

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 28, 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** – Vice Mayor / Vice- Chair Jones Cuz 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.*

Councilmember Barber-Martinez, Vice Mayor Jones Cruz, and Mayor O'Brien declared a conflict with Item 9.6-E: Crossroads Landscape and Lighting Resolutions. Mayor O'Brien stated there would be a lot drawn to choose what councilmember would discuss item and vote.

7. PRESENTATIONS (Informational only)

- Item 7.1** **Certificate of Recognition – Love Riverbank Committee** - It is recommended that the City Council read and present a Certificate of Recognition to the Love Riverbank Committee members Randy Richardson, John Pimentel, Dawn Standart, and Mynor Merlow.

Mayor O'Brien presented certificates of recognition to the Love Riverbank Committee and its organizers, Randy Richardson, John Pimentel, Luis Uribe, and Michael Patton.

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 6:07 P.M.

- Milt Treiweiler, I have lived in Stanislaus County all my life. The best farmland in the world is right here in Stanislaus County. The soil in the proposed Riverwalk Project area are young fertile soils. The climate in Stanislaus County is ideal for growing food. MID and TID is the only area with enough water to grow farm crops on for hundreds of years. The proposed Riverwalk sphere of influence is 2.4 square miles in size that's larger than the entire city of Hughson. It's as large as the entire city of Waterford. This would be a disaster for all the people of Riverbank. You are the ones who will be the losers. I've talked to hundreds of your citizens, and 85% or more are against it. Many of them understand that this will destroy prime farmland. It would also change the very reason many of you choose to live here. You want to live in a nice, peaceful city, not a Stockton, California. You want reasonable water and sewer rates. So, what's the reason this proposal will come to you for a vote. It's because a few people worship money, power and pleasure. Council members you can see through this scam. Your neighbors don't want this, and you know this is bad. Don't be intimidated, bribed, or blackmailed and devoting for this. This project will not help you and your neighbors. It's just a plot for a few people to make lots of money by bringing in people from other areas. We need food to stay alive. This is just a fact and reality. We need to think about our children and our descendants and their wellbeing. Don't let a few people's selfish desires control you. There's plenty of land in Stanislaus County to build houses on that's not suitable for farming. The land west of Interstate 5 is just right, right next to the freeway and they can travel to the Bay area with ease. This proposed development is not for the people of Riverbank. Keep Riverbank great and vote against this proposed project. Think of your children and your descendants first. I have a handout that was given to you. If you look at this side of the handout, they have the handout? Didn't you give it to them? What? Okay, you're going to get a handout this side of the handout right here describes the area. The green area is assessed farmland. All of the area in this area, except for the Gun Club and Morris nursery and a little bit of that truck place is farmland, even the area that's in the corner,*

which is the Solar Farm. That's really farmland. The lease on that expires in 2036, and then we can tear that down and put farmland in there. On this side of it you will see the actual land. There are actually cherry trees there. There are almond trees there. There are walnut trees there are this last year they had watermelons in that entire area. There's no fallow land in this area it's used. and that's the important reason why you need to think of your so your children and the future, and not be swayed away by other people. (See Attached Handout)

- *Olivia Arambula, owner of Timeless Real Estate here in Riverbank. I am part of your Riverbank Chamber of Commerce here on behalf of Chamber of Commerce tonight. We have invited you guys to and all the public to our Riverbank business expo that is taking place on June 13th here at our Riverbank community center from 5 pm. to 7:30 pm. So, reminding everybody to come, we're also looking for businesses to actually join and be a part of the event. We started doing sign ups today for businesses who are interested. So, if you or anyone you know is please send them our way. We do have a flyer that we can distribute and you can call me or any chamber member to get you connected to be part of that event. Again, all of our businesses that are here in Riverbank would be great if everybody came and represented, and just show everybody what you have and have to offer our community trying to keep Riverbank businesses strong, and would like everybody, to be a part of that.*
- *Jami Aggers, Modesto Resident, unincorporated area of Stanislaus County outside the City of Riverbank, but within the proposed Riverwalk project area. You have heard from me many times. I am here this evening to talk to you about the environmental impact report and the comment period that just recently closed. Which I'm sure you're aware of. What I don't know if you're aware of is how overly broad the environmental impact report is and was, and when I say overly broad, what I mean is, there were several in fact, too numerous to mention several parts of the EIR that weren't covered at all in some cases were broad, brushed, or skimmed over and I was able to review a lot of the comment letters from responsible agencies, and so on that pointed these many areas out. I'll just give you a few examples, one of which was the sustainable Groundwater Management Act that wasn't demonstrated in the EIR that has been met completely glossed over that one of the aspects was the levy, which is a main component of this project. and there were no details about the levy. There was no diagram showing where the levy is. How long it is. It's 70 years old or more. No details about what kind of shape it's in, how it's been maintained. And many, many more details, including one of the requirements of the state department of fish and wildlife, which is to survey all of the impacted area, and not all of the acreage was surveyed for wildlife and other fish and wildlife concerns, including the 5-acre cherry orchard, which is owned by the project proponent, and where Coffee Road would be pushed through to McHenry. So why, they wouldn't survey a 5-acre parcel that they own is beyond my comprehension. So, I just wanted to point out to you that there are a lot of deficiencies in the EIR and it's going to be difficult, if not impossible for a*

