

CITY COUNCIL / LRA BOARD

Mayor/Chair
Richard D. O'Brien
Council/Authority Members:
District 1 -Luis Uribe
District 2- Rachel Hernandez
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, APRIL 25, 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** – City Clerk Hernandez conducted Roll Call.

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 District 2 Rachel Hernandez
Mayor / Chair Richard D. O'Brien

5. AGENDA CHANGES

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)

Item: 7.1 Proclamation- National Library Week- It is recommended City Council present a Proclamation for National Library Week to, Vicki Holt, Riverbank Library Assistant.

Mayor O'Brien presented Vicki Holt, Riverbank Library Assistant with the National Library Week Proclamation on behalf of City Council.

Item 7.2 **Presentation – Cannabis Tax Fund Grant by Deputies Maldonado and Bavaro** - It is recommended that the City Council receive a presentation from Deputies Maldonado and Bavaro who help to facilitate the Cannabis Tax Fund Grant.

City Council received a Power Point Presentation from Deputies Maldonado and Bavaro with Riverbank Police Services regarding the Cannabis Tax Fund Grant.

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 6:16 P.M.

Residents who spoke in opposition of Riverwalk Project

*Jami Aggers, Modesto Resident
Dan Whetstone, Modesto Resident
Karen Conrotto, Modesto Resident*

Jacob Faulder, Representative with Senator Marie Alvarado-Gil provided a brief legislative update, 3 bills currently going through the process in the Capitol. SB226, would make Fentanyl among the list of drugs as illegal to possess as a firearm. SB268, would make a rape of unconscious person a violent felony. SB375, would be the COVID-19 Compliance Tax Credit, would provide \$50 dollars per employee for large business, and \$100 per employee for small businesses, for businesses that were affected during the COVID-19 Pandemic.

Randy Richardson, Commented on Love Riverbank happening Saturday, April 29th, 2023.

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:25 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 April 11, 2023.

Item 9.3 **Resolution 2023-035** to Approve and Adopt City of Riverbank Recycled Products Procurement Policy.

Item 9.4 **Resolution 2023-036** to Authorize the City Manager to Enter into a Consultant Agreement for Retainer On-Call Planning Services with Interwest Consulting Group.

Item 9.5 **Resolution 2023-037** Authorizing a Budget Amendment of \$26,160 to the General Fund 2022-23 Building Maintenance Budget for Repair of the City Hall North Restroom Sewer System.

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

ACTION: *By motion moved and seconded (Uribe / Jones Cruz 5/0) to approve the **consent calendar** as presented.*

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 Items Scheduled.

11. NEW BUSINESS

The Public Notice for Item 11.1 was published on April 12, 2023 in the Riverbank News.

Item 11.1 **A Resolution of Concurrence and Support for the Approval of the Fiscal Year 2023-2024 Annual Action Plan (AAP)**- It is recommended that the City Council open the Community Meeting, accept Public Comment, and consider adopting a Resolution of Concurrence and support for the approval of the Fiscal Year 2023-2024 Annual Action Plan (AAP).

Housing Specialist Ibañez gave a comprehensive staff report and Power Point Presentation on the Annual Action Plan (AAP) for the fiscal year 2023-2024.

City Council discussed item with staff.

Mayor O'Brien opened up the Community meeting for Public Comment at 6:32 P.M.

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

ACTION: *By motion moved and seconded (Jones Cruz / Uribe 5/0) to approve **Resolution 2023-038** Concurrence and Support for the Approval of the Fiscal Year 2023-2024 Annual Action Plan (AAP).*

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

Item 11.2 **Resolution Authorizing a Budget Amendment of \$50,000 to the American Rescue Plan Act Spending Plan for Funding Allocated to the Jacob Myers Park Trail Expansion Project** -It is recommended that the City Council consider authorizing a Resolution to increase the allocation of American Rescue Plan Act funding for the Jacob Myers Park Trail Expansion Project to complete the environmental work required by the Army Corp of Engineers for the lease of property.

Director of Parks and Recreation Fitzpatrick gave a comprehensive staff report on the request to amend the American Rescue Plan Act Spending plan for the Jacob Myers Park Trail Expansion Project to complete the environmental work required by the Army Corp of Engineers for the lease of the property.

