



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, August 2, 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 Haney, Mayor Pro Tem Christopher Smith, and Mayor Bairos responding they were present. Council Member Chiara was absent from the meeting.

2. COUNCIL MEMBERS PRESENT/ABSENT:

Present: Mayor Cherilyn Bairos
Mayor Pro Tem Christopher Smith
Council Member Smith
Council Member Haney

Staff Present: City Manager Whitemyer
City Attorney Hallinan
Acting Police Chief Ramar
Finance Director Avila
Public Services Director Gravel
Management Analyst Andersen
Assistant to the City Manager Mondragon
Council Services Manager Christel

Absent: Council Member Chiara

3. Pledge of Allegiance & Invocation

Mayor Bairos led the pledge of allegiance.

4. Invocation

Pastor Jeff Cavanaugh of Calvary Chapel Oakdale provided the invocation.

5. Presentations/Acknowledgements

5.1: Certificate of Recognition to Grace Green for the outstanding accomplishment of her National Championship softball team for Oklahoma University winning the College NCAA World Series.

Mayor Bairos presented a Certificate of Recognition to Grace Green for her university's softball team, the Oklahoma Sooners, winning the College NCAA World Series. Ms. Green accepted the certificate thanking the City Council for the honor.



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5.2: Certificate of Recognition to Kevin Shatswell of Western Drywall on 50 years of doing business in the city of Oakdale.

Mayor Bairos read aloud a Certificate of Recognition to the Shatswell family and Western Drywall on 50 years of doing business in the city of Oakdale.

6. Additions/Deletions

Mayor Bairos asked City Manager Whitemyer if there were any changes or deletions to the agenda. City Manager Whitemyer advised there were none.

7. Public Comments

Mayor Bairos opened Public Comment at 7:05 p.m.

Public Comment was received from the following:

Yvonne Reagers, the librarian from the Oakdale Library, who spoke about the Oakdale Library.

Kathleen Westenberg spoke about redistricting of the 10th congressional district and provided information regarding an August 4th Zoom meeting of the California Redistricting Commission and encouraged the City Council to look in to it.

Alice Garcia expressed concerns about traffic issues related to D Street, City Ordinances related to vehicle parking on the street.

With no further comments, Mayor Bairos closed Public Comment at 7:15 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 and Regular City Council Meeting Minutes of July 19, 2021.

9.2: Receive and File the Warrant List for the Period July 10, 2021 through July 28, 2021.

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

9.4: Adopt Resolution 2021-078, a Resolution of the City of Oakdale City Council approving the Community Development Block Grant Sub-Recipient Agreement between the County of Stanislaus and the City of Oakdale and authorize the City Manager to execute the Community Development Block Grant Sub-Recipient Agreement for FY 2021-2022.



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- 9.5: Adopt Resolution 2021-079, a Resolution of the City of Oakdale City Council accepting the Cottles Trail Improvement Project in the amount of \$235,772 and authorizing the filing of a Notice of Completion.
- 9.6: By Minute Order, reject claim for damages submitted by Gerardo Flores.
- 9.7: By Minute Order, reject claim for damages submitted by Jacqueline Johnson.
- 9.8: By Minute Order, reject claim for damages submitted by Tammy Chandler.
- 9.9: By Minute Order, reject claim for damages submitted by Daniel Lemas.
- 9.10: Adopt Resolution 2021-080, a Resolution of the City of Oakdale City Council declaring property surplus and authorizing the release of the property to California Auction Company for sale in an upcoming auction, or permanent disposal through Gilton Solid Waste Management or Covanta Energy.

MOTION

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.10 for August 2, 2021.

Moved by Mayor Pro Tem Smith, and seconded by Council Member Smith and PASSED AND ADOPTED this 2nd day of August 2021, by the following vote:

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

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

10. Public Hearings

- 10.1: Introduce and Waive the First Reading of an Ordinance Introducing Chapter 36-29 Mobile Food Vendor and Amendments to Chapter 36 Zoning Regulations Sections 36-10.5, 36-11.3, 36-12.5, 36-13.5, 36-14.5, 36-15.5, 36-18.6.

A PowerPoint Presentation was provided.

Management Analyst Andersen presented the staff report on an Ordinance introducing Chapter 36-29 Mobile Food Vendor and Amendments to Chapter 36 Zoning Regulations Sections 36-10.5, 36-11.3, 36-12.5, 36-13.5, 36-14.5, 36-15.5, 36-18.6. She explained that the proposed Ordinance established regulations for mobile food vendors by adding Mobile Food Vendor Section 29 to the Chapter 36 Zoning of the City of Oakdale Municipal Code. The proposed regulations would allow mobile food vendors to operate on private



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property and within the public right-of-way in certain areas of the city, subject to location, operation, standards and requirements and in some cases subject to Planning Commission consideration. It would also establish a procedure for the review and approval of mobile food vendors through the process of either a Minor Use Permit for use on private property, Major Use Permit for use in the public right-of-way and Sidewalk Vendors through an Annual Temporary Use Permit. Management Analyst Andersen concluded her report requesting the City Council introduce and waive the first reading of the proposed Ordinance.

