

**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, JUNE 13, 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 6:00P.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:  
Council Member / Authority Member District 1 Luis Uribe  
Council Member / Authority Member District 3 Leanne Jones Cruz (ABSENT)  
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**

*No 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.*

*Councilmember Barber-Martinez and Mayor O'Brien declared a conflict with Item 10.5 Public Hearing: Crossroads Landscape and Lighting. Mayor O'Brien stated there would be a lot drawn to choose what councilmember would stay to hear the item presentation and vote.*

**7. PRESENTATIONS (Informational only)**

**Item 7.1** **Proclamation – Disability Awareness Month, June 2023-** It is recommended that the City Council read the Proclamation for Disability

Awareness Month – June 2023; and present to Cathy Mendoza, Executive Director of Society for disABILITIES.

*Mayor O'Brien presented the Proclamation for Disability Awareness Month to Cathy Mendoza, Executive Director of Society for disABILITIES.*

*Jacob Faulder, District Representative for Senator Marie Alvarado-Gil, presented a Senate Proclamation to Society for disABILITIES, recognizing the work they do in the community.*

## **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 6:09P.M.*

*City Clerk Hernandez read a written comment submitted by Riverbank Resident, Carol Barr in opposition of the Riverwalk Project. (See Attachment)*

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

*Jacob Faulder, District Representative with Senator Marie Alvarado-Gil's Office gave a legislative update.*

*There being no further public comments, Mayor O'Brien closed the Public Comment period 6:13P.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 May 23, 2023.
  
- Item 9.3**      **Acceptance** of the Overlay Project 2022 and Authorization to File a Notice of Completion.
  
- Item 9.4**      **Resolution 2023-062** to Award Bid for the Riverbank Police Gate & Fence Project to Golden Bay Fence Plus Iron Works, Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment for an Additional \$94,923.00 from American Rescue Plan Act Funds.
  
- Item 9.5**      **Resolution 2023-063** to Approve New Engineering Services Contract with Ardurra Group, Inc. and Authorize City Manager to Enter into a Contract

with Ardurra Group, Inc. and William F. Kull to Perform General Municipal Engineering Services for the City of Riverbank.

**Item 9.6**     **Resolution 2023-064** of the City Council of the City of Riverbank, California, to Approve a Subdivision Improvement Agreement for The Heritage with SCM Hearthstone, LLC and Authorizing the City Manager to Execute the Agreement.

**Item 9.7**     **Resolution 2023-065** to approve Final Map 04-2022 The Heritage – APN: 062-020-001.

**Item 9.8**     **Resolution 2023-066** to Award Bid for the Third Street Parking Lot Project to Consolidated Engineering, Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment for an Additional \$341,054 from American Rescue Plan Act Funds.

**Item 9.9**     **Resolution 2023-067** to Award Bid for the Pavement Restoration 2023 Project to Pavement Coatings Co. and Authorize Execution of Future Change Orders.

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

**ACTION:**     *By motion moved and seconded (Uribe/Barber-Martinez 4/0) to approve the **consent calendar** as presented.*

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

## **10. PUBLIC HEARINGS**

**Item 10.1**     **Two Resolutions for Consolidated Landscaping & Lighting District to: 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024** - It is recommended that the City Council adopt the Resolutions corresponding to Consolidated District amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.

*Development Services Administration Manager Kathleen Cleek presented a comprehensive staff report and Power Presentation on items 10.1 through 10.4 of the Public Hearing for the Landscape and Lighting Districts.*

*City Council discussed the item with staff.*

*Mayor O'Brien Opened the Public Hearing at 6:19P.M.*

Mayor O'Brien Closed the Public Hearing at 6:19P.M.

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

**ACTION:** By motion moved and seconded (Hernandez / Uribe 4/0) to adopt **City Council Resolution 2023-068 & 2023-069** to 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024.

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

**Item 10.2** **Two Resolutions for Ridgewood Place Landscaping & Lighting District to: 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024** - It is recommended that the City Council adopt the Resolutions corresponding to Ridgewood Place District amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.

City Council discussed the item with staff.

Mayor O'Brien Opened the Public Hearing at 6:20P.M.

Mayor O'Brien Closed the Public Hearing at 6:20P.M

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

**ACTION:** By motion moved and seconded (Uribe / Barber-Martinez 4/0) to adopt **City Council Resolution 2023-070 & 2023-071** to 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024.

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

**Item 10.3** **Two Resolutions for River Cove Landscaping & Lighting District No.1 to: 1) Amend and/or Approve the Engineer's Report and the Levy and**

**Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024** - It is recommended that the City Council adopt the Resolutions corresponding to River Cove District amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.