City Council discussed item with staff.

Mayor O'Brien opened up for Public Comment at 6:39 P.M.

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

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe 5/0) to approve **Resolution 2023-039** Authorizing a budget amendment of \$50,000 to the American Rescue Plan Act Spending Plan for funding allocated to the Jacob Myers Park Trail Expansion Project.*

*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*

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:

- *Everyone is invited to our Health Fair, this Saturday from 8:00 a.m. to 1:00 p.m. at the Community Center, free to the public.*
- *Annual Founder's Day Carnival, will start at 12:00 p.m. at the Community Center Park, that is also free to the public all the games and events will be free. We will have vendors and food. We invite everyone to join us for those events.*
- *Through an approved Memorandum of Understanding between the City and Stanislaus Workforce Development in May will be starting free technology classes for our senior residents. Seniors will be taught to use an iPad, email, internet, messages, social media at the end of the course they will be allowed to keep the iPad and a year of internet service, paid for free. We will be putting out information on the classes that will happen on Tuesdays from 1:00 p.m. to 2:00 p.m. beginning*

May 9th. For those residents who need access to transportation, we want to be able to connect with START and be able to facilitate that.

Item 12.2 Council/Authority Member

Councilmember Jones Cruz reported on the following:

- Have met with a few downtown business owners who are very excited about the Downtown Façade Program, received positive feedback on that.
- Attended the California League of Cities Summit with two other colleagues, got a chance to attend several workshops and meet with our legislators. It was a very informative, it was very good conference.
- Happy to announce the Downtown Business Coalition in Partnership with the City and they will be putting on the Downtown Market starting May 9th through June 13th, every Tuesday night from 5:00 p.m. to 8:00 p.m. like the last two summers. Everyone is encouraged to attend.

Councilmember Uribe reported on the following:

- Any residents who is interested or hasn't had an opportunity to tour the transitional housing for our homeless, we will be setting a tour with staff at the Sierra House on Monday, May 1st, at 9:00 a.m., if you're interested will get a quick update on some of the improvements happening.
- Next Sister City Committee will be on May 3rd at 6:00 p.m. in the Chambers, we've reached out to the Hispanic Chamber to give us some insight on some fundraising we are trying to do.
- Cinco de Mayo be safe out there!

Councilmember Barber-Martinez reported on the following:

- Attended the League of California Cities Summit, some of the topics of interest to me were the Universal Inclusionary Housing, Fighting Crime with Civil Litigation, Surplus Land, and Housing Land that we can use for improvement of our Housing Plans.
- Thank our Heroes, with Thank you cards, you can go to the library and fill out the cards for First Responders, Teachers, and added Public Service. And if your inclined to bake some cookies, you can do so and bring them over on Thursday. Will be delivering those on Thursday, Friday, and Saturday.

Vice Mayor Hernandez reported on the following:

- Attended the Cal Cities Conference, we were able to connect with other councilmembers and assembly members to be able to advocate for the work we are doing here.
- Soon after, flew out to D.C. with our Stanislaus Council of Governments, was there with other county supervisors and councilmembers and met with our senators and congress and department of transportation personally, and were able to talk about Aemetis and the important work that is going on there and the connection with the North County Corridor. As well, as the importance of having jobs here in the city and the county, and not having people have to commute.
- See you all Saturday for Love Riverbank!

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- Thursday at 11:30 a.m. Aemetis lunch at the LRA, come out and meet the businesses out there, if you have time.
- Had some great success in D.C. our City Manager did great job at the US EPA and we are very please to announce that our programs are 80% funded. We are not done yet.
- Memorial Day is coming up, would like to thank the Sheriff's Department in advance for providing us not only an honor guard, but also a gun salute. That should be impressive.

13. CLOSED SESSION- No Items Scheduled.

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.

14. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 6:49 P.M. to the next regular scheduled City Council / LRA Meeting of May 9, 2023 at 6:00 P.M.

ATTEST: (Adopted 5/09/2023)

APPROVED:



Gabriela Hernandez
City Clerk / LRA Recorder



Richard D. O'Brien
Mayor/ Chair