



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, June 15, 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: 860 3732 0100 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



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, June 15, 2020**

**Next City Council Resolution: 2020-055**

**Next Ordinance: 1274**

**3. PLEDGE OF ALLEGIANCE AND INVOCATION**

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

**4. INVOCATION**

Pastor Jeff Holder from Community United Methodist Church 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 that in light of recent events, he is asking that City Council allow staff to go directly to Item 11.1: Review and Discuss the Recent Protest Events that took place at the Gene Bianchi Community Center on Wednesday, June 3, 2020 and Saturday, June 6, 2020 and Consider a Resolution Affirming the City of Oakdale City Council's Commitment to our Community that Violent and Disrespectful Treatment that Degrades Dignity or Disregards Human Life will not be Tolerated.

Mayor McCarty agreed.

Prior to the presentation of his staff report, City Manager Whitemyer provided instructions in order for people to participate in the public comment portion. He also announced that public comment period will be limited to three (3) minutes per person.

11.1: Review and Discuss the Recent Protest Events that took place at the Gene Bianchi Community Center on Wednesday, June 3, 2020 and Saturday, June 6, 2020 and Consider a Resolution Affirming the City of Oakdale City Council's Commitment to our Community that Violent and Disrespectful Treatment that Degrades Dignity or Disregards Human Life will not be Tolerated.

City Manager Whitemyer presented a staff report that discussed the events of the recent protests that took place at the Gene Bianchi Community Center on Wednesday, June 3, 2020 and Saturday, June 6, 2020. Chief Heller also provided comments regarding each event. City Manager Whitemyer stated that the hope, if this resolution passes, that we will continue to have open dialogue and conversations within our community. He concluded his report by reading the resolution.

Staff responded to questions from the City Council.

Council Member Murdoch stated that he did not feel the resolution had enough teeth and asked what happens if someone doesn't agree with these principles, what happens to them? Mayor McCarty agreed with Council Member Murdoch stating that he loves this community but acknowledges we have a lot of work to do in this community and in society as whole.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, June 15, 2020**

**Next City Council Resolution: 2020-055**

**Next Ordinance: 1274**

City Manager Whitemyer explained the resolution wasn't a be-all end-all but felt and believed that the "teeth" portion is happening nationwide. He said the resolution is a good beginning and will serve as a kick off for those difficult conversations.

Council Member Chiara agreed with City Manager Whitemyer stating that this was a good place to begin.

Council Member Bairos thanked the community for sharing their thoughts and ideas and said the community needs to be more connected and inclusive and that the generations need to come together to work on building this community from the inside out.

Council Member Smith agreed with Mayor McCarty and Council Member Murdoch that the Resolution needed more teeth and questioned what happened once it passed. He expressed his extreme disappointment, sadness, and anger at the behavior and actions of some of the counter protestors and discussed incidents he witnessed and experienced first hand during the protest. He felt the Mayor could have done more to make the protestors feel welcomed and spoke at length about the militia's presence at both events and stated that he felt that our response to dealing with the militia was wrong.

Mayor McCarty replied to Council Member Smith's statements saying he was present at the protest for the entirety of the event and made a point of greeting and speaking with all who attended.

With no further comments from the City Council, Mayor McCarty opened the item for public comment at 7:38 p.m.

Cecilia Suarez voiced disapproval of the counter protestors and asked about the militia.

John Byron voiced support for the Resolution.

1530\*\*\*\*653, identified as Deanna, thanked the Mayor and City Council and the Police Department for their hard work.

Lezlie voiced support for the Resolution.

Jessica Brennan spoke about the protest, counter protestors, and militia.

Kevin Sabo discussed the issue of race in the city of Oakdale and talked about a police review commission.

Teri Curtis urged Mayor McCarty and City Council to continue to educate themselves on the systemic racism in this community and in the country. She also urged the City Council to review Police Department's training and policies.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, June 15, 2020**

**Next City Council Resolution: 2020-055**

**Next Ordinance: 1274**

Wendy Brown spoke about the protest, counter protestors, and militia. She would like to see the 8 Can't Wait on a future agenda and agreed with a review board of the Police Department.

