

CITY COUNCIL / LRA BOARD

Mayor/Chair

Richard D. O'Brien

Council/Authority Members

District 1 - Luis Uribe

District 2 - Rachel Hernandez

Vice Mayor, 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 Street, Suite B
Riverbank, CA 95367



TUESDAY, MARCH 12, 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

2. FLAG SALUTE

3. INVOCATION

4. ROLL CALL

5. 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.

7. PRESENTATIONS (Informational only)

Item 7.1 **Proclamation- Women's History Month March 2024-** It is recommended that City Council present a proclamation for Women's History Month to the Soroptimist Club Riverbank Chapter.

Item 7.2 **Workshop on the City's Housing Element Update-** It is recommended that City Council hear a staff presentation on the Housing Element Update effort. The presentation will serve to provide an overview of the 6th Cycle Housing Element update and new State Housing Laws. No recommendation or formal action is necessary at this point of the Housing Element Update process.

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.

Refer to the last page of this agenda for the Public Comment Procedures via ZOOM.

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 February 13, 2024 and February 27, 2024.

Item 9.3 **Acceptance** of the Drywell Rehabilitation Project and Authorization to File a Notice of Completion

Item 9.4 **Authorization** for Out of State Travel Request for Mayor Richard D. O'Brien and City Manager Marisela H. Garcia to Travel to Washington D.C. for a Meeting with the U.S. Army

Item 9.5 **Resolution** to Waive the Community Center Rental Fee for the City of Riverbank Historical Society for their Annual Mother's Day Breakfast Fundraiser Event.

10. PUBLIC HEARING- 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

Item 12.2 Council/Authority Member

Item 12.3 Mayor/Chair

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 **LIABILITY CLAIMS**
(Pursuant to Government Code § 54961)
Claimant: O'Brien's Market
Agency Claimed Against: City of Riverbank

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**
LIABILITY CLAIMS
(Pursuant to Government Code § 54961)
Claimant: O'Brien's Market
Agency Claimed Against: City of Riverbank

15. ADJOURNMENT

The Next Regular City Council Meeting will be on: **Tuesday, March 26th, 2024**

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted at the meeting location, on the North City Hall public exterior bulletin board, South City Hall public exterior Bulletin, Riverbank Community Center exterior bulletin, and the City's website 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.
Posted this 7th day of March, 2024

/s/ *Gabriela Hernandez, City Clerk*



ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, and the Governor's Executive Order N-29-20, the City will make every effort to make reasonable modifications or accommodations from individuals with disabilities. Contact the Administration Dept. at (209) 863-7122 or the City Clerk at cityclerk@riverbank.org at least (48) hours prior to the meeting to enable the City to make reasonable arrangements for accessibility.

NOTICE REGARDING NON-ENGLISH SPEAKERS

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank City Council/LRA Board shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.



TELECONFERENCE/VIRTUAL PLATFORM PUBLIC PARTICIPATION COMMENT PROCEDURES FOR CITY COUNCIL MEETING HELD IN CONFORMANCE WITH THE BROWN ACT

PUBLIC “LIVE” VIEWING

- Government Channels: Charter– 2 and AT&T U-VERSE – 99
- YouTube Live – City of Riverbank
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS FOR THE RECORD

Written comments must be received before 4:00 p.m. on the date of the meeting in order for them to be distributed to the Council prior to consideration of the matter. Written comments will not be read aloud at the meeting, but will be reported as received for the record. If you do not receive an acknowledgement of receipt within an hour of submission or by 5:00 pm, please call the City Clerk's Office at (209) 863-7198 or the Administration Dept. at (209) 863-7122.

ACCEPTABLE METHODS OF SUBMITTING COMMENTS BEFORE THE 5:00 PM DEADLINE

- **Via Mail Service:** Mail comments to City of Riverbank, Attn. City Clerk, 6707 Third Street, Suite A, Riverbank, CA 95367. (Call 209-863-7198 / 209-863-7122 to ensure they were received.)
- **Via Email:** Mail to cityclerk@riverbank.org *(Note: This technology is not a guaranteed method.)*
 - Indicate Agenda Item # in the ***subject line***. (Call 209-863-7198 /209-863-7122 to ensure receipt)
- **Oral Comments In-Person:** The Mayor will ask the public if anyone wishes to comment, at that time you may approach the podium.
- **Oral Comments Via Zoom:** The Mayor will announce when public comments may be made for a limit of 3 minutes on the agenda item being considered, at which time you will:
(please make sure the volume on your video device or any nearby device is turned down.)
 - **Using a computer** – click on the “raise hand” feature in the webinar controls. This will alert staff that you wish to speak, and you will be unmuted.
 - **Using a Phone** – press ***9** to “raise the hand”. This will alert staff that you wish to speak, and you will be unmuted.

Teleconference Phone Number (This system is a backup for ZOOM technical difficulties only when providing oral comments.) If there are technical difficulties or disconnection with ZOOM while making oral comments, please immediately call the **teleconference phone number (209) 863-7151** so that Council may receive your comments. Council will be waiting for your call. Thank you

JOIN THE MEETING VIA ZOOM PLATFORM

Join by this link: <https://us02web.zoom.us/j/86423126964>

Join by accessing website: <https://zoom.us/join>, enter **Webinar ID: 864 2312 6964**

Join by telephone: **1 669 444 9171 OR 1 669 900 9128**, plus Webinar ID: **864 2312 6964**

Learn about using ZOOM - Visit <https://zoom.us/j/94943925973?status=success> for a free account or to download the app.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 7.1

SECTION 7: PRESENTATIONS

Meeting Date:	March 12, 2024
Subject:	Proclamation – Women’s History Month
From:	Marisela H. Garcia, City Manager
Submitted by:	Jessica Barragan, Administrative Assistant – Confidential

RECOMMENDATION

It is recommended that the City Council read and present a Proclamation for Women’s History Month to City of Riverbank Soroptimist Member, Penny Bartholomew.

SUMMARY

The month of March is designated by Presidential proclamation as Women’s History Month to honor the contributions and accomplishments of women in American history.

The Education Task Force of the Sonoma County Commission of the Status of Women originated the recognition in Santa Rosa, California as a week-long celebration during the week of March 8 to correspond with International Women’s Day. The movement gained notoriety by other communities across the country and after successful lobbying by women’s groups and historians for national recognition, in February 1980, President Jimmy Carter issued the first Presidential Proclamation and declared the week of March 8, 1980 as National Women’s History Week.

BACKGROUND

In 1987, Congress passed Public Law designating the month of March to be “Women’s History Month”. Subsequent resolutions were passed from 1988 to 1994 and since 1995, Presidents have endorsed the yearly proclamation of Women’s History Month in March.

The first Soroptimist club in Oakland, California, in 1921, through to the present day where over 3000 clubs are flourishing throughout the world, Soroptimists have continued to strive to achieve ‘the best for women’ in every sphere of their lives. Christine Facella started the Riverbank Soroptimist Club in 2023.

FINANCIAL IMPACT

No financial impact.

ATTACHMENTS

1. Proclamation



*CITY OF RIVERBANK
PROCLAMATION*

**WOMEN'S HISTORY MONTH
MARCH 2024**

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history; and

WHEREAS, Riverbank Soroptimist unites with the greater community to fundraise, mentor, and connect with the public to serve women and girls in the City of Riverbank.

NOW, THEREFORE, the City Council of the City of Riverbank hereby proclaims March 2024 as "Women's History Month" and urges the Riverbank community to recognize "Women's History Month" by celebrating with appropriate programs, ceremonies, and activities.

