



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, July 19, 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, Mayor Pro Tem Christopher Smith, and Mayor Bairos responding they were present.

2. COUNCIL MEMBERS PRESENT/ABSENT:

Present: Mayor Cheryl Bairo
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
Acting Police Chief Ramar
Finance Director Avila
Public Services Director Gravel
Assistant to the City Manager Mondragon
Council Services Manager Christel

Absent: None

3. Pledge of Allegiance & Invocation

Mayor Bairos led the pledge of allegiance and Pastor Steve Neubaum of LifePoint Church provided the invocation.

4. Report Out of Session

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

5. Presentations/Acknowledgements

5.1: Presentation of Proclamation declaring Tuesday, August 3, 2021 as "National Night Out" in the City of Oakdale.

Mayor Bairos declared Tuesday, August 3, 2021 as "National Night Out" in the City of Oakdale and talked about the National Night Out program. She presented the Proclamation to Acting Chief of Police Ramar and Executive Secretary Guevara. Officer Janeen Yates talked about Oakdale's NNO Program and the planned events for this year's events.



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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 7:14 p.m.

Public Comment was received from the following:

Yvonne Reager, the new librarian at the Oakdale Library, introduced herself and spoke about upcoming events at the library.

Trisha Brown, from the Chamber of Commerce, talked about the Concerts in the Park events and thanked the City Council for their approval of the event.

Karen Huhn spoke about a tree trimming issue that occurred on her property.

A neighbor of Karen Huhn provided additional information about the tree trimming issue that occurred on Ms. Huhn's property.

Deanna Brewster expressed concerns about defunding the police, a COVID 19 vaccine mandate, a two-way sanctuary city and other topics.

Deputy City Clerk Christel read aloud two letters received by Mayor Bairos; the first was regarding issues with illegally parked vehicles and the second was about issues with dogs not being on leases at Kerr Park. No names were provided on either letter.

With no further comments, Mayor Bairos closed Public Comment at 7:36 p.m.

8. Appointment to Boards, Commissions, Committees

None.

9. City Council Consent Agenda

Mayor Bairos requested that the City Council vote on Item 9.5 of the Consent of Agenda separately.

The consent agenda is comprised of Items 9.1 through 9.13. 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 June 21, 2021.

9.2: Receive and File the Warrant List for the Period June 17, 2021 through July 9, 2021.

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



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- 9.4: Approve by Minute Order, a Tree Removal Request for the removal of one (1) Live Oak and one (1) Cork Oak located at 245 North Second Street as part of the Oakdale Police Department/City Hall Facility Improvement Project.
- 9.5: Second Reading by Title Only and Adoption of Ordinance 1275 of the City of Oakdale, California, 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.
- 9.6: Adopt Resolution 2021-067, a Resolution of the City of Oakdale City Council authorizing the City Manager to execute an Annual Funding Agreement with the City of Turlock/Stanislaus County HOME Consortium designating the City of Oakdale as a Sub-Recipient of HOME Investment Partnership Program Funds for Fiscal Year 2021-2022.
- 9.7: Adopt Resolution 2021-068, a Resolution of the City of Oakdale City Council accepting the First Avenue Rehabilitation Project in the amount of \$568,913.05 and authorizing the filing of a Notice of Completion.
- 9.8: Adopt Resolution 2021-069, a Resolution of the City of Oakdale City Council accepting the ICON at Greenwave Subdivision Public Landscape Improvements and authorizing the filing of a Notice of Acceptance.
- 9.9: Adopt Resolution 2021-070, a Resolution of the City of Oakdale City Council accepting the Oak Leaf Meadows Multi-Family Residential Project and Public Improvements and authorizing the filing of a Notice of Completion.
- 9.10: Adopt Resolution 2021-071, a Resolution of the City of Oakdale City Council authorizing the City Manager to terminate the Deferred Improvement Agreement with Oak Leaf Meadows Multi-Family Residential Project and authorizing the City Clerk to file the Termination of Deferred Improvement Agreement with the County Clerk Recorder's Office.
- 9.11: Adopt Resolution 2021-072, a Resolution of the City of Oakdale City Council authorizing Staff to record the Pimley Parcel Map with the Stanislaus County Clerk Recorder's Office.
- 9.12: Approve by Minute Order, a Co-Sponsored Special Event Application for the Chamber of Commerce for the July and August Concerts in the Park Series at Dorada Park.
- 9.13: Approve by Minute Order, the June 2021 Treasurer's Report.

