

CITY COUNCIL / LRA BOARD

Mayor/Chair
Richard D. O'Brien
Vice Mayor/Chair (CM-D3) Cal Campbell
Council/Authority Members:
District 1 Luis Uribe
District 2 Rachel Hernandez
District 4 Darlene Barber-Martinez



**City of Riverbank
Regular City Council and
Local Redevelopment Authority
Board Hybrid Meetings
(Virtual via ZOOM)**

Council Chambers, 6707 Third St., Suite B
Riverbank, CA 95367



MINUTES

TUESDAY, JULY 26, 2022 – 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**

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 2 Rachel Hernandez
Council Member / Authority Member District 4 Darlene Barber-Martinez
Vice Mayor / Vice Chair (CM-D03) Cal Campbell
Mayor / Chair Richard D. O'Brien

- 5. AGENDA CHANGES** – There were 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)

Item 7.1 **Environmental Justice Project-** City Council to receive a final presentation from CivicSpark Fellow Zoe Jonick on what has been accomplished over this last year and a recommendation for the future.

City Council received a Power Point presentation from Zoe Jonick with Civic Spark.

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 stated the Public Comment would be limited to a total of nine minutes per topic wishing to be discussed on any item not on the agenda.

Public Comment Opened at 6:28 p.m.

Individuals who Spoke in opposition of the River Walk Project

*Bernard Aggers
Dan Wetstone
Karen Conrotto*

Individuals who Spoke in opposition of Tiny Homes

*Kevin
Cliff Nagel
Gerald Schneider*

Annabel Gammon made public comment on the Environmental Justice Presentation.

There being no further public comments, Mayor O'Brien closed the Public Comment period at 6:48 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 June 28, 2022 City Council and Local Redevelopment Authority Board Minutes.
- Item 9.3** **Resolution 2022-100** Authorizing the City to Implement Teleconferenced Public Meetings Pursuant to Assembly Bill 361 Allowing the City to Continue a Hybrid Virtual Meeting Environment.
- Item 9.4** **Resolution 2022-101** Awarding Bid for the Parks Landscaping Maintenance Contract to Grover Landscaping, Inc.
- Item 9.5** **Resolution 2022-102** Authorizing the Amendment of the City of Riverbank Compensation Plan to Reflect the New Salary Range for the Human Resources Analyst Position from Range 128 to Range 146.

Item 9.6 **Resolution 2022-103** Authorizing an Additional Appropriation of \$16,675 from the Community Facilities District (CFD) to Purchase New Kubota Compact Track Loader to Maintain Storm Drain Basins.

Item 9.7 **Resolution 2022-104** Awarding a Contract for Executive Recruitment Services to Mosaic Public Partners for the Recruitment of an Assistant City Manager and Public Works Director, Authorizing the City Manager to Finalize & Execute said Contract, and Allocate \$50,000 from the General Fund Reserve.

ACTION: *By motion moved and seconded (Barber-Martinez/Uribe- 5/0)*

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

10. PUBLIC HEARINGS

Item 10.1 **General Plan Amendment 01-2021 and Rezone 02-2021 (Dept. File #21-0024) – Pocket Avenue Senior Apartment Complex – 3318 Pocket Avenue (APN 075-090-063).** The applicant requests a General Plan Amendment to modify the existing Low Density Residential (LDR) land-use designation to High Density Residential (HDR) and to rezone the existing Single Family Residential (R-1) site to Planned Development (PD) for a proposed 40-unit senior apartment complex on 2.01 acres. The subject site is 3318 Pocket Avenue. Pursuant to the California Environmental Quality Act, the proposed Project is exempt pursuant to CEQA Guidelines Section 21159.21 (a-j) Exemption for Qualified Housing Projects – It is recommended that the City Council listen to the presentation, take public comment, and consider approving the Ordinance and Resolution (Attachments 1 and 2) for the Pocket Avenue Senior Housing Project General Plan Amendment and Rezone.

Planning & Building Manager Kenney presented a comprehensive staff report and Power Point Presentation recommending City Council to consider and adopt the Resolution and Ordinance for the Pocket Avenue Housing Project General Plan Amendment and Rezone.

City Council discussed the item with staff.

Mayor O'Brien opened Public Comment at 7:00p.m.

John Keller, spoke as a representative on behalf of the group of residents in attendance opposing the Pocket Avenue Senior Housing Project. Mr. Keller stated several points as to the opposition of this project.

Jeff Fraga resident spoke in opposition of the project.

Ann Ditko resident spoke in opposition of the project.

Randy Brekke with Brekke Real Estate representing the applicant MK Capital Group who are developing this project. Spoke on the suitability of the site for this project.

There being no public comments, Mayor O'Brien closed Public Comment at 7:28 p.m. brought the item back to the City Council.

