

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, AUGUST 23, 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 6:01 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 **Proclamation “100 Years of Action”**- Celebrating 100 years of the city's incorporation date on August 23, 1922.

Mayor O'Brien read and presented the “100 Years of Action” Proclamation to City Clerk Gaby Hernandez for her efforts and the lead on the Centennial Committee.

Item 7.2 **Proclamation & Presentation: Overdose Awareness Day**- City Council to present proclamation & receive a short presentation from Christie

Hoffman (lost her son Connor to a fentanyl overdose and poisoning on 5/28/21).

Mayor O'Brien read and presented the proclamation for Overdose Awareness Day.

City Council received a short Power Point presentation from Christine Hoffman on fentanyl overdose and poisoning.

Item 7.3 **Homeless Action Plan** - City Council to receive a presentation from Stanislaus Homeless Alliance Chairperson Brad Hawn on the Homeless Action Plan; no action is requested at this time.

City Council received a Power Point Presentation on the Homeless Action Plan from Brad Hawn.

Mayor O'Brien requested that a short recess be taken at 6:45 p.m. as there were technical difficulties occurring with the audio on zoom.

Meeting Reconvened at 6:58pm

Item 7.4 **Cheese & Wine Festival**- City Council to receive a presentation from Tamara Spade from Simply Divine Events on updates and changes for the upcoming Cheese & Wine Festival in October.

City Council received a Power Point Presentation on the upcoming Cheese & Wine Festival from Tamara Spade.

Item 7.5 **Drone First Responder Program Presentation**- City Council to receive presentation from Sergeant Craig Osmonson with Stanislaus County Sheriff's Department.

City Council received a Power Point Presentation from Sergeant Craig Osmonson on the Drone First Responder.

Item 7.6 **YAFT (Young Adults Fighting Tobacco) Presentation**-City Council to receive a presentation from Chelsea King with California Health Collaborative.

City Council received a Power Point presentation from Chelsea King on Young Adults Fighting Tobacco.

Public Comment from Thelma Louise on the presentation.

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 7:47p.m.

Vicki Holt with the Riverbank Library spoke on the upcoming events being held by the library including:

- Story Time, Tuesdays in September at 11:00am
- Friends of the Library August 25th @ 5:30 p.m.
- Book Club is Reading "The Last Year of the War" discussion on August 30th @ 4:00 p.m.
- Pencil Topper Craft Animal August 31st @ 4:00 p.m.
- Master Garden Class September 10th @ 2:00 p.m.

To sign up for any of the classes call the Library at (209) 869-7008 or sign up at stanislauslibrary.org.

Residents who spoke in opposition of the Riverwalk Project

Jamie Aggers
Bernard Aggers
Karen Conrotto
Kerry Mitchell

Christina Avalos would like to extend an invitation to the Expo Michoacán y Su Cultura on Saturday, August 27th from 10:00 a.m. to 7:00 p.m. at the Community Center Park.

Annabel Gammon spoke regarding the General Plan Review, and would like to have input when it comes time for residents to review.

Durriya Syed spoke regarding Liability Insurance Program available for Residents in the state of California. Signup at www.mylowcostauto.com

There being no further public comments, Mayor O'Brien closed the Public Comment period at 8:07 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 July 26, 2022 City Council and Local Redevelopment Authority Board Minutes.

Item 9.3 Adopt a Resolution 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 Authorization for Out of State Travel Request to have Finance Staff Attend the Caselle Annual Conference in Salt Lake City, UT

Item 9.5 Acceptance of the Pavement Restoration and Valley Gutter Project and Authorization to File a Notice of Completion

Item 9.6 Final Parcel Map 08-2021 for Celerino Jimenez Family. The Property located at 3837 and 3843 California Avenue

Item 9.7 Second Reading by Title Only and Adoption of Ordinance 2022-004 Approving 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

ACTION: *Mayor O'Brien moved to pull item 9.3. form the consent calendar.*

By motion moved and seconded (Uribe / Barber-Martinez / 5/0) to approve the Consent Items as changed.

