

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, SEPTEMBER 26, 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

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.

None Declared.

7. **PRESENTATIONS (Informational only)**

Item 7.1 Proclamation Hispanic Heritage Month September 15th to October 15th, 2023- It is recommended that the City Council present the Proclamation for Hispanic Heritage Month from September 15th to October 15th, 2023, to Mrs. Nancy Garcia.

Mayor O'Brien presented the Proclamation and flowers to Mrs. Nancy Garcia celebrating Hispanic Heritage Month.

Jacob Faulder, Representative with the office of Senator Marie Alvarado-Gil presented a proclamation to Mrs. Nancy Garcia.

Item 7.2 **Proclamation – Walk and Roll to School Day – October 4, 2023-** It is recommended that the City Council read and present a Proclamation for Walk and Roll to School Day to Armando Nunez, Program/Grant Manager for CASA Del Rio Family Resource Center.

Mayor O'Brien presented the Proclamation for Walk and Roll to School Day to Armando Nuñez, Program Manager for Casa del Rio.

Jacob Faulder, Representative with the office of Senator Marie Alvarado-Gil presented a proclamation to Mr. Armando Nunez.

Item 7.3 **Strategic Plan Update-** It is recommended that the City Council receive a presentation on the status of the Strategic Plan.

City Manager Garcia gave a PowerPoint presentation and update on the Strategic Plan Progress to date.

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 6:34 P.M.

Jamie Aggers, Modesto Resident commented on "can you explain why you've had implementing river Walk as a goal in your strategic plan? I believe, since 2019, the prior version of the strategic plan before the public even knew that there was a River Walk plan. Why was that included as a goal in your strategic plan before the environmental impact report has come out, and before it has even come before council."

Jacob Faulder, Representative with the office of Senator Marie Alvarado-Gil gave a legislative update.

Randy Richardson, Riverbank Resident commented "At our last meeting my respect for all of you went to a whole other level. I know that in leadership one of the things that we have to do is be able to distinguish between what is personal and what is because of the position that we fulfilled. And you guys demonstrated that in a very, very professional way, last meeting. And I just want to honor you and thank you for that."

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:38 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 September 12, 2023.

Item 9.3 **Resolution 2023-104** to Award Bid for the 7th Street Outfall Project to Dirt Dynasty, Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment for an Additional \$380,951.00 from American Rescue Plan Act Funds.

Item 9.4 **Resolution 2023-105** Authorizing a Budget Amendment of \$32,693.00 to the American Rescue Plan Act Funds for the Riverbank Museum ADA Path and Ramp Project

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

ACTION: *By motion moved and seconded (Jones Cruz /Uribe 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

Item 11.1 **Permanent Local Housing Allocation (PLHA) Formula Allocation Plan Discussion-** It is recommended that the City Council receive a presentation regarding the Permanent Local Housing Allocation (PLHA) Formula Allocation Plan adopted in July 2020, and subsequently amended in December 2021, and provide feedback to staff on possible amendments as a result of the refund of grant funds from the River Terrace (formally Ward Villas) Project.

City Manager Garcia, gave a comprehensive staff report and PowerPoint presentation on the Permanent Local Housing Allocation (PLHA) Formula Allocation Plan

City Council discussed the item with staff.

Cary Pope, original developer of Ward Villas now River Terrace “we worked very hard to try and keep that an affordable project, and it just. It's been difficult at best, because of cost overruns and cost increases and interest rates. but I do think that you know, since these funds were allocated for that project, I'm here to advocate that they remain there, and maybe not in in their entirety. But I think that the down payment assistance program is important. The fact of the matter is that the city does have a down payment assistance program. but because no fault of the city or anybody here but the rules associated with that with obtaining those funds that they're impossible, and I don't think that there's been one loan made. This is an opportunity for us to help the working families. These are people that can go out and get a mortgage. but they, just because of the cost of living and inflation, have not been able to, to, you know, accumulate a down payment. This would allow them to do that. The difference is that the mortgage lenders allow it, doing it this way, and they would not allow it doing it the 14 other ways that we had proposed before. This project is ready to go. It would be based as a loan, so it would not be just put out to another project and be gone. Eventually those funds will end up coming back.”