March 12, 2024

Richard D. O'Brien
Mayor

RIVERBANK CITY COUNCIL

District 1, Luis Uribe – District 2, Rachel Hernandez – District 4, Darlene Barber-Martinez
Vice Mayor, District 3, Leanne Jones Cruz - Mayor, Richard D. O'Brien

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 7.2

SECTION 7: PRESENTATIONS

Meeting Date:	March 12, 2024
Subject:	Workshop on the City's Housing Element Update
From:	Marisela H. Garcia, City Manager
Submitted by:	Miguel Galvez, Contract City Planner

RECOMMENDATION

It is recommended that City Council hear a staff presentation on the Housing Element Update effort. The presentation will serve to provide an overview of the 6th Cycle Housing Element update and new State Housing Laws. No recommendation or formal action is necessary at this point of the Housing Element Update process.

SUMMARY

The City of Riverbank has begun the 6th Cycle Housing Element Update and is requesting that the City Council hold a Public Workshop to receive an update, receive public input, and discuss the Housing Element Update process.

BACKGROUND

Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. California's local governments are required to prepare a Housing Element, which is one of the seven required elements of the General Plan.

The Housing Element must be updated approximately every 8 years, and it is the role of the Department of Housing and Community Development (HCD) to administer and ensure local government compliance with Housing Element law. HCD is now administering the 6th Cycle Housing Element. For Riverbank and other local governments within the Stanislaus Council of Governments (StanCOG), the 6th Cycle covers the period from June 30, 2023, to December 31, 2031.

Because the Housing Element is updated every eight years, the current 5th Cycle Housing Element provides a foundation for this update. Please refer to the City's current 5th Cycle Housing Element for more information on existing goals, policies, and programs. It can be accessed on the City's website at: <https://www.riverbank.org/330/Applications-Forms>.

To comply with State law, each jurisdiction's Housing Element must be updated to ensure its policies and programs can accommodate its share of the number of housing units identified by the State. The Housing Element update includes the following steps:

- Determine the Regional Housing Needs Assessment (RHNA)
- Update previous Housing Element
- Publish Draft Housing Element for a 30-day Public Review Period
- Submit Draft Housing Element to HCD for review
- Revise Draft Housing Element pursuant to HCD comments
- Adopt Housing Element (Planning Commission and City Council)
- Submit Adopted Housing Element to HCD for Certification

UPDATED INFORMATION AND ANALYSIS

A. Regional Housing Need Allocation

HCD begins the RHNA process by setting the total number of new housing units needed for the State during the 6th Cycle. HCD then disaggregates the total number of new housing units by income group: Very Low, Low, Moderate, and Above-Moderate Income. Next, HCD distributes those numbers to each region within the State. For the StanCOG region, HCD allocated a total of 34,344 new housing units for this 6th Cycle Housing Element period.

StanCOG then takes the lead and establishes a methodology for allocating the units across the local jurisdictions within its region. StanCOG started its part of the 6th Cycle RHNA process in 2021. Riverbank actively participated in that process, attending all the Valley Vision Stanislaus (VVS) meetings, and providing comments to StanCOG on the RHNA process during the various meetings. The Final RHNA Plan was adopted by the StanCOG Policy Board on August 16, 2022.

For Riverbank, the RHNA allocation is:

Total RHNA Units for Riverbank	3,591
Very Low Income (<50% of AMI*)	970
Low Income (50-80% of AMI)	672
Moderate Income (80-120% of AMI)	594
Above Moderate Income (>120% of AMI)	1,355

*AMI = Area Median Income, based on the Stanislaus County average incomes.
--

B. Housing Element Update Highlights

- A demographic profile and analysis of population growth and trends in the community;
- Identification and analysis of existing and projected housing needs for all economic segments of the community;
- Identification of adequate sites that are zoned and available within the 8-year housing cycle to meet the City's fair share of regional housing needs at all income levels, as prescribed by the RHNA;
- An evaluation of local constraints or barriers to housing development as well as opportunities to develop housing; and
- Housing goals, policies, quantified objectives, and scheduled programs to preserve, improve and develop housing within the City.

C. Site Inventory

As part of the Housing Element Update process, the City will be identifying adequate sites to accommodate the 3,591 new units, particularly “affordable” units that would be available to very-low and low-income households. Combined, the 970 very-low-income units and the 672 low-income units bring the total number of affordable units for Riverbank to 1,642.

To identify a housing site as “affordable”, a Housing Element needs to provide analysis demonstrating that adopted densities, costs, financial subsidies and/or market demand can accommodate lower income households. In Riverbank, such an analysis is impractical because very few, if any, houses rent or sell at rates that are affordable to very-low or low-income households. As an option and alternative to preparing the analysis, California Government Code Section 65583.2(c)(3)(B) allows local governments to elect the option to utilizing “default” density standards that are “deemed appropriate to accommodate housing for lower income households.”

The default density standard provides a streamlined option for local governments to meet the density requirement. If a local government zones a site to meet the default density, no analysis to establish the appropriateness of the default density is required and HCD must accept that density as appropriate in its review. Riverbank and the surrounding cities in the region are designated as “Suburban Jurisdictions”. This means that Riverbank must identify sufficient sites that have a density of no less than 20 dwelling units per acre for the very-low and low-income categories.

Riverbank has used the default density strategy in its previous Housing Element to successfully meet its RHNA requirements for very-low and low-income housing. Additionally, Riverbank successfully satisfied its moderate and above moderate RHNA allocation by identifying sites that allow for Low Density Residential and Medium Density Residential developments.

Potential sites to satisfy the 3,591 RHNA requirement should have:

- Reasonable access to infrastructure, including roads, sewer, and water;
- Topography with slopes less than 10%;
- Limited geologic constraints;
- Limited biological resources; and
- Adequately sized to accommodate housing development (e.g., avoiding sites that are too small to realistically develop).

Staff will be evaluating sites that potentially meet these criteria, including but not limited to:

- City owned undeveloped properties.
- Undeveloped privately owned residentially zoned properties.
- Undeveloped privately owned non-residentially zoned properties (e.g., Mixed Use).
- Underutilized developed commercial properties that could be rezoned to a mixed-use density.

D. Public Participation

Public participation is an important component of the Housing Element Update process. The City is required to make diligent effort to include all economic segments of the community (including residents and/or their representatives) in the development and update of the Housing Element.

This workshop is the start of the process for Riverbank's 6th Cycle Housing Element Update. A public notice informing the public about the workshop held with the Planning Commission was published in the *Riverbank News* on February 7, 2024. A Public Hearing Notice for this workshop was not required. Additionally, a webpage is being established to inform the public about the Housing Element process. This webpage will be updated periodically and will include drafts of the 6th Cycle Housing Element.

The public outreach process will continue during the next few months as the City works to complete the draft Housing Element Update. Public Hearings will be properly advertised for both the Planning Commission and City Council when each of these bodies formally considers the Housing Element update under a General Plan Amendment.

E. Schedule

To meet HCD's 6th Cycle Housing Element requirement, Riverbank and other StanCOG local governments must have their Housing Element submitted to HCD for review and approval by December 31, 2024. To meet this schedule, Riverbank will need to follow this recommended timeline:

- Develop Site Inventory Analysis – April/May 2024
- Complete Draft Housing Element Document - June/July, 2024

- Planning Commission review and Concurrence of Draft Housing Element – July 2024
- City Council Review and Recommendation to Submit Draft Housing Element to HCD – August 2024
- Submit Draft Housing Element to HCD for 90-day Review – August/September 2024
- Revise Housing Element Update – September/October 2024
- Planning Commission Review and Recommendation to City Council for Adoption – October 2024
- City Council Approval of Housing Element Update – October/November 2024
- Submittal of Final Housing Element to HCD – December 2024

GENERAL PLAN CONSISTENCY

The proposed update of the Housing Element will be considered though an amendment to the City's adopted General Plan.

