



# CITY OF OAKDALE CITY COUNCIL REGULAR MEETING MINUTES

 choose civility  
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, August 17, 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  
Senior Engineer Renfrow  
Sr. Building Inspector Odom  
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 Chris Bishop of the River Christian Community 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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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/89860079527> and via teleconference by calling (888)788-0099, meeting ID: 89860079527 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.

Prior to the start of public comment, Council Member Smith welcomed to Troop 43 to the meeting.

Mayor McCarty opened public comment at 7:04 p.m.

Mayor McCarty stated that City Council received a public comment submittal from Concerned Residents of Anderson Homes and that it will be made available on line for viewing.

Mayor McCarty closed public comment at 7:05 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 9.7. 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 August 3, 2020.

9.2: Receive and File the Warrant List for the Period July 28, 2020 through August 10,



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2020.

- 9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.
- 9.4: Adopt City of Oakdale City Council Resolution 2020-099 Accepting the Gilbert Park Tennis Court Rehabilitation Project and Authorizing the Filing of a Notice of Completion.
- 9.5: Accept by Minute Order, the Removal of One (1) Interior Live Oak Tree Located at 130 North Bryan Avenue.
- 9.6: Adopt City of Oakdale City Council Resolution 2020-100 Approving a Grant of Easement on the south side of Greger west of Bascule Way and on the west side of Bascule Way south of Greger Street for the Relocation of the Oakdale Irrigation District Spencer Irrigation Pipeline.
- 9.7: Accept by Minute Order, the City Treasurer’s Report for July 2020.

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 9.7 for August 17, 2020.

Moved by Council Member Murdoch and seconded by Council Member Chiara and PASSED AND ADOPTED this 17th day of August, 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.

**10. PUBLIC HEARINGS**

- 10.1: Consider a Resolution of the City Council of the City of Oakdale Adopting Certain Findings and Approving Facility Solutions Agreement for Energy Related Improvements to City of Oakdale Facilities with FAMAND, Inc. dba SiteLogIQ. (*Public Notice of Hearing Published in the July 29, 2020 edition of the Oakdale Leader.*)

City Manager Whitemyer requested this item be continued to the September 8, 2020 City Council Meeting.

Mayor McCarty requested a motion be made for this item.



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**MOTION**

To continue Item 10.1: Consider a Resolution of the City Council of the City of Oakdale Adopting Certain Findings and Approving Facility Solutions Agreement for Energy Related Improvements to City of Oakdale Facilities with FAMAND, Inc. dba SiteLogIQ, to the September 8, 2020 City Council meeting.

Moved by Council Member Murdoch and seconded by Council Member Smith and PASSED AND ADOPTED this 17th day of August, 2020, by the following vote:

AYES: COUNCIL MEMBERS: Murdoch, Smith, Chiara, 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. STAFF REPORTS**

11.1: Consider a Resolution authorizing the City Manager to execute an Agreement with United Pavement Maintenance, Inc. in the amount of \$524,879.30 for the First Avenue Rehabilitation Project, authorizing a 10% contingency in the amount of \$52,500.00 and authorizing 10% construction engineering in the amount of \$52,500.00 for a grand total cost of \$629,879.30 to be funded by Federal Surface Transportation Fund 316 in the amount of \$289,870.00, Sewer Capital Replacement Fund 621 in the amount of \$218,000.00 and Water Capital Replacement Fund 644 in the amount of \$125,000.00 for a grand total budget of \$632,870.00.

Senior Engineer Renfrow provided a staff report and PowerPoint Presentation on the First Avenue Rehabilitation Project. He discussed details of the project and project cost summary.

