



CITY OF OAKDALE CITY COUNCIL REGULAR MEETING MINUTES



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, November 16, 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
Mayor Pro Tem Murdoch
Council Member Bairos
Council Member Smith
Council Member Chiara

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Police Chief Heller
Finance Director Avila
Public Services Director Gravel
Council Services Manager Christel
City Clerk Roberts
Assistant to the City Manager Mondragon
Maintenance Worker Supervisor Avila

Absent: None

3. PLEDGE OF ALLEGIANCE

Mayor McCarty asked everyone to stand for the pledge of allegiance. Once done, Mayor McCarty asked everyone to continue standing for the invocation.

4. INVOCATION

Pastor Bill Kenoyer of Redeemer Oakdale 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.

This meeting will be held via teleconference and will not be physically open to the public.



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All members of the public may participate in the meeting via teleconferencing at the following address: <https://us02web.zoom.us/j/88913486317> and via teleconference by calling (888)788-0099, meeting ID: 88913486317 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

5.1: Certificate of Recognition to HN Ana Reynoso for Receiving the Blue Jacket of the Year Award from the United States Navy.

Mayor McCarty introduced this item and asked Assistant to the City Manager Mondragon to provide further information about the Blue Jacket of the Year Award and why it is such a distinguished honor to receive this award. Once Assistant Mondragon was done, Mayor McCarty presented the award to Christine Rhee, HN Ana Reynoso's mother, who accepted on her behalf. Mrs. Rhee read a statement her daughter had prepared that thanked the City Council for their recognition. Mayor McCarty and all the members of the Council thanked HN Reynoso for her service and thanked Mrs. Rhee for accepting the award on her behalf.

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 7:11 p.m. With no public comment, Mayor McCarty closed public comment at 7:12 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 requested a changed to Item 9.1: the Regular City Council Meeting Minutes from November 2, 2020 stating that under 13. City Council items, the Fish Dinner was hosted by I.M.D.E.S. and not F.E.S. Also, she stated she would need to recuse herself from Item 9.7 on the Consent Agenda. There were no other questions or requests to remove other items from the Consent Agenda.

The consent agenda is comprised of Items 9.1 through 9.10. 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 November 2, 2020.



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- 9.2: Receive and File the Warrant List for the Period October 24, 2020 through November 9, 2020.
- 9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.
- 9.4: Adopt Resolution 2020-134, a Resolution of the City Council of the City of Oakdale Adopting by Reference FPPC Title 2, Division 6, California Administrative Code Sections 18730 and 18730.1, an Update to the City of Oakdale Conflict of Interest Code.
- 9.5: Approve by Minute Order, City Co-Sponsored Event Application from the ASTRO Foundation for the Downtown Old-Fashioned Christmas Market Event to be held December 5, 2020.
- 9.6: Approve by Minute Order, City Co-Sponsored Event Application from the FFA Boosters Festival of Trees Event to be held starting November 30, 2020.
- 9.7: Approve by Minute Order, City Co-Sponsored Event Application from the Oakdale Enrichment Society for the Christmas Drive-Thru Event to be held December 5, 2020.
- 9.8: Rejection by Minute Order, Claim for Damages Submitted by Francisco Nunez.
- 9.9: Accept by Minute Order, the Removal of One (1) Oak Tree Located at 1040 East D Street.
- 9.10: Accept by Minute Order, the Removal of One (1) Deodar Cedar Tree Located at 1001 West F Street.

MOTION

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.10 for November 16, 2020.

Moved by Council Member Bairos and seconded by Council Member Smith and PASSED AND ADOPTED this 16th day of November, 2020, by the following vote:

AYES: COUNCIL MEMBERS: Bairos, Smith, Chiara, Murdoch, McCarty	(5)
NOES: COUNCIL MEMBERS: None	(0)
ABSENT: COUNCIL MEMBERS: None	(0)
ABSTAINED: COUNCIL MEMBERS: Bairos*	(1)

Motion carried 5/0 by City Council roll call vote (Items 9.1 through 9.6, 9.8 through 9.10)
*Motion carried 4/0 by City Council roll call vote (Item 9.7)

10. PUBLIC HEARINGS

None



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11. STAFF REPORTS

- 11.1: Consider a Resolution Authorizing the Execution and Delivery of an Equipment Lease Purchase Agreement, Escrow Agreement and Third-Party Custodian Agreement with respect to the Acquisition, Purchase, Financing and Leasing of Certain Energy Efficiency Equipment in an Amount Not to Exceed \$3,300,000; and Authorizing the Taking of Other Actions, and the Delivery of Other Documents, Related Thereto.

