

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**
Community Center
3600 Santa Fe Street
Riverbank, CA 95367



MINUTES

TUESDAY, FEBRUARY 27, 2024 – 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 2 Rachel Hernandez
Council Member / Authority Member District 4 Darlene Barber-Martinez
Vice Mayor / Vice Chair District 3 Leanne Jones Cruz
Mayor / Chair Richard D. O'Brien

Members of the Riverbank Planning Commission present:

Chair: Joan Stewart (ABSENT)
Vice Chair: Taide Zamora (ABSENT)
Commissioner: John Dinan
Commissioner: Michael Halterman
Commissioner: Natasha Basso
Alternate Commissioner: Steve Link
Alternate Commissioner: Ben Reuben

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)

No Items Scheduled

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 6:03P.M.

Jami Aggers, Modesto Resident requesting that Consent Item 9.5 be pulled from the consent calendar so that I can speak to this item and there may be others.

Harvey Richardson, Riverbank Resident spoke regarding an incident that occurred in front of his home on January 24, 2024. When I woke that morning, found out that my car was hit, I called the police, called my insurance AAA, went to rent a vehicle from Enterprise, I rent a car on that day, because I am citizen, taxpayer, I was doing what I needed to do. My car gets fixed, triple AAA said I have to pay my deductible, my insurance said its better if I get the police report. I go to the police services, to get the report, I've been trying to get are port for an incident that occurred on January 24.

Jacob Faulder, Representative with Senator Marie Alvarado-Gil's Office gave a legislative update. Senator Alvarado introduced a new bill, the Wildfire, Smoke and Health Outcomes Data Act. Today from 4:00pm to 5:00pm we held our bi-monthly mobile office hours here at the Riverbank Council Chambers. We will be doing those on a bi-monthly occurrence.

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:08 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 **Acceptance** of the Pavement Restoration 2023 Project and Authorization to File a Notice of Completion

Item 9.3 **Acceptance** of the Topeka Street Improvement Project and Authorization to File a Notice of Completion

Item 9.4 **Public Works Construction Standards: Resolution 2024-006** to Replace in its Entirety CITY OF RIVERBANK STANDARD SPECIFICATIONS – Design Standards and Standard Plans for Section 5 - Water

Item 9.5 **Resolution Authorizing** the Allocation of \$44,100 from the General Fund Reserves for Translation Services Related to the River Walk Draft Environmental Impact Report

Mayor O'Brien recommended that Consent Item 9.5 be pulled for further discussion as requested by resident.

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** with the exception of Item 9.5.*

*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*

Item 9.5 **Resolution 2024-007 Authorizing** the Allocation of \$44,100 from the General Fund Reserves for Translation Services Related to the River Walk Draft Environmental Impact Report

Jami Aggers, Modesto Resident commented thank you council members for pulling this agenda item, so that it may be addressed. I applaud the council for approving funds to be moved for the translation of the River Walk Draft Environmental Impact Report. A couple of points and questions, one, I could not tell from the staff report whether both volumes I and II of the EIR were going to be translated. I think its important that both volumes be translated. Also, I'd like to recommend that the comment period deadline be extended to 45 days from the date when the Spanish translation is made available to the public. It would be unfair to the Hispanic residents to not have the same time to review.

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

ACTION: *By motion moved and seconded (Uribe / Hernandez 5/0) to approve the **consent Item 9.5**.*

*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

The Public Notice for Item 10.1 was published on 2/07/2024 in the Riverbank News.

Item 10.1 **Resolution Approving the Fiscal Year 2023-24 Mid-Year Budget Amendments-** It is recommended that the City Council consider approval of the Fiscal Year 2023-24 Mid-Year Budget Amendments.

Assistant City Manager Alcantor, gave a comprehensive staff report and power point presentation on the Fiscal Year 2023-2024 Mid-Year Budget amendments.

City Council discussed item with staff.

