

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 21, 2021

7:00 PM

City Council Chambers

1. CALL TO ORDER:

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

Deputy City Clerk Christel conducted roll call with Council Member Fred Smith, Council Member Chiara, Council Member Haney (joining remotely via Zoom), Mayor Pro Tem Christopher Smith, and Mayor Bairos responding they were present.

2. COUNCIL MEMBERS PRESENT/ABSENT:

Present: Mayor Cheryl Bairos
Mayor Pro Tem Christopher Smith
Council Member Chiara
Council Member Smith
Council Member Haney

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Police Chief Heller
Finance Director Avila
Public Services Director Gravel
Public Works Superintendent Supervisor Bridgewater
Senior Engineering Technician Renfrow
Assistant to the City Manager Mondragon
Council Services Manager Christel

Absent: None

3. Pledge of Allegiance

Mayor Bairos led the pledge of allegiance.

4. Invocation Provided by Pastor Ron Speer of the Mountain View Church.

Pastor Speer of the Mountain View Church provided the invocation.

5. Presentations/Acknowledgements

5.1: Certificate of Recognition to Oakdale Dry Cleaners for 30 years of doing business in the City of Oakdale.

Mayor Bairos recognized Sunny Shin of Oakdale Dry Cleaners for 30 years of doing business in the city of Oakdale. Sunny Shin accepted the certificate and thanked the City Council for the recognition.



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6. Additions/Deletions

Mayor Bairos asked City Manager Whitemyer if there were any additions or deletions to the agenda to which City Manager Whitemyer replied that Item 9.6 was being pulled from the agenda for consideration at a later time.

7. Public Comments

Mayor Bairos opened Public Comment at 7:08 p.m.

With no Public Comment, Mayor Bairos closed Public Comment at 7:08 p.m.

8. Appointment to Boards, Commissions, Committees

None.

9. City Council 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 Special City Council Meeting Minutes of May 26, 2021 and Regular City Council Meeting of June 7, 2021.

9.2: Receive and File the Warrant List for the Period June 2, 2021 through June 16, 2021.

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

9.4: Accept by Minute Order, the April 2021 Treasurer's Report.

9.5: Accept by Minute Order, the May 2021 Treasurer's Report.

9.6: Approve by Minute Order, a Tree Removal Request for the removal of one (1) Live Oak, one (1) Cork Oak, and four (4) Chinese Pistache trees located at 245 North Second Street as part of the Oakdale Police Department/City Hall Facility Improvement Project.

9.7: By Motion, authorize the cancellation of the Tuesday, July 6, 2021 City Council Meeting.

9.8: Adopt City of Oakdale City Council Resolution 2021-047 authorizing the Mayor to execute an amended Contract Agreement for the City Manager.

9.9: Adopt City of Oakdale City Council Resolution 2021-048 authorizing the City of Oakdale to enter into an updated Stanislaus Special Investigations Unit (formerly Stanislaus Drug Enforcement Agency) Joint Powers Agreement.

9.10: Adopt City of Oakdale City Council Resolution 2021-049 authorizing the City Manager to execute all; Master Agreements, Program Supplement Agreements, Fund Exchange Agreements, Cooperative Agreements and any Amendments thereto with the California Department of Transportation.

MOTION



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To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.10, with the exception of 9.6 which was pulled from the agenda for consideration at a later date, for June 21, 2021.

Moved by Mayor Pro Tem Smith and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	C. Smith, Chiara, F. Smith, Haney, Bairos	(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: Introduce and Waive the First Reading of an Ordinance amending a Development Agreement between the City of Oakdale and MDS Business Services, Inc. for the purpose of amending and extending the current agreement.

City Manager Whitemyer provided a staff report and PowerPoint Presentation on an Amended and Restated Agreement between the City of Oakdale and MDS Business Services, Inc. He provided a history on Ordinance No. 1255 which established a Cannabis Business Pilot Program and the Development Agreement developed at that time between the City and MDS Business Services, Inc. (Ordinance No. 1258). The Development Agreement went into effect on March 23, 2018 and consisted of a three (3) year term. He also discussed the One-Time Enforcement Cannabis Impact Fee and monthly Cannabis Dispensary Public Benefit fees.

