

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, MAY 9, 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 O'Brien called the meeting to order at 6:00 P.M.
2. **FLAG SALUTE** –Mayor / Chair 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

Mayor O'Brien will allow for 9 minutes of comments during Public Comment, remaining comments will be heard at the end of the meeting.

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-Older Americans Month**-It is recommended that the City Council read and present the Proclamation for Older Americans Month to commissioner John Dinan, Commission on Aging and present Awards of Recognition to nominated Riverbank residents for their service to our community.

Mayor O'Brien presented John Dinan, Commissioner with the Stanislaus Commission on Aging with the Older Americans Month Proclamation on behalf of City Council.

Jacob Faulder, Representative with Senator Marie Alvarado-Gil's Office also presented a proclamation on behalf of the Senator.

The following residents were selected and were presented with a gift and recognized by the District's Councilmembers:

Thelma Louise Gibson – Selected by Councilmember Uribe

Charles Neal – Selected by Councilmember Jones Cruz

Joan Brister-Giles - Selected by Councilmember Barber-Martinez

Also recognized, but not in attendance:

Sandra Sanchez – Selected by Vice Mayor Hernandez

Arnold Setliff – Selected by Mayor O'Brien

Item 7.2 Proclamation- Mental Health Awareness Month – It is recommended that the City Council read and present the Proclamation for Mental Health Awareness Month to Luly Arias, Riverbank Promotora and Shellie Lamar, Oakdale Family Resource Network Manager.

Mayor O'Brien presented Shellie Lamar & Mary Lu Ruiz, with Oakdale Family Resource Network and Kevin Panyanouvong & Janet Nunez-Pineda with Stanislaus County Behavioral Health and Recovery Services with the Mental Health Awareness Month Proclamation on behalf of City Council.

Jacob Faulder, Representative with Senator Marie Alvarado-Gil's Office also presented a proclamation on behalf of the Senator.

Item 7.3 Proclamation-Declaring May as Asian Pacific American Heritage Month-It is recommended that the City Council read and present a Proclamation for Asian Pacific American Heritage Month to Vice Mayor Rachel Hernandez.

Mayor O'Brien presented Vice Mayor Rachel Hernandez, with the Asian Pacific Islander Heritage Month Proclamation on behalf of City Council.

Jacob Faulder, Representative with Senator Marie Alvarado-Gil's Office also presented a proclamation on behalf of the Senator.

Item 7.4 Building & Planning Presentation-It is recommended that the City Council receive a presentation from Donna Kenney, Planning and Building Manager regarding the Planning & Building & Neighborhood Improvement Division.

City Council received a Power Point Presentation from Planning & Building Manager Donna Kenney regarding the Building, Planning, and Neighborhood Improvement Divisions.

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 6:51 P.M.

Residents who spoke in opposition of Riverwalk Project

Jami Aggers, Modesto Resident requested that an item regarding an urban limit initiative be placed on the May 23rd agenda and approved or placed on the 2024 Ballot. With me tonight are several supporters who we are referring to as "Voters for Farmland". Mrs. Aggers shared a document that was provided to all of the City Council.

Karen Conratto, Modesto Resident
Dan Whetstone, Modesto Resident

Legislative Update from the Office of Senator Marie Alvarado-Gil, was provided by representative Jacob Faulder. Has a new bill, SB 820, relates to cannabis enforcement and seizure of property.

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:58 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 25, 2023.

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

The Public Notice for Item 10.1 and Item 10.2 was published on April 26, 2023 in the Riverbank News.

Item 10.1 **Public Hearing to Adopt Resolution of the City Council of the City of Riverbank Annexing of Territory to a Community Facilities District, Authorizing the Levy of a Special Tax, and Submitting Levy of Tax to Qualified Electors, City of Riverbank Community Facilities District No. 2016-1 (Public Services) Annexation No. 2; and**

Resolution of the City Council of the City of Riverbank Declaring Results of a Special Annexation Election, Determining Validity of Prior Proceedings, and Directing Recording of Amended Notice of Special Tax Lien, City of Riverbank Community Facilities District No. 2016-1 (Public Services) Annexation No. 2.- It is recommended that the City Council hold a public hearing and adopt resolutions annexing territory to the City of Riverbank Community Facilities District 2016-1 (Public Services) and to authorize the levy of a special tax therein to finance certain City services.

