

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



TUESDAY, APRIL 9, 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

5. AGENDA CHANGES

No Agenda Changes.

6. CONFLICT OF INTEREST: Any Council/Authority Member or Staff who has a direct Conflict of Interest on any scheduled agenda item to be considered is to declare their conflict at this time.

None Declared.

7. PRESENTATIONS (Informational only)

Item 7.1 Proclamation-National Library Week April 7, 2024- April 13, 2024-

It is recommended that the City Council read and present the Proclamation for National Library Week to Vicky Holt, Library Assistant.

Mayor O'Brien presented the proclamation in recognition of National Library Week to Vicky Holt, Library Assistant.

Item 7.2 **Riverbank Representative Update by Stanislaus Consolidated Fire Protection District Board Director Charles E. Neal-** It is recommended that the City Council receive an update by Director Charles E. Neal the City's representative on the Stanislaus Consolidated Fire Protection District's Board of Directors.

Charles E. Neal, SCFPD Board Director gave an update on the business of the Stanislaus Consolidated Fire Protection District. (See Attached Handout)

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 6:12P.M.

Calvin Campbell, Riverbank Resident since 1986. I was a councilmember for 9 and a half years for District 3. The area I live in has no neighborhood park. A school used to be used as a park until the district fenced in all schools in the district because of vandalism. Three years ago, the former parks and recreation director asked me to walk this area to find vacant land for a neighborhood park for the area. We found a vacant lot over 2 acres on Stanislaus and Jackson Avenue. I brought that back to our city manager at that time. And he went in and tried to see if we could purchase it. At that time, it was not for sale by the out of town owner. Speed on ahead, our former city manager left us. He was replaced by Marisela up there. And I talked with Marisela about keeping on top of looking at the land, which she did, and so about a month after they put it up for sale. I brought that to closed session to the council and we talked about it, and they all agreed. We purchased the land, it was 5 to nothing vote. However, there was a disagreement on what we should do with land, somebody on the council said we should put all tiny little houses. My comment was, I've been looking for a neighborhood park for our area, because there's no school they can go to anymore. And by the way we are getting more children in our area right now. because a lot of people are selling out of our area that are older and moving on. And I didn't have any kids around for about 4 or 5 years. Now I've got about 8 or 10 families around here doing it, and we're seeing it all over. So meanwhile we came to a compromise. Now you listen to this, because 4 of you were there, one of you, was not. We agreed, and the mayor said we'll do it 50/50, 50 for a park, and 50 for tiny homes. I have no problem with that. I think that that's fair and reasonable. I have nothing against the tiny homes, but at the same time I don't think that we need to put it all tiny homes when our area has no, you know, regional neighborhood park. And we need to do something about that. And there's not another lot around there in that particular area. Just to let you know in the Riverbank's parks and recreational plan, it states that a neighborhood park can be 1.5 acres to 10 acres. There should be an acre of land for every 1,000 people. According to that, also. again, I have nothing against tiny homes. They are used correctly as long as they don't interfere with the residential citizens, and I think this is intruding with our residential citizens. We are the only area in this town without a neighborhood park, so I would like for the City Council to bring it back again and phase

the agreement. Why not put just 9 tiny houses on it? and have the acreage there for a park and if you don't find us a park.

Rich Holmer, Riverbank Resident California State has had a park equity program for a long time back in the 60's through the 90's, developers were required to give 10 acres of land for a public park for one, for every 1,000 people. And I'm not quite sure what that is today, or what Riverbank's numbers are, it's been a while since I've been here. But, that up in the 90's, that was still being collected. Also, and this is still a part of this California State equity plan, that park should be within a half mile zone of a thousand people. Our closest park is Zerillo. which is across Patterson, and in that complex over there. Its over a mile, probably a little more than that. You know, District 3, I think, probably has the least number of parks in any district in the area. Up until recently, I can remember, I used to take my daughter over to, you know the Rio Altura that became the Language Academy, and we go over there shoot baskets, soccer team had tryouts. You can't do that anymore because the schools are closed. It can't get to the schools. So that's gone. In fact, we have a partnership with Cardozo School, we paid half of for that gymnasium there, and I certainly hope that we're still getting our fair share out of that like, I said. I don't know. Like, Cal said, I understand that there's going to be an area on Jackson and Stanislaus, which is about 2 and a half acres. And they're building tiny homes. I once again, I don't have a problem with that. But I do think that I've heard that the developer was going to give one twelfth of one acre for a park. Now 1/12 of one acre for a park, my front yard's bigger than that. That's ridiculous. I would think at least 50%, or at the minimum, half acre should to be devoted to the park so that the children, the adults, can have a place to go in our area. We're the only area of the northwest area that does not have another place for a park. The only other option you could have would be to talk to the school district. Because, that's a big yard they have over at Language Academy, and see if they would sell property you for a park. But this seems much easier, since you're already own the property. So, I hope you will listen to what I had to say tonight and reconsider the action so far.