City Manager Whitemyer then reviewed the Proposed Development Agreement terms stating that MDS Business Services, Inc. would like to extend their Development Agreement with the City of Oakdale but no longer desired to pursue the "Microbusiness" component of their business and would only focus on the retail cannabis dispensary. He provided information on the Public Hearing the Planning Commission held on May 5, 2021 stating that the Planning Commission, by a vote of 4-0, recommended the City Council adopt Ordinance No. 2021-1275. City Manager Whitemyer concluded his report stating that proposed Development Agreement term would be for ten (10) years and requested the Council approve the introduction and first reading of Ordinance No. 2021-1275 amending and extending a Development Agreement between the City of Oakdale and MDS Business Services for a period of ten (10) years.

City Manager Whitemyer answered questions from the City Council.

Mayor Bairos declared that it was the time and place for the public hearing for of an Ordinance amending a Development Agreement between the City of Oakdale and MDS Business Services, Inc. for the purpose of amending and extending the current



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agreement.

She asked that anyone wishing to file a written protest, file it with the Deputy City Clerk at this time.

Mayor Bairos opened the public hearing at 7:18 p.m.

Mayor Bairos opened the item for public comment at 7:18 p.m.

Mark from the People’s Remedy thanked the City Council for their support.

Mayor Bairos closed public comment and asked for City Council discussion. Once the City Council held discussion, Mayor Bairos closed the public hearing at 7:19 p.m. She asked if a member of the City Council would like to make a motion for this item.

MOTION

To approve the introduction and waive the first reading of an Ordinance amending a Development Agreement between the City of Oakdale and MDS Business Services, Inc. for the purpose of amending and extending the current agreement.

Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	F. Smith, C. Smith, Chiara, Bairos	(4)
NOES: COUNCIL MEMBERS:	Haney	(1)
ABSENT: COUNCIL MEMBERS:	None	(0)
ABSTAINED: COUNCIL MEMBERS:	None	(0)

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

- 10.2: Introduce and Waive the First Reading of an Ordinance amending a Development Agreement between the City of Oakdale and Cal Kosher, Inc. and Empire Wellness for the purpose of amending and extending the current agreement.

City Manager Whitemyer provided a staff report and PowerPoint Presentation on an Amended and Restated Agreement between the City of Oakdale and MDS Business Services, Inc. He discussed the Development Agreement between the City and JDI Farms, Inc., now operating as Cali Kosher, Inc. and Empire Wellness, Inc., (Ordinance No. 1257) stating the Development Agreement went into effect on March 23, 2018, consisted of a three (3) year term, and set for the ability for the business to operate a retail cannabis dispensary and cannabis “Microbusiness.” He reviewed the Development Agreement Terms and discussed the One-Time Enforcement Cannabis Impact Fee and monthly Cannabis Dispensary Public Benefit fees.

City Manager Whitemyer then reviewed the Proposed Development Agreement stating the proposed Development Agreement would be for ten (10) years, the operation of the



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dispensary, Empire Health and Wellness, would continue at the 633 Armstrong Way location, project parcels and boundaries of the manufacturing and cultivation business (517/547 Armstrong Way) would be clarified, and they would obtain additional State Cannabis licenses: Type 7 (manufacturing) and two (2) Type 3a (cultivation). He provided a map showing the proposed locations of the manufacturing portion and cultivation areas and then reviewed the monthly Cannabis Dispensary Public Benefit Fee for the proposed Development Agreement.

City Manager Whitemyer discussed the Public Hearing the Planning Commission held on May 5, 2021 stating that the Planning Commission, by a vote of 4-0, recommended the City Council adopt Ordinance No. 2021-1276. He concluded his report requesting the City Council approve the introduction and first reading of Ordinance No. 2021-1276 amending and extending a Development Agreement between the City of Oakdale and Cali Kosher, Inc. and Empire Wellness, Inc. for a period of ten (10) years.