governing agency like yourselves to certify it as complete when it comes before you.

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:15 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 May 14, 2024.

Item 9.3 **Resolution 2024-030** to Award Contract for Jacob Myers Park Food Vendor

Item 9.4 **Resolution 2024-031** to Approve and Adopt 2024 City of Riverbank Measure L Expenditure Plan Revised Project List

Item 9.5 **Resolution 2024-032** Adopting a List of Projects for Fiscal Year 2024-2025 Funded by SB 1: The Road Repair and Accountability Act of 2017

Item 9.6 **Resolutions** for each of the Lighting Districts to: 1) Initiate Proceedings for the Annual Levy of Assessments; 2) Declare Its Intention to Levy Annual Assessments; and 3) For Preliminary Approval of the Annual Levy Report for Fiscal Year 2024/2025. The Landscape and Lighting Districts are:

9.6-A: Consolidated Landscaping and Lighting District
Resolution 2024-033, Resolution 2024-034, Resolution 2024-035

9.6-B: Ridgewood Place Landscaping and Lighting District
Resolution 2024-036, Resolution 2024-037, Resolution 2024-038

9.6-C: River Cove Landscaping and Lighting District
Resolution 2024-039, Resolution 2024-040, Resolution, 2024-041

9.6-D: Sierra Vista Estates Landscaping and Lighting District
Resolution 2024-042, Resolution 2024-043, Resolution 2024-044

9.6-E: Crossroads Landscaping and Lighting District

Item 9.7 **Resolution** for Each of the following Storm Drain Maintenance Districts Declaring its Intention to Levy and Collect Annual Assessments for Fiscal Year 2024/2025. The Storm Drain Maintenance Districts are:

9.7-A: Riverbank Storm Drain Maintenance District No.2006-01 (Heartlands) **Resolution 2024-045**

9.7-B: Riverbank Storm Drain Maintenance District No.05-01 (Sterling Ridge) **Resolution 2024-046**

Item 9.8 **Resolution 2024-047** to Reimburse SCM Hearthstone LLC for Additional Work at The Heritage Subdivision.

Item 9.9 **Resolution 2024-048** Calling and giving notice for the holding of a General Municipal Election to be held on Tuesday, November 5, 2024, for the city wide election of a mayor and the by-district elections of Councilmember District 2, and Councilmember District 4, as Required by the Provisions of the Laws of the State of California Relating to General Law Cities; to request the Stanislaus County Board of Supervisors to permit the County Elections Official to render election services to the City of Riverbank; and to request the Consolidation of said Election with the statewide General election held on the same date.

Mayor O'Brien Pulled Item 9.6-E Crossroads Landscape & Lighting District due to conflict of interest.

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 9.6-E**.*

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

Drew a lot the lowest number drawn stayed for the item consideration. Lowest number was drawn by Vice Mayor Jones Cruz.

Mayor O'Brien and Councilmember Barber-Martinez recused themselves from the dais at 6:20 P.M

Item 9.6 **Resolutions** for each of the Lighting Districts to: 1) Initiate Proceedings for the Annual Levy of Assessments; 2) Declare Its Intention to Levy Annual Assessments; and 3) For Preliminary Approval of the Annual Levy Report for Fiscal Year 2024/2025. The Landscape and Lighting Districts are:

**9.6-E: Crossroads Landscaping and Lighting District
Resolution 2024-049, Resolution 2024-050, Resolution 2024-051**

There being no public comments Vice Mayor brought the item back to City Council.