Karen Conrotto, Modesto Resident Once again I'm here to say that I'm opposed to the River Walk Project. On my way over here tonight, there was an accident on the bridge on McHenry to River Road. And it took me half an hour to get here and I took shortcuts that I know that everybody else was lined up. They would have taken them another 15 or 20 min to get here. So, if you put the whatever 6 or 7,000 estimated cars on the road, you know your residents are really fed up with the traffic jams. I think that's something else to consider. You already know my other points of contention with this project.

Olivia Arambula, Owner of Timeless Real Estate here in Riverbank, and I also am a member of your Chamber of Commerce here, Riverbank. I'm just up here today, to let you know about some of the events we have coming up for the Chamber of Commerce. We do have one on Tuesday. April 23rd, at Perko's Café, it's going to be from 4 pm to 5:30 pm. it's a membership drive. So, please come on out support. We'll probably have pie and ice cream like last night, so just trying to involve our Riverbank businesses here, and those who do business in Riverbank to come on out and hopefully join up, be part of chamber, trying to come much stronger chamber. and produce more for all of our small businesses to, you know, keep them more active and more community driven. And then

also we have a multi-chamber mixer on May 2nd, from 5:30 PM. To 7:30 PM. And it is going to be at our 108 Sports Lounge here on Atchison Street. That is going to it's going to be for all the multi-member, all the chambers in our area. We just had one last week where over 100 people attended. So, we're hoping to get at least a good portion of that to our Riverbank business and 108 Sports Lounge, who are also Chamber members as well. So, you're all invited. There'll be snacks. There's stuff to play. There're pool table things like that. I've been looking at pictures, so I'm going to be in there for the first time that day, not sooner. So, thank you so much. Just wanted to invite you guys all out. So, we appreciate you. Come, thank you.

Charles E. Neal, Riverbank Resident I, too, would like to say, you know, I'll back up what they were talking about, a park. We do need one, you all are right.

Dave Romano, I heard that there were props at the last City Council meeting in the public comment. And so, I wanted to kind of watch and see what was said. As you know, I'm in the land use and development business. I've been doing it for 30 plus years. I've had the great pleasure of doing a lot of projects in the city of Riverbank. And so, as we kind of look at the world and we look at what's going on, I always think it's important that there be a few facts that we're able to look at the reality of what's going on. So, I ordered, I didn't really want to do it, but I ordered a book called "The Population Bomb" for those of you that know about the population bomb. It was written in 1968 by a Stanford professor who told us that the battle to feed all of humanity is over, In the 1970's and 1980's, hundreds of millions of people will starve to death in spite of any crash programs embarked upon them. This is one of the premier scientists still today in the United States. And the reality is none of this catastrophe has come to pass. And, so, I think when we look at ag land and ag conversion, how we use our agricultural land. Facts are always important from the 50 years since this book was written from the period of 1970 to 2020, Stanislaus County has grown from about 260,000 residents to about 550,000 residents. The world has grown from about 3.7 billion to 7.8 billion people for both of those that's about a 100 to 110% growth rate. In the same period, based upon the Stanislaus County, Ag. Commissioner's reports. Our harvested acreage in Stanislaus County has increased from 780,000 acres to over 909,000 acres. And our farm value has grown from 232 million to over 3.5 billion a 15-fold increase. When we develop, ag land is paved over. But, our farmers are resilient. They're adaptable. We've continued to find ways, not only to feed the world. But to continue to grow our crops. And so, you would think that even in this window, and the prices of food increasing, that what food costs us at the grocery store would increase. According to the USDA in 1970 we spent about 13% of our budget on food. Today, it's about 10%. So, we continue to produce food. We continue to grow crops. We continue to use our land more effectively, and we continue to get cheaper and better food. Even with an increase in how much we eat out. So, I think it's important that when we look at land we understand that we need to use the land to benefit all the people.

Randy Richardson, I just wanted to remind everybody that our Love Riverbank event is coming up April 27th. It'll begin at 8 in the morning at the Community Center Park. And it's really super important that everybody registers online. That it's live right now, it's loveriverbank.com and if you register and you show up we'll give you a T-shirt. We'll give you a meal ticket. You'll be able to have lunch on us anywhere in the Carnival. We'll also

have a cup of coffee waiting for you. I think one of the things I picked up mostly from coming to city council meetings, is that we all love Riverbank. And so, it's just an opportunity for us to come, put some gloves on together, and clean up our communities, our parks and plant trees. So, I just hope everybody just takes a heart, and then not wait till last minute, but register now, so that we can be prepared for you and coming.