City Manager Whitemyer responded to questions from the City Council.

Mayor Bairos declared that it was the time and place for the public hearing for an Ordinance amending a Development Agreement between the City of Oakdale and Cal Kosher, Inc. and Empire Wellness for the purpose of discussing the amending and extension development agreement for the applicant's cannabis dispensary, manufacturing, and cultivation business.

Mayor Bairos asked that anyone wishing to file a written protest, file it with the Deputy City Clerk at this time.

Mayor Bairos opened the public hearing at 7:26 p.m.

Mayor Bairos opened the item for public comment at 7:27 p.m.

With no public comment, Mayor Bairos closed public comment and asked for City Council discussion. Once the City Council held discussion, Mayor Bairos closed the public hearing at 7:29 p.m. She asked if a member of the City Council would like to make a motion for this item.

MOTION

To approve the introduction and waive the first reading of an Ordinance amending a Development Agreement between the City of Oakdale and Cal Kosher, Inc. and Empire Wellness for the purpose of amending and extending the current agreement.

Moved by Mayor Pro Tem Smith and seconded by Council Member Smith and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	C. Smith, F. Smith, Chiara, Bairos	(4)
NOES: COUNCIL MEMBERS:	Haney	(1)
ABSENT: COUNCIL MEMBERS:	None	(0)



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ABSTAINED: COUNCIL MEMBERS:None

(0)

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

11. Staff Reports

11.1: Consider a location change to the proposed Maag Avenue dog park.

Public Services Director Gravel provided a staff report and PowerPoint Presentation on a location change to the proposed Maag Avenue dog park. He discussed various potential issues with the current location including storm drain issues and dog park activities in relation to Jr. High School operations. Director Gravel stated that on June 16, 2021, this item was brought before the Planning Commission and the Commission voted 5-0 in support of recommending to the City Council, the location change to the new area at the basin located at the corner of G Street and Maag Avenue. He concluded his report asking the City Council approve by minute order, a location change to the proposed Maag Avenue dog park.

Staff responded to questions from the City Council.

Mayor Bairos opened public comment for this item.

Public comment was received from:

Tony Robertson who expressed concern regarding park hours and potential traffic issues with the proposed location change.

Vicky Griffith, who spoke on behalf of her son who lives at 1592 E. G Street, expressed concern regarding the lack of park space for kids playing sports and potential traffic issues in the proposed area.

Cindy Rivera, who lives on Crow Creek, expressed concern about neighborhood children losing the ability to use the basin for playing sports and other things.

Deputy City Clerk Christel read an email submitted by Dana and Jimmy Velazquez who spoke against a dog park in the proposed new location.

Mayor Bairos spoke on behalf of the Oakdale Soccer Club and Oakdale Baseball/Softball Association who stated that teams are able to practice wherever they can, at the basins, parks, or other locations.

Each City Council member provided their thoughts and concerns on both locations. After discussion,

MOTION

To revise Item 11.1, changing the proposed Maag Avenue dog park location back to the



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original Jr. High location and approve the revised Item 11.1.

Moved by Mayor Pro Tem Smith, and seconded by Council Member Smith and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	C. Smith, F. Smith, Chiara, Bairos	(4)
NOES: COUNCIL MEMBERS:	Haney	(1)
ABSENT: COUNCIL MEMBERS:	None	(0)
ABSTAINED: COUNCIL MEMBERS:	None	(0)

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

- 11.2: Consider Resolutions of the City of Oakdale City Council initiating Landscape and Lighting Maintenance District Assessments for Bridle Ridge for Fiscal Year 2021/2022.

Council Member Chiara declared a conflict of interest due to her residence being within Bridle Ridge Lighting and Landscaping Maintenance District and recused herself from the meeting.

Finance Director Avila presented the staff report advising the actions being recommended at this time are the first steps necessary in order to proceed to public hearing on July 19, 2021, for the Landscape and Lighting Maintenance District assessments for Bridle Ridge for Fiscal Year 2021/2022.