Thomas Helme spoke about the protest and thought the militia was ridiculous.

1209\*\*\*\*122, Alejandro Carrillo, discussed a 2017 resolution and wants to move to district elections.

Sadaf R. spoke about racism in Oakdale.

Business Owner spoke about the protest from local businesses point of view. He stated that the small number of the counter protestors is not reflective of the rest of the 27,000 residents of this town.

Kathryn Lewis talked about her son who was attacked during the protest by a counter protestor.

Marjorie Sturdy expressed her disgust of the actions of the counter protestors. She demanded the City Council take action by postponing the vote on this resolution and create another one with action items and create a citizen review board for review of the Police Department.

Lezlie Jackson Acker spoke about the protest and feels that someone needs to monitor the Police Department's social media pages.

Randi Stime spoke about the counter protestors and racist members of the community.

Adam Good felt the Police Department condoned the militias presence at the protest by not addressing them more severely and suggested the City Council look into adopting all of the 8 Can't Wait.

Emily Webster voiced support of the resolution but asked for continued dialogue to make this community better.

Bianca Lopez stated she was proud of the youth that put together the protest.

Matt, was disconnected.

Antoinette express concern regarding the lack of statements made to business owners prior to the start of the protest and how nothing was discussed regarding the militia. She suggested the City find someone who is adept at social media to get information out to the community.

W. Bauer stated that the outside view of Oakdale is that the town is racist. He also discussed the militia presence during the protest.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, June 15, 2020**

**Next City Council Resolution: 2020-055**

**Next Ordinance: 1274**

Pamela Kelly stated that the previous public comments show that this community needs to talk and share more.

Public Comment was closed at 8:49 p.m.

Council Member Bairos responded to the comment made about her regarding the 2017 Resolution.

Council Member Smith stated that he is disappointed that public comment was lowered from five minutes to three minutes. He also stated that he is not racist.

Council Member Murdoch said he looks forward to additional conversation and further steps and advancement.

Council Member Chiara stated that this is a starting point and we will go forward from here.

Mayor McCarty stated that abstaining from the 2017 Resolution was a mistake and something that he has learned from which is why he wanted it back on the agenda. He stated that he was disgusted by the hateful statements made by the counter-protestors and believes that this resolution is a first step towards working towards something better.

City Manager Whitemyer said he appreciated all the comments and ideas and that we look forward to possibly implementing some of these ideas, however, he is not recommending any changes be made to this resolution. He is committed to putting items on the agenda that will help move us to where we want to be and suggested City Council consider appointing two Council Members to serve on a subcommittee that will work with staff to develop action plans, or "the teeth". He plans to put something together for the next City Council meeting where all this can be discussed.

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

**MOTION**

Adopt City Council Resolution 2020-053, a Resolution of the City of Oakdale City Council Affirming the City of Oakdale City Council's Commitment to our Community that Violent and Disrespectful Treatment that Degrades Dignity or Disregards Human Life will not be Tolerated.

Moved by Council Member Smith and seconded by Bairos and PASSED AND ADOPTED this 15th day of June, 2020, by the following vote:

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



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, June 15, 2020**

**Next City Council Resolution: 2020-055**

**Next Ordinance: 1274**

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

**7. PUBLIC COMMENTS**

City Manager Whitemyer provided instructions to the public for participating in the public comment period.

Public Comment opened at 8:59 p.m.

Public Comment closed at 9:00 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 9.5. 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 June 1, 2020.

9.2: Receive and File the Warrant List for the Period May 22, 2020 through June 5, 2020.