*City Council discussed the item with staff.*

*Mayor O'Brien Opened the Public Hearing at 6:21P.M.*

*Mayor O'Brien Closed the Public Hearing at 6:21P.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 4/0) to adopt **City Council Resolution 2023-072 & 2023-073** to 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024.*

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

**Item 10.4** **Two Resolutions for Sierra Vista Estates Landscaping & Lighting District to: 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024** - It is recommended that the City Council adopt the Resolutions corresponding to Sierra Vista Estates District amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.

*City Council discussed the item with staff.*

*Mayor O'Brien Opened the Public Hearing at 6:22P.M.*

*Mayor O'Brien Closed the Public Hearing at 6:22P.M*

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

**ACTION:** By motion moved and seconded (Hernandez / Barber-Martinez 4/0) to adopt **City Council Resolution 2023-074 & 2023-075** to 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024.

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

Lot was drawn by Mayor O'Brien and Councilmember Barber-Martinez, the lowest number drawn was Mayor O'Brien.

Councilmember Barber-Martinez recused herself from the dais at 6:27P.M.

**Item 10.5** **Two Resolutions for Crossroads Landscaping & Lighting District to: 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024** - It is recommended that the City Council adopt the Resolutions corresponding to Crossroads District amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.

Development Services Administration Manager Kathleen Cleek presented a comprehensive staff report and Power Presentation on item 10.5 of the Public Hearing for the Landscape and Lighting Districts.

City Council discussed the item with staff.

Mayor O'Brien Opened the Public Hearing at 6:25P.M.

Mayor O'Brien Closed the Public Hearing at 6:25P.M

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

**ACTION:** By motion moved and seconded (Hernandez/ Uribe 3/0) to adopt **City Council Resolution 2023-076 & 2023-077** to 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024.

Motion carried by City Council and LRA Board roll call vote:  
AYES: Uribe, Hernandez, and Mayor O'Brien

NAYS: None / ABSENT: Jones Cruz / ABSTAINED: Barber-Martinez

*Councilmember Barber-Martinez returned to the dais at 6:29P.M.*

**Item 10.6** **A Resolution of the City Council of the City of Riverbank, County of Stanislaus, State of California, Ordering the Levy and Collection of Assessments Within the Riverbank Storm Drain Benefit Assessment District No. 2006-01 (Heartlands) for Fiscal Year 2023/2024** - It is recommended that the City Council adopt Resolutions amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Riverbank Storm Drain District No. 2006-01 (Heartlands) for Fiscal Year 2023/2024.

*Development Services Administration Manager Cleek presented a comprehensive staff report and Power Point Presentation on Item 10.6 and 10.7 Ordering the Levy and Collection of Assessments Within the Riverbank Storm Drain Benefit Assessment District No. 2006-01 (Heartlands) and Storm Drain District No. 05-01 (Sterling Ridge) for Fiscal Year 2023/2024.*

*City Council discussed the item with staff.*

*Mayor O'Brien Opened the Public Hearing at 6:28P.M.*

*Mayor O'Brien Closed the Public Hearing at 6:28P.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 4/0) to adopt **City Council Resolution 2023-078** to Ordering the Levy and Collection of Assessments Within the Riverbank Storm Drain Benefit Assessment District No. 2006-01 (Heartlands) for Fiscal Year 2023/2024.*

*Motion carried by unanimous City Council and LRA Board roll call vote:*

*AYES: Uribe, Hernandez, Barber-Martinez, and Mayor O'Brien*

*NAYS: None / ABSENT: Jones Cruz / ABSTAINED: None*

**Item 10.7** **A Resolution of the City Council of the City of Riverbank, County of Stanislaus, State of California, Ordering the Levy and Collection of Assessments Within the Sterling Ridge Benefit Assessment District for Fiscal Year 2023/2024** - It is recommended that the City Council adopt Resolutions amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Riverbank Storm Drain District No. 05-01 (Sterling Ridge) for Fiscal Year 2023/2024.

*City Council discussed the item with staff.*

*Mayor O'Brien Opened the Public Hearing at 6:29P.M.*

Mayor O'Brien Closed the Public Hearing at 6:29P.M

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

**ACTION:** By motion moved and seconded (Uribe / Hernandez 4/0) to adopt **City Council Resolution 2023-079** to Ordering the Levy and Collection of Assessments Within the Riverbank Storm Drain District No. 05-01 Sterling Ridge Benefit Assessment for Fiscal Year 2023/2024.

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

## **11. NEW BUSINESS**

**Item 11.1** **Resolution to Reduce (Credit) and/or Waive the SCM Hearthstone LLC System Development Fees for The Heritage Subdivision-** It is recommended that the City Council consider and approve the Resolution (Attachment 1) reducing (credit) and/or waiving the SCM Hearthstone LLC ("SCM Hearthstone") System Development Fees assessed on the construction of dwelling units in The Heritage subdivision.

