

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, MAY 14, 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 (ABSENT)

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 **Certificate of Recognition - Older Americans Month-** It is recommended that the City Council read and present Awards of Recognition to nominated Riverbank residents for their service to our community.

Mayor O'Brien and City Council presented gifts and Certificates of Recognition in celebration of Older Americans Month to the nominated residents.

Item 7.2 **Proclamation Declaring May as Asian Pacific American Heritage Month-** It is recommended that the City Council read and present a Proclamation for Asian Pacific American Heritage Month to Yongwei Huang and Winnie Huang, owners of Lucky House

Mayor O'Brien presented the proclamation to Yongwei Huang and Winnie Huang in honor of Asian Pacific American Heritage Month.

Item 7.3 **Proclamation- Mental Health Awareness Month-** It is recommended that the City Council read and present the Proclamation for Mental Health Awareness Month to Las Promotoras with El Concilio.

Mayor O'Brien presented the proclamation to Las Promotoras in honor of Mental Health Awareness Month.

Item 7.4 **Proclamation-National Public Works Week-** It is recommended that the City Council read and present the Proclamation for National Public Works Week to the City of Riverbank Public Works Department for their service to our community.

Mayor O'Brien presented the proclamation to the Riverbank Public Works Department team in honor of National Public Works Week.

Item 7.5 **Proclamation- National Bike Month May 2024-** It is recommended that the City Council read the Proclamation for National Bike Month May 2024.

Mayor O'Brien read the proclamation in celebration of National Bike Month 2024.

Item 7.6 **Presentation- Cheese and Wine Festival 2024 Update-**It is recommended that the City Council receive a presentation from Michael Patton, Parks and Recreation Director.

Director of Parks & Recreation Patton gave a presentation on updates and information for the upcoming 2024 Cheese & Wine Festival.

Item 7.7 **Presentation-Sierra House-** It is recommended that the City Council receive a presentation on the Sierra House Remodel Project and the Cambridge RESTART Program.

City Manager Garcia gave a PowerPoint Presentation on the Sierra House Remodel.

Karen Mitchell Modesto Resident asked: So how long are people in the program? And does the program involve mental health services, alcohol and drug services? And I imagine some kind of commitment to sobriety. And I'm also curious about the various funding streams. I'm just so grateful that something like this has come to our community. Thank you.

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 7:02 P.M.

- Olivia Arambula with Timeless Real Estate and member of Riverbank Chamber of Commerce. I'm here on behalf of Chamber of Commerce tonight. We want to invite you to an event that we are having on June 13th from 5:00pm to 7:30 pm. It is a Riverbank business expo. Besides that we are trying to have all the businesses here come and showcase their business. So, all business owners and family members of people who own businesses come out. We are just trying to showcase, put a little more love into Riverbank and try to encourage economic growth with our own businesses here in town.*
- Jami Aggers resident of the unincorporated area, Stanislaus County, commented regarding River Walk Project close of public comment ending on May 16th at 5pm. Would like to request more time for public comment, traffic study is over 100 pages it's a lot of information to digest. Traffic study should have come out either before or with the EIR.*
- Betsy Walton, Modesto Resident commented, I would like to encourage Council to extend deadline for the EIR, due to traffic study. 10 days is just not enough time. Second, don't recall seeing a Spanish version for the traffic report or a Spanish version for volume 2 of the EIR.*
- Kent Mitchell, Riverbank Resident, commented on the River Walk Development. I don't think it's the type of housing development that's really needed for the area. Especially right at the heels of Crossroads West. They put on a good presentation, I was here the night they did. Even if you like that type of development it's not the right location for it. Besides the flood plain and impact to the river to animals in the area, the traffic is going to be horrendous. That's a big problem. People who live near the area and the construction their quality of life they're really going to be hurt by it.*
- Karen Mitchell, Riverbank Resident commented, on the flood plain issue. So, my research has shown me that there's general agreement now amongst climate scientists. That though they cannot predict the annual rainfall in any one area, they can say that there's going to be more intense precipitation everywhere. I was*