ENVIRONMENTAL

The Housing Element contains policies and programs rather than specific projects or developments; therefore, it will not have a significant effect on the environment.

STRATEGIC PLAN

The City's Strategic Plan identifies goals that the City will work towards for the next three years. This project works toward the goals of "promoting sustainable development," "promoting economic development that supports a jobs-housing balance," and "maintain a high quality of life."

FINANCIAL IMPACT

The proposed amendment to the Housing Element of the General Plan is part of the City's overall work program budgeted for this fiscal year.

ATTACHMENT

1. Power Point Presentation



City of Riverbank

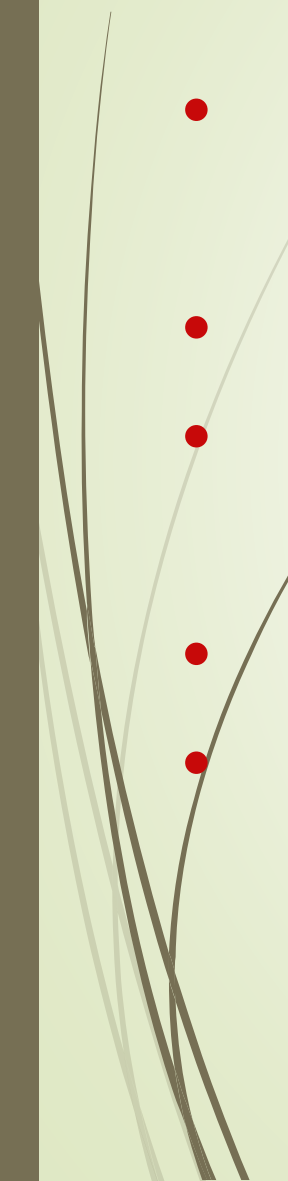
City Council

6th Cycle Housing Element

March 12, 2024



AGENDA

- Overview of Housing Element Requirements
 - Site Inventory
 - Affirmatively Furthering Fair Housing Requirements
 - Project Timeline and Next Steps
 - Questions, Discussion and Community Input
- 

WHAT IS A HOUSING ELEMENT?

- A Housing Element is one of the required elements of a General Plan.
- Covers an 8-year planning period from June 30, 2023, to December 31, 2031.
- Sites inventory with Zoning to meet Regional Housing Needs Allocation (RHNA).
- Includes Policies and Programs.

Other General Plan Elements



Land Use



Mobility



Conservation



Open Space

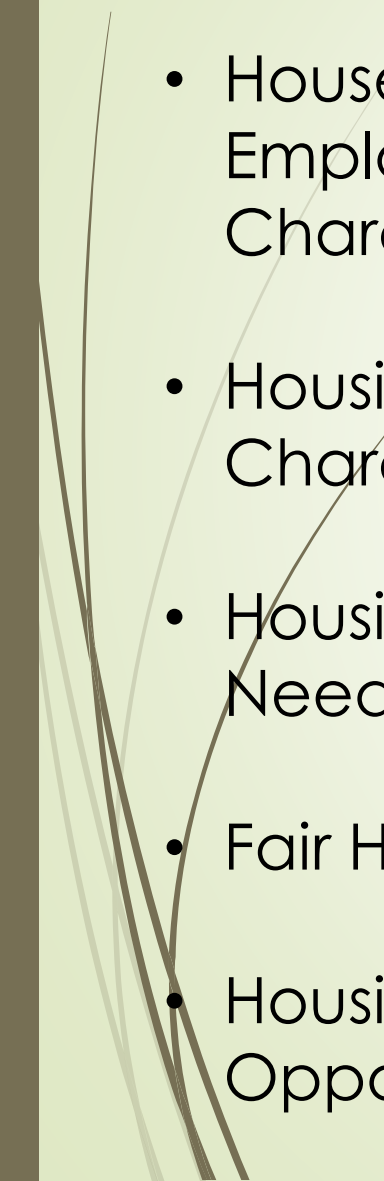


Safety



Noise

HOUSING ELEMENT CONTENT



- Household and Employment Characteristics
- Housing Stock Characteristics
- Housing Supply and Needs
- Fair Housing Analysis
- Housing Production Opportunities
- Housing Production Constraints
- Review of Previous Housing Element
- Housing Goals and Policies

HOUSING ELEMENT ROLE



The Housing Element DOES:

- Assess and address constraints to housing development
- Guide housing development policy
- Identify opportunities to meet the City's housing needs

The Housing Element DOES NOT:

- Require the City to build the housing units identified in the RHNA
- Solve all housing problems

REGIONAL HOUSING NEEDS ALLOCATION

RHNA is the amount of housing each city must plan for in the Housing Element.

Riverbank's RHNA is **3,591 total units**.

<u>Total RHNA Units for Riverbank</u>	<u>3,591</u>
-	-
<u>Very Low Income (<50% of AMI*)</u>	<u>970</u>
-	-
<u>Low Income (50-80% of AMI)</u>	<u>672</u>
-	-
<u>Moderate Income (80-120% of AMI)</u>	<u>594</u>
-	-
<u>Above Moderate Income (>120% of AMI)</u>	<u>1,355</u>

*AMI = Area Median Income, based on the Stanislaus County average incomes.

REGIONAL HOUSING NEEDS ALLOCATION

Stanislaus County 2023 Area Median Income (Source: HCD)

Number of Persons in Household		1	2	3	4
Area Median Income: \$92,600	Acutely Low Income (0 – 15% AMI)	\$9,750	\$11,100	\$12,500	\$13,900
	Extremely Low Income (15 – 30% AMI)	\$17,750	\$20,250	\$24,860	\$30,000
	Very Low Income (30 – 50% AMI)	\$29,550	\$33,800	\$38,000	\$42,200
	Low Income (50 – 80% AMI)	\$47,250	\$54,000	\$60,750	\$67,500
	Moderate Income (80 – 120% AMI)	\$77,750	\$88,900	\$100,000	\$111,100

KEY 6TH CYCLE HOUSING ELEMENT BILLS

- **AB 1397:** Adequate Housing Element Sites
- **SB 166:** No Net Loss
- **AB 686:** Affirmatively Furthering Fair Housing
- **AB 72:** Housing Element Enforcement
- **AB 879:** Reporting Requirements
- **AB 1763:** Enhanced Density Bonus
- **AB 2162:** Supporting Housing Streamlined Approval
- **SB 6:** Design and Development of the Site Inventory

SITE INVENTORY

State Requirements:

- Inventory of land suitable and available.
- Evaluation of availability of utilities.
- Accommodate RHNA by income level.
- Adequate sites with appropriate zoning
- Sites must meet new State requirements.
- Locations must affirmatively further fair housing.

