

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, JULY 23, 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 Health Center Week – August 4-10, 2024-** It is recommended that the City Council read the Proclamation for National Health Center Week – August 4-10, 2024; and present to Golden Valley Health Centers.

Mayor O'Brien read and presented the proclamation for National Health Center Week for August 4-10, 2024 to Yamilet Valladolid, Director of Government Affairs and the Golden Valley Health Centers staff.

Item 7.2 **Certificate of Recognition** – Riverbank High School Graduating Class of 1971-It is recommended that the City Council present a Certificate of Recognition to the Riverbank High School Graduating Class of 1971.

Mayor O'Brien read and presented a Certificate of Recognition to the representatives of the Riverbank High School Class of 1971.

Item 7.3 **Introduction – Beckie Robbins, Assistant Finance Director-** Staff to introduce Beckie Robbins, the City's new Assistant Finance Director.

Assistant City Manager Tammy Alcantor, introduced to the City Council and Community the new Assistant Finance Director, Beckie Robbins.

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 6:20 P.M.

Vicky Holt, Branch Manager at the Riverbank Library to provide an update of upcoming events.

Karen Conrotto, Modesto resident opposed to the Riverwalk project.

Gretchen Brown, Riverbank resident opposed to the Riverwalk project.

Olivia Arambula, Riverbank Chamber of Commerce to provide an update of upcoming events. To seek support on collaborating with ribbon cutting events.

Jami Aggers, Modesto resident opposed to the Riverwalk project. Spoke about signatures for the ballot initiative.

Garry Pearson, Riverbank resident opposed to the Riverwalk project submitted written public comment (as attached).

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:33 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 June 25, 2024.
- Item 9.3** **Acceptance** of the Crossroads Elementary School Raised Crosswalks Project and Authorization to File a Notice of Completion.
- Item 9.4** **Authorization** for Out of State Travel Request to have Finance Staff Attend the Caselle Training in Provo, UT.
- Item 9.5** **Resolution 2024-072** to Award and Authorize City Manager to Enter into Professional Service Agreement for Construction Management and Inspection Services with NV5, Inc. for the State Highway 108 (Callander Avenue) Reconstruction & Crosswalk Project.

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 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

The Public Notice for item 10.1 was published on July 10th in the Riverbank Newspaper.

The Public Notice for item 10.2 was published on July 10th & July 17th in the Riverbank Newspaper.

- Item 10.1** **First Reading by Title Only and Introduction of Proposed Ordinance Amending Sections 120.60 and 120.62 and Adding Section 120.63 to Chapter 120, Cannabis Regulations of Title XI, Business Regulations, of the Riverbank Code of Ordinances Related to the Appeal of Administrative Penalties for Cannabis Regulations-** It is recommended that the City Council conduct the public hearing for the first reading of the proposed ordinance, waive further reading, read by title only, and introduce for first reading an ordinance of the City Council of the City of Riverbank amending Section 120.60 and 120.62 and adding Section 120.63 of Chapter 120, Cannabis Regulations, of Title XI, Business Regulations, of the Riverbank Code of Ordinances related to the appeal of administrative penalties for violations of cannabis regulations.

Director of Community Development Mann, gave a comprehensive staff report and power point presentation on the First Reading by Title Only and Introduction of Proposed Ordinance Amending Sections 120.60 and 120.62 and Adding Section 120.63 to Chapter

120, Cannabis Regulations of Title XI, Business Regulations, of the Riverbank Code of Ordinances Related to the Appeal of Administrative Penalties for Cannabis Regulations

City Council discussed the item with staff.

Mayor O'Brien Opened the Public Hearing at 6:42 P.M.

Olivia Arambula: Riverbank resident, to seek clarification regarding Item 10.1 property owner responsibility.

Mayor O'Brien Closed the Public Hearing at 6:43 P.M.

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

ACTION: *By motion moved and seconded (Jones Cruz / Uribe 5/0) to **approve the First Reading** by Title Only and Introduction of Proposed Ordinance Amending Sections 120.60 and 120.62 and Adding Section 120.63 to Chapter 120, Cannabis Regulations of Title XI, Business Regulations, of the Riverbank Code of Ordinances Related to the Appeal of Administrative Penalties for Cannabis Regulations*

*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*

Item 10.2 **Public Hearing for Proposed Solid Waste Rate Increase-** It is recommended that the City Council consider adopting a resolution approving a 3.8% Consumer Price Index (CPI) increase in rates for solid waste disposal services pursuant to the executed franchise agreement with Gilton Solid Waste, Inc.