City Manager Whitemyer provided a staff report on the Purchase Agreement, Escrow Agreement and Third-Party Custodian Agreement with respect to the Acquisition, Purchase, Financing and Leasing of Certain Energy Efficiency Equipment. Due to technical difficulties, he was unable to provide the accompanying PowerPoint Presentation. He provided a brief history of the Energy Solutions Project, discussed the purpose of the proposed agreements and the equipment that would be purchased. He concluded his presentation requesting City Council authorize the execution and delivery of an Equipment Lease Purchase Agreement, Escrow Agreement and Third-Party Custodian Agreement with respect to the acquisition, purchase, financing and leasing of certain Energy Efficiency Equipment in an amount not to exceed \$3,300,000; and authorize the taking of other actions, and the delivery of other documents, related thereto.

Staff responded to questions from City Council.

Mayor McCarty opened this item to public comment.

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

MOTION

Adopt Resolution 2020-135, a Resolution of the City Council of the City of Oakdale Authorizing the Execution and Delivery of an Equipment Lease Purchase Agreement, Escrow Agreement and Third-Party Custodian Agreement with respect to the Acquisition, Purchase, Financing and Leasing of Certain Energy Efficiency Equipment in an Amount Not to Exceed \$3,300,000; and Authorizing the Taking of Other Actions, and the Delivery of Other Documents, Related Thereto.

Moved by Council Member Smith and seconded by Council Member Murdoch and PASSED AND ADOPTED this 16th day of November, 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.

- 11.2: Review and Approve a Resolution Approving the Energy Conservation Assistance Act Loan Agreement for a \$3,000,000 Loan at 1% Interest Rate with the California Energy Resources Conservation and Development Commission.



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City Manager Whitemyer provided a staff report on the Energy Conservation Assistance Act Loan Agreement. He stated that this was the second part of the Energy Solutions Financing Project and that approval of this item will allow for the completion of the financing portion of the project and allow the City to move forward with the purchase and installation of the energy efficient equipment. He concluded his report requesting the City Council adopt a Resolution approving the Energy Conservation Assistance Act Loan Agreement for a \$3,000,000 loan at 1% interest rate with the California Energy Resources Conservation and Development Commission.

Staff responded to questions from City Council.

Mayor McCarty opened this item to public comment and with no public comment, he requested a motion be made for this item.

MOTION

Adopt Resolution 2020-136, a Resolution of the City Council of the City of Oakdale Approving the Energy Conservation Assistance Act Loan Agreement for a \$3,000,000 Loan at 1% Interest Rate with the California Energy Resources Conservation and Development Commission.

Moved by Council Member Smith and seconded by Council Member Chiara and PASSED AND ADOPTED this 16th day of November, 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.

- 11.3: Consider a Resolution Authorizing the City Manager to Reject Construction Bids for the Well 4 Rehabilitation Project CP 1812.

Superintendent Bridgewater provided a staff report and PowerPoint Presentation on the Well 4 Rehabilitation Project. He provided a brief history on Well 4, discussed the scope of work necessary for the rehabilitation project and the reason for the request to reject the bids received for that work. He concluded his report requesting the City Council to adopt a Resolution authorizing the City Manager to reject construction bids for the Well 4 Rehabilitation Project.

Staff responded to questions from City Council.

Mayor McCarty opened this item to public comment.

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



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MOTION

Adopt Resolution 2020-137, a Resolution of the City Council of the City of Oakdale Authorizing the City Manager to Reject Construction Bids for the Well 4 Rehabilitation Project CP 1812.

Moved by Council Member Chiara and seconded by Council Member Bairos and PASSED AND ADOPTED this 16th day of November, 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.

- 11.4: Discuss and Provide Direction to Staff Regarding Assembly Bill 571, Establishing Contribution Limits for Candidates for City Office.