He concluded his report requesting the City Council approve a Resolution authorizing the City Manager to execute an Agreement with United Pavement Maintenance, Inc. in the amount of \$524,879.30 for the First Avenue Rehabilitation Project, authorize a 10% contingency in the amount of \$52,500.00 and authorize 10% for construction engineering in the amount of \$52,500.00 for a grand total cost of \$629,879.30 to be funded by Federal Surface Transportation Fund 316 in the amount of \$289,870.00, Sewer Capital Replacement Fund 621 in the amount of \$218,000.00 and Water Capital Replacement Fund 644 in the amount of \$125,000.00 for a grand total budget of \$632,870.00.

City Council asked questions of staff to which staff responded.

Public Comment received from:



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Cecilia Suarez thanked City Manager Whitemyer and Council Member Smith for explaining what and how street repairs are prioritized.

Mayor McCarty requested a motion be made for this item.

**MOTION**

Adopt Resolution 2020-101, a Resolution of the City Council of the City of Oakdale authorizing the City Manager to execute an Agreement with United Pavement Maintenance, Inc. in the amount of \$524,879.30 for the First Avenue Rehabilitation Project, authorizing a 10% Contingency in the amount of \$52,500.00 and authorizing 10% construction engineering in the amount of \$52,500.00 for a grand total cost of \$629,879.30 to be funded by Federal Surface Transportation Fund 316 in the amount of \$289,870.00, Sewer Capital Replacement Fund 621 in the amount of \$218,000.00 and Water Capital Replacement Fund 644 in the amount of \$125,000.00 for a grand total budget of \$632,870.00.

Moved by Council Member Murdoch and seconded by Council Member Chiara and PASSED AND ADOPTED this 17th day of August, 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 Declaring Intent to Annex Additional Territory to City of Oakdale Community Facilities District No. 2007-1 (Annexation No. 13) (Icon at Bridle Ridge) and set Public Hearing for September 21, 2020.

Council Member Chiara declared a conflict of interest due to her residence being within Bridle Ridge Lighting and Landscaping Maintenance District and City Clerk Roberts moved Council Member Chiara to the waiting room for the duration of this item.

Finance Director Avila provided a staff report to City Council recommending the City Council declare their intent to annex territory to the City of Oakdale Community Facilities District No. 2007-1 (Public Safety Services), Annexation No. 13 for Icon at Bridle Ridge and to set the Public Hearing for September 21, 2020.

City Council asked questions of staff to which staff responded.

No public comment was received.

Mayor McCarty requested a motion be made for this item.



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**MOTION**

Adopt Resolution 2020-102, a Resolution of the City Council of the City of Oakdale Declaring Intent to Annex Additional Territory to City of Oakdale Community Facilities District No. 2007-1 (Annexation No. 13) (Icon at Bridle Ridge) and set Public Hearing for September 21, 2020.

Moved by Council Member Murdoch and seconded by Council Member Bairos and PASSED AND ADOPTED this 17th day of August, 2020, by the following vote:

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

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

- 11.3: Consider a Resolution Declaring Intent to Annex Additional Territory to the Bridle Ridge Landscape and Lighting Maintenance District (Annexation No. 6) (Icon at Bridle Ridge) and Set Public Hearing for September 21, 2020.

Council Member Chiara declared a conflict of interest due to her residence being within Bridle Ridge Lighting and Landscaping Maintenance District and City Clerk Roberts moved Council Member Chiara to the waiting room for the duration of this item.

Finance Director Avila provided a staff report to City Council recommending the City Council adopt a resolution declaring intent to and initiating proceedings for the annexation of territory into the Bridle Ridge Landscape and Lighting Maintenance District for FY 2020/2021; furthermore, adopt a Resolution declaring intention to annex territory into the Bridle Ridge Landscape and Lighting Maintenance District and to levy annual assessments commencing with Fiscal Year 2020/20201, accepting and approving the Engineer's Report, and to conduct a property owner official assessment ballot proceeding.

City Council asked questions of staff to which staff responded.

No Public comment was received.

Mayor McCarty requested a motion be made for these items.

