

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, OCTOBER 10, 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 Lights on After School- Proclamation – October 20, 2023- It is recommended that the City Council present the Proclamation for Lights on Afterschool to Dr. Constantino Aguilar, Superintendent of Riverbank Unified School District.

Mayor O'Brien presented the Proclamation for Lights on After School to Dr. Constantino Aguilar, Superintendent of Riverbank Unified School District.

Item 7.2 **Proclamation – Code Enforcement Officer Appreciation Week-** It is recommended that City Council present a proclamation for Code Enforcement Officer Appreciation week to Senior Neighborhood Improvement Officer, Michele Garcia and Neighborhood Improvement Officer II, Patrick McCulloch.

Mayor O'Brien presented the Proclamation for Code Enforcement Officer Appreciation Week to Patrick McCulloch, Neighborhood Improvement Officer II.

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 6:11 P.M.

Jamie Aggers, Modesto Resident, outside the Riverbank city limits, but within the proposed project area of the Riverwalk Project. Spoke on the concern about putting homes and businesses on prime ag land, as defined by the state's Department of Conservation. To demonstrate that, they recently concluded a very large harvest of watermelons on the property. We watched truckload after truckload, not once but twice, haul their crop out, and now they are in the process of tilling up the land for next years' crop. So, please consider that when this project comes before you and vote no.

Jesse Haney, Pastor with Oasis Hope Church, here in Riverbank on Claus Road, right over by the high school. I just want to introduce myself, it's my first time coming out to a city council meeting. I just wanted to announce that we are going to be starting a recovery program, it is called Breaking Free. Its under the umbrella of Team Challenge. Many of you are familiar wit the faith, Home Team Ranch. Myself and 2 other members of our church, we went through the training to get certified, to facilitate, this recovery program. Its for all people that are dealing with life controlling issues so that would include whether it was alcohol, drugs or anything else. There is a number of classes ad its going to be from 6pm to 7:30pm, its going to be open to all public. And we all know that we, all probably know, that there is a family member that has been affected by drugs, alcohol, or some life controlling issue.

Amanda Flores, Cub Master with the local Boys Scouts for little guys K thought fifth grade. I have been a cub master for 5 years, and also a committee char for the older scouts' grades fifth through twelfth. We meet every week, 40 weeks out of the year here at Scout Hall, we currently pay \$25 per week. \$25 times 40 is about one thousand dollars a year for us. We are asking, if there are any sponsorships or anything that the city can help assist us with to keep scouting in Riverbank. We do a lot in the community. Such as service projects, we also do the toy drive every Christmas.

Stacy Call, Part Owner of 108 Sports Lounge spoke on, as some you may know, the Cheese and Wine is coming up on Saturday. We had planned a huge event. We've had it planned for probably 4 months we've been advertising, and for 4 months we went really aggressive after the Oakdale rodeo ground. concert, I guess you'll say because Blue Line, that was a paid event. We're doing a free event for our community, and we just wanted to put something together to complement the cheese and wine festival help bring more people into our community. I live here. I own a business here. We also own several businesses. It's my fiancée and I, and we have a family, and we would love to sponsor the Boy Scouts if we could, have a 3-and-a-half-year-old, so we can take care of you guys on that. But, I am here today, because I had a less than positive exchange with one of the city members, and she made it very clear to us that she could flex her power, essentially on us and revoke our liquor license if we held the event. Friday the Sheriff came in, that we could not hold the event. I didn't understand why I had reached out to city. I'd reached out to ABC. To make sure that we were all within the regulations, we hired additional security. Our staff is loaded up. That day we were more than prepared. We extended the parking lot, permit the permit for our liquor license on square footage. We paid for fencing a stage 10,000 in, and then 4 days, 5 days before the event. We're told that we can't hold it. even though this event has been promoted for almost 4 months. Obviously, the events 4 days away. I'm not sure there's much that you guys could do, but I guess my question would be, what are you guys doing with us being a progressive community. What are we doing to support the small businesses that currently exist with the growth when we're trying to supplement that as well, because, we don't feel supported. I collaborated with other small businesses here in town. We don't feel supported. and we're working off of municipal codes from 2006. How much has the population changed since 2006? So, I'm not really asking for permission for the event. We're trying to figure out what we can do to make sure that we don't lose money on that. It's 2020 there, you guys, every place in Riverbank is hosting live music. Every place in Riverbank is hosting, dancing. So why is it just our establishment under the radar right now? So, those would be my questions for the city.

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:22 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 26, 2023.
- Item 9.3** **Resolution 2023-106** approving the Mayor and City Manager to Execute the Landscape Maintenance Agreement between the City of Riverbank and the State of California Department of Transportation for the Street Improvements in front of Dutch Bros. Coffee

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

ACTION: By motion moved and seconded (Hernandez / 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- No Items Scheduled.