looking at records from Modesto Irrigation District, which has been recording annual rainfall since I think 1888. And 3 of the highest 6 daily rainfall have been in the last 10 years. So, these intense precipitation events are obviously, where a lot of flooding can come. And we're already seeing a rise in flooding in California. Around Oroville dam and downward of that they had to recently evacuate over a hundred thousand people. So, the other issue with this intense precipitation is that this will really affect the earth and levees. They will be subject to a lot of erosion and repair, and possibly even breakdown. It does not make sense at this time; all the climate scientists say we're going to be facing more intense precipitation events that we would actually start building on floodplains. And then in terms of just the way the development sits. If there is an emergency, there is only 2 major exits for these 2,400 to 3,000 homes. I can just see disaster. Don't want to see anybody put at such risk.

- Karen Conrotto, Modesto Resident, I agree with the previous speakers that we would like to request an extension for the timeline to respond to the draft EIR for the traffic study and Spanish translation, which you guys are really careful about doing. I want to bring up the traffic issue. We've had a horrendous accident. I am sure you have read about the head on accident that occurred about a month ago. There is daily speeding and passing in the center lane. The traffic report that you do have improved roads, but there's no timeline for that, and what I've seen with developments over and over again is that they promise whatever it is, you know a park for the kids or good traffic roads and its decades before that occurs. So, those are some of the concerns. Also, the flood plain issue continues over the years, in 1997 with that flood there was a lot of seepage, so there's not always a chance for flooding by going over the berm the levy or the erosion if they're not maintained well enough. There's also the seepage, and there was enough seepage in 97 that they had pumps to pump the water off the land and back into the river. These levees that exist right now are about 70 years old, and I don't know that they've been maintained at all. They were made to reserve to protect the Ag. Land, not to protect residents. So that's a different issue, of course for the need to have a stronger levy. The other issue that I want to bring up is that the draft EIR has a lot of missing information and vague information. You'll be receiving, and have received that information, either correcting or expanding on the information that's in the report and I hope that you read that carefully. Research it, listen to it, evaluate it. This is the wrong place for the project and you do have land available that you can place this in a different spot. You might have to change the plans a little bit, but to destroy this prime Ag land. Once it's paved over, it's paved over forever, and this is land that the farmers themselves and the people that work the land know how valuable it is. How unique it is for the world for the food quality.

There being no further public comments, Mayor O'Brien closed the Public Comment period 7:15 P.M.

9. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council/LRA Board unless requested by an individual Council/Authority Member or member of the public for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by motion of the City Council/LRA Board.

Item 9.1 **Waive Readings.** All Readings of ordinances and resolutions, except by title, are waived.

Item 9.2 **Approval** of the City Council and Local Redevelopment Authority Board Minutes for April 23, 2024.

Item 9.3 **Authorization** for Out of State Travel for Council Member Rachel Hernandez to Attend the 2024 Asian Pacific American Leadership Foundation National Summit in Las Vegas, NV June 19-21, 2024.

Item 9.4 **Resolution 2024-025** to Award Bid for the Crossroads Elementary School Raised Crosswalks Project to RF General Engineering, Inc. and Authorize Execution of Future Change Orders.

Item 9.5 **Resolution** to waive the Rental fees for the Chamber of Commerce to use the Community Center.

Item 9.6 **Resolution** to waive the Rental fees for the Juneteenth event for the use of the Community Center Park Gazebo and Community Center.

Councilmember Uribe asked to pull item 9.5 & Item 9.6 for further discussion.

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

ACTION: *By motion moved and seconded (Uribe/O'Brien 4/0) to approve the **consent calendar** with the exception of items 9.5 & 9.6.*

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

Item 9.5 **Resolution 2024-026** to waive the Rental fees for the Chamber of Commerce to use the Community Center.

