

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, September 20, 2021**

**7:00 PM**

**City Council Chambers**

**1. CALL TO ORDER:**

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

**2. COUNCIL MEMBERS PRESENT/ABSENT:**

Present: Mayor Cheryl Bairo  
Mayor Pro Tem Christopher Smith  
Council Member Ericka Chiara (joined remotely)  
Council Member Fred Smith (joined remotely)  
Council Member Curtis Haney

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

Absent: None

**3. Pledge of Allegiance & Invocation**

Mayor Bairos led the pledge of allegiance.

**4. Invocation**

Pastor Henry Raven of Sierra Foothills Community Church provided the invocation.

**5. Presentations/Acknowledgements**

5.1: Certificate of Recognition to the Soroptimist International of Oakdale in celebration of their 100<sup>th</sup> year anniversary.

Mayor Bairos presented Soroptimist President Chris Di Cristina with a proclamation in honor and celebration of the Soroptimist International of Oakdale's 100<sup>th</sup> year anniversary. Ms. Di Cristina thanked Mayor Bairos and the City Council for the honor and spoke about the various programs, projects and events the Soroptimist's host each year.

5.2: Oakdale Tourism and Visitors Bureau Annual Report.

Amy Craig, President/Business Manager of the Oakdale Tourism and Visitor's Bureau/Visit Oakdale (OTVB) provided a report and PowerPoint Presentation on the Bureau's Annual Report for 2020 and 2021. She introduced the OTVB board members, provided their guiding principles, reviewed their goals and accomplishments, discussed



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 20, 2021**

**Next City Council Resolution: 2021-099**

**Next Ordinance: 1279**

various projects and events the OTVB has completed and upcoming events they are planning.

- 5.3: "Restore, Grow & Catalyze Economic Opportunity, Stanislaus 2030" presentation by Jody Hayes, CEO of Stanislaus County and Evan Schmidt, CEO of Valley Vision.

Jody Hayes, CEO of Stanislaus County, provided a brief introduction to the Stanislaus 2030 initiatives and thanked the City Council for allowing him and his team to come and speak. He also thanked Supervisor Condition for his support on the Stanislaus 2030 and the Housing Stanislaus programs. He provided a brief overview of the initiatives and then introduced Marianne Cannon, CEO of Stanislaus Community Foundation who spoke about the vision, mission and goals of the Stanislaus 2030 program. She also discussed various upcoming roundtables and other meeting opportunities for anyone who might be interested in finding out more about the program.

- 5.4: "Housing Stanislaus" presentation by Jody Hayes, CEO of Stanislaus County and Evan Schmidt, CEO of Valley Vision.

Jody Hayes, CEO of Stanislaus County, introduced and spoke about the Housing Stanislaus initiative. He introduced Evan Schmidt, CEO of Valley Vision who provided an overview of the program, why it is necessary, the project intent and desired outcomes, mission and goals of the initiatives and upcoming roundtables and other meeting opportunities for anyone who might be interested in learning more and participating in the Housing Stanislaus project.

**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 7:58 p.m.

Public Comment was received from the following:

Dave Perez spoke about the need for an additional speed bump by Hinkley and G Street due to excessive speeding by the High School.

Dave Kline, Superintendent of the Oakdale Joint Unified School District thanked the City of Oakdale for the road work done on G Street and the improved street corners. He also thanked City Manager Whitemyer and various City Staff for their work on the street projects and communicating so well with the School District throughout the project.

Tom Locklin spoke about the need for stop signs on D Street.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 20, 2021**

**Next City Council Resolution: 2021-099**

**Next Ordinance: 1279**

Lisa Ballard, representing the Oakdale Enrichment Society, spoke about their recent 3<sup>rd</sup> Annual Clothing Drive on August 1, 2021 at the Oakdale Community Center and thanked the community of Oakdale for their generous donations of gently used clothing. She also thanked all the volunteers, including the Oakdale Lions Club, who worked and supported the event.

Yvonne Reager, Librarian for the Oakdale Library, provided an update on Library news, discussed current events and projects and spoke about plans for upcoming events and projects.

Alice Garcia spoke about speeding on D Street.

Dave Perez addressed the City Council one more time to talk about speeding throughout town.

With no further comments, Mayor Bairos closed Public Comment at 8:31 p.m.

**8. Appointment to Boards, Commissions, Committees**

None.