Assistant City Manager Alcantor gave a comprehensive staff report and PowerPoint presentation on the proposed solid waste rate increase of 3.8% Consumer Price Index.

City Council discussed the item with staff.

Mayor O'Brien Opened the Public Hearing at 6:53 P.M.

Olivia Arambula, Riverbank resident, Opposed to Item 10.2

Mayor O'Brien Closed the Public Hearing at 6:55 P.M.

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

ACTION: By motion moved and seconded (Uribe / Jones Cruz 4/1) to adopt **Resolution 2024-073** approving a 3.8% Consumer Price Index increase in rates for solid waste disposal services pursuant to the executed franchise agreement with Gilton Solid Waste, Inc.

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

11. NEW BUSINESS

Item 11.1 **Designation of a Voting Delegate and Alternate(s) to Attend the 2024 League of California Cities Annual Conference-** It is recommended that City Council designate a member of the Council as the Voting Delegate, plus one or two alternates. They will attend the 2024 League of California Cities Annual Conference and Expo, to be held in Long Beach on October 16-18, 2024, and will participate in the Annual Business Meeting for the consideration of resolutions that establish Cal Cities policy. The City Council is to ratify the designations by roll call vote.

City Manager Garcia gave a comprehensive report on the designation of a City Council member as the Voting Delegate, plus one or two alternates that will attend the 2024 League of California Cities Annual Conference and Expo and will participate in the Annual Business Meeting.

City Council Discussed item with City Staff.

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

ACTION: By motion moved and seconded (Jones Cruz / Uribe 5/0) to approve Councilmember Darlene Barber-Martinez as the primary voting delegate and Mayor Richard O'Brien and Councilmember Rachel Hernandez as the alternates

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

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:

- A reminder to both the city council and our residents that our housing element update workshop is next Wednesday, July 31st that's going to be at 6:00 P.M. In the Community Center. This one is for residents, and members of the public to provide feedback that could impact future policies that are set by the city council. Now in August there'll be a second meeting or workshop that's scheduled, and this one will be tailored to stakeholders like developers who build homes and affordable housing, so that will be scheduled for some time in August.
- This Friday and Saturday we have a free compost giveaway from 8 to 12 P.M. at 3134 Sierra Street. Resident should bring their own shovels, containers, or buckets to load their own material, and if you do bring a pickup truck we do ask that they tarp their load to avoid it spilling into the street.
- Movies in the park is this Saturday. It will be our last one for the season. We'll be showing the movie Matilda. The movie starts at dusk. Bring your blankets, your chairs, and your snacks, so that you can enjoy a movie with us.
- Next Tuesday is going to be the final Tuesday market, scheduled from 6 to 9PM. Here in downtown.
- August 2nd is the Riverbank night at the Modesto Nuts. The Nuts are planning a fun activity for council in between innings. So, I look forward to seeing you all there. We'll share more details later about where we're going to meet. And the game does begin at 7 P.M.
- With school ready to start. The teen center is going to reopen its doors on August 5th.
- And with the heat we do want to remind our residents that we do have cooling centers throughout the city. The community center is open Mondays, Tuesdays, and Thursdays from 9 to 1 P.M., and Fridays from 10 to 2 P.M. That is our senior meal period.
- A community pool is open from Monday, through Friday, from 1 to 3:30 P.M., and on Saturdays from 10 to 4 P.M. There is a \$3 charge for that.
- And then our library, as Vicki mentioned earlier, is open Mondays and Tuesdays from 10 to 8 P.M., Wednesdays from 12 to 8 P.M., and Thursdays from 10 to 8 P.M. They are not open on Fridays.
- **Chief Ridenour:** Just want to remind our residents and Council National Night Out is Tuesday, August 6th just 2 weeks away from now. We'll be out at Silva Park from 5 to 8 P.M. We have free food, free sweets provided by some of our local nonprofits, a lot of specialty units from the sheriff's office, it was a great turnout last year we hope it's even greater this year, so hope to see you all there that night. Thank you.

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- I want to thank you, Olivia and the Chamber for all the time and energy you've been putting into the city, and with our small businesses and businesses in general, and thank you for expressing your need for greater collaboration with the city, because that was heard.