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

9.4: Adopt City Council Resolutions 2020-050 and 2020-051, Resolutions of the City of Oakdale City Council 1) Calling for the Holding of a General Municipal Election to be held on Tuesday, November 3, 2020, for the Election of Certain Officers as required by the Provisions of the Laws of the State of California relating to General Law Cities; and 2) Requesting the Stanislaus County Board of Supervisors to Consolidate the November 3, 2020 City of Oakdale General Municipal Election with the Statewide General Election to be held on the same date Pursuant to §10403 of the Elections Code.

9.5: Adopt City Council Resolution 2020-052 a Resolution of the City of Oakdale City Council Authorizing the City Manager to Execute an Annual Funding Agreement with the City of Turlock/Stanislaus County HOME Consortium Designating the City of Oakdale as a Sub-Recipient of HOME Investment Partnership Program Funds for Fiscal Year 2020-2021.

9.6: Reject by Minute Order, Claim for Damages submitted by Delores Ybarra.

Mayor McCarty requested a motion be made for these items.

**MOTION**



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, June 15, 2020**

**Next City Council Resolution: 2020-055**

**Next Ordinance: 1274**

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.6 for June 15, 2020.

Moved by Council Member Chiara and seconded by Council Member Smith and PASSED AND ADOPTED this 15th day of June, 2020, 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.

**10. PUBLIC HEARINGS**

None Scheduled.

**11. STAFF REPORTS**

11.2 Consider a Resolution Adopting the Preliminary Fiscal Year (FY) 2020/2021 Annual Budget.

City Manager Bryan Whitemyer presented the staff report and PowerPoint presentation of the preliminary annual budget for FY 2020-2021 which contains over 80 separate fund accounts, most of which have designated rules for expenditures by law. He stated that the largest of the City fund accounts are the Water, Sewer and General Funds and that the General Fund contains the discretionary funds for which Council determines expenditures. City Manager provided budget highlights and said that due to COVID-19, the City is projecting significant decreases in Sales Tax and Hotel/Motel Tax categories. Sales Tax is anticipated to drop by 6.25% or \$200,000 and the Hotel/Motel Tax is anticipated to drop by 66% or \$140,000. Additionally, staff is projecting a decrease in Property Tax Categories of about 4.5% or \$181,144. The projected Revenues and Transfers-In for FY 2020-2021 are \$12,991,907 and the projected Expenditures and Transfers-Out for FY 2020-2021 are \$13,613,075. The FY 2020-2021 Preliminary Budget is projecting that expenditures will exceed revenues by \$621,168.

City Manager Whitemyer also provided General Fund Balance projections stating that it is anticipated to decrease by \$621,168 in FY 2020-2021 and that the projected balance at the end of FY 2019/2020 is anticipated to be \$5,448,786 on June 30, 2020 while the fund balance for FY 2020-2021 is projected to be \$4,995,104 on June 30, 2021. Additionally, the projected General Fund Ending Balance (Reserve) on June 30, 2021 is anticipated to be \$4,995,104 or approximately 39% of the \$12,806,374 General Fund expenditures for FY 2019-2019 and the projected ending balance for the General Fund for FY 2020-2021 is projected to be just under the City Council goal of 40%.

City Manager Whitemyer discussed possible COVID-19 reimbursement funds and stated that the City is showing figures as if it will not receive COVID-19 relief funds.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, June 15, 2020**

**Next City Council Resolution: 2020-055**

**Next Ordinance: 1274**

However, if the City does receive some form of COVID-19 reimbursement, it is likely that after these funds are received, the General Fund balance will once again exceed the Council desired 40% reserve threshold.

City Manager Whitemyer also talked about items included in the budget proposal such as negotiated cost of living increases for City employees, an increase in cost for the Fire Services Contract of \$163,555 and \$71,042 in CalPERS retirement cost increases, and CalPERS cost increases for law enforcement which increased by \$312,385. He also discussed the impacts of Measure H (formerly Measure Y) reiterating that 100% of the Measure H Funds collected go directly to fund City of Oakdale services.

City Manager Whitemyer concluded his presentation with the request that City Council adopt a Resolution adopting the Preliminary Fiscal Year (FY) 2020/2021 Annual Budget.

