



City of Riverbank  
**REGULAR CITY COUNCIL AND LOCAL REDEVELOPMENT AUTHORITY  
MEETINGS**

(The City Council also serves as the LRA Board)

**MINUTES**

TUESDAY, MARCH 8, 2016



**CALL TO ORDER:**

The City Council and Local Redevelopment Authority Board of the City of Riverbank met at 6:00 p.m. on this date at the Riverbank City Council Chambers, 6707 Third Street, Suite B, Riverbank, California, with Mayor/Chair Richard D. O'Brien presiding.

**FLAG SALUTE:** Mayor/Chair Richard D. O'Brien

**INVOCATION:** Reverend Charles Neal

**ROLL CALL:** Mayor/Chair Richard D. O'Brien  
Vice Mayor/Chair Jeanine Tucker  
Council/Authority Member Darlene Barber-Martinez  
Council/Authority Member Cal Campbell  
Council/Authority Member Leanne Jones Cruz

**AGENDA CHANGES:** Mayor/Chair Richard D. O'Brien

*There were no changes to the agenda.*

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**CONFLICT OF INTEREST**

Any Council/Authority Member or Staff who has a direct Conflict of Interest on any scheduled agenda item to be considered is to declare their conflict at this time.

*No one declared a conflict.*

**1. PRESENTATIONS** There **were** no presentations.

**2. PUBLIC COMMENTS (No Action Can Be Taken)**

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/LRA Board. Individual comments will be limited to a **maximum of 5 minutes** per person and each person may speak once during this time; time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the City Council/LRA Board.

*Richard Holmer, Riverbank, announced the grand opening of the IMAX Theatre and the Riverbank Historical Society's fundraising event at the theatre.*

### **3. CONSENT CALENDAR**

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council/LRA Board unless otherwise requested by an individual Council/Authority Member for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

**Item 3.A:** Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.

**Item 3.B:** Approval of the February 23, 2016, City Council and Local Redevelopment Authority Minutes.

**Item 3.C:** **Resolution [No. 2016-017]** of the City Council of the City of Riverbank, California, to Approve the Reappointment of Michelle Guzman to Stanislaus Consolidated Fire Protection District Board of Directors as the Riverbank Representative.

**Recommendation:** It is recommended that City Council/LRA Board approve the Consent Calendar items by roll call vote.

**ACTION:** *By motion moved and seconded (Tucker / Barber-Martinez / passed 5-0) to approve Consent Calendar Items 3.A through 3.C as presented. Motion carried by unanimous City Council and LRA Board roll call vote.*

*AYES: Barber-Martinez, Campbell, Jones Cruz, Tucker, and Mayor O'Brien*

*NAYS: None, ABSENT: None, ABSTAINED: None*

### **4. UNFINISHED BUSINESS**

**Item 4.1:** **Second Reading by Title Only and Adoption of Proposed Ordinance [No. 2016-004] of the City Council of the City of Riverbank, California, Amending Sections 52.01, 52.32, 52.34, and 52.61 of Chapter 52: Water, of Title V: Public Works, of the City of Riverbank Code of Ordinances** – It is recommended that the City Council conduct the second reading by title only of proposed Ordinance No. 2016-004 and consider its adoption by roll call vote.

*City Manager Jill Anderson presented the staff report.*

**Public comment:** *Mr. Scott McRitchie spoke in opposition of the 9:00 am to 9:00 p.m. no watering schedule for the winter months; he was pleased with locating the agenda on the new website, and requested an explanation for the City's 50% overage of its water use mentioned in the newspaper. Mayor O'Brien responded.*

**ACTION:** *By motion moved and seconded (Barber-Martin / Jones Cruz / passed 5-0) to approve the Second Reading and Adoption of Ordinance No. 2016-004 as presented. Motion carried by unanimous City Council roll call vote.*

*AYES: Barber-Martinez, Campbell, Jones Cruz, Tucker, and Mayor O'Brien*

*NAYS: None, ABSENT: None, ABSTAINED: None*

## **5. PUBLIC HEARINGS**

*The Public Hearing Notice for the item 5.1 was published in the local newspaper of general circulation on 02/24/16.*

**Item 5.1:** A Resolution [No. 2016-018] of the City Council of the City of Riverbank, California, Approving Variance No. 01-2016 for Galaxy-Cinemas Riverbank 2525 Patterson Road, Riverbank (APN 075-008-029) – The Planning Commission recommends, by Resolution No. 2016-008, that the City Council finds the Project is categorically exempt under Section 15311, Class 11 Accessory Structures and approves a variance for a proposed 530 square foot IMAX sign at 47 feet in height where a 260 square foot sign at 40 feet in height is permitted.