Staff responded to questions asked by the City Council and with no further questions, Mayor Bairos declared the Public Hearing open for public comment at 7:28 p.m.

Andrian Panetta asked a question regarding mobile food trucks.

Paul Rivera spoke about business licenses and mobile food vendors.

Alice Garcia spoke against businesses using sidewalks for dining areas, especially on the streets with bulb out curbs.

There being no further public testimony, Mayor Bairos closed the Public Hearing at 8:02 p.m.

Mayor Bairos then asked if anyone would like to make a motion on this item.

MOTION

Introduce and waive the first reading of an Ordinance introducing Chapter 36-29 Mobile Food Vendor and Amendments to Chapter 36 Zoning Regulations Sections 36-10.5, 36-11.3, 36-12.5, 36-13.5, 36-14.5, 36-15.5, 36-18.6 and adopt said Ordinance.

Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 2nd day of August 2021, by the following vote:

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

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

11. Staff Reports

11.1: American Rescue Plan Act Expenditure Plan discussion.

A PowerPoint presentation was provided.



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City Manager Whitemyer provided a staff report on the American Rescue Plan Act (ARPA) Expenditure Plan. He explained that the Act establishes the Coronavirus Local Fiscal Recovery Fund which is intended for local governments like the City of Oakdale. It was previously reported that the City of Oakdale would receive \$4.4 million over two years; however, the City received notice indicating that the actual amount of ARPA funding the City will receive is \$5,644,664 or \$2,822,332 over the next two years. He stated that the City recently received its first payment of \$2,822,332.

City Manager Whitemyer discussed various projects that the funds could be allocated for including possibly doing another RAD Card program, only citywide.

He stated that this item will be presented at the upcoming City Council Goal Setting Session Follow-Up meeting where the City Council can develop a formal American Rescue Plan Act Expenditure Plan.

Staff responded to questions from the City Council.

Mayor Bairos opened Public Comment for this item.

With no further public comment, Mayor Bairos closed Public Comment.

12. City Manager's Report

City Manager Whitemyer thanked all the surrounding allied agencies who provided assistance to Oakdale PD during an incident involving an officer.

13. City Council Items

- 13.1: Consider a Resolution of the City Council of the City of Oakdale Designating a Voting Delegate and up to two (2) Alternates to take action on Resolutions that establish League of California Cities Policy at the Annual Business Meeting on Friday, September 24, 2021.

City Manager Whitemyer provided a staff report to the City Council regarding the League of California Cities' Annual Business Meeting scheduled for Friday, September 24, 2021. This year's event will be held in Sacramento, California. He explained that 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.

MOTION

Adopt Resolution 2021-081, a Resolution of the City Council of the City of Oakdale



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Designating a Voting Delegate and up to two (2) Alternates to take action on Resolutions that establish League of California Cities Policy at the Annual Business Meeting on Friday, September 24, 2021.

Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 2nd day of August 2021, by the following vote:

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

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

- 13.2: Discuss rescheduling the City Council Goal Setting Workshop Follow-Up Meeting from Wednesday, August 4, 2021 at 6:00 p.m. to a different date.

City Manager Whitemyer provided a brief staff report requesting to reschedule the City Council Goal Setting Workshop Follow-Up Meeting that was originally scheduled for August 4, 2021. After discussion, City Manager Whitemyer will send out a Doodle Poll survey to the City Council so a date for the meeting can be scheduled.

Mayor Bairos made the following announcements:


- National Night Out is scheduled for Tuesday, August 3, 2021.
- The Oakdale Rodeo is coming up next week, August 12 – 15, 2021
- The Cowgirl Luncheon is scheduled for Wednesday, August 11, 2021.
- The Sunrise Rotary Lobsterfest is Saturday, August 28, 2021.

She also wished her nephew, Morgan William Bairos who is serving in the U.S. Army, a very happy birthday.

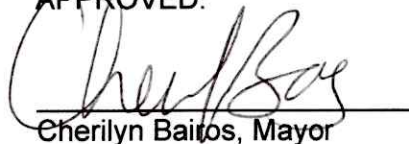
14. Adjournment

The next Regular meeting of the Oakdale City Council will be held Monday, August 16, 2021 at 7:00 p.m. in the Council Chambers. There being no further business, Mayor Bairos adjourned the meeting at 8:20 p.m.

ATTEST:


Julie Christel, Deputy City Clerk

APPROVED:


Cheryl Bairos, Mayor