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

DIRECTION: Guidance 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:

- Nothing to Report

Item 12.2 Council/Authority Member

Councilmember Jones Cruz reported on the following:

- Attended the California League of Cities Conference last week. It was a good use of our time, and had some very good information and some chances to network with other folks that are in the same business as we are.

Councilmember Uribe reported on the following:

- Thank you to superintendent, Dr. Constantino Aguilar, who was able to achieve a partnership between the Riverbank Unified School District and UC Merced said, it's going to benefit our students. If they maintain certain courses, certain gps they have automatic admission to UC Merced said so thank you to Norma for attending on our behalf, and, as Nancy Garcia said earlier, it's best for our students, and I think our superintendent is getting us in the right direction.

Councilmember Barber-Martinez reported on the following:

- *Attended the Center for Human Services. They have a new Youth Navigation Center. They had a grand opening and dedication, that will be used for housing at risk young adults, ages 18-24 and for those that are homeless or at risk of being homeless.*
- *International Heritage Festival is going to be Saturday, October 7th in Modesto at Graceada Park.*
- *Lupe Garcia, our very own Riverbank Resident, is 100 years young today!*

Vice Mayor Hernandez reported on the following:

- *The water education for Latino leaders' program, we were able to travel to the Mexico/ U.S. Border where we were able to tour their wastewater treatment plant, which is nonfunctioning at the moment. So, Cody, shout out to everything that you're doing for the city, and just as a whole, because to be able to learn about systems that are nonfunctioning and the implications that happen for real, you know, it was humbling.*
- *Also attended the Cal Cities Annual Conference it was very fruitful. Real things that we've been talking about, earlier today some of our neighboring cities have been going through some Zoom, hate comments and racist comments that are not being productive for our cities. And that was one of the key elements of Cal Cities. That helped us come a little more prepared, just in case it was going to happen to us.*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- *The Youth Council, was mentioned in the Strategic Plan update tonight, and Riverbank High School. We have 2 other high schools that we need to also engage our students also attended there, and we haven't gotten any traction. I'd like to have an effort. And I'd like to spearhead that because that was one thing, that we have not moved on since 2019.*
- *Regulatory agencies have been softening on their comments towards the LRA or the ammo base, so that may open up comment and help put another push like we did in June to come on up with what are true issues and how we can resolve them to get that property transferred.*
- *Non-Profit Civic organization summit, we haven't had it in almost 2 years. If we can help organize that, thank you to Norma for the help with that event.*

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 LEGAL COUNSEL– Anticipated Litigation
 Significant Exposure to **Litigation**,
 (Pursuant to Gov. Code § 54956.9(d))
 Number of Potential Cases: **1**

Item 13.2 LIABILITY CLAIMS
 (Pursuant to Government Code § 54961))

Claimant: Janet Pritsch
Agency Claimed Against: City of Riverbank

There being no public comments, Mayor O'Brien moved to Closed Session at 7:24 P.M.

Reconvened from Closed Session at 7:39 P.M

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**
CONFERENCE WITH LEGAL COUNSEL– Anticipated Litigation
Significant Exposure to **Litigation**,
(Pursuant to Gov. Code § 54956.9(d))
Number of Potential Cases: **1**

DIRECTION: *Direction was provided to staff.*

Item 14.2 Report from Closed Session **Item 13.1**
LIABILITY CLAIMS
(Pursuant to Government Code § 54961)
Claimant: Janet Pritsch
Agency Claimed Against: City of Riverbank

DIRECTION: *Claim was granted.*

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 7:40 P.M. to the next regular scheduled City Council / LRA Meeting of October 10, 2023 at 6:00 P.M.

ATTEST: (Adopted 10/10/2023)


Gabriela Hernandez
City Clerk / LRA Recorder

APPROVED:


Richard D. O'Brien
Mayor/ Chair