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

ACTION: *By motion moved and seconded (Uribe /Barber-Martinez 5/0) to approve **Resolution 2024-008** to approve the fiscal year 2023-24 mid-year budget amendments.*

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

11. NEW BUSINESS

Item 11.1 **A Resolution of Concurrence and Support for the Approval of the Fiscal Year 2024-25 Annual Action Plan (AAP)-** It is recommended that the City Council open the Community Meeting, accept Public Comment, and consider adopting a Resolution of Concurrence and support for the approval of the Fiscal Year 2024-25 Annual Action Plan (AAP).

Housing Specialist Ibanez, gave a comprehensive staff report and power point presentation on Fiscal Year 2024-25 Annual Action Plan (AAP).

City Council discussed item with staff.

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

ACTION: *By motion moved and seconded (Uribe / Jones Cruz 5/0) to approve **Resolution 2024-009** of Concurrence and Support for the Approval of the Fiscal Year 2024-25 Annual Action Plan (AAP).*

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

Item 11.2 **Presentation- River Walk Specific Plan and Draft Environmental Impact Report (EIR)**- The environmental consultant will be presenting 1) the proposed River Walk Specific Plan, and 2) the Draft EIR to the City Council and members of the public. This agenda item is not a public hearing. No formal action is required.

Steve McMurtry with DeNoVo Consulting gave a Power Point informational presentation on the River Walk Specific Plan and Draft Environmental Impact Report (EIR).

City Council discussed item with staff.

Residents who spoke in opposition of the River Walk Project

Dan Whetstone, Modesto Resident

Laurie Carley, President of League of Women Voters of Stanislaus County

Jeani Ferrari, Stanislaus County Resident

Ramon R. Bermudez, Riverbank Resident

Jami Aggers, Modesto Resident

Gary Pearson, Riverbank Resident

Fred Whalton, Modesto Resident

Karen Mitchell, Riverbank Resident

Barney Aggers, Modesto Resident

Cliff Nagel, Riverbank Resident

Kent Mitchell, Riverbank Resident

Spoke in favor of the River Walk Project

Dave Romano, on behalf of the landowner's group, I've had the good fortune of working in Riverbank for the last 30 years. I just want the Council, Planning Commission, and those here to know Riverbank has done a wonderful job project after project, from North Landing to River Heights, Crossroads to Crossroads West, scrutinizing projects making sure they're a benefit to the community. We are proud to bring this project before you, we know this is an early step in the process, we look forward to everyone making their comments on the draft EIR and responding to those comments. One of the challenges of being in the valley, is that there is not a project that we can work on, that is not on Ag Land. Any city faces this problem, but we need to balance those issues. Ag preservation is available, the California Farmland Trust has a program. Farmers are becoming more efficient with water usage and cities have responsibility to provide housing. We trust the Council to balance these issues. We just want to thank your staff for the work they done so far, we look forward to continue working with staff to bring this back to the commission and council in the future. We look forward to a full hearing, when the project is ready.

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

Item 11.3 **Resolution Authorizing the City Manager to Negotiate and Finalize a Standard Industrial/Commercial Single-Tenant Lease Agreement for the Lease of 6436 Oakdale Road for the Future Site of Riverbank City Hall-** It is recommended that the City Council consider authorizing the City Manager to negotiate and finalize a Standard Industrial/Commercial Single-Tenant Lease Agreement for 6436 Oakdale Road.

City Manager Garcia, gave a comprehensive staff report and power point presentation on the negotiation of a Standard Industrial/Commercial Single-Tenant Lease Agreement for the lease of 6436 Oakdale Road for the future site of Riverbank City Hall.

City Council discussed item with staff.

Mary Lomax, Riverbank Resident asked if a traffic study has been done? And if that is available to public?

City Manager Garcia clarified, that a traffic study has not been performed. The reason being that at its peak, that building housed approximately 200 employees, that has significantly decrease since the majority, that initial MCI building no longer has those employees. And with Tele Connect that went down to about 100 employees. MCI was there during McDonalds, that is prior to Flavors. At our peak, there will be at most 90 city employees. So, the majority of traffic will be going onto Oakdale Road not Patterson Road.

Karen Mitchell, its not just a matter of congestion, but also a matter of safety, because its confusing. For one, the street is designated clearly where the turn is. You have people going and coming out of McDonalds', we don't know whether they're turning into the gas station. It's just not only very congested, but very confusing. I only you only have 90 staff, but you also have those coming in to pay the bills, so take that into consideration.

