

CITY COUNCIL / LRA BOARD

Mayor/Chair
Richard D. O'Brien
Vice Mayor/ Chair (CM-D2) Rachel Hernandez
Council/Authority Members:
District 1 -Luis Uribe
District 3- Leanne Jones Cruz
District 4 -Darlene Barber-Martinez



CITY OF RIVERBANK

**Regular City Council and
Local Redevelopment Authority
Board Meetings**
Council Chambers, 6707 Third St
Suite B
Riverbank, CA 95367



MINUTES

TUESDAY, MARCH 14, 2023 – 6:00 P.M.

(THE AGENDA PACKET IS ONLINE AT [HTTP://WWW.RIVERBANK.ORG/AGENDACENTER](http://www.riverbank.org/agendacenter))

1. **CALL TO ORDER** - Mayor / Chair Richard D. O'Brien called the meeting to order at 6:00 P.M.
2. **FLAG SALUTE** - Mayor / Chair Richard D. O'Brien led the pledge of allegiance.
3. **INVOCATION** – Reverend Randy Richardson provided the invocation.
4. **ROLL CALL** – A Roll Call of councilmembers was done by the City Clerk.

Members of the City Council / Local Redevelopment Authority Board present in the Chamber:

Council Member / Authority Member District 1 Luis Uribe
Council Member / Authority Member District 3 Leanne Jones Cruz
Council Member / Authority Member District 4 Darlene Barber-Martinez
Vice Mayor / Vice Chair (CM-D2) Rachel Hernandez
Mayor / Chair Richard D. O'Brien

5. **AGENDA CHANGES**

No Changes to the Agenda.

6. **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.

7. **PRESENTATIONS (Informational only)**

No Presentations Scheduled.

8. **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 3 minutes (or as stated by the presiding Officer)** and time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon.*

Mayor O'Brien Opened Public Comment at 6:05 P.M.

Karen Conrotto, Modesto Resident spoke in opposition of the Riverwalk Project.

Charles Neal (Pastor) Thanked the City for how it is being run.

There being no further public comments, Mayor O'Brien closed the Public Comment period at 6:06 P.M.

9. 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 requested by an individual Council/Authority Member or member of the public for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by motion of the City Council/LRA Board.

Item 9.1 Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.

Item 9.2 Approval of the City Council and Local Redevelopment Authority Board Minutes for:

9.2A - February 14, 2023

9.2B - February 28, 2023

Item 9.3 **Adopt a Resolution 2023-015** to Award Bid for the Castleberg Park Trail Project to Consolidated Engineering Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment for an Additional \$102,688 from Fund 156 – Assessment District Fund.

Item 9.4 **A Resolution 2023-016** Authorizing the Execution of a Performance Agreement between the City of Riverbank and SMA Entertainment for the Coordination of the 2023 Cheese & Wine Festival.

Item 9.5 **A Resolution 2023-017** Authorizing the Mayor to Execute a Lease with SMA Entertainment for the Area Associated with the Riverbank Cheese and Wine Festival.

Item 9.6 **A Resolution 2023-018** to Approve a Subdivision Improvement Agreement for Ward Villas with Ammo Plant Management, Inc. and Authorizing the City Manager to Execute the Agreement.

Item 9.7 **A Resolution 2023-019** to approve the Final Map 03-2021 Ward Villas – APN: 132-036-003.

Mayor O'Brien opened up for Public Comment at 6:07 P.M.

Assistant City Manager (Interim Clerk) Alcantor, stated there was a correction to the Draft Minutes for February 14th, Public Comment should reflect Dan Whetstone as the name for the Riverwalk Opposition not Floyd Koebel.

ACTION: By motion moved and seconded (Uribe / Barber-Martinez 5/0) to approve the consent calendar as amended.

Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Jones Cruz, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

10. PUBLIC HEARINGS

No Public Hearing Items Scheduled.

11. NEW BUSINESS

Item 11.1 A Resolution to Nominate a Councilmember from a “Large” City within Stanislaus County that has applied to serve on the San Joaquin Valley Air Pollution District Governing Board, or reject all candidates- It is recommended that the City council by roll call vote; 1) Consider adoption of the resolution to nominate candidate Councilmember David Wright, City of Modesto, or Councilmember Rosa Escutia-Braaton, City of Modesto to fill the vacant seat on the District Governing Board; or 2) Reject both candidates.

City Manager, Garcia gave a comprehensive staff report on the San Joaquin Valley Air Pollution District Governing Board candidates and the consideration of adopting a resolution to approve or reject the candidate. SJVAPD Staff advised one of the two candidates had decided to withdraw his candidacy. City of Modesto Councilmember David Wright, withdrew, leaving one candidate for consideration or rejection, City of Modesto Councilmember Rosa Escutia-Braaton.