MOTION

To approve the City of Oakdale City Council Consent Agenda Items 9.1 through 9.4 and 9.6 through 9.13 for July 19, 2021.

Moved by Council Member Chiara, and seconded by Council Member Smith and PASSED AND ADOPTED this 19th day of July 2021, by the following vote:



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 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.

For Item 9.5 on the Consent Agenda, Council Member Haney moved to vote on and disapprove Item 9.5.

MOTION

To vote on and disapprove Item 9.5.

Motion died for lack of second.

Council Member Chiara moved to approve Item 9.5 on the Consent Agenda with any exclusion of anything related to Cali Kosher, Inc. and Empire Wellness, Inc. and exclusively for MDS Business Services, Inc.

MOTION

To approve Item 9.5 on the Consent Agenda for July 19, 2021 with any exclusion of anything related to Cali Kosher, Inc. and Empire Wellness, Inc. and exclusively for MDS Business Services, Inc.

Moved by Council Member Chiara, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 19th day of July 2021, by the following vote:

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

10.1: Consider a Resolution of the City Council of the City of Oakdale for the Approval of the Engineer's Report and Ordering the Levy and Collection of Assessments for Bridle Ridge Landscape and Lighting Maintenance District for Fiscal Year 2021/2022. *(Public Hearing Notice published in the Oakdale Leader July 7, 2021).*

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



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A PowerPoint Presentation was provided.

Finance Director Avila presented the staff report recommending the City Council adopt the resolution provided in the staff report approving Engineer's Report and order the levy and collection of assessments for Bridle Ridge Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.

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 8:24 p.m.

There being no public testimony, Mayor Bairos closed the Public Hearing at 8:25 p.m.

MOTION

Adopt City of Oakdale City Council Resolution 2021-073, a Resolution of the City Council of the City of Oakdale, California approving the Engineer's Report and ordering the levy and collection of assessments for the Bridle Ridge Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.

Moved by Mayor Pro Tem Smith, and seconded by Council Member Haney and PASSED AND ADOPTED this 19th day of July 2021, by the following vote:

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

- 10.2: Consider a Resolution of the City Council of the City of Oakdale for the Approval of the Engineer's Report and Ordering the Levy and Collection of Assessments for The Vineyard Landscape and Lighting Maintenance District for Fiscal Year 2021/2022. *(Public Hearing Notice published in the Oakdale Leader July 7, 2021).*

A PowerPoint Presentation was provided.

Finance Director Avila presented the staff report recommending the City Council adopt the resolution provided in the staff report approving Engineer's Report and order the levy and collection of assessments for The Vineyard Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.

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 8:27 p.m.

There being no public testimony, Mayor Bairos closed the Public Hearing at 8:28 p.m.

MOTION



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Adopt City of Oakdale City Council Resolution 2021-074, a Resolution of the City Council of the City of Oakdale, California approving the Engineer’s Report and ordering the levy and collection of assessments for The Vineyard 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 19th day of July 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.

- 10.3: Consider a Resolution of the City Council of the City of Oakdale for the Approval of the Engineer’s Report and Ordering the Levy and Collection of Assessments for Burchell Hill Landscape and Lighting Maintenance District for Fiscal Year 2021/2022. *(Public Hearing Notice published in the Oakdale Leader July 7, 2021.)*

Mayor Bairos declared a conflict of interest due to her residence being within Burchell Hill Lighting and Landscaping Maintenance District and left the dais and meeting room. Mayor Pro Tem Smith led the public hearing.

A PowerPoint Presentation was provided.

Finance Director Avila presented the staff report recommending the City Council adopt the resolution provided in the staff report approving Engineer’s Report and order the levy and collection of assessments for Burchell Hill Landscape and Lighting Maintenance District for Fiscal Year 2021/2022.

