



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, April 6, 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 <https://us04web.zoom.us/j/697152105> and via teleconference by calling (888)788-0099, meeting id: 697 152 105 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/cityfoakdale>.

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 and Mayor McCarty responding they were present. Council Member Murdoch did not respond and was marked absent from the meeting.

2. COUNCIL/AGENCY MEMBERS PRESENT/ABSENT:

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

Staff Present: City Manager Whitemyer
City Attorney Hallinan
City Attorney Nubia Goldstein
Police Chief Heller
Finance Director Avila
Public Services Director Gravel
Public Works Superintendent Bridgewater
Council Services Manager Christel

Absent: Mayor Pro Tem Member Murdoch

3. PLEDGE OF ALLEGIANCE

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

"Cowboy Capital of the World"



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4. INVOCATION

Pastor Kent Roberts of The River Christian Community provided the invocation.

5. PRESENTATION AND ACKNOWLEDGEMENTS

Mayor McCarty announced two proclamations; the first, declaring April 12-18, 2020 National Animal Care & Control Appreciation Week and the second, declaring April 12-18, 2020 National Public Safety Telecommunicators Week. He thanked everyone who worked in those fields.

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

Public Comment opened at 7:06 p.m.

Nubia Goldstein, from Churchwell White, announced that other than City Council Members, City Attorneys and City staff, no members of the public were present in the Zoom meeting.

Public Comment closed at 7:07 p.m.

8. APPOINTMENT TO BOARDS AND COMMISSIONS

8.1: Consider Appointment of Ezra Ivey, Tyler Richardson, and Brian Heron as Commissioners to the Planning Commission, Reappointment of Lupe Aguilera, Loren Lester and Nancy Smith as Committee Members to the Senior Citizen Advisory Committee, Reappointment of Cecilia Suarez as Committee Member to the Residents Oversight (Measure H) Committee, and Reappointment of Has Panchel to the Tourism Business Improvement District Advisory Board.

Mayor McCarty read the list of names who applied for appointment or reappointment to City Committees, Boards, and Commissions and requested a motion be made for this item.

MOTION

Approval By Minute Order, to Appoint Ezra Ivey, Tyler Richardson, and Brian Heron as Commissioners to the Planning Commission, Reappoint Lupe Aguilera, Loren Lester and Nancy Smith as Committee Members to the Senior Citizen Advisory Committee, Reappoint Cecilia Suarez as Committee Member to the Residents Oversight (Measure H) Committee, and Reappoint Has Panchel to the Tourism Business Improvement District Advisory Board.



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Moved by Council Member Bairos and seconded by Council Member Chiara and PASSED AND ADOPTED this 6th day of April, 2020, by the following vote:

AYES:	COUNCIL MEMBERS: Bairos, Chiara, and McCarty	(3)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: Murdoch, Smith	(2)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 3/2 by City Council roll call vote.

Due to technical difficulties, Council Member Smith did not vote on this item.

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 March 16, 2020.
- 9.2: Receive and File the Warrant List for the Period March 05, 2020 through March 25, 2020.
- 9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.
- 9.4: Adopt City of Oakdale City Council Resolution 2020-028 Authorizing the City Manager to Enter into a Three (3) Year Agreement with Two, One-Year Extensions with Clark Pest Control for Weed Abatement Services for the City of Oakdale.
- 9.5: Rejection by Minute Order, Claim for Damages submitted by Ron Bordona of Bordona's Furniture and Appliance.
- 9.6: Adopt City of Oakdale City Council Resolution 2020-029 Accepting the South 5th Avenue Utility and Surface Improvement Project and Authorizing the Filing of a Notice of Completion.
- 9.7: Adopt City of Oakdale City Council Resolution 2020-030 Accepting the Oakdale Irrigation District, District No. 41 – Tioga Avenue Project Improvements and Authorizing the Filing of a Notice of Completion.

Mayor McCarty requested a motion be made for this item.



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MOTION

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.7 for April 6, 2020.

Moved by Council Member Chiara and seconded by Council Member Bairos and PASSED AND ADOPTED this 6th day of April, 2020, by the following vote:

AYES:	COUNCIL MEMBERS: Chiara, Bairos, and McCarty	(3)
NOES:	COUNCIL MEMBERS: None	(0)
ABSENT:	COUNCIL MEMBERS: Murdoch, Smith	(2)
ABSTAINED:	COUNCIL MEMBERS: None	(0)

Motion carried 3/2 by City Council roll call vote.

Due to technical difficulties, Council Member Smith did not vote on this item.

10. PUBLIC HEARINGS

None Scheduled.