City Council discussed item with Staff.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: By motion moved and seconded (Barber-Martinez / Jones Cruz 5/0) to adopt **Resolution 2023-020 nominating** City of Modesto Councilmember, Rosa Escutia-Braaton to the San Joaquin Valley Air Pollution District Governing Board.

Motion carried by unanimous vote City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Jones Cruz, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

12. COMMENTS/REPORTS

A brief report on notable attendance of a meeting or conference or other notable topics of City business shall be made. The Brown Act does not allow for discussion or action of items by the City Council/LRA Board during this time.

Item 12.1 Staff

City Manager Garcia advised the City Council and the public on the following items:

- *Shutoff's for the January billing are currently underway, if any residents have questions regarding their bill please contact the finance department for information on how to get your services restored, this is for those who had delinquent January billing.*
- *Founder's Day Carnival is coming up on Saturday, April, 29th the city is looking for volunteers to be able to assist in various games, please contact the Parks & Recreation Department if interested in volunteering.*
- *The City has opened a second round of funding availability for our non-profit support program, the City Council allocated \$140,000 from the first round of funding, of applications we received we were able to award \$80,000. We do have a remaining \$60,000 that we will be able to have additional non-profits to apply. We will be accepting applications through April 13th.*
- *A message from our Building Department they are working with Stanislaus County Health Services Agency on a pool safety program. The program includes sending out information to pool owners, who we have noted via some drone footage and google maps footage of those who may have removed their required pool fencing, that is required by state law for the safety of children. They will be receiving some educational materials they'll also work closely with our planning department when they come in to pull additional permits.*

Item 12.2 Council/Authority Member

Councilmember Jones Cruz reported on the following:

- *Sandbags and sand are still available at our Public Works Yard at 2901 High Street. We do ask residents bring their own shovels.*
- *We have a new business opening this Friday, Black Sheep. Hope to see a lot of you down there.*

Councilmember Uribe reported on the following:

- *Sat in this morning with Marisela on the Emergency Operating Center, gave us some local updates on the winter storm. Very neat to see the organization in emergency cases and how it is all structured and handled. Kudos to the EOC and our city staff, and everyone for how they handled things.*
- *This Friday will be attending the second Revenue & Taxation Subcommittee, receiving legislative updates, hearing from CalPERS Rep Michael Cohan, will be an interesting topic.*

- *Will also be joining for the grand opening of Black Sheep. They will be having a St. Patty's theme from 1pm to 1am.*
- *Sister City Committee will be meeting Thursday, March 22nd at 6:00 p.m. here in the Council Chambers, for those that are interested in reestablishing the relationship with our Sister City in Mexico, Tamazula, and would like to join us.*

Councilmember Barber-Martinez reported on the following:

- *Attended the Stanislaus Homeless Alliance Committee Meeting (SHA) talked about what the county is doing for shelter availability for those that are homeless, trying to reach out the homeless if they want to come to the open shelters, sheriffs are offering rides to shelters for those who want it, there is limited availability but there are shelters.*
- *Looking forward to our Public Safety Policy Committee meeting this coming Thursday.*
- *Everyone try to stay dry with all the rain.*

Vice Mayor Hernandez reported on the following:

- *Is stepping in as the alternate for the Stanislaus Council of Government (StanCOG) it is very fruitful, was able to go to the Capitol and speak to our state legislatures and let them know we are working together with the rest of the county and advocating for the City of Riverbank.*
- *Attended the Riverbank Language Academy Career Day, borrowed the Mayor's gavel and was able to try and impress the students in the fun aspects of public service.*
- *Cal Cities Community Services Committee meeting this Friday, will be going over some policy that we will be advocating on behalf of the city and the state.*

Item 13.3 Mayor/Chair

Mayor O'Brien reported on the following:

- *Looking forward to next meeting the Downtown Absentee Landlord Resolution.*
- *Was not pointing out any certain group on nimbyism, it's across the board. Whether it's a tiny home village or any of the others, do believe as a council we should look and discuss how we treat the homeless, drugs, and mental illness. That is one hundred percent of the homeless population dealing with drugs or mental illness, how do we deal with that as a city and how do we deal with other cities and being complacent. How do we want to handle it?*

14. CLOSED SESSION

The public will have a limit of **3 minutes** to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing to Closed Session.

No Closed Session Items Scheduled.

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 6:17 P.M. to the next regular scheduled City Council / LRA Meeting of March 28, 2023 at 6:00 P.M.

ATTEST: (Adopted 3/28/2023)

APPROVED:



Gabriela Hernandez
City Clerk / LRA Recorder



Richard D. O'Brien
Mayor/ Chair