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 8:30 p.m.

There being no public testimony, Mayor Bairos closed the Public Hearing at 8:31 p.m.

MOTION

Adopt City of Oakdale City Council Resolution 2021-075, a Resolution of the City Council of the City of Oakdale, California approving the Engineer’s Report and ordering the levy and collection of 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 Haney and PASSED AND ADOPTED this 19th day of July 2021, by the following vote:



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

- 10.4: Consider a Resolution of the City Council of the City of Oakdale for the Approval of the Engineer’s Report and Ordering the Levy and Collection of Assessments for Landscape and Lighting Maintenance District No. 03-1, Zone 1 (Live Oak, Reinman Court, Sunset Meadows, Sterling Hills, Murdoch Estates) for Fiscal Year 2021/2022. *(Public Hearing Notice published in the Oakdale Leader July 7, 2021.)*

A PowerPoint Presentation was provided.

Finance Director Avila presented the staff report recommending the City Council adopt the resolution provided in the staff report approving Engineer’s Report and order the levy and collection of assessments for the Lighting Maintenance District, District No. 03-1, Zone 1 (Live Oak, Reinman Court, Sunset Meadows, Sterling Hills, Murdoch Estates) for Fiscal Year 2021/2022.

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 8:37 p.m.

There being no public testimony, Mayor Bairos closed the Public Hearing at 8:37 p.m.

MOTION

Adopt City of Oakdale City Council Resolution 2021-076, a Resolution of the City Council of the City of Oakdale, California approving the Engineer’s Report and ordering the levy and collection of assessments for the Lighting Maintenance District, District No. 03-1, Zone 1 (Live Oak, Reinman Court, Sunset Meadows, Sterling Hills, Murdoch Estates) for Fiscal Year 2021/2022.

Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 19th day of July 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.



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11. Staff Reports

- 11.1: Consider a Resolution approving a Memorandum of Understanding between the City of Oakdale and the Oakdale Sportsmen's Club and authorizing the City Manager to execute the Memorandum of Understanding.

A PowerPoint presentation was provided.

City Manager Whitemyer provided a staff report requesting the City Council approve a Memorandum of Understanding (MOU) with the Oakdale Sportsmen's Club and the City of Oakdale for the purpose of outlining a partnership between the Club and the City. He discussed key points of the MOU and stated that both organizations agree to enter into a formal mutually acceptable agreement which is to further describe and memorialize the points in the MOU and that it may be necessary to include additional points to create a more fully binding, mutually acceptable agreement, which is to be approved by the Oakdale City Council.

City Manager Whitemyer concluded his report requesting the City Council adopt a Resolution approving a Memorandum of Understanding with the Oakdale Sportsmen's Club and authorizing the City Manager to execute the MOU.

Staff responded to questions from the City Council.

With no further questions for staff, Mayor Bairos opened Public Comment for this item.

Sean Morgan, with the Oakdale Sportsmen's Club, submitted written comment urging the City Council to vote in favor of the Memorandum of Understanding and thanking City Manager Whitemyer for taking the time to work with the Sportsmen's Club on this agreement.

Jason Yoder submitted written comment stating that he formally requests a Memorandum of Understanding between the City of Oakdale and himself to establish the continuing use of the shared environment next to the Stanislaus River and that anything short of a formal written resolution which defines the City's intentions for use of the land which is the Stanley F. Wakefield Wilderness Area would be unfair to those that call that location home.

With no further public comment, 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 2021-077, a Resolution of the City Council of the City of Oakdale, California approving a Memorandum of Understanding between the City of Oakdale and the Oakdale Sportsmen's Club and authorizing the City Manager to execute the Memorandum of Understanding.



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Moved by Mayor Pro Tem Smith, and seconded by Council Member Chiara and PASSED AND ADOPTED this 19th day of July 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.

- 11.2: Update regarding the Stanislaus River Salmonid Habitat Restoration Project and request to direct Staff to formally sign Grant Agreement with the U.S. Fish and Wildlife Services for Phase II of the Salmonid Habitat Restoration Project at the Stanley Wakefield Wilderness Area.