HCD REVIEW OF SITE SUITABILITY

Existing use on
the site

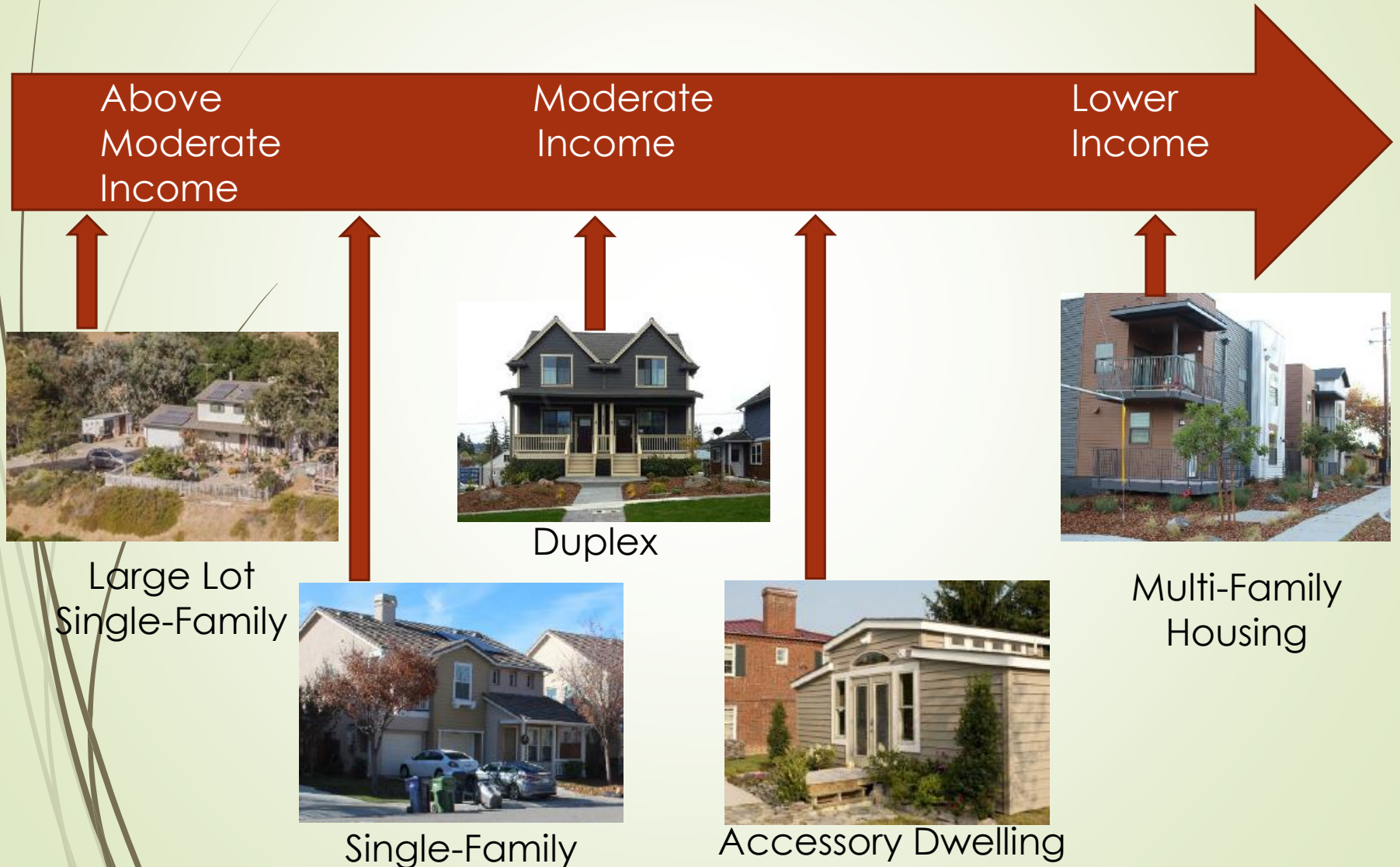
Realistic potential
for development

Site
Suitability

Site size and
ownership
patterns

Development
density

SITE INVENTORY ASSUMPTIONS



AFFH REQUIREMENTS

- Affirmatively Furthering Fair Housing (AFFH) means “meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access.”
- Requirement analyze not just how many new units a community needs, but also where they are built and who will have access to them.
- Programs must constitute meaningful actions to address disparities in housing needs and access to opportunities.
- All housing policies, programs and actions must be viewed through an equity lens.

TIMELINE

Activity	Date
Develop Site Inventory	April/May 2024
Complete Draft Housing Element Document	June/July 2024
Planning Commission Review and Concurrence of Draft Housing Element	July 2024
City Council Review and Recommendation to Submit Draft Housing Element to HCD	August 2024
Submit Draft Housing Element to HCD for 90-day Review	August-October 2024
Revise Housing Element Document	October 2024
PC and CC Review and Adoption of Housing Element	October/November 2024
Submittal of Adopted Housing Element to HCD	December 2024

COMMUNITY ENGAGEMENT



- Community Workshops
- Stakeholder Interviews
- Online Survey
- Public Hearings
- Dedicated Webpage (In progress)

NEXT STEPS

- Outreach and Community Input (ONGOING)
- Data Collection; Issues, Constraints, Opportunities
- Preliminary Site Inventory, Fair Housing Analysis and AFFH Programs of Actions
- Draft Housing Element

Thank you.



QUESTIONS?

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.1

SECTION 9: CONSENT CALENDAR

Meeting Date:	March 12, 2024
Subject:	Waiver of Readings
From:	Marisela H. Garcia, City Manager
Submitted by:	Gabriela Hernandez, City Clerk/LRA Secretary

RECOMMENDATION

It is recommended that the City Council / LRA Board approve the waiver of readings of any proposed ordinances and resolutions for consideration, except by title.

SUMMARY

In lieu of reading the entire text of a proposed ordinance or resolution that is introduced for consideration for adoption and approval, by majority vote, the City Council/LRA Board may waive the reading of the text and introduce the ordinance or resolution by title only for the record.

The full text of the proposed ordinances and resolutions, and any related documents that are part of the agenda packet, are available for review by the public on the City's website and in the City Clerk's office at City Hall (North) upon distribution to a majority of the City Council/LRA Board; typically 72 hours prior to the scheduled date and time of the meeting.

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENTS

There are no attachments to this report.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.2

SECTION 9: CONSENT CALENDAR

Meeting Date:	March 12, 2024
Subject:	Approval of the City Council and Local Redevelopment Authority Board Minutes for February 13, and February 27, 2024.
From:	Marisela H. Garcia, City Manager
Submitted by:	Gabriela Hernandez, City Clerk/LRA Secretary

RECOMMENDATION

It is recommended that the City Council/ Local Redevelopment Authority Board approve the City Council/LRA Meeting Minutes of February 13, and February 27, 2024

SUMMARY

The Draft Minutes of the City Council and the Local Redevelopment Authority Board meeting have been prepared for review and approval.

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENTS

1. February 13, 2024 City Council and Local Redevelopment Authority Board Minutes.
2. February 27, 2024 City Council and Local Redevelopment Authority Board Minutes.
 - a.) Exhibit A: Written Comments

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, FEBRUARY 13, 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** – Asst. City Manager Alcantor 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*

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.*

Council Member Barber-Martinez declared a conflict of interest with item 11.2

7. PRESENTATIONS (Informational only)

- Item 7.1** **Presentation by Dr. Constantino Aguilar, Superintendent of Riverbank Unified School District-** City Council to receive a presentation from Dr. Constantino Aguilar, Superintendent of Riverbank Unified School District.

Dr. Constantino Aguilar, Superintendent of Riverbank Unified School District gave a Power Point presentation on the Cardozo Middle School Project and some of its implications with Measure N and the possibility of a new bond that will be going after in the November Election.

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 6:14P.M.

Residents who spoke in opposition of the River Walk Project

*Karen Conrotto
Kent Mitchell
Giselle Pritchard
Elaine Gorman
Jeff Olson
Jamie Aggers*

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:23P.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 January 23, 2024.

Item 9.3 **Approval** of the Parks and Recreation Department to Apply for the National Park Service- Rivers, Trails, and Conservation Assistance Program.

Item 9.4 **Authorization** for Out of State Travel Request to have Finance Staff Attend the Caselle Training in Provo, UT.

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

ACTION: *By motion moved and seconded (Jones Cruz / Barber-Martinez 5/0) to approve the **consent calendar** as presented.*

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

10. PUBLIC HEARINGS

No Items Scheduled.