ACTION: By motion moved and seconded (Uribe/ Hernandez-5/0) to adopt **City Council Resolution 2022-105 and Ordinance 2022-004** to adopt and approve the General Plan Amendment 01-2021 and Rezone 02-2021 (Dept. File #21-0024)- Pocket Avenue Senior Apartment Complex

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

11. NEW BUSINESS

Item 11.1 **Authorize the City Manager to execute task order authorization to the City's On-Call Utility Engineer for preparation of an updated water master plan**-It is recommended that the City Council authorize the City Manager to execute a task order authorization to the City's on-call Utility Engineer Kjeldsen, Sinnock & Neudeck, Inc. (KSN) to prepare an updated water master plan for the City.

Public Works Director Riddell presented a comprehensive staff report recommending City Council approve the City Manager to execute task order authorization to the City's On-Call Utility Engineer for preparation of an updated water master plan.

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-5/0) to authorize the City Manager to execute a task order authorization to the City's on-call Utility Engineer Kjeldsen, Sinnock & Neudeck, Inc. (KSN) to prepare an updated water master plan for the City.

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

Item 11.2 **Designation of a Voting Delegate and Alternate(s) to Attend the 2022, League of California Cities Annual Conference** – It is recommended that City Council designate Members of the Council as the Voting Delegate, plus one or two alternates. They will attend the 2022 League of California Cities Annual Conference and Expo, to be held in Long Beach on September 7 – 9, 2022, and to participate in the Annual Business Meeting for the consideration of resolutions that establish Cal Cities policy. The City Council is to ratify the designations by roll call vote.

City Manager Garcia presented a comprehensive staff report on the Designation of a Voting Delegate and Alternate(s) to Attend the 2022, League of California Cities Annual Conference

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

ACTION: *By motion moved and seconded (Uribe/ Campbell-5/0) to designate Mayor Richard D. O'Brien as the Primary Voting Delegate for the League of California Cities Annual Conference and Vice Mayor Cal Campbell as the Alternate.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, 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:

- Turf Replacement Program is in effect with limited funds, the City has received several applications. We are still accepting applications in the event those applications fall through. We do require an application that is available online, then it requires an inspection.*
- Thank you to Kathleen and Laura for working so diligently on the Sante Fe Street Overlay project. The goal was to have this project completed before the beginning of the School year.*
- Save the date for Saturday, August 20th for the Final Centennial Celebration Event. It will consist of two parts of the day with a morning event which include the mural unveiling and an evening event. All the details are being finalized with the Committee.*

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- Thank you to the residents from District 2 who came out to voice their concerns.*
- Invited to be a speaker by World Relief who hosted a summer camp for Refugees in our area, they wanted to hear about City Council.*

- *Would like to invite everyone to start the conversation on Love Riverbank and would like to start forming a committee to steer a successful Love Riverbank in 2023.*

Councilmember Uribe reported on the following:

- *Will be attending the Stanislaus County Disaster Council and the OAC this Thursday at 1 :00 p.m. as the alternate.*
- *Will be taking a tour of the old cannery site, with Aeriz site manager and City Staff.*

Councilmember Barber-Martinez reported on the following:

- *County Tier Team to provide services with the homeless, we are planning an event to host here in Riverbank, more details to come.*
- *Thank you, many times over, to our community, Riverbank Police Services, Central Valley Community Resources, and those that provided donations to our annual Kids Health and Safety fair and Bike Rodeo. We received 21 bikes, we were able to give to the community and we had very many happy kids. We handed out Backpacks with prizes, water bottles, and raffles.*
- *Attended the meeting for new and improved Bus Transportation here in Riverbank. More information coming, regarding the underserved areas with more routes and bus services here in Riverbank.*
- *Listened to the Stanislaus County Board of Supervisors meeting regarding the approval agreement for acquisition of property for the north county corridor project.*

Vice Mayor Campbell reported on the following:

- *Would like to remind everyone that we are still in a drought and to conserve your water. Also, remember to take care of those dry spots around your house, because these fires pop up everywhere and we don't want to see any fires started.*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- *Appreciate the turnout on the Tiny Homes and the Pocket Avenue Projects. We should not be afraid to help those in need, we are not giving a handout, we are giving a hand up.*
- *General Plan Review will be out, it will address the water situation, Environmental Justice, and it will capture some of the plan that improves the quality*

- *Would like to have a discussion to see Spanish interpretation provided for all of the City's written work.*

13. CLOSED SESSION

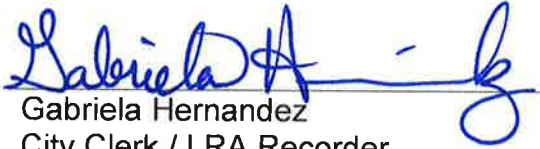
The public will have a limit of **3 minutes** to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing to Closed Session.

14. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 8:02 p.m. to the next regular scheduled City Council / LRA Meeting of August 23, 2022.

ATTEST: (Adopted 07/26/2022)

APPROVED:


Gabriela Hernandez
City Clerk / LRA Recorder


Richard D. O'Brien
Mayor / Chair