*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 9.3 Adopt a Resolution Authorizing the City to Implement Teleconferenced Public Meetings Pursuant to Assembly Bill 361- Allowing the City to Continue a Hybrid Virtual Meeting Environment.

ACTION: *By motion moved and seconded (O'Brien / Uribe /5/0) to end the City's implementation of Teleconferenced Public Meetings pursuant to Assembly Bill 361.*

*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

No Public Hearings Scheduled

11. NEW BUSINESS

Item 11.1 **Resolution Authorizing an Animal Control Services Agreement with the City of Oakdale to Provide Animal Control Services in the City of Riverbank-** It is recommended that the City Council consider adopting a

Resolution authorizing the City Manager to execute the Animal Control Services Agreement with the City of Oakdale.

Senior Management Analyst Torres-Manriquez presented a comprehensive staff report and Power Point Presentation recommending City Council consider and adopt a resolution authorizing the City Manager to execute Animal Services Contract with the City of Oakdale.

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 authorize the City Manager to execute an Agreement with the City of Oakdale for Animal Control Services for the years 2022-2027.*

*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 **Consider by Minute Order the Approval of the City's Formal Response to Findings and Recommendations from the 2021-2022 Stanislaus County Civil Grand Jury Homelessness: The Elusive Definition of "Success" Report (Case #22-05GJ)-** It is recommended that the City Council consider approving by minute order the City's formal response to the Stanislaus Civil Grand Jury Report for Case #22-05GJ).

City Manager Garcia presented a comprehensive staff report and Power Point presentation recommending City Council consider by minute order the City's formal response to the Stanislaus Civil Grand Jury.

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 authorize the City Manager by Minute Order the City's Formal Response to Findings and Recommendations from the 2021-2022 Stanislaus County Civil Grand Jury Homelessness: The Elusive Definition of "Success" Report (Case #22-05GJ).*

*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 11.3 **Workshop – American Rescue Plan Act-** It is recommended that the City Council consider the workshop information provided by staff on the American Rescue Act and provide direction to staff and/or reach consensus as appropriate regarding the allocation of American Rescue Act funding that has been received by the City of Riverbank in 2022.

City Manager Garcia presented a workshop on the American Rescue Plan Act (ARPA) and recommended city council provide direction to staff on the appropriate appropriation regarding the allocation of the ARPA funding.

Mayor O'Brien brought the item back for City Council Discussion.

Mayor O'Brien Opened item for Public Comment at 7:55 p.m.

Leanne Jones Cruz commented on behalf of the Downtown Business Coalition Group regarding their concerns including:

- *Facade program for Downtown Business Group*
- *Would like to see Lights (LED) that would change with the seasons/colors.*
- *Electronic Sign, they love the idea, but would like to have access without having to pay for it.*
- *Parking in the Downtown area is an issue that needs to be addressed.*
- *Council Chambers need to be updated with more comfortable chairs and working tv/audio equipment.*
- *The image for our town is an important one, what we are doing and going.*
- *Social Media branding is a great idea, looking forward to that aspect improving.*

Public Works Director Riddell spoke regarding the need to include the Storm Drain on 7th Street as part of the ARPA Plan

DIRECTION: *Direction was provided to staff by City Council as to the how the American Rescue Plan Act Funding should be distributed.*

Item 11.4 **Designation of New Voting Delegate and Alternate(s) to Attend the 2022 League of California Cities Annual Conference-** It is recommended that City Council designate Vice Mayor Cal Campbell as the Primary Voting Delegate and vote on an alternate delegate.