*Planning and Building Manager, Donna Kenney, presented the staff report.*

*Mayor O'Brien opened the public hearing at 6:28 p.m.*

- *Mr. Richard Holmer, Riverbank, spoke in favor of approving the variance.*
- *Mr. Scott McRitchie, Riverbank, spoke in opposition of approving the variance.*

*Mayor O'Brien closed the public hearing at 6:40 p.m.*

*City Council and Staff discussed the item.*

**ACTION:** *By motion moved and seconded (Jones Cruz / Tucker / passed 5-0) to adopt Resolution No. 2016-018 as presented, approving Variance No. 01-2016 for Galaxy-Cinemas Riverbank 2525 Patterson Road, Riverbank (APN 075-008-029) for a proposed 530 square foot IMAX sign at 47 feet in height where a 260 square foot sign at 40 feet in height is permitted, as recommended by the adoption of Planning Commission Resolution No. 2016-008. Motion carried by unanimous City Council roll call vote.*

*AYES: Barber-Martinez, Campbell, Jones Cruz, Tucker, and Mayor O'Brien*

*NAYS: None, ABSENT: None, ABSTAINED: None*

## **6. NEW BUSINESS**

**Item 6.1:** **Museum Annex Concept Plans** – It is recommended that the City Council review and approve the museum annex concept plan and direct that a project working group, involving representatives from the Historical Society and City staff, be formed to ensure that the project proceeds in alignment with the goals of both parties.

*Planning and Building Manager, Donna Kenney, presented the staff report.*

*Mr. Richard Holmer, Historical Society Representative, spoke in favor of moving forward with the plans, and introduced Mr. Norm Wilson, a Modesto Architect, who created and explained the concept plans.*

**ACTION:** *By motion moved and seconded (Barber-Martinez / Campbell / passed 5-0) to approve the museum annex concept plans as presented. Motion carried by unanimous City Council roll call vote.*

*AYES: Barber-Martinez, Campbell, Jones Cruz, Tucker, and Mayor O'Brien*

*NAYS: None, ABSENT: None, ABSTAINED: None*

**LRA Item 6.2:** **Options for Future Organization and Oversight of the Local Redevelopment Authority and Riverbank Army Ammunition Plant** – It is recommended that Riverbank Local Redevelopment Authority (“LRA”) Board of Directors (“BOD”) receive a report from the LRA’s Base Closure and Realignment (“BRAC”) special counsel and consider the options for future oversight and ownership of the Riverbank Army Ammunition Plant (“RAAP”).

*City Manager Jill Anderson introduced the item of discussion and introduced Attorney George Schlossberg for the LRA, who presented the options. LRA Executive Director Debbie Olson was also present.*

*City Council and Attorney Schlossberg discussed the options.*

**Public Comment:** *Mr. Scott McRitchie was interested in know who would have the responsibilities of making the best economic or liability decisions for the City when it comes to choosing part or all of the options presented. Mayor O'Brien responded that a strategic plan would be made and this matter would be discussed at the April 5<sup>th</sup> Strategic Planning Meeting.*

## **7. COMMENTS (Information only – No action)**

**Item 7.1:** Staff Comments

*Planning and Building Manager Donna Kenney reported on her attendance of the Planning Commission Academy.*

*City Manager Jill Anderson reported on the sale of the Del Rio Theatre property sale.*

**Item 7.2:** Council/Authority Member Comments

*Council/Authority Member Campbell encouraged everyone to support the many nonprofit fundraising events.*

*Council/Authority Member Barber-Martinez announced the availability of sand bags at the City's Corporation Yard in case of flooding, announced International Women's day, and welcomed the new businesses in Riverbank.*

*Council/Authority Member Tucker also welcomed the new businesses and the positive changes with the Riverbank museum and the sale of the Del Rio Theatre.*

**Item 7.3:** Mayor/Chair Comments

*Mayor O'Brien commended Ms. Norma Manriquez and everyone for their support in developing and attending the State of the City Address event.*

**8. CLOSED SESSION**

The public will have a limit of 5 minutes to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing into Closed Session.

*Mayor/Chair O'Brien announced the Closed Session item and called for public comment; no one spoke. The meetings were recessed and the City Council/LRA Board went into Closed Session at 7:35 p.m.*

**LRA Item 8.1:**      **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Government Code Section 54956.8  
Property: APN #062-031-007; 062-031-006; 062-008-009  
Agency Negotiator: Jill Anderson, City Manager, and Debbie Olson, LRA Executive Director  
Property Negotiator: U.S. Army  
Under Negotiation: Price, terms of payment, or both

**9. REPORT FROM CLOSED SESSION**

*Mayor/Chair O'Brien reconvened the meetings at 7:54 p.m.*

**LRA Item 9.1:**      Report on Closed Session LRA Item 8.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

*Mayor/Chair O'Brien reported that direction was given to staff.*

**ADJOURNMENT**

**There being no further business, Mayor/Chair O'Brien adjourned the meetings at 7:54 p.m.**

**ATTEST: (Adopted 03/22/16)**

**APPROVED:**

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**Annabelle H. Aguilar, CMC**  
City Clerk / LRA Recorder

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**Richard D. O'Brien**  
Mayor / Chair