11. NEW BUSINESS

Item 11.1 **A Resolution Establishing a Parks and Recreation Advisory Committee in the City of Riverbank.** - It is recommended that the City Council consider the approval of a Resolution to establish a Parks and Recreation Advisory Committee, along with its by-laws, application process, onboarding process, etc.

Director of Parks & Recreation gave a comprehensive staff report and power point presentation on the establishing of a Parks and Recreation Advisory Committee.

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 / Hernandez 5/0) to approve **Resolution 2024-005** Approving the establishment of a Parks and Recreation Advisory Committee w/ modification for diversity 2.3 bylaws*

Motion carried by unanimous City Council and LRA Board roll call vote:

AYES: Uribe, Hernandez, Barber-Martínez, Jones Cruz, O'Brien

NAYS: None / ABSENT: None / ABSTAINED: None

Item 11.2 **A Discussion for the Park Space for the Tiny Home Village Located Near the Intersection of Stanislaus Street and Jackson Avenue-** It is recommended that the City Council provide feedback and recommendations to the Parks and Recreation Department on how to proceed with the park design for the proposed Tiny Home Village project located at the intersection of Stanislaus Street and Jackson Ave.

Director of Parks & Recreation gave a comprehensive staff report and power point presentation on the designated park space area at the Tiny Home Village located at Stanislaus Street and Jackson Avenue and what recommendations Council had to proceed with the project.

City Council discussed item with staff.

Brad Hawn, Engineer with CHG Structural commented on the green space for the project, it is very difficult for a park to coexist with in such a small space. But we would love to be a part of the park that is going to service the neighborhood in a better way, to purchase land or whatever City Council decides, and work with the City Staff that have been so wonderful to work with.

Miguel Galvez, Contract City Planner, shared 3 points, number one, there is a public open space, and that's the Rio Altura Elementary School. They do have play fields and things like that. Those often are used by the residents in the weekends in the evenings there's always an opportunity to enter into some type of agreement with the school district for the public use of their facilities, but by and large that space is available. Second point, from a planning perspective, you know the policy documents that the City has are two: one is the general plan, and its open space. Actually, the public services and facility element, which does identify standards for parks and things like that. The other policy document we have which Michael referenced is the Parks Master Plan, which recently adopted in 2020, and then there, is 4 criteria for many parks, Successful Mini parks have 4 key qualities. They're accessible, allow people to engage in activities, are comfortable spaces, and inviting and are social places. So that gives you some ideas in terms of the type of activities. It's a really small place, and there really isn't much opportunities to provide activities. The last thing I want to touch upon is, this will be, a development application at the Planning Commission will be reviewing. And that's the Architectural Site Plan Review application. When the Planning Commission considers this, one of the things that we would look at is in any multifamily project is private open space. We usually require whether it's apartment complexes or single families to provide private open space. That means that within that complex there'll be a place for them to congregate. And so, there's that opportunity to do that. And speaking with the designer, Brad Hawn, it would make I'm thinking about the best word more efficient use if you kind of put the park in the middle. I shouldn't say park, but the open space in the middle, so the rest of them have an opportunity to go there, and they kind of have eyes on the park. People can see who's there. So, it's more social, more interacting. And I think it would be I won't say precedent setting, but be something to consider. Other multifamily projects come in and say, you know what we'll do a minute Park but it's what we can hold to the that. It can be a private open space meaning it's open to the residents. And, sir, that would be ideal. It would be a win, win. they're served.

Randy Richardson, Riverbank Resident was just wondering, and I'm sure that these minds, which are great, have already done this, but if we could get 2 units in there, and so, putting the 2 units at the top, then sacrificing the units on the bottom, so the park would be longer on the bottom if that would create more space for the park.

Deanna Garcia, business owner this location right here, just doesn't have the parking that we would need to be able to enjoy a park for gathering. Our Parks are used for gathering for the community for the public, and as you can see there may be some street parking, because its kind of like on the corner. But other than that, I don't see any parking that would feasible for this location here.

Evelyn Halbert, Riverbank Resident If the park is just going to be for the development and those tiny houses to use, it's going to be getting fenced off. Then it wouldn't be considered a City Park like the rest of the parks are, because they are all open to everybody. So, under the current city ordinance, since the tax payers are paying for city parks, would you have to amend the ordinance or would the development pay for the maintenance of the park?

City Manager Garcia clarified, if it is a City Park then it would be maintained by city. If it ends up being green space for the development itself, then the developer would pay for those maintenance fees.

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

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:

- *All City Offices will be closed on Monday, February 19th for Presidents Holiday.*
- *At their meeting on the 20th Planning Commission will be will be hosting a Housing Element Workshop, that the city is currently working on. With future meetings to be held.*
- *On February 27th, The City Council will receive a presentation on the Released Draft EIR and Specific Plan for the proposed River Walk Project the meeting will be held at the Community Center and will be viewable through Zoom and YouTube. On Feb 27, you will not be considering the project you will just be receiving the informational presentation. The Draft EIR and Specific Plan are under the 45-day public review period and can be accessed on our City Website. Comments are being requested to be submitted in writing, so that we make sure we have those as part of the record and can be evaluated by the environmental consultant. Unfortunately, because it is at the community center, we do not have the same audio-visual accessibility that we do have here at the Council Chambers. So we will be taking comments in person and in writing prior to the meeting, we will not take those via zoom. We will also have an interpreter there, for those that are Spanish speaking, and the presentation will be translated into Spanish.*

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- *Last Friday, we unveiled a Sister City sign. That's right below the sign that shows Riverbank and the population. It's a symbolism of our partnership with Tamazula and our sister city in China. Its over on the corner of Patterson, where the digital light up sign is.*
- *There is a Friends of JMP have a meeting next week.*
- *Wishing everyone a Happy Lunar New Year!*

Councilmember Uribe reported on the following:

- *Next Love Riverbank meeting will be this Friday. We are seeking input, from the community for any kind of new upcoming projects. So, please reach out to me 719-*

9255, for those watching online. Shout out the sponsors and the committee for making all this possible.

- Looking forward to this Saturday event for Valentine's day at the community center "My Little One and Me"

Councilmember Barber-Martinez reported on the following:

- Attend the reception for the new MJC President and advocated for RHS students
- Reminder the Chamber of Commerce 70th Anniversary Fundraiser on Feb. 23 at the Antigua Event Center.
- Outstanding Women of Stanislaus County 2024 there will a brunch at March 9th at Greens Restaurant in Modesto.
- February is Black History Month the 2024 theme is African Americans and the arts. The theme focuses on the many impacts black Americans have had, on visual arts, music, cultural movements, and more.

Vice Mayor Jones Cruz reported on the following:

- No comment this evening.

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- Attended conference with a lot of opportunity for low income housing. Potential of bringing back RDA
- Will be pushing for a Climate Action Plan for the County, to be run by or initiated by StanCOG, the County, and all cities. We all have to do it, so better to do it together: A it's Cheaper, B is more comprehensive and see more clout.

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 **LIABILITY CLAIMS**

(Pursuant to Government Code § 54961)

Claimant: Esther Shafer

Agency Claimed Against: City of Riverbank

There being no Public Comments, Mayor O'Brien moved to Closed Session at 7:12P.M.

Reconvened from Closed Session at 7:20P.M.

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**

LIABILITY CLAIMS

(Pursuant to Government Code § 54961)

Claimant: Esther Shafer

Agency Claimed Against: City of Riverbank

ACTION: Council unanimously agreed to deny the claim.

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 7: 21P.M.to the next regular scheduled City Council / LRA Meeting of February 27, 2024 at 6:00 P.M.