Mayor Bairos opened the item for public comment.

Public Comment: None

With no public comment, Mayor Bairos asked a motion be made for this item.

MOTION

- (1) Adopt City of Oakdale City Council Resolution 2021-050, a Resolution of the City Council of the City of Oakdale, California initiating proceedings for the annual levy and collection of assessments and ordering the preparation of annual Engineer's Reports for the City of Oakdale for the Bridle Ridge Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.
- (2) Adopt City of Oakdale City Council Resolution 2021-051, a Resolution of the City Council of the City of Oakdale, California providing preliminary approval of the annual Engineer's Report regarding the proposed levy and collection of assessments for the Bridle Ridge Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.
- (3) Adopt City of Oakdale City Council Resolution 2021-052, a Resolution of the City Council of the City of Oakdale, California declaring its intention for the levy and



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collection of annual assessments for the Bridle Ridge Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.

Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	F. Smith, C. Smith, Haney, Bairos	(4)
NOES: COUNCIL MEMBERS:	None	(0)
ABSENT: COUNCIL MEMBERS:	None	(0)
ABSTAINED: COUNCIL MEMBERS:	Chiara	(1)

Motion carried 4/0 by City Council roll call vote.

- 11.3: Consider Resolutions of the City of Oakdale City Council initiating Landscape and Lighting Maintenance District Assessments for the Vineyards for Fiscal Year 2021/2022.

Finance Director Avila presented the staff report advising the actions being recommended at this time are the first steps necessary in order to proceed to public hearing on July 19, 2021, for the Landscape and Lighting Maintenance District assessments for the Vineyards for Fiscal Year 2021/2022.

Staff responded to questions asked by the City Council.

Mayor Bairos opened the item for public comment.

Public Comment: None

With no public comment, Mayor Bairos asked a motion be made for this item.

MOTION

- (1) Adopt City of Oakdale City Council Resolution 2021-053, a Resolution of the City Council of the City of Oakdale, California initiating proceedings for the annual levy and collection of assessments and ordering the preparation of annual Engineer's Reports for the City of Oakdale of the Vineyards Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.
- (2) Adopt City of Oakdale City Council Resolution 2021-054, a Resolution of the City Council of the City of Oakdale, California providing preliminary approval of the annual Engineer's Report regarding the proposed levy and collection of assessments for the Vineyards Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.
- (3) Adopt City of Oakdale City Council Resolution 2021-055, a Resolution of the City Council of the City of Oakdale, California declaring its intention for the levy and collection of annual assessments for the Vineyards Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.



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Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	F. Smith, C. Smith, Chiara, Haney, Bairos	(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: Consider Resolutions of the City of Oakdale City Council initiating Landscape and Lighting Maintenance District Assessments for the Burchell Hill for Fiscal Year 2021/2022.

Mayor Bairos declared a conflict of interest due to her residence being within Burchell Hill Lighting and Landscaping Maintenance District and recused herself from the meeting. Mayor Pro Tem Smith conducted the meeting in her absence.

Finance Director Avila presented the staff report advising the actions being recommended at this time are the first steps necessary in order to proceed to public hearing on July 19, 2021, for the Landscape and Lighting Maintenance District assessments for Burchell Hill for Fiscal Year 2021/2022.

Staff responded to questions asked by the City Council.

Mayor Pro Tem Smith opened the item for public comment.

Public Comment: None

With no public comment, Mayor Pro Tem Smith asked for a motion to be made for this item.

MOTION

- (1) Adopt City of Oakdale City Council Resolution 2021-056, a Resolution of the City Council of the City of Oakdale, California initiating proceedings for the annual levy and collection of assessments and ordering the preparation of annual Engineer's Reports for the City of Oakdale of the Burchell Hill Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.
- (2) Adopt City of Oakdale City Council Resolution 2021-057, a Resolution of the City Council of the City of Oakdale, California providing preliminary approval of the annual Engineer's Report regarding the proposed levy and collection of assessments for the Burchell Hill Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.
- (3) Adopt City of Oakdale City Council Resolution 2021-058, a Resolution of the City Council of the City of Oakdale, California Declaring its intention for the levy and



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collection of annual assessments for the Burchell Hill Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.