A PowerPoint Presentation was provided.

City Manager Whitemyer provided a staff report updating the City Council on the Stanislaus River Salmonid Habitat Restoration Project. He provided a brief history of the project, discussed the Oakdale Planning Commission's 5 to 0 vote at the June 2, 2021 recommending the City Council should direct staff to formally sign the grant agreement with the U.S. Fish and Wildlife Service for Phase II of the Project, spoke about grant funds available and discussed work to be done for Phase II and Phase III.

Staff responded to questions from the City Council.

With no further questions, Mayor Bairos opened Public Comment for this item.

Public Comment was received from:

Lacey Thomas spoke in favor of the City Council moving forward with this project.

Larry Podolsky spoke in favor of the City Council moving forward with this project.

Nancy Podolsky spoke in favor of the City Council moving forward with this project.

Bonnie Lee spoke in favor of the City Council moving forward with this project.

John Lane spoke in favor of the City Council moving forward with this project.

Kim Vierra spoke in favor of the City Council moving forward with this project.

Jason Yoder submitted written comment against the project.

Don Riise submitted written comment against the project.



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Mike Gibson submitted written comment against the project and requested the City Manager put it in writing that the area will not change in the future.

Amy Velasco submitted written comment in favor of the City Council moving forward with this project.

Carl Porter did not feel this project would help the salmon.

MOTION

By Minute Order, the City Council of the City of Oakdale, California, direct staff to formally sign the grant agreement with the U.S. Fish and Wildlife Service for Phase II of the Salmonid Habitat Restoration Project at the Stanley Wakefield Wilderness Area.

Moved by Council Member Smith, and seconded by Mayor Pro Tem Smith and PASSED AND ADOPTED this 19th day of July 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.

12. City Manager's Report

12.1: July 2021 Department Reports.

City Manager Whitemyer advised the City Council that the July 2021 Department Reports were included in the agenda packet for their review.

City Manager Whitemyer spoke about the general lack of available labor and how this has impacted some City services.

He also congratulated Chief of Police Heller on his upcoming retirement and stated that he will be more formally recognized later in the future. He congratulated Jerry Ramar who is now filling in as Acting Chief of Police and Andrew Stever who is serving as Acting Lieutenant.

Mayor Bairos briefly discussed a few complaints she has either received or read about regarding conditions of some parks and neighborhoods. She mentioned the volunteer work that Lacey Thomas and her crew does along the river by Costless every Saturday and how they see a need and take care of it. She said there's so many volunteers out there doing so many wonderful things and encouraged those who may see things that could be done in their area, to consider volunteering to help out a bit as we can all use the help.



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13. City Council Items

Mayor Pro Tem Smith spoke about the opening of Oak Leaf Meadows and welcomed the new property manager Rosa Gustellum. He said it is a beautiful facility and something we should be very proud to have in Oakdale.

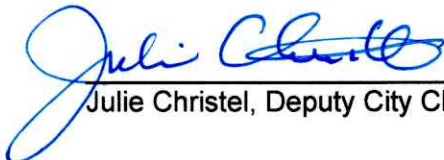
Mayor Bairos thanked everyone for participating in the Oakdale's 150th Birthday event. She also congratulated Chief Heller and wished him all the best in his retirement and congratulated Chief Ramar for stepping in to that position.

Mayor Bairos also announced that the Merchants meeting is scheduled for this coming Wednesday at 8:00 a.m. at House of Beef that the County Fair was beginning soon and encouraged everyone to come out and support their local kids.

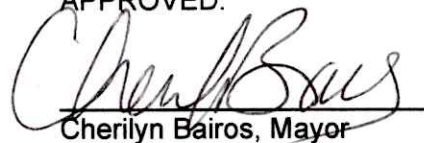
14. Adjournment

The next Regular meeting of the Oakdale City Council will be held Monday, August 2, 2021 at 7:00 p.m. in the Council Chambers. There being no further business, Mayor Bairos adjourned the meeting at 8:44 p.m.

ATTEST:


Julie Christel, Deputy City Clerk

APPROVED:


Cheryl Bairos, Mayor