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:

- Cheese & Wine Festival is this weekend. It is Saturday from 10am to 8pm and Sunday from 10am to 6pm. The boundaries of the event itself will be on Santa Fe Street, between Forth and Seventh Street. We do have an entrance on sixth Street and Stanislaus and the second entrance is going to be on Fourth and Santa Fe, for all our residents to attend the tasting tickets are currently on sale. There is a promotion, 2 tickets for \$50 or there is a single for \$30. They are going to be \$40 at the door.
- Save the Date for the ribbon cutting of the Sierra House Day Use Facility, will be on Monday November 6th, at 4:15pm. The address is 3344 Sierra Street. The day's facility is located in the back. So, there is a side gate entrance that folks can join us at.
- We are working on an update to our Cannabis Ordinance at this point in time, as a result of the appeals hearing that was held regarding marijuana growth, several months ago. Legal and City Staff have been working on that, and we are currently reviewing that proposal, so that will be coming forward to city council within the next couple of months.

Chief Ridenour Reported on the following:

- The Cheese and Wine is this weekend. The Sheriff's office is also having an open house this Saturday, the 14th from 10am to 1pm at the Sheriff's Office 250 East Hackett. They'll have all of our specialty teams there, vehicles, numerous pieces of equipment. The Sheriff will be there ad employees. It's a great day to bring out your families to meet our employee, staff, and equipment.
- Shop with a cop Fundraiser of the year with Cool Hand Luke's event is on November 7th. We are selling tickets now for \$20 each. Those funds support the program. You can dine in or take out. You can contact Riverbank Police Services or check our Facebook to buy tickets.

Item 12.2 Council/Authority Member

Councilmember Jones Cruz reported on the following:

- *We will see you at the Cheese and Wine!*

Councilmember Uribe reported on the following:

- *If we could review the consumption and lounge ordinances, if that is something that we need to reevaluate.*
- *Apprenticeship Expo for Juniors and Senior students, those interested in construction and manufacturing trade. The event will be at Modesto Junior College, this Thursday from 9am to 12pm, its being presented by Valley Building and Construction Trades Council.*

Councilmember Barber-Martinez reported on the following:

- *Attended the Walk and Roll event on October 4th. Happy to see the event continue each year and see the number of schools participating each year is increasing.*
- *Thank you to our Riverbank Unified School District, Our Sheriff's department, parents and all students at California Avenue, teachers and sponsors, for helping out with the vent.*
- *Attended Coffee with a Cop at Starbucks in Crossroads, it's a great event for residents to chat with our police services and get to know them. The next event is October 23rd at 9am at Target in Crossroads at 9am.*
- *Invite all to join me at the Lights on After School Event on October 20th at California Avenue School from 3pm to 5:30pm, we will be decorating pumpkins.*
- *Join me at the Jacob Myers Park Haunted Hayride, which is also on Friday October 20th and 21st.*

Vice Mayor Hernandez reported on the following:

- *Was a guest speaker at "She Became" which is a non-profit that empowers girls at the elementary, middle school. And high school levels. That was out there in Denair. But I am excited that they were actually approved to have a program here in Riverbank, ad so they had their last meeting, with about 20 girls last week. It is very exciting.*
- *Will be moderating a panel with water education for Latino leaders in Visalia, this weekend. I will bed binging something similar to our community, early next year.*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- *Toured some of the affordable housing apartments that we have, and we need more of those in the city. I believe that we need together with HCD and discuss our home programs. That way we can start increasing some of those types of projects.*
- *Reverend Henney, thank you for being here tonight. I believe that we need to coordinate with Cambridge Academy on some of your programs, they seem to be parallel.*
- *Project Resolve met again, we do have a lot of coordination going on between communities and youth, and I believe that we would have better interaction with*

the communities. The most positive thing that came out of Project Resolve, was the School Resource Officer.

- *Ms. Call brought up a good point, we've been working on the Municipal Code update for many years, and I'd like to know where we stand by the next meeting.*

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 **PUBLIC EMPLOYMENT**
(Pursuant to Government Code § 54957)
Title: Director of Parks & Recreation

Item 13.2 **PUBLIC EMPLOYMENT**
(Pursuant to Government Code § 54957)
Title: Planning and Building Manager and/or Director of Community Development

Item 13.3 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Pursuant to Government Code §54956.9)
Name of Case: City of Riverbank v. Schneider Electric Buildings America, Inc

There being no public comments, Mayor O'Brien moved to Closed Session at 6:32 P.M.

Reconvened from Closed Session at 8:19 P.M

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**
PUBLIC EMPLOYMENT
(Pursuant to Government Code § 54957)
Title: Director of Parks & Recreation

DIRECTION: *Direction was provided to staff.*

Item 14.2 Report from Closed Session **Item 13.2**
PUBLIC EMPLOYMENT
(Pursuant to Government Code § 54957)
Title: Planning and Building Manager and/or Director of Community Development

DIRECTION: *Direction was provided to staff.*

Item 14.3 Report Closed Session **Item 13.3**
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Government Code §54956.9)
Name of Case: City of Riverbank v. Schneider Electric Buildings America, Inc

DIRECTION: *Direction was provided to staff.*

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 8: 20 P.M.to the next regular scheduled City Council / LRA Meeting of October 24, 2023 at 6:00 P.M.

ATTEST: (Adopted 10/24/2023)

APPROVED:


Gabriela Hernandez
City Clerk / LRA Recorder


Richard D. O'Brien
Mayor/ Chair