Moved by Council Member Smith, and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	F. Smith, Chiara, Haney, C. Smith	(4)
NOES: COUNCIL MEMBERS:	None	(0)
ABSENT: COUNCIL MEMBERS:	None	(0)
ABSTAINED: COUNCIL MEMBERS:	Bairos	(1)

Motion carried 4/0 by City Council roll call vote.

- 11.5: Consider Resolutions of the City of Oakdale City Council initiating Landscape and Lighting Maintenance District Assessments for Landscape and Lighting District No. 03-01 (Live Oak, Reinman Court, Sunset Meadows, Sterling Hills, Murdoch Estates) for Fiscal Year 2021/2022.

Finance Director Avila presented the staff report advising the actions being recommended at this time are the first steps necessary in order to proceed to public hearing on July 19, 2021, for the Landscape and Lighting Maintenance District assessments for the District No. 03-01 (Live Oak, Reinman Court, Sunset Meadows, Sterling Hills, Murdoch Estates) for Fiscal Year 2021/2022.

Staff responded to questions asked by the City Council.

Mayor Bairos opened the item for public comment.

Public Comment: Kathleen Westenberg asked about reserve levels and increasing costs.

With no further public comment, Mayor Bairos closed public comment and asked for a motion to be made for this item.

MOTION

- (1) Adopt City of Oakdale City Council Resolution 2021-059, a Resolution of the City Council of the City of Oakdale, California initiating proceedings for the annual levy and collection of assessments and ordering the preparation of annual Engineer's Reports for the City of Oakdale's Landscaping and Lighting Maintenance District No. 03-01 (Live Oak, Reinman Court, Sunset Meadows, Sterling Hills, Murdoch Estates) for Fiscal Year 2021/2022.
- (2) Adopt City of Oakdale City Council Resolution 2021-060, a Resolution of the City Council of the City of Oakdale, California providing preliminary approval of the annual Engineer's Report regarding the proposed levy and collection of assessments for the City of Oakdale's Landscaping and Lighting Maintenance District No. 03-01, (Live Oak, Reinman Court, Sunset Meadows, Sterling Hills, Murdoch Estates) for Fiscal Year 2021/2022.



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- (3) Adopt City of Oakdale City Council Resolution 2021-061, a Resolution of the City Council of the City of Oakdale, California declaring its intention for the levy and collection of annual assessments for the City of Oakdale’s Landscaping and Lighting Maintenance District No. 03-01, (Live Oak, Reinman Court, Sunset Meadows, Sterling Hills, Murdoch Estates) for Fiscal Year 2021/2022.

Moved by Mayor Pro Tem Smith and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	C. Smith, Chiara, F. Smith, Haney, Bairos	(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.

- 11.6: Consider a Resolution authorizing the City Manager to approve a contract with Howk Systems for the Well 4 Rehabilitation Project in the amount of \$86,370.51 as well as approve 10% contingency in the amount of \$8,600.00 for a total project cost of \$94,970.51 funded by Water Capital Replacement Fund 644.

Public Works Superintendent Bridgewater provided a staff report and PowerPoint Presentation on the Well 4 Rehabilitation Project. He provided a brief background of the project, discussed the scope of the work necessary for the project and talked about the bid process explaining that Howk Systems was the lowest bidder. He concluded his report requesting the City Council approve a contract with Howk Systems for the Well 4 Rehabilitation Project.

Staff responded to questions from the City Council.

Mayor Bairos opened the item for public comment. With no public comment, Mayor Bairos closed public comment for this item and asked the Council to make a motion on this item.

MOTION

Adopt City of Oakdale City Council Resolution 2021-062, a Resolution of the City Council of the City of Oakdale authorizing the City Manager to approve a contract with Howk Systems for the Well 4 Rehabilitation Project in the amount of \$86,370.51 as well as approve 10% contingency in the amount of \$8,600.00 for a total project cost of \$94,970.51 funded by Water Capital Replacement Fund 644.