11. STAFF REPORTS

11.1: Consider Approving an Urgency Ordinance of the City Council of the City Of Oakdale: (1) Adopting the Stanislaus County Public Health Officer's March 31, 2020 Order Directing All Individuals Living in the County to stay at their Place Of Residence; (2) Adopting the Governor's Executive Order N-33-20, Directing All Individuals Living in the State to stay at their Place Of Residence; (3) Adopting Any Subsequent Orders that the Stanislaus County Public Health Officer or any Official of the State Of California may issue to Limit the Spread Of COVID-19 During the Duration of the COVID-19 State of Emergency; And (4) Ordering All Individuals In the City Of Oakdale to stay at their Place Of Residence and Setting Forth Enforcement Rules.

City Attorney Hallinan provided a staff report recommending the approval of an Urgency Ordinance that would adopt the following:

- 1) The Stanislaus County Public Health Officer's March 31, 2020 Order directing all individuals living in the County to stay at their place of residence;
- 2) California Governor Gavin Newsom's Executive Order N-33-20, directing all individuals living in the state to stay at their place of residence;
- 3) Any subsequent Orders that the Stanislaus County Public Health Officer or any Official of the State of California may issue to limit the spread of COVID-19 during the duration of the COVID-19 state of emergency;
- 4) Ordering all individuals in the city of Oakdale to stay at their place of residence and setting forth enforcement rules.



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There was discussion regarding the removal of language in Section 3 and Section 4 and clarification of language in the Stanislaus County Health Officer's Directive regarding use of park equipment.

Mayor McCarty opened the item for public comment.

City Attorney Goldstein stated one person was calling in for public comment, last four digits of the phone number 7074, however the caller did not respond. City Manager Whitemyer repeated the phone number and meeting ID code for members of the public. City Attorney Goldstein also reminded those who may be viewing how to use the raise hand function.

Public comment was received from Lloyd Kjos, resident of Oakdale, who had questions regarding public events such as National Night Out, curb paintings, etc. and whether they were going to be cancelled or postponed. He also asked where to report businesses where people are congregating inside. City Manager Whitemyer responded to Mr. Kjos' question regarding public events and Chief Heller provided the email address to report non-essential businesses not complying with the stay-at-home order: HAS-COVID-19info@schsa.org.

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

MOTION

Adopt Ordinance 1271, an Urgency Ordinance of the City Council of the City of Oakdale (1) Adopting the Stanislaus County Public Health Officer's March 31, 2020 Order directing all individuals living in the County to stay at their place of residence; (2) Adopting the Governor's Executive Order N-33-20, directing all individuals living in the state to stay at their place of residence and (3) Ordering all individuals in the City of Oakdale to stay at their place of residence and setting forth enforcement rules.

Moved by Council Member Smith and seconded by Mayor McCarty and PASSED AND ADOPTED this 6th day of April, 2020, by the following vote:

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

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

12. CITY MANAGERS REPORT

12.1: Update on COVID-19 Response in Oakdale

City Manager Whitemyer provided a brief PowerPoint Presentation on updates regarding the COVID-19 response in Oakdale. He provided a timeline of events and



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listed phone numbers and websites where the public can find COVID-19 information. He briefly discussed current positive cases within the county and testing totals and also talked about the Emergency Operations Center (EOC) that is running 24/7 during this time.

Mayor McCarty stated that he and City Manager Whitemyer are in constant contact with County, State and Federal officials and that they are working the best they can throughout this process. Mayor McCarty thanked City Manager Whitemyer and staff for all their hard work and also thanked the residents of Oakdale for doing such a great job in slowing the spread of this virus.

Council Member Smith asked a question about additional restrictions or standards at the senior housing complexes. City Manager Whitemyer responded to his question.

Mayor McCarty opened the item to public comment.

City Attorney Goldstein announced that Mike Hancock was presented in the Zoom meeting and called on him to provide his comments, however, there was no response.

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

12.2: Small Business Presentation – Churchwell White

Joan Aguilar, from Churchwell White, provided a PowerPoint presentation on Small Business Resources. She discussed key small businesses statistics, special tax relief and funding options currently available to small businesses, and helpful websites for current updates on COVID-19.

Mayor McCarty thanked Ms. Aguilar for her presentation.

City Attorney Goldstein stated that Mike Hancock was able to email his comment to Council Services Manager Christel who then forwarded it to her to read aloud. Mr. Hancock's comment was, "I was trying to say that citizens can also call the Service Request Hotline to report businesses that are not complying with the closure order and the phone number for that is 209-840-6111 and Carrie is aware and told the volunteers exactly how to process these calls."

13. CITY COUNCIL ITEMS

Council Member Smith wanted to tell the residents of Oakdale thank you for being considerate and polite to each other in the stores. He appreciates everyone's cooperation.

Mayor McCarty thanked Public Works for all their hard work during the storm and bad weather. He also thanked the citizens of Oakdale and reminded everyone to get their information from reliable sources. He appreciates the feedback.



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14. ADJOURNMENT

There being no further business, Mayor McCarty adjourned the meeting at 8:20 p.m.

ATTEST:

APPROVED:

Julie Christel
Council Services and Legislative
Records Manager

J.R. McCarty
Mayor