Development Services Administration Manager Cleek, gave a comprehensive staff report and Power Point Presentation on the Annexing of Territory to a Community Facilities District, Authorizing the Levy of a Special Tax, and Submitting Levy of Tax to Qualified Electors, City of Riverbank Community Facilities District No. 2016-1 (Public Services) Annexation No. 2; and Declaring Results of a Special Annexation Election, Determining Validity of Prior Proceedings, and Directing Recording of Amended Notice of Special Tax Lien, City of Riverbank Community Facilities District No. 2016-1 (Public Services) Annexation No. 2.

City Council discussed item with staff.

Mayor O'Brien Opened the Public Hearing at 7:03 P.M.

Mayor O'Brien Closed the Public Hearing at 7:04 P.M.

City Clerk reported on the Election Results, 18 votes were in favor of the ballot measure. There were 0 number of votes in opposition of the ballot measure.

There is at least a two-thirds majority vote in favor of the ballot measure. The resolution declaring election results and directing the recording of an amended Notice of Special Tax Lien shall be adopted.

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

ACTION: *By motion moved and seconded (Jones Cruz / Barber-Martinez 5/0) to adopt **Resolution 2023-040** Annexing of Territory to a Community Facilities District, Authorizing the Levy of a Special Tax, and Submitting Levy of Tax to Qualified Electors, City of Riverbank Community Facilities District No. 2016-1 (Public*

Services) Annexation No. 2. And **Resolution 2023-041** Declaring Results of a Special Annexation Election, Determining Validity of Prior Proceedings, and Directing Recording of Amended Notice of Special Tax Lien, City of Riverbank Community Facilities District No. 2016-1 (Public Services) Annexation No. 2.

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 10.2 **First Reading by Title Only and Introduction of Proposed Ordinance Adding Chapter 150.080 Through 150.100, Entitled Vacant Buildings to Chapter 150, Building Regulations, to Title XV, Land Usage, of the Riverbank Code of Ordinances-** Conduct a public hearing for the first reading of the proposed ordinance, waive further reading, read by title only, and introduce an ordinance of the City Council of the City of Riverbank adding Chapter 150.080 through 150.100, entitled Vacant Buildings to Chapter 150, Building Regulations, to Title XV, Land Usage, of the Riverbank Code of Ordinances.

City Manager Garcia, gave a comprehensive staff report and gave the First Reading by Title Only and Introduction of Proposed Ordinance Adding Chapter 150.080 Through 150.100, Entitled Vacant Buildings to Chapter 150, Building Regulations, to Title XV, Land Usage, of the Riverbank Code of Ordinances.

City Council discussed item with staff.

Mayor O'Brien Opened the Public Hearing at 7:17 P.M.

Mayor O'Brien Closed the Public Hearing at 7:19 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 **Ordinance 2023-004** First Reading by Title Only and Introduction of Proposed Ordinance Adding Chapter 150.080 Through 150.100, Entitled Vacant Buildings to Chapter 150, Building Regulations, to Title XV, Land Usage, of the Riverbank Code of Ordinances, moving to a second reading.*

*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*

11. NEW BUSINESS

Item 11.1 **A Resolution to Approve the Appropriation of Additional Funds To The Claus Road Curb & Sidewalk Project Due To Unforeseen**

Conditions of the Sewer Line, Relocation of the Existing 2” Traffic Signal Conduit and Abandonment of Existing 1” Water Service- It is recommended that the City Council consider authorizing a budget amendment of \$202,803.00 to the Sewer Fund to repair the sewer line removal and installation, relocation of the existing 2” traffic signal conduit and \$13,000 to the Water Fund to abandonment of existing 1” water service.

Public Works Director Bridgewater, gave a comprehensive staff report and Power Point Presentation on the Claus Road Curb and Sidewalk Project need for appropriation of additional funds due to unforeseen conditions of the sewer line, relocation of the Existing 2” Traffic Signal Conduit and abandonment of existing 1” Water Service.

