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CITY OF OAKDALE CITY COUNCIL REGULAR MEETING MINUTES

City Council Chambers
277 North Second Avenue
Oakdale, CA 95361

Monday, June 1, 2020

7:00 PM

City Council Chambers

1. CALL TO ORDER:

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

After Mayor McCarty called the meeting to order, City Manager Whitemyer read aloud the following Notice:

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.

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 and via teleconference by calling (888)788-0099, meeting ID: 841 0062 5781 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>.

Mayor McCarty asked to take roll call to make sure all Council Members were in attendance. 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
Sr. Engineering Technician Renfrow
Council Services Manager Christel
City Clerk Roberts

Absent: None



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3. PLEDGE OF ALLEGIANCE AND INVOCATION

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

4. INVOCATION

Pastor Bill Kenoyer from Redeemer Oakdale provided the invocation.

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 to the public for participating in the public comment period.

Public Comment opened at 7:05 p.m. and with no comments received, Public Comment closed at 7:06 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. No questions or requests to remove items from the Consent Agenda were requested.

The consent agenda is comprised of Items 9.1 through 9.8. 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 May 18, 2020.

9.2: Receive and File the Warrant List for the Period May 9, 2020 through May 21, 2020.

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

9.4: Adopt City Council Resolution 2020-043 a Resolution of the City of Oakdale City Council Accepting the NW Waste Water Treatment Plant Drying Bed Rehabilitation Project and Authorizing the Filing of a Notice of Completion.

9.5: Adopt City Council Resolution 2020-044 a Resolution of the City of Oakdale City Council Authorizing Staff to Enter into a Three (3) Year Agreement with Axon Enterprise, Inc. Accepting Five (5) Body Worn Cameras and necessary Evidence.com Digital Data Storage Licensing in the Total Amount of \$11,568.09, Divided into Three Annual



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Payments to be Funded from the Cannabis Machinery and Equipment Account (114-2140-441005), as Required by Major Use Permit 2018-07 (Paragraph 29) to Outfit On-site Private Security Personnel Assigned to the Empire Health and Wellness Cannabis Dispensary (JDI Farms, Inc.).

- 9.6: Adopt City Council Resolution 2020-045 a Resolution of the City of Oakdale City Council Authorizing Staff to Enter into a Three (3) Year Agreement with Axon Enterprise, Inc. Accepting Five (5) Body Worn Cameras and Necessary Evidence.com Digital Data Storage Licensing in the Total Amount of \$11,568.09, Divided into Three Annual Payments to be Funded from the Cannabis Machinery and Equipment Account (114-2140-441005), as Required by Major Use Permit 2018-06 (Paragraph 28) to Outfit On-site Private Security Personnel Assigned to the People’s Remedy Cannabis Dispensary (MDS Business Services, Inc.).
- 9.7: Adopt City Council Resolution 2020-046 a Resolution of the City of Oakdale City Council Approving the Purchase of Retired Canine by its Handler, Sergeant Andy Stever, and Authorizing the City Manager to Execute the Agreement.
- 9.8: Rejection by Minute Order, Claim for Damages submitted by Karla Haro, Maria Macias, and Misael Medina.

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 9.8 for June 1, 2020.

Moved by Council Member Smith and seconded by Council Member Chiara and PASSED AND ADOPTED this 1st day of June, 2020, by the following vote:

AYES:	COUNCIL MEMBERS:	Smith, Chiara, 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.

10. PUBLIC HEARINGS

None Scheduled.

11. STAFF REPORTS

- 11.1: Consider a Resolution Authorizing the City Manager to Execute an Agreement with Sinclair General Engineering Construction, Inc. in the Amount of \$246,640.00 for the Bridle Ridge Trail Repair Project and a Contingency in the Amount of \$6,360.00 for a Grand Total Cost of \$253,000.00 to be Funded by Local Transportation Fund, Measure L, and Park Replacement Fund 549.



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Sr. Engineering Technician Renfrow provided a staff report and PowerPoint Presentation on the Bridle Ridge Trail Repair Project. He discussed the deteriorating conditions of the trail, proposed repairs, the cost of proposed project as well as funding for the project. He concluded his repair requesting the City Council approve a resolution authorizing the City Manager to execute an agreement with Sinclair General Engineering Construction, Inc. in the amount of \$246,640.00 for the Bridle Ridge Trail Repair Project and a contingency in the amount of \$6,360.00 for a grand total cost of \$253,000.00 to be funded by Local Transportation Fund, Measure L, and Park Replacement Fund 549.

Staff responded to questions from the City Council.

Mayor McCarty opened the item for public comment. With no public comment, Mayor McCarty requested a motion be made for this item.

MOTION

Adopt City Council Resolution 2020-047, a Resolution of the City of Oakdale City Council Authorizing the City Manager to Execute an Agreement with Sinclair General Engineering Construction Inc. in the Amount of \$246,640.00 for the Bridle Ridge Trail Repair Project and a Contingency in the Amount of \$6,360.00 for a Grand Total Cost of \$253,000.00 to be Funded by Local Transportation Fund, Measure L, and Park Replacement Fund 549.