ACTION: *By motion moved and seconded (Hernandez / Uribe 3/0) to approve **Item 9.6.E. Three (3) Resolutions for the Crossroads Landscape and Lighting District.***

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

AYES: Uribe, Hernandez, Vice Mayor Jones Cruz

*NAYS: None / ABSENT: None / ABSTAINED: Mayor O'Brien,
Barber-Martinez*

Mayor O'Brien and Councilmember Barber-Martinez returned to dais at 6:21 P.M.

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

City Manager Garcia reported on the following:

- The last food truck Friday is happening this Friday, May 31st at the Riverbank Sports complex on Morrill road, and that is from 5 to 8 PM. So please join us that day.*
- Thank you to all of our residents for your patience as there is continual construction happening on Oakdale and Claribel roads in anticipation of the grand opening of Costco. For our residents and for Council as well you can register on the city's website to receive email or text notifications of traffic control alerts that are posted on our homepage. You can click on the Notify Me button, which is located under the alert section to register. And that is all from staff.*

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- *Attended the graduation for Riverbank Language Academy and Riverbank High School. So, I want to say congratulations to all the graduates.*
- *Last week I spent 11 hrs. with our local firefighters doing a ride along. It was really interesting, really eye-opening, you know, we understand what they do, but the level of skill and talent and passion that they have for everything that they do even the smaller calls, was really evident. So, I'd really recommend anybody to go and at least just visit them and chat with them because they are doing amazing work.*

Councilmember Uribe reported on the following:

- *No Comments.*

Councilmember Barber-Martinez reported on the following:

- *Attended the unveiling of the parking sign for active military and veterans in front of the Community Center and I was telling everyone that my family, my father was in World War II, and my brothers one was in Germany, and also Vietnam he was in the army, and another one was in the Air Force. But in talking to my family I forgot that my grandfather was in World War I. So, we're just looking at, you know, family of active military, and it's in my blood. I didn't join the service, but you know I always take the opportunity to say thank you to my family members, and to those even that I don't know. But you know, to all military and women, too, and friends and family.*
- *Central Valley Community Resources, or CVCR, we are planning our bike rodeo health and safety fair, which will be July 10th 5:30pm-8:00pm at our Plaza del Rio. And then I just want to say, also, please remember to drive safely school is out and children are out playing.*

Vice Mayor Jones Cruz reported on the following:

- *Thank you for that update about the traffic. I would just like to send out a friendly reminder mainly to myself, to remember to be kind and show a little patience out there on those roads with all the construction workers, you know, we're all trying to get to work, and sometimes it's a little more frustrating than others. But it will not always be like that even if it looks like it will. I was driving through today, going okay, there's some turn lanes, and it'll be nice once it's all finished. So that reminder was for myself to remember, too.*
- *I just wanted to commend and congratulate all the graduates of 2024 and commend you on a job well done.*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- *I have to remind myself about the traffic, but when you have a lane closed all the way down with no turning possibilities it makes for a rough start in the morning. So, I found a new way of getting around it but I think we could be a little bit more judicious but that being said, it's almost done.*
- *I want to thank the staff and all the others that participated in the Memorial Day. That was a beautiful dedication, and I want to thank everyone who had a part in that.*

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 6:26 P.M. to the next regular scheduled City Council / LRA Meeting of June 11, 2024 at 6:00 P.M.

ATTEST: (Adopted 06/11//2024)

APPROVED:


Gabriela Hernandez
City Clerk / LRA Recorder


Richard D. O'Brien
Mayor/ Chair



Legend

Project Area	Residential Single Family
Specific Plan Area	Agricultural
Assessor Parcel Boundary	Commercial
City of Riverbank	Office
	Miscellaneous

Source: Stambaugh County GIS Parcel Data 7/24/2020. Map Date: June 20, 2023.

