdale Right-of-Way.
- 9.6: Adopt City of Oakdale City Council Resolution Authorizing the City Manager to Execute a Quote for Alley Tree and Landscape, Inc. for the Pruning of 71 Chinese Pistache Street Trees in the Live Oak Subdivision in the amount of \$12,000.00 Funds from Landscaping and Lighting Maintenance District Fund 288.

Mayor McCarty requested a motion be made for these items.

**MOTION**

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.6 for August 3, 2020.

Moved by Council Member Smith and seconded by Council Member Bairos and PASSED AND ADOPTED this 3rd day of August, 2020, by the following vote:

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

None Scheduled.

**11. STAFF REPORTS**

- 11.1: Update on Code Enforcement Measures to Ensure COVID-19 Business Compliance.

Assistant to the City Manager Mondragon provided a staff report on the steps the City has taken and how the City responds to complaints received regarding business compliance as it relates to COVID-19 restrictions. He discussed the various steps of the complaint reporting process, how each complaint is filed and tracked, and the progressive steps the City's Code Enforcement Division takes in responding to COVID-19 business complaints stating that their number one approach has been and continues



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to be outreach and education with local businesses and work with them on how they can operate while in compliance with current health orders, policies and regulations. Assistant Mondragon also provided stats for business-related COVID-19 complaints.

Staff responded to questions from City Council. With no further questions from the City Council, Mayor McCarty opened the item to public comment.

Public Comment:

Fred Smith asked for copies of policy compliance guidelines and county health orders.

Council Member Smith asked Assistant to the City Manager Mondragon to create a link on the City website where the public can find this information.

With no further questions, Mayor McCarty moved on to the next agenda item.

- 11.2: Consider Approving an Urgency Ordinance of the City Council of the City of Oakdale Authorizing the Outdoor Operation of a Qualifying Business Pursuant to a Special Temporary Outdoor Operations Permit.

City Manager Whitemyer provided a staff report on an urgency ordinance that would establish a permit framework for qualifying businesses to operate outdoors once certain COVID-19 related restrictions were lifted at the State and County levels. The Ordinance would require qualifying businesses to apply for and obtain a special temporary outdoor operations permit from the Public Services Department who may approve the application and issue a temporary outdoor operations permit only if the business will comply with State and County reopening guidelines, and the public health and safety will not be threatened.

City Manager Whitemyer concluded his report by requesting the City Council approve an Urgency Ordinance of the City Council of the City of Oakdale authorizing the Outdoor Operation of a Qualifying Business Pursuant to a Special Temporary Outdoor Operations Permit.

Staff responded to questions from City Council.

With no further comments from the City Council, Mayor McCarty opened the item for Public Comments.

Public Comment: None

With no public comments, Mayor McCarty closed public comment for this item and asked that a motion be made for this item.



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**MOTION**

Adopt City of Oakdale City Council Urgency Ordinance 1274, an Urgency Ordinance of the City Council of the City of Oakdale Authorizing the Outdoor Operation of a Qualifying Business Pursuant to a Special Temporary Outdoor Operations Permit.

Moved by Council Member Smith and seconded by Council Member Murdoch and PASSED AND ADOPTED this 3rd day of August 2020, 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 by 5/0 by City Council roll call vote.

- 11.3: Review and Approve the Final Project Scope of Work for the City of Oakdale Energy Efficiency Project.

City Manager Whitemyer stated that this item is for the City Council to review and approve the Final Project Scope of Work for the City of Oakdale Energy Efficiency Project. He introduced Jessica Ritter from SiteLogIQ who provided the complete scope of work for the Energy Efficiency Project for the City of Oakdale. She also discussed the next steps in the process.

Ms. Ritter and Eddie Jordan from SiteLogIQ responded to questions from City Council.

City Manager Whitemyer shared two spreadsheets that provided a 4% energy cost escalation projection and a 5% energy cost escalation project over a 30-year period.

He concluded his report requesting the City Council approve by minute order, the Final Project Scope of Work for the City of Oakdale Energy Efficiency Project.

Staff responded to questions from City Council.

With no further comments from the City Council, Mayor McCarty opened the item for Public Comments.

Public Comment: None

With no further public comments, Mayor McCarty closed public comment for this item and asked that a motion be made for this item.

City Manager Whitemyer stated that there is no resolution for this item, rather, the request is to approve by Minute Order, the Final Project Scope of Work for the City of Oakdale Energy Efficiency Project.



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**MOTION**

Approve by Minute Order, the Final Project Scope of Work for the City of Oakdale Energy Efficiency Project.

Moved by Council Member Murdoch and seconded by Council Member Chiara and PASSED AND ADOPTED this 3rd day of August 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 by 5/0 by City Council roll call vote.

**12. CITY MANAGERS REPORT**

City Manager Whitemyer stated he had nothing to report.

**13. CITY COUNCIL ITEMS**

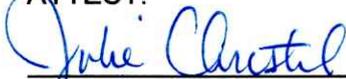
Council Member Smith to a moment to thank City staff who put together the staff reports and agenda packets.

Mayor McCarty thanked everyone who volunteers at the Senior Center. He also thanked everyone who contributed to the Without Permission fundraiser last week and stated that they raised over \$7,000.00 for that organization.

**14. ADJOURNMENT**

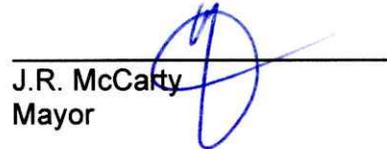
There being no further business, Mayor McCarty adjourned the meeting at 8:01 p.m.

ATTEST:



Julie Christel  
Council Services and Legislative  
Records Manager

APPROVED:



J.R. McCarty  
Mayor