ATTEST: (Adopted 03/12/2024)

APPROVED:

Gabriela Hernandez
City Clerk / LRA Recorder

Richard D. O'Brien
Mayor/ Chair

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)

APPROVED:

Gabriela Hernandez
City Clerk / LRA Recorder

Richard D. O'Brien
Mayor/ Chair

From: [nancy hughes](#)
To: [City Clerk](#)
Subject: City offices
Date: Tuesday, February 27, 2024 3:33:17 PM

Hello,

Please consider postponing the decision to relocate the city offices until all options have been explored and public input has been received.

The downtown area is enhanced by the city offices.

Thank you for your consideration.

Nancy Hughes



EXHIBIT A

From: [Christine Holmer](#)
To: [City Clerk](#)
Subject: Agenda 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
Date: Tuesday, February 27, 2024 2:45:04 PM

We respectfully request that you postpone any decision to relocate City Hall until all other options have been explored. Relocating City Hall from the downtown area is removing the anchor business which will surely have a negative effect on the newly renovated downtown area. The City has spent millions of dollars to attract new and vibrant businesses and the loss of the City Hall will be detrimental to the growth of this area. There are several options for creating additional office space, from expanding current buildings, to building a new building on land that the City already owns downtown. In addition, it is not prudent management of taxpayers dollars to spend \$35,000 a month on a lease for a building to house City Offices when the City already owns buildings that house City Offices.

Please consider postponing this decision until all options have been explored and public input has been received.

Sincerely,

Richard and Christine Holmer



From: [Marisela Garcia](#)
To: [Gaby Hernandez](#)
Subject: FW: This Tuesday's city Council meeting
Date: Tuesday, February 27, 2024 2:18:05 PM
Attachments: [image001.png](#)

Comment on item 11.3.

Marisela H. Garcia

**City Manager
City of Riverbank**

Email: mhgarcia@riverbank.org
Phone: 209-863-7110
Fax: 209-869-7100

**6707 Third Street, Ste. A
Riverbank, CA 95367
www.riverbank.org**

Office Hours
Monday-Thursday: 7:30 am - 5:30 pm
Fridays: Closed

From: Lana Clayton [REDACTED]
Sent: Tuesday, February 27, 2024 12:27 PM
To: Marisela Garcia <mhgarcia@riverbank.org>
Subject: This Tuesday's city Council meeting

Hi Marisela,

It was just brought to my attention about the changes the city is wanting to make it as to the location of the city offices.

I wanted to let you know some feedback in which I definitely agree with. I feel this needs to be put out into the public so that more people know about it. Everything about it, including where the money is coming from and why the changes need to be made.

Is there any way that this can be put out into the public before you have a meeting so that people have enough time to really read? This would also give people ample time to put it on their calendar to come to the meeting if they would like.

There are so many questions. Not only who is funding this and how, but also, what will you do with the buildings once they are empty? So much money has been put into the downtown and without all the people coming to make the payment downtown what is going to happen with DT visibility?

Is all of this in the plan? I think it needs to be posted and shared onto the Riverbank neighborhood and the Riverbank community pages for all to see.

Thank you,
Lana

Get [Outlook for iOS](#)

[REDACTED]

[REDACTED]

This email communication contains information which is confidential. If you are not the intended recipient of this email, you are hereby notified that any disclosure, copying, distribution or use of its contents is prohibited.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.3

SECTION 9: CONSENT CALENDAR

Meeting Date:	March 12, 2024
Subject:	Acceptance of the Drywell Rehabilitation Project and Authorization to File a Notice of Completion
From:	Marisela H. Garcia, City Manager
Submitted by:	Kathleen Cleek, Development Services Administration Manager Laura Graybill, Senior Project Coordinator

RECOMMENDATION:

It is recommended that the City Council accept the completion of the Drywell Rehabilitation Project and authorize staff to file a Notice of Completion.

SUMMARY:

United Pavement Maintenance, Inc. completed the construction of the Drywell Rehabilitation Project. William Kull, City Engineer and City staff have completed a final inspection and determined that construction has been completed per the plans and specifications.

The contract was awarded on October 24, 2023 to United Pavement Maintenance, Inc. in the amount of \$207,157.50. One contract change order was issued for this project in the amount of \$1,047.02. The total cost of construction is \$208,204.52.

It is recommended that the Council accept the Drywell Rehabilitation Project as complete and authorize the Senior Project Coordinator to record the Notice of Completion.

FISCAL IMPACT:

Funding has been programmed for this project with SB 1 Road Maintenance and Rehabilitation Funds, the total cost of construction is \$208,204.52.

ATTACHMENTS:

1. Notice of Completion
2. Photos
3. Site Map

CITY OF RIVERBANK

AND WHEN RECORDED MAIL TO

NAME
STREET
ADDRESS
CITY &
STATECITY OF RIVERBANK
ATTN: DEVELOPMENT SERVICES
6707 THIRD STREET
RIVERBANK, CA 95367SPACE ABOVE THIS LINE
FOR RECORDER'S USE

Exempt from Recording Fees (Per Government Code Section 27388.1)

NOTICE OF COMPLETION**NOTICE IS HEREBY GIVEN THAT:**

1. The undersigned is the owner of the interest or estate stated below in the property hereinafter described.

2. The full name of the undersigned is City of Riverbank

(Print Full Name)

3. The complete address of the undersigned is 6707 Third Street, Riverbank, CA 95367

(Address, City, State, Zip)

4. The nature of the title of the undersigned is:

☒ Owner in Fee, **or**☐ Vendee (Buyer) under Contract of Purchase, **or**☐ Lessee, **or**☐ Other

If "Other," briefly list or describe appropriate designation or title _____

5. The full names and complete addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

Co-owner's Name(s)

Co-owner's Complete Address (Number and Street, City, State, Zip)

N/A

6. The names of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work of improvement herein referred to, include, but are not limited to the following individual(s) (if no transfer was made, insert the word "none"):

Co-owner's Name(s)

Co-owner's Complete Address (Number and Street, City, State, Zip)

N/A7. A work of improvement on the property described below was completed on March 12, 2024

(Date of Completion)

This document is only a general form which may be proper for use in simple transactions and in no way acts, or is intended to act, as a substitute for the advice of an attorney. The printer does not make any warranty, either expressed or implied, as to the merchantability or fitness for a particular purpose, or as to the legal validity of any provision or the suitability of these forms in any specific transaction.



8. The name of the original contractor, if any, for the work of improvement was (if no contractor for the work of improvement as a whole, insert the word "none") United Pavement Maintenance, Inc.

If notice covers completion of contract for only part of the work of improvement, check box and complete:

☐ The kind of work done or finished was dry well re-habilitation, new dry well installation, catch basins,
(Give General Description of Work Completed, e.g., Furnishing of Concrete for Sidewalks, etc.)
asphalt paving, curb, gutter, storm pipelines and all other work included on the plans.