Moved by Council Member Murdoch and seconded by Chiara and PASSED AND ADOPTED this 1st day of June, 2020, by the following vote:

AYES:	COUNCIL MEMBERS:	Murdoch, Chiara, Smith, Bairos, 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 Authorizing the City Manager to Execute an Agreement with Dryco Construction, Inc. in the Amount of \$145,390.00 for the 2020 Area 2 Slurry Seal Project, Authorizing a 5% Contingency in the Amount of \$7,500.00 and Authorizing Construction Engineering in the Amount of \$7,500.00 to be Funded by SB1 Road Maintenance Fund 216.

Council Member Smith declared a conflict of interest due to his residence being within the proposed project area and recused himself from the meeting.

Public Works Superintendent Bridgewater provided a staff report and PowerPoint Presentation on the Area 2 Slurry Seal Project. He discussed the scope of the project, project bidders and reviewed project funding and the cost summary. He concluded his presentation requesting the City Council Authorizing the City Manager to Execute an Agreement with Dryco Construction, Inc. in the Amount of \$145,390.00 for the 2020



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Area 2 Slurry Seal Project, Authorizing a 5% Contingency in the Amount of \$7,500.00 and Authorizing Construction Engineering in the Amount of \$7,500.00 to be Funded by SB1 Road Maintenance Fund 216.

Staff responded to questions from the City Council.

Mayor McCarty opened the item for public comment. With no public comment, Mayor McCarty requested a motion be made for this item.

MOTION

Adopt City Council Resolution 2020-048, a Resolution of the City of Oakdale City Council Authorizing the City Manager to Execute an Agreement with Dryco Construction, Inc. in the Amount of \$145,390.00 for the 2020 Area 2 Slurry Seal Project, Authorizing a 5% Contingency in the Amount of \$7,500.00 and Authorizing Construction Engineering in the Amount of \$7,500.00 to be Funded by SB1 Road Maintenance Fund 216.

Moved by Council Member Chiara and seconded by Bairos and PASSED AND ADOPTED this 1st day of June, 2020, by the following vote:

AYES:	COUNCIL MEMBERS:	Chiara, Bairos, Murdoch, McCarty	(4)
NOES:	COUNCIL MEMBERS:	None	(0)
ABSENT:	COUNCIL MEMBERS:	None	(0)
ABSTAINED:	COUNCIL MEMBERS:	Smith	(1)

Motion carried 4/1 by City Council roll call vote.

- 11.3: Consider a Resolution Approving a Memorandum of Understanding (MOU) between the City of Oakdale and Stanislaus County for Homeless Emergency Aid Program (HEAP) Funding and Authorizing the City Manager to Execute the MOU.

City Manager Whitemyer presented a staff report recommending the City Council approve a Memorandum of Understanding (MOU) between the City of Oakdale and Stanislaus County for Homeless Emergency Aid Program (HEAP) funding stating that the City had been awarded a \$65,000.00 grant in HEAP funds to assist the Oakdale Rescue Mission in making improvements to their Homeless Day Center. He explained that there were no matching funds required of this and that all improvements will be made with HEAPS funds. He concluded his presentation requesting the City Council adopt a Resolution approving a Memorandum of Understanding (MOU) between the City of Oakdale and Stanislaus County for Homeless Emergency Aid Program (HEAP) Funding and authorizing the City Manager to Execute the MOU.

Staff responded to questions from the City Council.

No Public Comment was received.



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MOTION

Adopt City Council Resolution 2020-049, a Resolution of the City of Oakdale City Council Approving a Memorandum of Understanding (MOU) between the City of Oakdale and Stanislaus County for Homeless Emergency Aid Program (HEAP) Funding and Authorizing the City Manager to Execute the MOU.

Moved by Council Member Smith and seconded by Murdoch and PASSED AND ADOPTED this 1st day of June, 2020, by the following vote:

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

12. CITY MANAGERS REPORT

12.1: Update on COVID-19 Response in Oakdale

City Manager Whitemyer provided an update on the COVID-19 response in Oakdale and what is going on countywide and statewide stating that the County was approved to receive a variance related to the opening of Phase 2B and so now our dine-in restaurants are open with some modifications, as well as our hair salons and barbershops.

City Manager Whitemyer also expressed condolences to the family of George Floyd. He stated that there will be a peaceful protest scheduled at the Community Center on Wednesday. Chief Heller stated that the Police Department will be monitoring the situation.

13. CITY COUNCIL ITEMS

Mayor McCarty and Council Member Smith thanked Teresa Kinney for the tour of the Oak Leaf Meadow Apartment project. The apartments are scheduled to be completed by August 30th.

Mayor McCarty also announced that the Oakdale Joint Unified School District announced that they will be moving forward with graduation ceremonies. Dates for the ceremonies are as follows:

- East Stanislaus and Valley Oak High Schools: Wednesday, July 29
- Oakdale Charter School: Wednesday, July 29
- Oakdale Junior High School: Thursday, July 30
- Oakdale High School: Friday, July 31

Times for the various ceremonies have not been announced yet.



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14. ADJOURNMENT

There being no further business, Mayor McCarty adjourned the meeting at 7:53 p.m.

ATTEST:



Julie Christel
Council Services and Legislative
Records Manager

APPROVED:



J.R. McCarty
Mayor