- *I didn't mention anything before, and if I can right now. The decision made today for landlords and the proceedings with cannabis is always in an effort to continue good relationships and active relationships with everyone in the city. And hopefully, you know, we continue the communication. So, there's greater understanding around why decisions are made with each of us.*
- *So, Riverbank unified school district is doing a backpack drive, I think, on August 6th as well. But I need to check the date now that you mentioned those same days, as National Night Out. I'm working with the Central Valley Latino elected officials of California for delivery tomorrow of backpacks and the Veterans in Action Nonprofit for hopefully, a total of 100 backpacks for Riverbank Unified. This next week. So, Riverbank Unified is accepting backpacks and school supplies until August 6th.*

Councilmember Uribe reported on the following:

- *So first of all, I want to give a shout out to Chief, thank you for kind of updating me on everything with 4th of July all the citations. I won't go into the details there. Very impressive the technology that's being used there. The information that's there, I think, should be shared, and I know you're going to be working on getting me some of that information so we can share with residents. Real concerns that we have, and I want to make sure that that's being put out.*
- *I have been meeting religiously, because we've been meeting Sundays with a group of an alliance of local elected. We've been meeting with Senators, CEO's. we have met with the Cal Matters, Chief Executive Officer Neil Chase. So, they got some AI tools. It's called a digital democracy kind of tracks everything you can think of, every dollar spent, every spoken word in public hearings. It's kind of designed to reveal like how that is, how decisions are made. And so, I think it's super important as we're going into this election cycle.*
- *The only other thing I will mention is I am excited about the Modesto Nuts vs The Inland Empire 66ers. It is August 2nd. We're dubbing it Riverbank night, we are taking over that day. So excited to see everybody there. Thank you.*

Councilmember Barber-Martinez reported on the following:

- *I want to thank the Riverbank Community for attending our bike rodeo kids, health and safety annual fun fair. I think we had over 100 children. I know students that were there. I think everyone had a great time. I know I did, but it was hot, it was still a lot of fun. And also thank you to our community who donated bikes for us to raffle away, and we had 29 bikes that were given away. Plus, there were prizes and giveaways from our vendors, and this year we had a scavenger hunt with the focus on Bike safety. It was a lot of fun.*
- *News from the League of California cities, Prop. 36 is being supported because this measure creates a deterrent for repeat theft offenders and redirects, some towards treatment rather than incarceration. Prop. 4 would channel funding to mitigate the impacts of climate change and also increase funding to cities for funding stormwater capture and reuse local water conservation programs, state and local wildfire prevention and extreme heat mitigation.*

- *And I want to give recognition to our 1st responders of the fire department that are battling these fires and all this heat with their heavy equipment they have to wear for their safety. So, I just want to say, you know, from bottom of my heart, thank you.*
- *Then thank you, everyone involved in our recognition for the nonprofit of the year for Central Valley Community Resources for being nonprofit for District 4. And it was truly, truly an honor for all of us, and then thank you to everyone just being you and just stay safe in this heat. So, thank you.*

Vice Mayor Jones Cruz reported on the following:

- *No Comment.*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- *I do want to congratulate Darlene and her nonprofit. That was a great honor. It was unfortunate the Senator could not be there. But it was a good event, Darlene. Thank you.*
- *We were told about a water level drop. The wells, ours haven't experienced that. Can we get a report on that? Because 24 feet is significant and I think there may be a calculation of that's well. I just would like to have our report. Because if that's an amount of water that these homes are going to meet. We're going to have to cut the almond population down because it takes 1.1 gallon of water per one almond and we do billions of almonds. I don't know what the solution is, but we do need to grow, and we will determine would be the best place.*

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)

Claimants: Bobbie Bowling, Kalina Bowling, and Daisy Bowling

Agency Claimed Against: City of Riverbank

Item 13.2

LIABILITY CLAIMS

(Pursuant to Government Code §54961)

Claimant: Foley, John

Agency Claimed Against: City of Riverbank

There being no public comment, Mayor O'Brien moved to Closed Session at 7:08 P.M.

Reconvened from Closed Session at 7:19 P.M.