**9. City Council Consent Agenda**

The consent agenda is comprised of Items 9.1 through 9.7. 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 September 7, 2021.
- 9.2: Receive and File the Warrant List for the Period September 1, 2021 through September 13, 2021.
- 9.3: By Motion, Waive all Readings of Ordinances and Resolutions, except by Title.
- 9.4: Adopt Resolution 2021-093, a Resolution of the City of Oakdale City Council of concurrence and support of the Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER) Fiscal Year 2020-2021.
- 9.5: Adopt Resolution 2021-094, a Resolution of the City of Oakdale City Council approving Art Mural Design Review 2021-21 for proposed art mural located at 231 East F Street, Assessor Parcel Number 129-014-038.
- 9.6: Reject by Minute Order, a claim for damages received from Vivian D. Brito.
- 9.7: Reject by Minute Order, a claim for damages received by Jeanne Torres.

**MOTION**

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.7 for September 20, 2021.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 20, 2021**

**Next City Council Resolution: 2021-099**

**Next Ordinance: 1279**

Moved by Mayor Pro Tem Smith, and seconded by Council Member Haney and PASSED AND ADOPTED this 20th day of September 2021, by the following vote:

AYES: COUNCIL MEMBERS:	C. Smith, Haney, F. Smith, Chiara, 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: Public Hearing for the Proposed Meadowlands Subdivision – General Plan Amendment, Rezone, and Vesting Tentative Subdivision Map No. 2021-04, located on Greger Street (Assessor Parcel Number 064-024-17) to consider Planning Commission recommendation for:

1. Motion to approve Resolution No. 2021-095, certifying a Mitigated Negative Declaration (SCH No. 2021060297), Mitigation Monitoring Program, and authorize staff to file a Notice of Determination with the Stanislaus County Clerk Recorder's Office and State Office of Planning and Research;
2. Motion to approval Resolution No. 2021-096, adopting a General Plan Amendment, amending the 2030 General Plan Land Use Designation from Industrial (IND) to Low Density Residential (LDR);
3. Introduction and First Reading of Ordinance No. 2021-1278, rezoning 13.2 acres from Limited Industrial (L-M) Single Family Residential (R-1).

Mayor Bairos declared that it was the time and place for the Public Hearing for the proposed Meadowlands Subdivision – General Plan Amendment, Rezone, and Vesting Tentative Subdivision Map No. 2021-04. She asked that anyone wishing to file a written protest, to file it with the Deputy City Clerk at this time.

Mark Niskanen, Contract Planner for the City of Oakdale, provided a staff report and PowerPoint Presentation regarding the proposed Meadowlands Subdivision. He reviewed the location of the project, project setting, and the proposed amendments to the 2030 General Plan including zoning of the proposed site and the conversion of Industrial to Residential. He also provided an overview of the vesting tentative subdivision map, spoke about the Initial Study/Mitigated Negative Declaration which included an air impact assessment, geotechnical soils report and traffic study and discussed the steps staff has taken regarding the noticing of the public hearing and the Planning Commission's recommendation to the City Council.

At 8:44 p.m., Mayor Bairos opened the public hearing requesting public testimony.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 20, 2021**

**Next City Council Resolution: 2021-099**

**Next Ordinance: 1279**

Troy Wright, Principal with Windward Pacific Builders, introduced himself to the City Council and stated that he is excited to begin the project. He responded to questions from the City Council.

With no further public testimony, Mayor Bairos closed the public comment period and closed the public hearing at 8:52 p.m.

**MOTION**

1. Motion to approve Resolution No. 2021-095, certifying a Mitigated Negative Declaration (SCH No. 2021060297), Mitigation Monitoring Program, and authorize staff to file a Notice of Determination with the Stanislaus County Clerk Recorder's Office and State Office of Planning and Research;
2. Motion to approval Resolution No. 2021-096, adopting a General Plan Amendment, amending the 2030 General Plan Land Use Designation from Industrial (IND) to Low Density Residential (LDR);
3. Introduction and First Reading of Ordinance No. 2021-1278, rezoning 13.2 acres from Limited Industrial (L-M) Single Family Residential (R-1).

Moved by Mayor Pro Tem Smith, and seconded by Council Member Haney and PASSED AND ADOPTED this 20th day of September 2021, by the following vote:

AYES: COUNCIL MEMBERS:	C. Smith, Haney, F. Smith, Chiara, 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. Staff Reports**

11.1: Consider a Resolution authorizing the City Manager to execute an agreement with United Pavement Maintenance, Inc. in the amount of \$574,070.75 for CP2004, J Street Surface Improvements Project STPL-5153(043), a 10% contingency in the amount of \$57,400.00 and 10% construction engineering in the amount of \$57,400.00 to be funded by Surface Transportation Block Grant Program Fund 316 in the amount of \$283,113.00 and Sewer Capital Replacement Fund 621 in the amount of \$133,757.75 and Water Capital Replacement Fund 644 in the amount of \$272,000.00 for a grand total project budget of \$688,870.75.

