



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 16, 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 Smith
Council Member Haney
Council Member Chiara

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: None

3. Pledge of Allegiance & Invocation

Mayor Bairos led the pledge of allegiance. Pastor Ron Speer of Mountain View Church provided the invocation.

4. Report out of Closed Session

Mayor Bairos reported out of closed session stating the City Council provided direction to staff.

5. Presentations/Acknowledgements

5.1: Presentation by Lisa Mantarro Moore of the Family Justice Center of Stanislaus.

Lisa Mantarro Moore of the Family Justice Center of Stanislaus shared a Youtube video of the Family Justice Center of Stanislaus and discussed the services the Center provides.

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



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Next City Council Resolution: 2021-089

Next Ordinance: 1278

Mayor Bairos opened Public Comment at 7:11 p.m.

Public Comment was received from the following:

Ken Higgins voiced disappointment regarding the cancellation of the Republican Party's booth by the Saddle Club at the Oakdale Rodeo Event and felt it was a form of censorship.

Kathleen Westenberg also expressed concern about the incident Mr. Higgin's spoke about.

Gary Jones spoke about excessive pallets and packaging that is left behind the Cost Less Market and how it makes its way along and into the Stanislaus River. He requested City Code Enforcement look in to this issue.

With no further comments, Mayor Bairos closed Public Comment at 7:22 p.m.

8. Appointment to Boards, Commissions, Committees

None.

9. City Council Consent Agenda

The consent agenda is comprised of Items 9.1 through 9.6. 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 August 2, 2021.

9.2: Receive and File the Warrant List for the Period July 29, 2021 through August 10, 2021.

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

9.4: Second reading by title only and adoption of Ordinance 1276 of the City of Oakdale, California, an Ordinance introducing Chapter 36-29 Mobile Food Vendor and amending 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.

9.5: Adopt Resolution 2021-082, a Resolution of the City Council of the City of Oakdale 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.

9.6: Adopt Resolution 2021-083, a Resolution of the City Council of the City of Oakdale 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 9.6 for



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Next Ordinance: 1278

August 16, 2021.

Moved by Mayor Pro Tem Smith, and seconded by Council Member Smith and PASSED AND ADOPTED this 16th day of August 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.

10. Public Hearings

11. Staff Reports

11.1: Consider a Resolution awarding contract to Watson Consoles in the amount of \$45,446.25 for the purchase of industry standard, ergonomic, electronically height adjustable consoles with other enhanced features for the new Oakdale Police Department Dispatch Center.

Acting Police Chief Ramar provided a staff report and PowerPoint presentation on the Police Department's request to purchase consoles for the new Oakdale Police Department Dispatch Center.

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.

MOTION

Adopt Resolution 2021-084, a Resolution of the City Council of the City of Oakdale awarding contract to Watson Consoles in the amount of \$45,446.25 for the purchase of industry standard, ergonomic, electronically height adjustable consoles with other enhanced features for the new Oakdale Police Department Dispatch Center.

Moved by Mayor Pro Tem Smith, and seconded by Council Member Smith and PASSED AND ADOPTED this 16th day of August 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.



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- 11.2: Consider a Resolution awarding a contract to California Sales Organization in the amount of \$81,322.50 for the purchase of Aurora Mobile Mechanical Mobile Shelving for the Police Department Evidence Room.

Acting Police Chief Ramar provided a staff report on the Police Department’s request to purchase mechanical mobile shelving for the upcoming remodeled Police Department Evidence Room.

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.

MOTION

Adopt Resolution 2021-085, a Resolution of the City Council of the City of Oakdale awarding a contract to California Sales Organization in the amount of \$81,322.50 for the purchase of Aurora Mobile Mechanical Mobile Shelving for the Police Department Evidence Room.

Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 16th day of August 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.

- 11.3: Consider a Resolution awarding a contract to Homotech Systems in the amount of \$19,305 for the purchase of AIPHONE Intercom System for the upcoming remodeled Police Department Dispatch Center.

Acting Police Chief Ramar provided a staff report on the Police Department’s request to purchase a AIPHONE Intercom System for the upcoming remodeled Police Department Dispatch Center.

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.



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MOTION

Adopt Resolution 2021-086, a Resolution of the City Council of the City of Oakdale awarding a contract to Homotech Systems in the amount of \$19,305 for the purchase of AIPHONE Intercom System for the upcoming remodeled Police Department Dispatch Center.