Moved by Council Member Smith, and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	F. Smith, Chiara, C. Smith, Haney, Bairos	(5)
NOES: COUNCIL MEMBERS:	None	(0)



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ABSENT: COUNCIL MEMBERS: None (0)
 ABSTAINED: COUNCIL MEMBERS:None (0)

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

- 11.7: Consider a Resolution adopting a list of projects for Fiscal Year (FY) 2021-2022 to be funded by SB 1 as required by the Road Repair and Accountability Act of 2017.

Public Services Director Gravel provided a staff report and PowerPoint Presentation on a list of projects for FY 2021-2022 to be funded by SB 1. He reviewed a list of projects included in the department's Slurry Seal Plan for preventative maintenance in Slurry Seal Area 3. He provided a map outlining the streets that are included in this area and discussed the work to be done.

Director Gravel concluded his report requesting the City Council adopt by Resolution, a list of projects for FY 2021-2022 to be funded by SB 1 as required by the Road Repair and Accountability Act of 2017.

Staff responded to questions from the City Council.

Mayor Bairos opened this item for public comment and with no public comment received, Mayor Bairos closed public comment and asked the City Council for a motion to be made for this item.

MOTION

Adopt City of Oakdale City Council Resolution 2021-063, a Resolution of the City Council of the City of Oakdale adopting a list of projects for Fiscal Year (FY) 2021-2022 to be funded by SB 1 as required by the Road Repair and Accountability Act of 2017.

Moved by Mayor Pro Tem Smith and seconded by Council Member Smith and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS: C. Smith, F. Smith, Chiara, Haney, Bairos (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.

- 11.8: Consider a Resolution authorizing the City Manager to award and execute a Landscape Maintenance contract to Ruben Pastran dba RP Landscaping for the Gene Bianchi Community Center and the Gladys Lemons Senior Center.

Finance Director provided a staff report and PowerPoint Presentation regarding a request for a maintenance contract with Ruben Pastran of RP Landscaping for landscaping



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services for the Gene Bianchi Community Center and the Gladys Lemons Senior Center. He explained the contractor the city had been using did not have the state licensing required of landscaping contractors so the City went out to bid for landscapers. He discussed the bid process stating that two bids were received, however, one company pulled their bid due to difficulty finding staffing. Director Avila talked about the proposed work to be done at the Gene Bianchi Community Center and the Gladys Lemons Senior Center, fees associated with the contract, and provided pictures of the areas in dire need of maintenance. He concluded his report requesting the City Council authorize the City Manager to award and execute a Landscape Maintenance contract with Ruben Pastran of RP Landscaping for the Gene Bianchi Community Center and the Gladys Lemons Senior Center.

Staff responded to questions from the City Council.

Mayor Bairos opened public comment.

Public comment was received from Kathleen Westenberg who asked about an oversight committee for the landscaping issues.

With no further comment, Mayor Bairos closed public comment.

There was discussion from the City Council regarding insurance requirements and assigning staff to provide oversight on the work being done.

With no further discussion, Mayor Bairos asked the City Council for a motion to be made for this item.

MOTION

Adopt City of Oakdale City Council Resolution 2021-064, a Resolution of the City Council of the City of Oakdale authorizing the City Manager to award and execute a Landscape Maintenance contract to Ruben Pastran dba RP Landscaping for the Gene Bianchi Community Center and the Gladys Lemons Senior Center contingent that the correct boxes are checked and coverage requirements met on the Certificate of Liability Insurance.

Moved by Mayor Pro Tem Smith and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	C. Smith, Chiara, F. Smith, Haney, Bairos	(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.

- 11.9: Consider a Resolution supporting and authorizing the extension of the Abandoned Vehicle Abatement (AVA) Program fee through April 30, 2032.