Public Works Superintendent Bridgewater provided a staff report and PowerPoint Presentation on the J Street Surface Improvements Project. He discussed the existing pavement conditions of West J Street and reviewed why the project was necessary. He also talked about the work proposed for the project, costs associated with that work and provided a project timeline.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 20, 2021**

**Next City Council Resolution: 2021-099**

**Next Ordinance: 1279**

Superintendent Bridgewater explained the bid process stating that United Pavement Maintenance, Inc. was the lowest bidder and, as such, recommended City Council approve a resolution authorizing the City Manager to execute an agreement with United Pavement Maintenance, Inc. for the J Street Surface Improvements Project.

Staff responded to questions from the City Council.

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

**MOTION**

Adopt Resolution 2021-097, a Resolution of the City Council of the City of Oakdale authorizing the City Manager to execute an agreement with United Pavement Maintenance, Inc. in the amount of \$574,070.75 for CP2004, J Street Surface Improvements Project STPL-5153(043), a 10% contingency in the amount of \$57,400.00 and 10% construction engineering in the amount of \$57,400.00 to be funded by Surface Transportation Block Grant Program Fund 316 in the amount of \$283,113.00 and Sewer Capital Replacement Fund 621 in the amount of \$133,757.75 and Water Capital Replacement Fund 644 in the amount of \$272,000.00 for a grand total project budget of \$688,870.75.

Moved by Council Member Haney, and seconded by Council Member Chiara and PASSED AND ADOPTED this 20th day of September 2021, by the following vote:

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

- 11.2: Consider a Resolution authorizing the City Manager to execute an agreement with American Pavement Systems, Inc. in the amount of \$200,000.00 for the 2021 Area 3 Slurry Seal Project, authorizing a 5% contingency in the amount of \$10,000.00 and authorizing construction engineering in the amount of \$10,000.00 to be funded by SB1 Road Maintenance Fund 216.

Public Works Superintendent Bridgewater provided a staff report and PowerPoint Presentation on the 2021 Area 3 Slurry Seal Project. He provided an overview of the project and discussed the streets within the Area 3 boundary that are to be repaired.

Superintendent Bridgewater reviewed the bid results stating that American Pavement Systems, Inc. was the lowest bidder. He concluded his report recommending the City Council approve a resolution authorizing the City Manager to execute an agreement with American Pavement Systems, Inc. for the 2021 Area 3 Slurry Seal Project.





**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 20, 2021**

**Next City Council Resolution: 2021-099**

**Next Ordinance: 1279**

Staff responded to questions from the City Council.

Mayor Bairos opened Public Comment for this item and with no public comment, she closed Public Comment.

**MOTION**

Adopt Resolution 2021-098, a Resolution of the City Council of the City of Oakdale authorizing the City Manager to execute an agreement with American Pavement Systems, Inc. in the amount of \$200,000.00 for the 2021 Area 3 Slurry Seal Project, authorizing a 5% contingency in the amount of \$10,000.00 and authorizing construction engineering in the amount of \$10,000.00 to be funded by SB1 Road Maintenance Fund 216.

Moved by Mayor Pro Tem Smith, and seconded by Council Member Smith and PASSED AND ADOPTED this 20th day of September 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.

- 11.3: Consider a Resolution awarding a contract to Oakdale Fence Company for fence modification to the Cottles Wood Park, Kerr Park and T.L. Davis baseball fields in the amount of \$36,568.00 to be funded by Parks Replacement Fund 549.

Management Analyst Andersen provided a staff report and PowerPoint Presentation on a request to award a contract to Oakdale Fence Company for fence modifications to Cottles Wood Park, Kerr Park, and T.L. Davis baseball fields. She discussed the proposed work to be done at the various City parks and reviewed the bid process, explaining that funding for this project would be from Parks Replacement Fund 549 and from a contribution from the Oakdale Youth Baseball Association. She concluded her report recommending the City Council award a contract to Oakdale Fence Company for fence modifications to the Cottles Wood Park, Kerr Park and T.L. Davis Sports Complex baseball fields in the amount of \$36,568.00 to be funded by Parks Replacement Fund 549.

Staff responded to questions from the City Council.

Mayor Bairos opened Public Comment for this item and with no public comment, she closed Public Comment.



**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 20, 2021**

**Next City Council Resolution: 2021-099**

**Next Ordinance: 1279**

**MOTION**

Adopt Resolution 2021-099, a Resolution of the City Council of the City of Oakdale awarding a contract to Oakdale Fence Company for fence modifications to the Cottles Wood Park, Kerr Park and T.L. Davis Sports Complex baseball fields in the amount of \$36,568.00 to be funded by Parks Replacement Fund 549.