*Building & Planning Manager Kenney presented a comprehensive staff report and Power Point Presentation on the request to (Credit) and/or Waive the SCM Hearthstone LLC System Development Fees for The Heritage Subdivision.*

*City Council discussed the 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 (Uribe/Hernandez 4/0) to adopt **Resolution 2023-080** to reduce/waive the SCM Hearthstone LLC System Development Fees for The Heritage Subdivision.

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

**Item 11.2** **Fiscal Year 2023-24 Major Fund Budget Workshop** - It is recommended that the City Council receive a presentation on the Fiscal Year 2023-24 Major Fund Proposed Budgets and provide feedback in anticipation of the adoption of the Final Budget on June 27, 2023.

*Assistant City Manager Alcantor presented a comprehensive staff report and Power Point Presentation on the Fiscal year 2023-24 Major Fund Budget Workshop.*



City Council discussed the item with staff.

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

**ACTION:** Direction was provided to staff.

## **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 reported on the following:

- *A Huge Thank you to Sue and her staff, today is the last day of the Downtown Market events. We believe it went very well and successful, so thank you to her and her staff for organizing in such a short time frame.*
- *Reminder to all residents we are closed on Monday, June 19<sup>th</sup> for Juneteenth.*
- *That same day, there will be an event here at the Downtown Plaza from 11:00am to 5:00pm*

### **Item 12.2** Council/Authority Member

Councilmember Jones Cruz reported on the following: (ABSENT)

Councilmember Uribe reported on the following:

- *Will be attending along with Vice Mayor Hernandez the fundraiser event for Sister City Committee on June 24<sup>th</sup> during the Cultural event at the Community Center. The event will run from 10:00am to 7:00pm.*
- *Would like to express my gratitude to the Modesto Fire Department for their donation of gently used Fire equipment. Which we will be coordinating to send it over to Tamazula, Mexico.*

Councilmember Barber-Martinez reported on the following:

- *Tomorrow is our Stanislaus Homeless Alliance Committee Meeting (SHA) at 1010 Tenth Street, everyone is invited.*
- *On Thursday, June 15th, the Latino Chamber of Commerce will be hosting their Scholarship Reception.*
- *Attended a webinar on current legislation, so that I could be current and up to date on what is out there and how it is going to affect us all.*

Vice Mayor Hernandez reported on the following:

- *I am serving on the Cal Cities Executive Committee, I am there representing the Central Valley, part of the Central Valley Division where we are going over legislation and ways for Central Valley Cities to connect and network. We also received more updates on legislation, generally we are out there being the voice for the Central Valley at the State Capitol and with our Elected Members.*

**Item 12.3** Mayor/Chair

Mayor O'Brien reported on the following:

- *Would like to encourage everyone on the dais that when you have the opportunity, build up Riverbank and then say, we could do more with your help. Senator Eggman helped and gave us 2 million dollars, which have been used quite well, hopefully by November Sierra house will be up and running.*
- *We also got \$2.5 million that will help the microgrid at the Community Center, and that was just by asking. The Community Center will be able to be a Shelter when in need of a cool place by not only residents, but those who need it.*
- *The Air Board has its program that they started last year, the 616 process identifying areas of bad air, such as areas down south, in and around Stockton. They came up with a program which is free for everybody, for those who wish to participate, it's called The Clean Room Program. What it does it has a filter wrapped around air mover, that will remove all your particulate matter, particularly contaminants from fire, asthmatics. It's a limit of one per household with a value of \$400, plus they give you replacement filters. They will be giving away 20,000 in the state, our area qualifies.*
- *There are a couple outstanding issues that we need to get out, one is of legal issues. The North County Corridor, that will be certified in September, this will establish the boundary between Riverbank and Modesto. I'd like to see that move along expeditiously.*

**13. CLOSED SESSION- No Items Scheduled.**

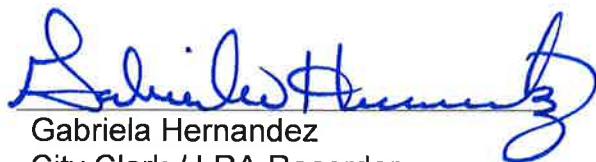
The public will have a limit of **3 minutes** to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing to Closed Session.

**14. ADJOURNMENT OF THE REGULAR MEETING**

*There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 7:05 P.M. to the next regular scheduled City Council / LRA Meeting of June 27<sup>th</sup>, 2023 at 6:00 P.M.*

ATTEST: (Adopted 06/27/2023)

APPROVED:

  
Gabriela Hernandez  
City Clerk / LRA Recorder

  
Richard D. O'Brien  
Mayor/ Chair