9. The property on which the work of improvement was completed is in the City of Riverbank,
County of Stanislaus, State of California, and is described as follows:

Drywell Rehabilitation Project

(Set Forth Description of Jobsite Sufficient for Identification, Using Legal Description if Possible)

10. The street address of the said property is Various locations in Riverbank, CA

(Address, City, State, Zip, or if No Official Street Address, Insert the Word "None")

Dated this 12th day of March, 2024
(Day) (Month) (Year)

City of Riverbank
Laura Graybill, Senior Project Coordinator

(Owner's Signature)

(Owner's Typed or Printed Name)

VERIFICATION

I the undersigned, say:

I am the person who signed the foregoing notice. I have read and understand the above notice and know its contents, and the facts stated therein are true and correct to the best of my knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in City of Riverbank, County of Stanislaus, State of California
on this 12th day of March, 2024
(Day) (Month) (Year)

(Signature of Person Signing Notice of Completion)

City of Riverbank
Laura Graybill, Senior Project Coordinator

This form is the notice of completion that a property owner may record to limit the time in which mechanics' liens may be recorded against a construction project (see CA Civil Code § 3093). For this purpose an "owner" is the person who causes a building, improvement, or structure to be constructed, altered, or repaired, whether the interest or estate is in fee, as a vendee (buyer) under contract or purchase, as lessee, or other interest or estate less than fee. If the interest is held by two or more persons as joint tenants or tenants in common, any one or more of the co-tenants may be deemed to be the owner. (CA Civil Code §§ 3092(g), 3093). **This form is for use with a private work of improvement only, and is not intended for public sector applications.**

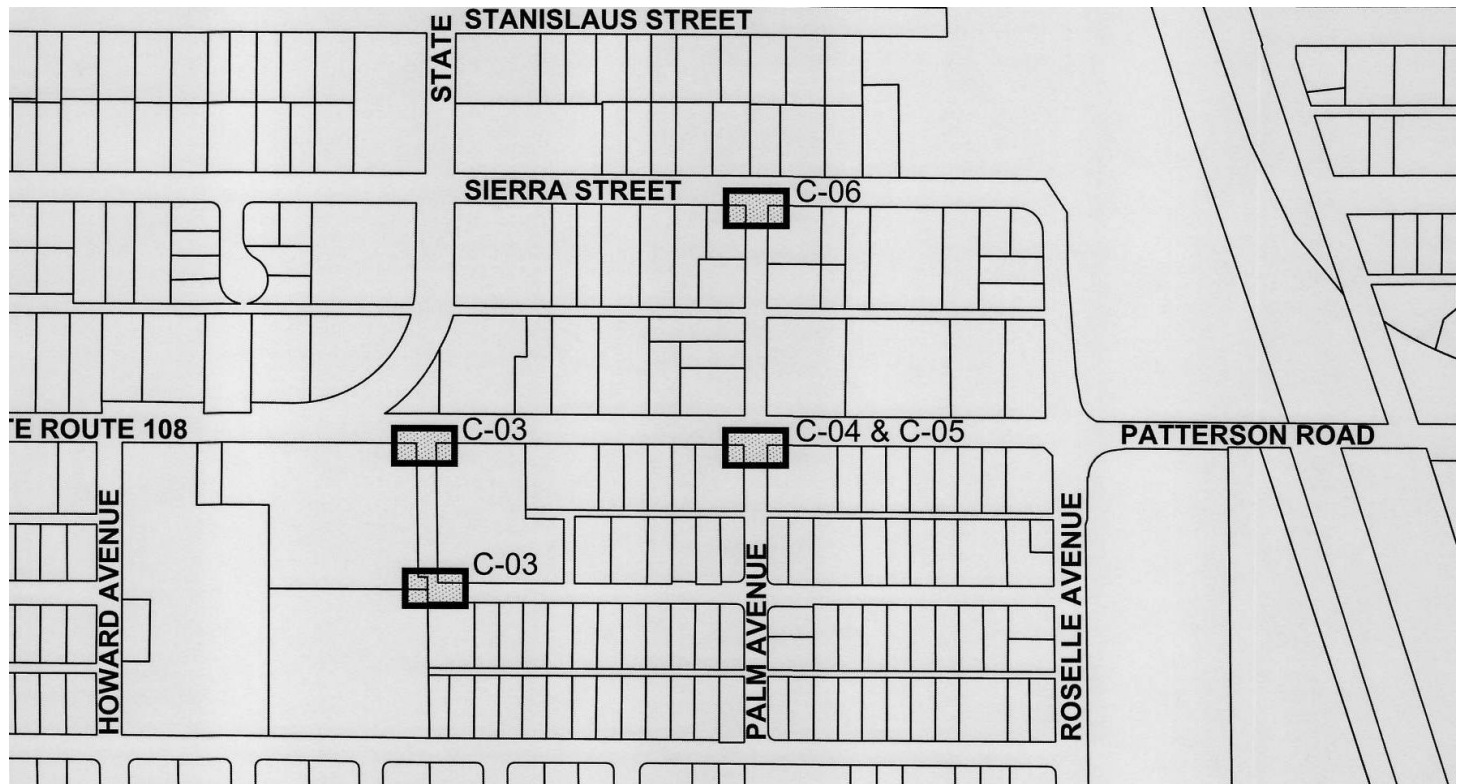
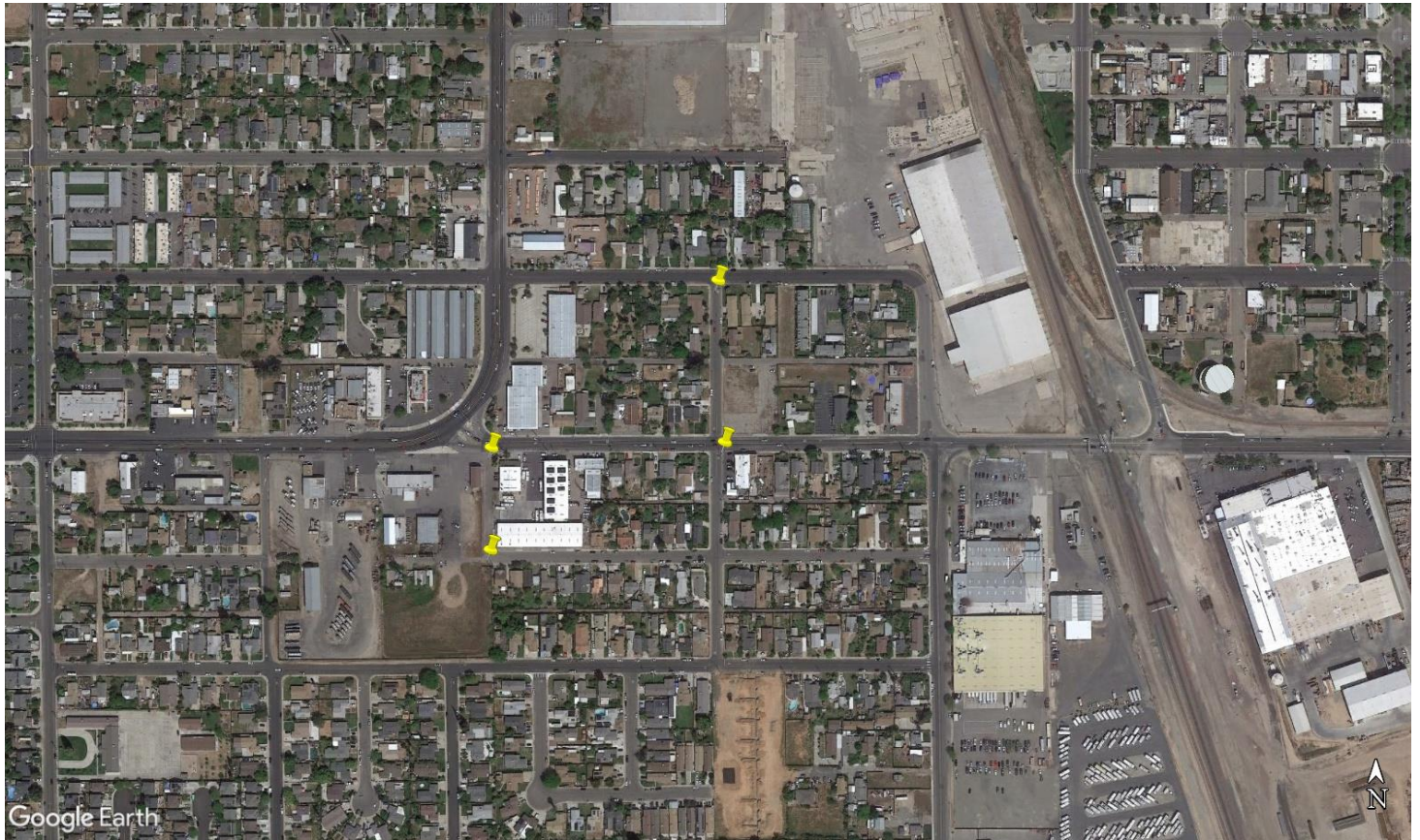
If the owner records the notice within the applicable time period, the original contractor has sixty (60) days from the day the notice is recorded to record a claim of lien against

the project (CA Civil Code § 3115); and all other persons who furnished labor, services, equipment, or materials must record their liens within thirty (30) days after the notice of completion is recorded (CA Civil Code § 3116). Otherwise, all persons who furnished labor, services, equipment, or materials have ninety (90) days after completion of the work of improvement in which to record their liens (CA Civil Code §§ 3115, 3116).