Item 9.6 **Resolution 2024-027** to waive the Rental fees for the Juneteenth event for the use of the Community Center Park Gazebo and Community Center.

Councilmember Uribe, suggested a policy be prepared by the Director of Parks & Recreation, possibly with the help of the Advisory Committee. To establish a policy for these type of request for event fee waivers. The requestor should cover some of the staff time, a flat fee of \$100 for these two events now, until we can come up with a policy.

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

ACTION: *By motion moved and seconded (Uribe / O'Brien 4/0) to approve **item 9.5 & item 9.6 including the \$100.00 flat fee for staff time.***

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

10. PUBLIC HEARING

The Public Notice For item 10.1 was published on 04/24 & 05/24 in the Riverbank Newspaper.

Item 10.1 **Resolution Authorizing a 9.4% Inflationary Adjustment Increase to the City of Riverbank System Development Fees Based on the Construction Cost Index to be effective May 15, 2024.-** It is recommended that the City Council consider adopting a resolution authorizing a 9.4% Inflationary Adjustment increase to the City of Riverbank System Development Fees (also known as Development Impact Fees) based on the Construction Cost Index.

Assistant City Manager Alcantor gave a comprehensive staff report and PowerPoint Presentation on the 9.4% Inflationary Adjustment increase to the City of Riverbank System Development Fees (also known as Development Impact Fees) based on the Construction Cost Index.

City Council discussed the item with staff.

Mayor O'Brien opened the Public Hearing at 7:24P.M.

Mayor O'Brien closed the Public Hearing at 7:24P.M.

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

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe 4/0) to approve **Resolution 2024-028** Authorizing a 9.4% Inflationary Adjustment Increase to the City of Riverbank System Development Fees Based on the Construction Cost Index to be effective May 15, 2024*

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

11. NEW BUSINESS

Item 11.1 **Resolution to Appoint Seabre Dillard, Sammi Martinez, Sara Malough, Alex Rodriguez, and Corinna Romo to the Parks and Recreation Advisory Committee-** It is recommended that the City Council appoint Seabre Dillard, Sammi Martinez, Sara Malough, Alex Rodriguez, and Corinna Romo to the Parks and Recreation Advisory Committee.

Director of Parks & Recreation Patton gave a comprehensive staff report and PowerPoint presentation on the candidates for appointment to the Parks & Recreation Advisory Committee.

City Council Discussed item with City Staff.

Mayor O'Brien opened Public comment at 7:29P.M.

Mayor O'Brien closed public comment at 7:29 P.M.

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

ACTION: *By motion moved and seconded (Uribe /Hernandez 4/0) to adopt **Resolution 2024-029** to appoint Seabre Dillard, Sammi Martinez, Sara Malough, Alex Rodriguez, and Corinna Romo to the Parks and Recreation Advisory Committee.*

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

- *Congratulations to the Central Valley Community Resources nonprofit from the City of Riverbank, who is the Honoree this year of having been selected as nonprofit of the year for the California Senate district, for by Senator Marie Alvarado Gill. So, congratulations to Councilmember Barber-Martinez, and all of her CVCR staff and employees that provide such a wonderful service to all of our residents.*
- *Welcome Joshua, as his first official City Council meeting as Director of Community Development. So, welcome, Josh.*
- *Thank you to all of the city staff that also participated and was involved in Love Riverbank in particular to Jessica Barragan, who organized our annual health fair, and to the parks and rec staff, who participated not just as part of Love Riverbank, but also as part of the Founders Day carnival. So, thank you to them.*