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 (Jones Cruz / Uribe 5/0) to approve **Resolution 2023-042** Approve the Appropriation of Additional Funds to The Claus Road Curb & Sidewalk Project Due to Unforeseen Conditions of the Sewer Line, Relocation of the Existing 2” Traffic Signal Conduit and Abandonment of Existing 1” Water Service.*

*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:

- Pleased to report that our Façade Improvement Program is now active, we did what we are calling a soft opening of this program. We actually mailed letters to each of the property owners within the downtown specific plan. We felt it gave us a better opportunity to explain the program, rather than a social media posting and also gave them copies of the program guidelines themselves, so that they could see what the process could look like. We have had a wonderful response, and we are really excited of some of the proposed changes. Very excited, tomorrow we will launch our social media and webpage that will go live, in the event there are property owners who have not received the information as of yet, we do have it available on our website.*

Item 12.2 Council/Authority Member

Councilmember Jones Cruz reported on the following:

- *Tonight's the first night of Downtown Market!*

Councilmember Uribe reported on the following:

- *The Month of May is full of days and weeks of appreciations such as:*
 - *Military Appreciation Month*
 - *Firefighters Day*
 - *National Nurse's Week*
 - *Police Week*
 - *EMS*
 - *National Foster Care*
 - *Memorial Day at the end of the month.*
- *Will be attending the Stanislaus Latino Chamber of Commerce installation dinner on Saturday, May 13th.*
- *To all the mothers out there, Happy Mother's Day!*

Councilmember Barber-Martinez reported on the following:

- *It is exciting to see all the preparations on Roselle Avenue for our new sidewalks that are coming in.*
- *Thank you to everyone who participated in our Love Riverbank, especially those that helped with the honor our heroes project. We had cards, cookies, and lots of smiles.*
- *The Historical Society is having their After-Mother's Day Omelet Breakfast that will be on Sunday, May 21st from 8:00 a.m. to 1:00 p.m. at the Community Center*
- *Tomorrow is our SHA (Stanislaus Homeless Alliance Meeting) at 1010 tenth street, everyone is invited to see what we are doing in the county to tackle our homeless issues. We are working together, instead of each city working on their own.*
- *Congratulations to all of our Graduates, very proud of our graduates!*
- *Happy Mother's Day!*

Vice Mayor Hernandez reported on the following:

- *Thank you for a great Love Riverbank Event, it was awesome to be out there and support. Be at the library dusting, picking up garbage at Jacob Myers, for an entire day with all the staff and all the hard work that was done.*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- *Would like to echo the Love Riverbank, you did a fantastic job, (Randy Richardson) your enthusiasm infected almost the entire city, I appreciate that. Love Riverbank was a huge success because of you and your efforts.*
- *I got to tour the Day use facility at Sierra House, that is coming along, I have not heard of any problems with PG&E, so I am assuming those have been resolved.*
- *LRA, there is some property that is coming our way which is 1 and 1A, which is property bordering Claribel Road. Which should be coming our way prior to the end of September, which is when the county is requiring, so Army is working hard for that. We should be getting updates on that periodically. Parcel 2 should be*

coming too. For Council and everyone, there is an article or notice in the Modesto Bee, so you may be getting some calls/comments. This is clean property, though you see articles that are partially accurate, saying it is contaminated, it is not. Parcel 2 is where the Ethanol Plant will be constructed.

- The other item, is coming to a date near you for the council, we should be getting the EIR (Riverwalk) should be coming out within a week or two, then after we are done making our read, then it will be released to the public.

13. CLOSED SESSION- No Items Scheduled.

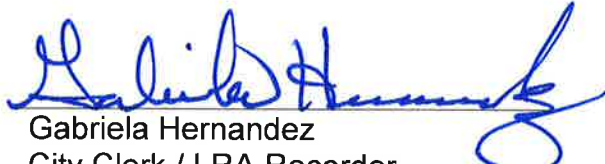
The public will have a limit of **3 minutes** to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing to Closed Session.

14. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 7: 33P.M.to the next regular scheduled City Council / LRA Meeting of May 23,2023 at 6:00P.M.

ATTEST: (Adopted 5/23/2023)

APPROVED:


Gabriela Hernandez
City Clerk / LRA Recorder


Richard D. O'Brien
Mayor/ Chair