Moved by Mayor Pro Tem Smith, and seconded by Council Member Smith and PASSED AND ADOPTED this 20th day of September 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.

- 11.4: *Item Continued from August 16, 2021 City Council Meeting* - Second reading of Ordinance 2021-1277 of the City of Oakdale, California, an Ordinance amending a Development Agreement between the City of Oakdale and Cali Kosher, Inc. and Empire Wellness, Inc. for the purpose of amending and extending the current agreement.

City Manager Whitemyer provided a staff report and PowerPoint Presentation on the request to approve an Ordinance amending a Development Agreement between the City of Oakdale and Cali Kosher, Inc. and Empire Wellness, Inc. for the purpose of amending and extending the current agreement. He provided a brief background on the original Ordinance and Development Agreement with JDI Farms, Inc. (also known as Cali Kosher, Inc. and Empire Wellness, Inc.) and stated that a first reading of an Ordinance amending and extending that Development Agreement was approved by the City Council at the June 21, 2021 meeting. During the second reading of the Ordinance at the August 16, 2021 City Council meeting, the City Council voted to continue this item to a later meeting to allow staff time to work with the applicant on any public benefit fee payment that was outstanding.

City Manager Whitemyer stated staff worked with the applicant as well as the California Department of Public Health Manufactured Cannabis Safety Branch and it was determined that the applicant owed the City \$260,000.00 in public benefit fees and that on Wednesday, September 15, 2021, Empire Wellness, Inc. made its \$260,000.00 payment to the City of Oakdale and that no additional public benefit fees were owed at this time.

City Manager Whitemyer then reviewed the terms of the Proposed Development Agreement and concluded his report recommending the City Council approve the second reading of Ordinance 2021-1277 of the City of Oakdale, California, an Ordinance amending a Development Agreement between the City of Oakdale and Cali Kosher, Inc. and Empire Wellness, Inc. for the purpose of amending and extending the current agreement.





**CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 20, 2021**

**Next City Council Resolution: 2021-099**

**Next Ordinance: 1279**

Bianca Signorelli asked a question regarding ventilation at the grow facility.

Darron Silva, president of Cali Kosher, Inc. and Empire Wellness, Inc., addressed Ms. Signorelli's question and also stated that he looked forward to continuing business in the City of Oakdale if the City Council decides to move forward.

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

Staff responded to questions from the City Council.

Mayor Bairos opened Public Comment for this item.

**MOTION**

Approve the Second Reading of Ordinance 2021-1277 of the City Council of the City of Oakdale, California, an Ordinance amending a Development Agreement between the City of Oakdale and Cali Kosher, Inc. and Empire Wellness, Inc. for the purpose of amending and extending the current agreement.

Moved by Mayor Pro Tem Smith, and seconded by Council Member Chiara and PASSED AND ADOPTED this 20th day of September 2021, by the following vote:

AYES: COUNCIL MEMBERS:	C. Smith, Chiara, F. Smith, 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.

**12. City Manager's Report**

12.1 September 2021 Department Reports.

City Manager Whitemyer advised the City Council that the September 2021 Department Reports were included in the Agenda Packet for their review.

**13. City Council Items**

Mayor Bairos thanked everyone who joined in on the 20<sup>th</sup> Celebration Ceremony of the Oakdale Soccer Club. She also announced that on Wednesday, September 22, 2021 there will be a meeting to discuss the Downtown Third Avenue Project. The meeting begins at 6:00 p.m., and will be held at the Gene Bianchi Community Center.

She also announced that there will be an upcoming event for Veteran's Day and to stay tuned for more information on that.

Mayor Pro Tem Smith congratulated Lt. Stever and his wife on the birth of their child and



CITY OF OAKDALE  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 20, 2021

Next City Council Resolution: 2021-099

Next Ordinance: 1279

announced that the Healthy Aging Association will be having a drive-through distribution event for seniors at the Gladys Lemmons Senior Center on Thursday, October 21, 2021 from 11:30 a.m. to noon.

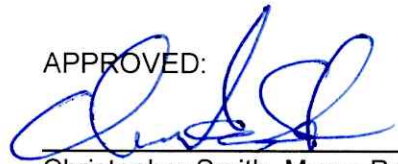
**14. Adjournment**

The next Regular meeting of the Oakdale City Council will be held Monday, October 4, 2021 at 7:00 p.m. in the Council Chambers. There being no further business, Mayor Bairos adjourned the meeting at 9:19 p.m.

ATTEST:

  
Julie Christel, Deputy City Clerk

APPROVED:

  
Christopher Smith, Mayor Pro Tem