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Police Chief Heller provided a staff report presentation on the Abandoned Vehicle Abatement (AVA) Program. Chief Heller provided a history of the AVA Program, how it is funded and the contributions it has made to the local quality of life by removing thousands of junked or abandoned vehicles from cities and the County. He stated that the current AVA Program fee is set to expire on April 30, 2022 but that the fee may be extended in increments of up to ten (10) years if the Stanislaus County Board of Supervisors and a majority of the cities having a majority of the incorporated population within the county adopt resolutions providing for the extension of the fee.

Chief Heller concluded his presentation requesting the City Council approve a Resolution supporting and authorizing the extension of the Abandoned Vehicle Abatement (AVA) Program fee through April 30, 2032.

Staff responded to comments from the City Council.

Mayor Bairos opened public comment.

Public comment was received from Alice Garcia who had a complaint regarding the excessive vehicles parked in her neighborhood.

With no further public comment, Mayor Bairos closed public comment and asked for a motion to be made on this item.

MOTION

Adopt City of Oakdale City Council Resolution 2021-065, a Resolution of the City Council of the City of Oakdale support and authorizing the extension of the Abandoned Vehicle Abatement (AVA).

Moved by Council Member Smith, and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	F. Smith, Chiara, F. Smith, Haney, Bairos	(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.

11.10: Consider a Resolution adopting the Preliminary Fiscal Year (FY) 2021/2022 Annual Budget.

City Manager Bryan Whitemyer presented the staff report and PowerPoint presentation of the preliminary annual budget for FY 2021-2022 which contains over 80 separate fund accounts, most of which have designated rules for expenditures by law. He stated that



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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 Whitemyer discussed challenges related to the COVID-19 pandemic and stated that despite those challenges, property tax and sales tax receipts for FY 2021-2022 were projected to increase by about \$250,000. He also talked about the Cannabis Fund and that this budget proposes using \$262,179 from those funds to cover cost increases associated with law enforcement and fire services. He explained that as a result of these revenue increases and other measures, the FY 2021-2022 Preliminary Budget projects that General Fund revenues will slightly exceed General Fund expenditures by \$12,108 despite expenditure increases of \$487,254. The main cost increases were the result of new agreements with City Labor Groups, rising costs associated with CalPERS, and the planned Year 3 cost increase of the Fire Services Contract with Modesto Fire Department. He also discussed Measure H funding and provided a breakdown of Measure H expenditures for the FY 2020-2021.

City Manager Whitemyer concluded his presentation requesting the City Council adopt a Resolution adopting the Preliminary Fiscal Year (FY) 2021/2022 Annual Budget.

Staff responded to questions from the City Council.

With no further questions, Mayor Bairos opened the item for public comment. With no public comment, Mayor Bairos closed public comment and asked the City Council for a motion to be made on this item.

MOTION

Adopt City of Oakdale City Council Resolution 2021-066, a Resolution of the City Council of the City of Oakdale adopting the Preliminary Fiscal Year (FY) 2021/2022 Annual Budget.

Moved by Mayor Pro Tem Smith, and seconded by Council Member Chiara and PASSED AND ADOPTED this 21st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:	C. Smith, Chiara, F. Smith, Haney, Bairos	(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 Manager's Report

12.1: June 2021 Department Reports.

City Manager Whitemyer advised that the June 2021 Department Reports were included in the



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City Council agenda packets for their reference and review.

13. City Council Items

Mayor Pro Tem Smith thanked everyone who donated to the Children's Cancer Fundraising event at UCSF that he was participating in.

Mayor Bairos reminded everyone that the Oakdale's 150th Birthday Celebration event was happening that week and listed the numerous events occurring throughout town.

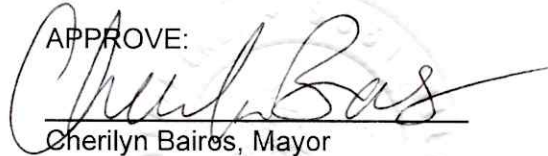
14. Adjournment

There being no further business, Mayor Bairos adjourned the meeting at 9:36 p.m.

ATTEST:


Julie Christel, Deputy City Clerk

APPROVE:


Cherilyn Baires, Mayor