- *All City offices will be closed on Monday May 27th in honor of Memorial Day. Please join us that day at the Mayor's Memorial Day event at the Riverbank Community Center.*
- *Join us for Food Truck Fridays every Friday this month. The event is being held at our sports complex from 5:00pm to 8:00pm.*
- *Currently there is a request for proposals for food vendors at Jacob Myers Park, available through our Parks & Recreation Department, we will be selecting a contractor for City Council to approve that will be allowed to sell food within the park itself.*
- *The Riverbank Historical Society is holding their after-Mother's Day breakfast this Sunday from 9am to 1pm at the Community Center. Tickets can be purchased at the Museum on Saturday, or here at City Hall or at the door. It's \$20 for adults and \$10 for children, ages 6 to 12, and anyone under 5 is free.*
- *Finance staff has released a request for proposals that seeks investment advisory services. These services are aimed at aiding in investment strategies, conducting cash flow analysis and establishing 115 Trust. The primary objective is to ensure the city achieves a reasonable rate of return on investments rather than maximizing income generation which could expose the city to some unacceptable risk. Proposals must be submitted by June 6, 2024 to our Assistant City Manager.*
- *Updates have been made to the online application for utility services that now allows the submission of required documents for new accounts which facilitates starting new accounts for our residents, where they no longer have to come into the office to be able to start services or have to do that via email. They can do it all from our online portal.*
- *Utility shutoffs for nonpayment originally scheduled for today, have been postponed to Tuesday, May 21st due to a high volume of accounts and scheduling conflicts.*
- *Lastly, the finance staff is presently focused on enabling online acceptance of new business licenses updates to existing business information and renewals. These features are expected to roll out by June 1st.*

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- *Love Riverbank, Founders Day carnival was a lot of fun. So, thank you to all the staff putting that together.*

- *The Sister City committee had a dunk tank out there, and I was surprised at how much people wanted to dunk all of us. We raised a little over \$500 to support a student hopefully next year to participate in some learning experiences with the sister city program.*
- *RLA had their cultural event, and there's a lot of fundraisers going on. So, I just wanted to say, there's always a way to participate and to support Riverbank.*

Councilmember Uribe reported on the following:

- *I just want to highlight one service that the Stanislaus County Library is offering if you haven't been or not aware of the program, it's called Zip books. So, if you are trying to rent out a book or an audio book at the library, and they don't have it in the catalog, you can actually go to the website and request the book, and it will be delivered to your house for free. They are using Amazon Prime. I've tried it already it's pretty quick and then you have it for 6 weeks, and then you just return it back to the library and then it's entered into the catalog for the rest of the residents to use. It's all being funded through the California Library Services Act. I think it's just a great way to stock our library*
- *I've asked Staff to put on the May 28th agenda item a little recognition for the Love Riverbank Committee. Randy, John, Don, and Miner did an amazing job and so please spread the word hope they can be here. I know John was here briefly I know he had things to do, though. But please spread the word love to see you guys at the next meeting, and please spread the word, show these guys some love, and they did a ton of work, and so I think they deserve a little bit of recognition for that. T*

Councilmember Barber-Martinez reported on the following:

- *Thank you to everyone that made cookies for Love Riverbank for our first responders and all of our city departments. I got great feedback from everyone. This year was the first time I had so many volunteers that made cookies. So, I just want to say Thank you! Thank you! Thank you! And they were all delicious. I tried to taste each and every one of them.*
- *I attended one of our Taco Truck Friday events, and I just want to mention that it was a great selection of different types of food. Our families were out enjoying the Friday evening, and also the weather. I just want to thank Janette and our Parks and Rec. Department for coming up with creative new events for us to have fun and to, you know, enjoy ourselves in Riverbank.*

Vice Mayor Jones Cruz reported on the following:

- **ABSENT**

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- I just want to mention the governors may revise will affect a lot of the services that we just patted ourselves on the back on. The help, the homeless, the underserved. It's going to be very difficult to going back to business as usual. Going back like 2017 with funding is going to be extremely difficult. We're committed. So, we have to be creative. And I know we will be when we get a new budget in a couple of months.*

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 7:38 P.M. to the next regular scheduled City Council / LRA Meeting of May 28, 2024 at 6:00 P.M.

ATTEST: (Adopted 05/28/2024)

APPROVED:


Gabriela Hernandez
City Clerk / LRA Recorder


Richard D. O'Brien
Mayor/ Chair