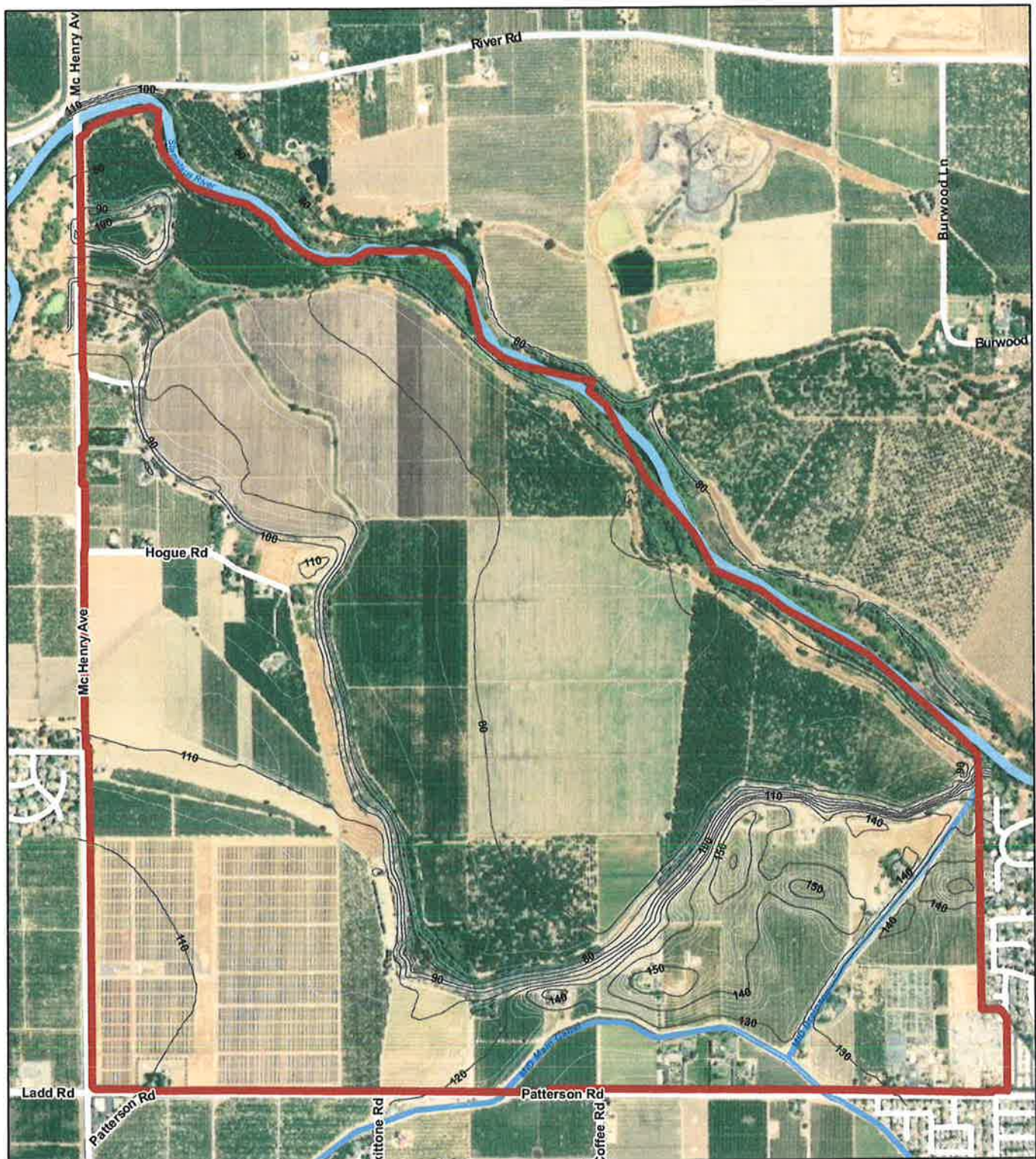
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RIVERWALK SPECIFIC PLAN

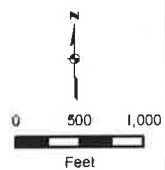
Figure 2.0-6. Assessed Land Uses

De Novo Planning Group
3101 West Training, Fort Collins, CO 80501-1000



Legend

- Project Area
- 2-ft Elevation Contour
- 10-ft Elevation Contour



RIVERWALK SPECIFIC PLAN

Figure 2.0-4. Topographic Map

Source: Stanislaus County GIS; ArcGIS Online World Imagery
Map Services 6/10/2021, May 2021, July 2, 2022

De Novo Planning Group
A Local Area Planning, Design, and Environmental Firm