Jami Aggers, Modesto Resident, nice attempt on David Romano's part to downplay the loss of agricultural land. With respect to the River Walk, proposed project, you know he is paid for by the project proponent. So, please keep that in mind. I would just like to say that the comments from the public and responsible agencies with respect to the draft environmental impact report for the project will stand on their own merits, and we will just see.

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:28P.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 March 26, 2024.

Item 9.3 **Acceptance** of the Sierra House Remodel Project and Authorization to File a Notice of Completion.

Item 9.4 **Resolution 2024-015** to Award Bid for the Claribel Road Overlay Project to George Reed, Inc. and Authorize Execution of Future Change Orders.

Item 9.5 **Resolution 2024-016** accepting the Public Improvements from SCM Hearthstone, LLC for The Heritage Collection Subdivision.

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 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 HEARING- No Items Scheduled.

11. NEW BUSINESS

Item 11.1 **City of Riverbank 2023 Annual General Plan Progress Report and 2023 Housing Element Annual Progress Report of the City's General Plan Housing Element.** Staff recommends adopting Resolution 2024-XX, adopting the 2023 Annual General Plan Progress Report and ratifying the submittal of the 2023 Housing Element Annual Progress Report to the Governor's Office of Planning and Research and the Department of Housing and Community Development.

Contract City Planner Miguel Galvez and Michael Arroyo, Assistant Planner with J.B Anderson Planning gave a comprehensive staff report and Power Point presentation on the 2023 Annual General Plan Progress Report and 2023 Housing Element Annual Progress Report of the City's General Plan Housing Element.

City Council Discussed item with City Staff.

Jami Aggers, thank you for the opportunity to comment on this item. I'm concerned that the city needs to quote the previous speakers strategically, plan for these dwelling units. But you don't necessarily have to meet or build them again. Another quote from this previous speaker. I'm very concerned that since the year 2016, or for the last 8 years there's been no progress made in the very low- or low-income categories, and even the moderate-income category, with the exception of 5 accessory dwelling units. 597 which you know to your benefit 5 people decided to convert a garage, or, I don't know. Add a second story or another bedroom onto their property, which is, helping you meet your numbers. But you're seriously not meeting your very low, lower, moderate income category numbers. You're making great strides in your above moderate category income levels but you're not making progress in the other income categories. Thank you for your time.

Olivia Arambula, Timeless Real Estate here in Riverbank, and I will say that a lot of my buyers have gotten priced out past few years. If there's anything that I can do, go with you to the different developments, or whatever it is that we need to do to make it more affordable, I would love to be part of that plan to do that, because we do have a lot of people who they wouldn't have been considered low income. But the pricing has just gotten so high, that they have great jobs, and they just can't afford to buy home. There's 2 people in a home that are both working with full time jobs that are great incomes, or maybe it was about 5 years ago. But anything we can do that can that we can come up with, I would just love to be a part of that, because that is what I do. I try to find people homes that are affordable, and forms that they can live in and it can't all be apartments. They need to have homes for their big families. You know, I have 7 kids, an apartment wouldn't have worked for me. So just let me know if there's anything that I can do to help with that program. If there is a sit-in committee or anything you want me to do, I'm here to help with that. So please let me know if you need my help.

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

ACTION: By motion moved and seconded (Uribe / Barber-Martinez 5/0) to adopt **Resolution 2024-017** adopting the 2023 Annual General Plan Progress Report and ratifying the submittal of the 2023 Housing Element Annual Progress Report to the Governor's Office of Planning and Research and the Department of Housing and Community Development.

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

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:

- The City is currently recruiting for a Senior Neighborhood Improvement Officer, who works on addressing code enforcement complaints and issues that are received from residents. Additional information and application are available online. The application period will end on April 29th.
- Reminder to all of our residents that our summer watering schedule has started as of April 1st. So, odd addresses can water on Wednesdays, Fridays, and Sundays even addresses on Tuesdays, Thursdays, and Saturday, both before 10am or after 7pm. No watering on Mondays.
- Thank you to everyone from the City Council and the community that have donated items to our Sierra House Day use facility with the opening of the Sierra House itself. We'd like to encourage everyone to continue to donate. Our Amazon wish list is available on our website.
- And last, but not least, I'd like to thank the Stanislas Latino Chamber of Commerce for all of their efforts in helping our small businesses here in our community. We just recently hosted their business 101 workshop, where the cities of Modesto Ceres, Riverbank and Stanislaus County planning staff provided information on planning and permits that were necessary to start a business here in their jurisdictions. So, please follow our social media for more workshops to come.