Randy Richardson, Riverbank Resident Assembly of God, one of the things that I've noticed about Riverbank, is that you can't stop growth and how things are growing. I'm not against this at all, I'm just sharing, I'm all for it, because I don't think you can stop it. The Wine and Cheese Festival has been struggling, and the Council and everybody were all doing our best and trying all these things, to keep it going. What's happening really, is something that is inevitable, is that Riverbank is expanding, and really to connect the community to be together as one, you can't just stay over here, because a lot of the development is happening on the other side of the, so there's that pull.

Evelyn Halbert, Riverbank Resident, lives downtown, been here for generations, and before anyone says anything about forgetting us down here, that already happened. This is a great example of that, no one talked to us about this, no one has talked to the residents, business I don't know? No one did any studies, no one did anything, you just did it. Because, no one really cared. My side of town doesn't even have a voice, because you don't live here, you live on the other side of town. The questions I have are, you keep referring to the \$35,700 lease a month, but that's not really what you will

be paying every month, because you have to add the \$6,000 operating expenses, which include: Property taxes, utilities, etc... it also says "included but not limited. So, what else is included, and not telling us. You say you're going to use the general fund, sewer fund, water fund. I can tell you right now, you just raised the sewer fund and its going up automatically, the water fund you're already going to do a rate study. You have a lot of people especially down here that are not going to be able to afford it. They're going to have to chose between paying their monthly rent or their groceries. Because you can't figure out a way to do this, for your staffing. Nobody looked at other ways to do this, except this. What's wrong with having some of your staff working outside of the office, a lot of places do that now. I think you need to slow down, and I'm not saying don't do it, but a hold on it and look at other options and talk to the people down here.

Ramon R. Bermudez, Riverbank Resident, they closed the way for the back of the building for Flavors, because they did not want the children from the Taekwondo class to see what they were selling the marijuana at Flavors. Its been controversial that last few months, because there was no proper entrance and exit into the place.

*Written Comments were submitted (As attached) by:
Nancy Hughes
Christine and Richard Holmer
Lana Clayton*

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

ACTION: *By motion moved (Hernandez) failed due to no second.
to continue this item to the next meeting's agenda to allow for more public input.*

ACTION: *By motion moved and seconded (Uribe / O'Brien 2/2/1) to approve to conduct a public hearing in the future, whether its around the State of The City and commence negotiations, to negotiate within one to two years to what we can apply to the purchase price, to sub-lease down from 3 years to 2 years. Resolution authorizing the City Manager to Negotiate and finalize a standard industrial/commercial single-tenant lease agreement for the lease of 6436 Oakdale Road for future site of Riverbank City Hall.*

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

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:

- *No Comments*

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- *First meeting of Friends of JMP, in quite some time a lot of discussion and good attendance. Among discussion was the youth committee, possibility for grants for some projects, and needing to reestablish a non-profit status for the group.*

Councilmember Uribe reported on the following:

- *No Comments*

Councilmember Barber-Martinez reported on the following:

- *Update from Stanislaus Homeless Alliance (SHA), Stanislaus County is facing a shortage of available housing units, at 34,344 units are needed by the year 2031, which is only seven years away.*

Vice Mayor Jones Cruz reported on the following:

- *No Comments*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- *No Comments*

13. CLOSED SESSION

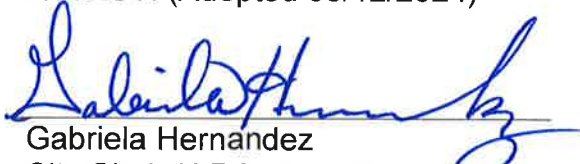
The public will have a limit of **3 minutes** to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing to Closed Session.

No Items Scheduled.

14. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 8:53 P.M. to the next regular scheduled City Council / LRA Meeting of March 12, 2024 at 6:00 P.M.

ATTEST: (Adopted 03/12/2024)


Gabriela Hernandez
City Clerk / LRA Recorder

APPROVED:


Richard D. O'Brien
Mayor/ Chair