City Manager Garcia presented a comprehensive staff report on the need to vote and designate new voting delegates for the 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 (O'Brien / Uribe/ 5/0) to designate as the Primary Voting Delegate, Vice-Mayor Campbell and the Alternate Voting Delegate, Councilmember Hernandez for the 2022 League of California Cities Annual Conference.*

*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:

- *Invite the City Council and Residents to the Ribbon Cutting Ceremony for Countryside Park located at 6145 Beagle Drive on Saturday, September 17th, 2022 at 10:00 a.m.*
- *Thank you to all the members of the public who attended our Centennial Events throughout the year, we are very pleased that the City Council provided us with the funding and the opportunity to put on these events for the public to be able to celebrate these 100 years of the city's incorporation. We hope to be able to continue provide of those events in the future, so that we may continue to celebrate many years to come.*
- *Would like to thank the members of the Administration Staff, especially Gaby Hernandez, for all the work done preparing for each one of those events.*
- *All the Parks & Recreation Staff who prepared all of our city facilities and made sure all our parks were pristine, so that we could highlight all the beauty we have.*
- *To the Public Works Staff for all of their efforts to make sure we were all safe at those events, with Street Closures, being there to assist with anything, whether to prepare and setting up items.*
- *The Sherriff's department for all of their assistance at each event making sure that all of our residents were safe, some of the safety features that were seen, were a result of the discussions that were had in preparation.*

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- *There is no link that can be put onto Social Media to access City Council Meetings, that we are aware. Will work with City Staff, to look into this as an option.*
- *City council & City Manager attended Back to School Night for Mesa Verde Elementary and California Avenue Elementary were great events and organized. The events were translated live simultaneous into*

Spanish. It brought a good connection for the school district to have the City Council there.

- *Love Riverbank, a Semi-Committee has been formed, would still like to invite anyone who would like to be involved to join.*

Councilmember Uribe reported on the following:

- *Kiwi's Custom Gun Ribbon cutting will be on Friday, August 26th, 2022 at 10:00 a.m. located at 3332 Santa Fe Street. Will be highlighting their state-of-the-art indoor shooting range.*
- *Annual Community Barbecue with City Council in conjunction with Chief Ridenour will be on Saturday, August 27th from 11:00am to 1:00pm at Silva Park, 5800 Antique Rose Way. Free to all Riverbank Residents.*
- *Stanislaus Equity Partners is partnering up with SBDC to hold a business competition (similar to Shark Tank), one of the five businesses competing is a Riverbank Business. Event on August 30th, form 5:30 p.m. to 8:00 p.m. at the Weave Center 820 H Street, Modesto.*

Councilmember Barber-Martinez reported on the following:

- *Attended the SHA (Stanislaus Homeless Alliance) Meeting in Modesto looking for a safe parking place for homeless living in their cars. It is a pilot program, for six months with a few restrictions, not sure how many people will take advantage of the program.*
- *Our Mural is an awesome piece of art, it truly displays our history from beginning to where we are today, really appreciate the artist for the work.*

Vice Mayor Campbell reported on the following:

- *The Drone First Responder Program presentation is a good program, they are really the future and are going to help in assisting the police and aiding the community.*
- *Thank you, the staff, residents, and everyone who attended the Centennial Events, the light show was great and is the future, and can see the possibility of fireworks going away, and light shows being the future.*
- *Attended the Back to School night along with Council, hope this will bring more interaction between the Council and the Schools.*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- *The 100-year Celebration events throughout the year were fine and excellent and would like to see some of these events carry over to every year. As council, can decide which events to continue on, and showcase our city not just this one year, but continually.*

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.

Item 13.1 CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code § 54957.6)

Agency Representative: Marisela H. Garcia, City Manager

Unrepresented Employee: Parks & Recreation Director

Item 13.2 PUBLIC EMPLOYMENT

(Pursuant to Government Code § 54957)

Title: Public Works Director

Mayor O'Brien opened Public Comment at 9:21 p.m.

There being no public comments, Mayor O'Brien brought the item back to the City Council and went into Closed Session at 9:22 p.m.

City Council Reconvened at 9:32 p.m.

DIRECTION: *Direction was provided to staff by City Council as to Closed Session Item 13.1 and Item 13.2.*

14. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 9:33 p.m. to the next regular scheduled City Council / LRA Meeting of September 13, 2022.

ATTEST: (Adopted 08/13/2022)

APPROVED:



Gabriela Hernandez
City Clerk / LRA Recorder



Richard D. O'Brien
Mayor / Chair