**MOTION**

Adopt Resolution 2020-103, a Resolution of the City Council of the City of Oakdale initiating proceedings for the annexation of territory into the Bridle Ridge Landscape and Lighting Maintenance District for Fiscal Year 2020/2021.



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Moved by Council Member Bairos and seconded by Council Member Smith and PASSED AND ADOPTED this 17th day of August, 2020, by the following vote:

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

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

**MOTION**

Adopt Resolution 2020-104, a Resolution of the City Council of the City of Oakdale declaring its intention to annex territory into the Bridle Ridge Landscape and Lighting Maintenance District and to levy annual assessments commencing with Fiscal Year 2020/21; accepting and approving the Engineer's Report; to conduct a Property Owner Official Assessment Ballot proceeding on the annexation; and setting a time and place for the public hearing on these matters.

Moved by Council Member Bairos and seconded by Council Member Smith and PASSED AND ADOPTED this 17th day of August, 2020, by the following vote:

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

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

**12. CITY MANAGERS REPORT**

12.1: August 2020 Department Reports.

City Manager Whitemyer advised the City Council that included in the Agenda Packet is the August 2020 Department Reports.

12.2: Update on COVID-19 Response in Oakdale

City Manager Whitemyer provided an update on the COVID-19 response in Oakdale.

**13. CITY COUNCIL ITEMS**

13.1: Consider a Resolution Designating a Voting Delegate, and up to two alternates, to take action on Resolutions that Establish League Policy at the League of California Cities' Annual Business Meeting on Friday, October 9, 2020.



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City Manager Whitemyer provided a staff report to the City Council regarding the League of California Cities' Annual Business Meeting scheduled for Friday, October 9, 2020. Due to the COVID-19 pandemic, this year's event will be held virtually. In order for the City to take action on Resolutions that establish League policies, the City Council will have to designate a Voting Delegate, and up to two alternates, to represent the City at the Annual Business Meeting.

The City Council asked questions of staff which were responded to by staff. It was decided that City Manager Whitemyer would serve as the City's Designated Voting Delegate at the League of California Cities' Annual Business Meeting.

Public Comment: None.

**MOTION**

Adopt Resolution 2020-105, a Resolution of the City Council of the City of Oakdale Designating City Manager Bryan Whitemyer as the Voting Delegate, to take action on Resolutions that Establish League Policy at the League of California Cities' Annual Business Meeting Friday, October 9, 2020.

Moved by Council Member Bairos and seconded by Council Member Smith and PASSED AND ADOPTED this 17th day of August, 2020, by the following vote:

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

Council Member Bairos welcomed Jillian Costa as Oakdale Police Department's newest police officer. She also congratulated Keri Anderson on her retirement and thanked her for serving our community for several years. She also announced that her nephew, Morgan Bairos, joined the US Army as a medic and wished him luck on his endeavors.

Council Member Smith also congratulated Jillian Costa and announced the locations of several heat shelters in the area. He thanked Public Services Director Gravel for his help with an ongoing Eagle Scout project and thanked the Mayor and City staff who participated in the drive through BBQ for seniors on August 15<sup>th</sup>.

Mayor McCarty also thanked everyone who was involved with the BBQ and reminded everyone that with this heatwave going on, to please make sure to check on your neighbors.

Council Member Chiara thanked City Manager Whitemyer and Public Services Director Gravel for their assistance on several issues and announced that she will not be available for the next City Council meeting as she and her husband will be out of town celebrating their wedding



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anniversary.

Council Member Murdoch wished the six City Council candidates best of luck on their campaigns.

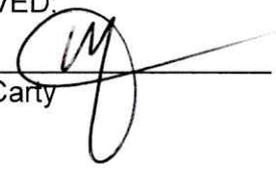
**14. ADJOURNMENT**

There being no further business, Mayor McCarty adjourned the meeting at 7:46 p.m.

ATTEST:

  
Julie Christel  
Council Services and Legislative  
Records Manager

APPROVED:

  
J.R. McCarty  
Mayor