The Council Members thanked City Staff and Mayor McCarty for taking steps to ensure we boosted our reserve funds.

Staff responded to questions from the City Council.

City Manager Whitemyer read instructions for the public to participate in public comment and Mayor McCarty opened the item for public comment.

Council Member Smith asked staff to remind participants who are listening to be able to raise their hand. City Manager Whitemyer provided the instructions.

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

**MOTION**

Adopt City Council Resolution 2020-054, a Resolution of the City of Oakdale City Council Adopting the Preliminary Fiscal Year (FY) 2020/2021 Annual Budget.

Moved by Council Member Smith and seconded by Chiara and PASSED AND ADOPTED this 15th day of June, 2020, by the following vote:

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

**12. CITY MANAGERS REPORT**

**12.1: June 2020 Department Reports**

City Manager Whitemyer advised that the June 2020 Department Reports were included in the Agenda Packet for their review.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, June 15, 2020**

**Next City Council Resolution: 2020-055**

**Next Ordinance: 1274**

12.2: Update on COVID-19 Response in Oakdale

City Manager Whitemyer provided an update on the COVID-19 response in Oakdale and stated that staff continues to track city expenditures for maximum recovery and continue to monitor developments in the countywide and throughout the state. There appears to be significant increases in cases and we continue to encourage everyone to practice social distancing and wearing masks.

City Manager Whitemyer also mentioned the “Good to Go” program offered by Stanislaus County and encouraged businesses to contact the County to find out more about this program.

**13. CITY COUNCIL ITEMS**

13.1: Review and Approve a Letter of Support for Bloomingcamp Ranch to Use Bottled Water and Point of Use Treatment in the Public Restrooms.

Mathew and Coni Steinberg spoke about Bloomingcamp Ranch, its history and the various services and programs it brings to this community. Mr. Steinberg discussed the issues the ranch continues to deal with regarding the well and water system and the challenges they continue to experience in trying to get a clear answer from county and state officials on how to remediate the issue. He stated that they were there to ask the City Council to declare their support for Bloomingcamp Ranch by writing a letter of support to use bottled water and point of use treatment in the public restrooms.

Members of the City Council expressed their appreciation of and support for Bloomingcamp Ranch.

With no further discussion, Mayor McCarty asked that a motion be made on this item.

**MOTION**

By Minute Order, approve a letter of support for Bloomingcamp Ranch to use bottled water and point of use treatment in the public restrooms.

Moved by Council Member Bairos and seconded by Chiara and PASSED AND ADOPTED this 15th day of June, 2020, by the following vote:

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



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, June 15, 2020**

**Next City Council Resolution: 2020-055**

**Next Ordinance: 1274**

Council Member Bairos gave her condolences to the Granzella family for the recent passing of Lawrence Granzella. She also congratulated Michael Walsh who recently retired from the Oakdale Police Department after twenty years.

Council Member Smith had a few items he wanted to mention. He thanked Vargas Printing for the flyers and handouts he printed promoting inclusivity and also thanked HR Manager Mondragon for sending out his 90 Outlooks. He also mentioned that the Oakdale Rescue Mission is in need of backpacks so if anyone would like to donate backpacks, please contact the Oakdale Rescue Mission. Council Member Smith also reminded everyone to wear a life vest if they are headed out to the water. Mayor McCarty added that life vests are available to borrow at the local fire departments. Lastly, he briefly talked about the Oakdale School District's plans to reopen in August and reminded everyone that this pandemic is far from over and to plan continue to wear your masks.

Mayor McCarty also thanked Mr. Vargas for the wonderful posters and congratulated Ava Grace on the upcoming release of her new album.

**14. ADJOURNMENT**

There being no further business, Mayor McCarty adjourned the meeting at 9:38 p.m.

ATTEST:

  
\_\_\_\_\_  
Julie Christel  
Council Services and Legislative  
Records Manager

APPROVED:

  
\_\_\_\_\_  
J.R. McCarty  
Mayor