City Attorney Hallinan provided a staff report Assembly Bill 571. He explained the purpose of the bill and that the City must establish contribution limits by January 1, 2021 or default to the contribution limits established by AB 571. He concluded his staff report stating that the City Council's options/alternatives are to:

1. Do nothing and accept the contribution limits established by AB 571; or
2. Direct city Staff to prepare an ordinance or resolution establishing contribution limits for candidates running for City office.

Staff responded to questions from City Council.

Mayor McCarty opened this item to public comment.

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

MOTION

Provide Direction to Staff Regarding Assembly Bill 571, Establishing Contribution Limits for Candidates for City Office.

Moved by Council Member Smith and seconded by Council Member Bairos and PASSED AND ADOPTED this 16th day of November, 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)

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



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- 11.5: Review and Approve by Minute Order, the Purchase of the Everbridge Mass Notification System and Authorize the Chief of Police to Sign the Quote.

Finance Director Avila presented a staff report on the Police Department’s need to purchase an Everbridge Mass Notification System. He provided a breakdown of the cost associated with the purchase and Chief Heller provided the specifics on the how the notification system works. Finance Director Avila concluded his report requesting the City Council approve by Minute Order, the purchase of the Everbridge Mass Notification System and authorize the Chief of Police to sign the quote.

Staff responded to questions from City Council.

Mayor McCarty opened this item to public comment.

Council Member Elect Fred Smith tried to provide comment on this item, however, due to technical difficulties, was inaudible.

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

MOTION

Approve by Minute Order, the Purchase of the Everbridge Mass Notification System and Authorize the Chief of Police to Sign the Quote.

Moved by Council Member Smith and seconded by Council Member Bairos and PASSED AND ADOPTED this 16th day of November, 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)

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

12. CITY MANAGERS REPORT

- 12.1: November 2020 Department Reports.

City Manager Whitemyer advised City Council that the November 2020 Department Reports are included in their Agenda Packet for their review.

- 12.2: Update on COVID-19 Response in Oakdale.

City Manager Whitemyer provided an update on the COVID-19 response in Oakdale and where the county currently stands on the reopening color chart. He also provided an overview of the Small Business Relief Grants Program and gave an update on when checks will be dispersed to recipients of the grant award.



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He mentioned that the City is currently working on a new program called the RAD (Relief Across Downtown) Card Program which focuses on the downtown area. It is a digital card that doubles the cardholder's dollars when patronizing downtown restaurants, retailers and personal care services. He explained that when a person loads their RAD Card with money, the amount is matched, dollar for dollar, by donated funds from Stanislaus County and local donors. City Manager Whitemyer stated that staff is still working with downtown merchants to get the word out and have more businesses sign up. The goal is to have the program up and running before the holidays.

13. CITY COUNCIL ITEMS

Mayor McCarty asked if any Council Members had anything they would like to share:

Council Member Smith congratulated Fred Smith and Council Member Chiara for winning their Council Member Seats and congratulated the rest of the candidates on their campaigns. He thanked Council Member Bairos and Infinite Athletics for hosting the Veteran's Day BBQ Drive Thru Event and provided information regarding the upcoming grand openings of several local businesses. He also congratulated the House of Tykes on the celebration of their 25th anniversary. Lastly, he talked about the various construction projects happening throughout town.

Council Member Bairos also congratulated Council Member Chiara and Council Member Elect Fred Smith on a successful election to Council and thanked the other candidates who ran. She congratulated Bucksworth for 40 years in business and also House of Tykes for their 25 years. She also congratulated Council Member Smith's son Jacob for achieving the rank of Eagle Scout. Council Member Bairos also thanked Council Member Smith and Council Member Chiara for helping out at the Veteran's Day BBQ Drive Thru event and also thanked Infinite Athletics and the rest of the volunteers who worked that day. She thanked the people who worked on the mural on the side of Hobbies Arts & Craft building and announced the Christmas Drive Thru Event on December 5, 2020.

Mayor McCarty announced the Downtown Christmas Market on December 5, 2020 after the Drive Thru event. He also congratulated Council Member Chiara and Council Member Elect Fred Smith on their election to the City Council and thanked all the candidates for their willingness to run for election.

14. ADJOURNMENT

There being no further business, Mayor McCarty adjourned the meeting at 8:19 p.m.

ATTEST:

/s/ Julie Christel
Julie Christel
Council Services and Legislative
Records Manager

APPROVED:

/s/ J.R. McCarty
J.R. McCarty
Mayor