Moved by Council Member Smith, and seconded by Council Member Haney and PASSED AND ADOPTED this 16th day of August 2021, by the following vote:

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

- 11.4: Consider a Resolution authorizing staff to approve a contract with Rolfe Construction, Inc. for the Wood Avenue Grind and Overlay Project in the amount of \$121,500, funds to be appropriated from Gas Tax Fund 215.

Public Works Superintendent Bridgewater provided a staff report and PowerPoint Presentation on the Wood Avenue Grind and Overlay Project. He provided a history of the project, reviewed the bid process and proposed work to be done, and discussed the funding of the project.

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.

MOTION

Adopt Resolution 2021-087, a Resolution of the City Council of the City of Oakdale authorizing staff to approve a contract with Rolfe Construction, Inc. for the Wood Avenue Grind and Overlay Project in the amount of \$121,500, and appropriate funds from Gas Tax Fund 215.

Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 16th day of August 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)



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

- 11.5: Consider a Resolution authorizing City Staff to execute and enter into the Cooperative Funding Agreement for the 2021 Pavement Management Program Update for a cost not-to-exceed \$18,551.89, to be funded from Gas Tax Fund 215.

Sr. Engineer Renfrow provided a staff report regarding the Cooperative Funding Agreement for the 2021 Pavement Management Program.

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.

MOTION

Adopt Resolution 2021-088, a Resolution of the City Council of the City of Oakdale authorizing City Staff to execute and enter into the Cooperative Funding Agreement for the 2021 Pavement Management Program Update for a cost not-to-exceed \$18,551.89, to be funded from Gas Tax Fund 215.

Moved by Council Member Chiara, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 16th day of August 2021, by the following vote:

AYES: COUNCIL MEMBERS:	Chiara, C. Smith, 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: 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 second reading of Ordinance 2021-1277, 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 background of the original Ordinance, reviewed the terms of the old Development Agreement and the proposed Development Agreement, and discussed the \$320,000 public benefit fee owed to the City by Cali Kosher, Inc. and Empire Wellness for operating a manufacturing facility at their 547 Armstrong location since 2019.

City Manager Whitemyer concluded his report requesting the City Council either: approve



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the second reading of Ordinance 2021-1277 contingent on Cali Kosher, Inc. and Empire Health and Wellness making the \$320,000 payment or deny approval of the second reading of the Ordinance in which the dispensary will have to close and they will not be able to operate any cannabis business in the City of Oakdale.

Darron Silva, owner of Empire Health and Wellness, addressed the City Council, apologized for the delay in remitting the public benefit fee funds and responded to questions from the City Council.

Staff responded to questions from the City Council.

Mayor Bairos opened Public Comment for this item.

With no public comment, Mayor Bairos closed Public Comment.

MOTION

To continue this item at the September 20, 2021 City Council Meeting.

Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 16th day of August 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.

12. City Manager's Report

12.1: August 2021 Department Reports

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

City Manager Whitemyer also thanked City staff for all their work at the Oakdale Rodeo event and announced that the reception for Chief Scott Heller will be on Wednesday, August 25, 2021 at 5:00 p.m. at the Gene Bianchi Community Center.

13. City Council Items

Mayor Pro Tem Smith congratulated the Police Department on hosting a very successful National Night Out.

Council Member Haney asked City Manager Whitemyer for information regarding the Stanislaus County Tax Sharing Agreement to which City Manager Whitemyer responded.



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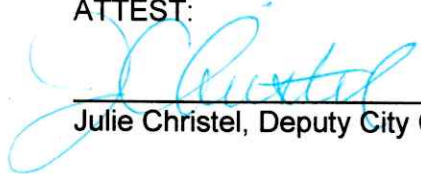
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Mayor Bairos also congratulated the Police Department on their National Night Out event. She also thanked the City, Saddle Club, Cowboy Museum and Cowgirl's Luncheon for all their efforts in preparing and hosting very successful Rodeo events. Lastly, she congratulated Karissa Rogers for being named Miss Oakdale Rodeo 2021.

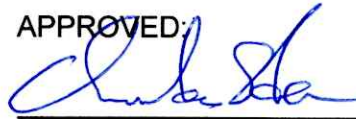
14. Adjournment

The next Regular meeting of the Oakdale City Council will be held Tuesday, September 7, 2021 at 7:00 p.m. in the Council Chambers. There being no further business, Mayor Bairos adjourned the meeting at 8:40 p.m.

ATTEST:


Julie Christel, Deputy City Clerk

APPROVED:


Christopher Smith, Mayor Pro Tem