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- I am just really inspired by the conversation today. And I feel like just like the tiny home ordinance ADU, we can really lead the way in the county and figuring out some type of policy or ordinance for affordable housing or creating a program, obviously with due diligence. But, I mean the needs of the residents are simple, and I've been having conversations with Marisela, about wanting to present some language to you all. And I would love, you know, if we could be on the same page to support that, to move forward with being intentional, and I don't know if this is

the right word, but aggressive with trying to meet our very low, low, and even moderate-income housing needs.

Councilmember Uribe reported on the following:

- April 15th I'll be having a meeting with MID. Residents kind of asked, so, this will be a very educational meeting for me what it would take to kind of expand services in a Riverbank. So, I'll be asking some questions about infrastructure development, the approvals needed for that, and some financial planning, and see what that kind of looks like for the City of Riverbank*
- April 23rd I'll be hosting a small business meeting at the LRA Building 18. It'll be from 12pm to 1pm, so whether you're a brick and mortar, or just starting up at your house. Please, spread the word. The address is 5300 Claus Road. I'll be joined by Michael from Parks and Rec. So, thank you for being there. German, from SBDC and multiple Chambers will be there as well.*

Councilmember Barber-Martinez reported on the following:

- Stanislaus Homeless Alliance (SHA) meeting is tomorrow, Wednesday from 5:30pm to 7:30pm at 1010 Tenth Street. We will be discussing and looking at homeless prevention strategies for older adults.*

Vice Mayor Jones Cruz reported on the following:

- Nothing to Report.*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- First water goals from the State.: Do we have that determined yet? City Manager Garcia, No, they're still under public comments. So, what the Mayor is referring to is that the State Water Board has been looking at refining water usage within each of the jurisdictions in the State of California. Actually, providing more restrictions as to when water can be used and how much water should be used. So, it will actually look to implement, just like when we had the drought, certain parameters that we will have to decrease our water usage by. Those are out for public comment. Should anybody be interested in receiving those, we can forward those to you, but they have not yet implemented them for Riverbank. What that represents is that they're looking at an almost 50% decrease in water usage. So, we've been talking to the state about how those calculations were made, and looking to make some adjustments to that figure, because 50% is a significant amount to ask our residents to reduce their water usage by.*
- The Air Board to step their board still has or is reimplementing the clean room filters for those who do not qualify for it. There are some areas where you can either purchase the clean room air filters, or places like Costco or Walmart may have the kits available that you could build.*
- I know we have our own bike month. But, May is also bike month for the nation and bike week, I believe, is the second week in May. And if you ride your bike to*

CITY OF RIVERBANK BRIEFING

- SCFPD received the donation of our facility K9, Tank, from Thor's Hope Foundation. Tank has been a wonderful addition to the SCFPD team and has helped provide emotional peer support to not only the SCFPD staff, but he also was able to provide support to staff at Alameda Fire after a tragic incident.
- We welcomed six (6) new Firefighters and two new Captains. We had the pleasure of promoting four (4) Engineers, one (1) Captain, one (1) Battalion Chief, and one (1) Deputy Chief.
 - Promotions:
 - Deputy Chief Clint Bray
 - Battalion Chief Scott Burke
 - Captain Jesse McDaniel
 - Engineer Jordan Abreu
 - Engineer Byron Baker
 - Engineer Dylan Foster
 - Engineer Shawn Summers
 - New Hires
 - Firefighter/Paramedic Dominic Miranda
 - Firefighter Coby Bryant
 - Firefighter Jennifer Saavedra
 - Firefighter Niko Lombrana

work you and sign up. You are eligible for some significant prizes in Stanislaus County through Staniscruise.

13. CLOSED SESSION

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

Item 13.1 PUBLIC EMPLOYMENT
(Pursuant to Government Code §54957)
Title: Director of Community Development

There being no further Public Comments, Mayor O'Brien moved to Closed Session at 7:10 P.M.

Reconvened from Closed Session at 7:21P.M.

14.1 REPORT FROM CLOSED SESSION

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

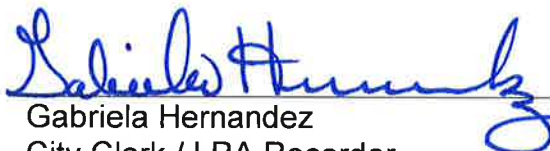
ACTION: *Direction has been provided to staff.*

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 7:21 P.M. to the next regular scheduled City Council / LRA Meeting of April 23, 2024 at 6:00 P.M.

ATTEST: (Adopted 04/23/2024)

APPROVED:


Gabriela Hernandez
City Clerk / LRA Recorder


Richard D. O'Brien
Mayor/ Chair