The owner must record the notice in the office of the county recorder of the county where the site is located within ten (10) days after the work of improvement is completed (CA Civil Code § 3093(e)). This applies equally to the project which is completed in phases. A notice of completion must be filed within ten (10) days after the completion of each phase of the project to shield owner properly (CA Civil Code § 3117).

Site Map

Drywell Rehabilitation Project



RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT

AUTHORITY AGENDA ITEM NO. 9.4

SECTION 9: CONSENT CALENDAR

Meeting Date: March 12, 2024

Subject: Authorization for Out of State Travel Request for Mayor Richard D. O'Brien and City Manager Marisela H. Garcia to Travel to Washington D.C. for a Meeting with the U.S. Army

From: Marisela H. Garcia, City Manager

RECOMMENDATION

It is recommended that the City Council consider providing authorization for an out-of-state travel request for Mayor O'Brien and City Manager Marisela H. Garcia, to attend a meeting in Washington D.C. With the U.S. Army. Dates are still being coordinated therefore travel authorization is requested for March and April.

SUMMARY

Since discussions began regarding the conveyance of the former Army Ammunition Plant to the Riverbank Local Redevelopment Authority, it has been of benefit to the City when Mayor O'Brien has been able to discuss this conveyance in person with the designated members of the U.S. Army overseeing the transfer process. Meetings are being scheduled with the U.S. Army to continue these conversations and ensure a timely conveyance. A date has not been scheduled but is anticipated either March or April.

STRATEGIC PLAN

Participation in these meetings will help support the Strategic Plan goal of "Completing conveyance of Army property to the City."

FINANCIAL IMPACT

Approximately \$3,000 in airfare and lodging costs to be paid from the City Council and City Manager travel budgets.

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.5

SECTION 9: CONSENT CALENDAR

Meeting Date: March 12, 2024

Subject: Resolution to Waive the Community Center Rental Fee for the City of Riverbank Historical Society for their Annual Mother's Day Breakfast Fundraiser Event.

From: Marisela H. Garcia, City Manager

Submitted by: Michael Patton, Parks and Recreation Director

RECOMMENDATION

It is recommended that the City Council consider waiver of the Community Center Rental Fee of \$1,700.00 for the City of Riverbank Historical Society for their annual Mother's Day Breakfast fundraiser event contingent on the Historical Society paying a refundable security deposit and transfer \$1,700.00 to the revenues account for the Community Center from the City General Fund.

SUMMARY

The City of Riverbank Historical Society has asked the Parks and Recreation Department to reserve the Community Center for May 19th, 2024 for their annual Mother's Day Breakfast event fundraiser. The Society has also requested that the rental fee of \$1,700.00 be waived as the organization is a non-profit and that the event will be serving the community. The Parks and Recreation Department does not have an approved policy that gives them the authority to waive facility fees and so the department is requesting the city council to do so contingent that the Historical Society provides the city with a refundable security deposit.

In doing so, the Parks and Recreation Department will be following its normal procedures with rentals, which include administrative efforts to ensure the organization has met all of the requirements to rent the facility, as well as provide staff onsite during the event. These costs are typically covered in the rental fee, however, if waived, the department and the facility would operate at a loss to host the event. The Parks and Recreation Department is requesting the City Council to transfer the rental fee cost of \$1,700 to the revenue

account of the community center so that the mentioned costs, plus other miscellaneous costs of using the community center, like utilities, can be covered by the General Fund.

BACKGROUND

The City of Riverbank Historical Society met on February 12th for their monthly meeting. In their monthly meeting, they discussed upcoming events and fundraisers. The group discussed hosting their annual Mother's Day Breakfast and would like to host it at the Riverbank Community Center again like last year. The Parks and Recreation Department does not have an established policy in place that allows the department to waive facility fees for any group or organization, hence the desire to present this item to the City Council for their consideration.

With internal discussions, it has been understood that in prior years, the previous Parks and Recreation Director would present similar items to City Council for their approval. In those discussions, it is also believed that if the City Council has transferred funds from the General Fund to the revenue account for the community center to offset the Parks and Recreation Department's expenses, if it was elected to waive the rental fee.

FINANCIAL IMPACT

The financial impact of waiving the rental fee for the Historical Society would be overhead costs of the group using the facility incurred onto the Parks and Recreation Department. The Department is requesting that \$1,700.00 be transferred from the City's General Fund and placed into the revenues account for the community center to mitigate the department taking on the additional expenditures for the event.

STRATEGIC PLAN

According to the city's Parks and Recreation Master Plan, it states, "when planning programs and services, a department should consider the network of opportunities afforded by other organizations such as nonprofits, schools, other public agencies, and the private sector. Departments should also recognize where gaps in service provision occur and consider how unmet needs can be addressed." Creating the opportunity for the Historical Society, a local nonprofit, to host a community event would fill in 'gaps' that the parks and recreation department is currently unavailable to fill.

ATTACHMENTS

1. Resolution 2024-XXX

CITY OF RIVERBANK

RESOLUTION 2024-

**A RESOLUTION OF THE CITY COUNCIL OF RIVERBANK, CALIFORNIA WAIVING
COMMUNITY CENTER RENTAL FEE FOR THE RIVERBANK HISTORICAL
SOCIETY ANNUAL MOTHER'S DAY BREAKFAST FUNDRAISER EVENT**

**THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS
THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:**

WHEREAS, the City of Riverbank values the contributions of local organizations such as the Riverbank Historical Society to the community's cultural heritage and enrichment; and

WHEREAS, the Riverbank Historical Society has requested the use of the Community Center facilities to host their Annual Mother's Day Breakfast Fundraiser Event; and

WHEREAS, in recognition of the societal and historical significance of the event, the City Council finds it fitting to support the Riverbank Historical Society's efforts by waiving the rental fee for the Community Center;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Riverbank as follows:

Section 1: Waiver of Rental Fee

The City Council hereby waives the rental fee for the Riverbank Historical Society to utilize the Community Center facility for their Annual Mother's Day Breakfast Fundraiser Event on May 19th, 2024, contingent upon compliance with all policies and procedures governing the use of the facility.

Section 2: Refundable Security Deposit

The Riverbank Historical Society shall provide a refundable security deposit in the amount of \$300.00 to the City of Riverbank. This deposit shall be refunded upon satisfactory inspection of the facilities following the event, provided no damages or violations of policies and procedures are identified.

Section 3: Transfer of Funds

The City Council authorizes the transfer of \$1,700 from the General Fund to the Community Center Fund revenues. These funds are designated to offset the costs associated with hosting the Riverbank Historical Society's Annual Mother's Day Breakfast

Fundraiser Event, thereby mitigating any impacts on the Parks and Recreation Department budget.

Section 4: Effective Date

This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 12th day of March, 2024; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Gabriela Hernandez
City Clerk

Richard D. O'Brien
Mayor