14. REPORT FOR CLOSED SESSION

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

LIABILITY CLAIMS

(Pursuant to Government Code §54961)

Claimants: Bobbie Bowling, Kalina Bowling, and Daisy Bowling

Agency Claimed Against: City of Riverbank

ACTION: *Claim denied vote of 5/0.*

Item 14.2 Report from Closed Session **Item 13.2**

(Pursuant to Government Code §54961)

Claimant: Foley, John

Agency Claimed Against: City of Riverbank

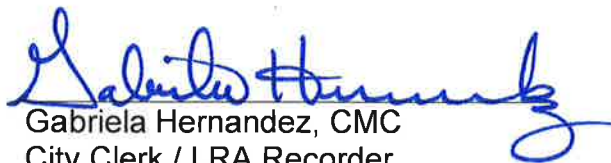
ACTION: *Claim denied vote of 5/0.*

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 7:20 P.M. to the next regular scheduled City Council / LRA Meeting of August 27, 2024 at 6:00P.M.

ATTEST: (Adopted 08/27/2024)

APPROVED:


Gabriela Hernandez, CMC
City Clerk / LRA Recorder


Richard D. O'Brien
Mayor/ Chair

Riverbank City Council

July 23rd, 2024

Good evening Mayor and fellow council members:

My name is Garry Pearson, Resident of Riverbank, District 3

I am a life long farmer, retired UC Davis in the College of Agriculture and Environmental Sciences for 37 years, Career Technical Education specialist, and from a 4th generation family farm with the 5 generation being nurtured and mentored for the future, and graduate of the 'California Ag Leadership Program' class 38

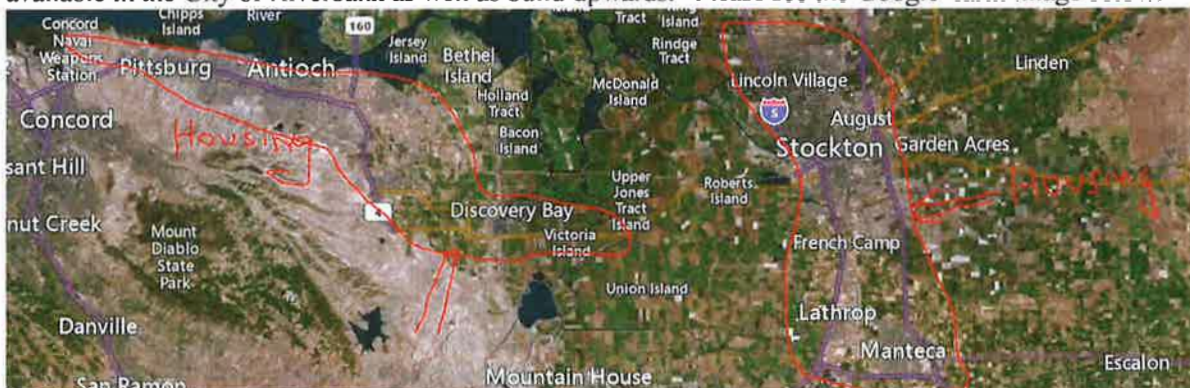
First, I am opposed to the Riverwalk proposed project.

This project would potentially remove 'Prime Ag Land' of up to 1000 acres and replace the ag land with 2200 homes. Once you remove prime Ag land it is gone...

Second, with the recent substantial public comment with some 87 individuals and 14 Agencies regarding this project and the 2200 plus pages of the dEIR. One of the key agency comments was summarized in the Modesto Bee Article dated May 25, 2024 and titled 'Riverbank proposal to build 2,400 homes under question by key Stanislaus agency, Sara Lytle-Pinhey, and executive director of the Stanislaus Local Agency Formation Commission. I recommend to all the council members to read this response in its entirety.

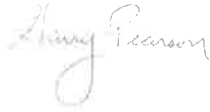
Third, It is noted that council members are concerned about housing affordability, shortages, and the longer range of the City of Riverbank. I, too, think this way for the longer range of what this region will look like in 20, 30, 40, and beyond... I also look beyond this city and its sphere of influence and conclude the city at this point in time stay within its sphere of influence.

Fourth, I ask that City council members look at the developments along the 120 corridor and beyond towards Lathrop, Brentwood, Walnut Creek, Tracy, Stockton, Antioch and Lodi. I see massive and extensive developments and which will eventually reach the city of riverbank and turn all the prime ag land into a maze of freeways, houses and spill over from the Bay area... Lets fill in what is presently available in the City of Riverbank as well as build upwards. Please see the Google Earth image below:



Finally, the City of Riverbank in its approved 2016 Sphere of influence has substantial space for many additional homes for all categories including tiny homes, low income, moderate and high end. The city needs to infill like the rest of the region.

Respectively,

A handwritten signature in cursive script, appearing to read "Garry Pearson".

Garry Pearson, Riverbank resident, District 3

