

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, SEPTEMBER 10, 2024 – 6:00 P.M.

(THE AGENDA PACKET IS ONLINE AT [HTTP://WWW.RIVERBANK.ORG/AGENDACENTER](http://www.riverbank.org/agendacenter))

THIS MEETING WAS HELD VIA TELECONFERENCE

******AB 2449******

(IN PERSON AND REMOTE ATTENDANCE)

***** CONSISTENT WITH THE PROVISIONS OF AB 2449, MEMBERS OF THE CITY COUNCIL MAY PARTICIPATE REMOTELY DUE TO JUST CAUSE. *****

- 1. CALL TO ORDER** - Mayor / Chair O'Brien called the meeting to order at 6:00 P.M.
- 2. FLAG SALUTE** – Councilmember Barber-Martinez 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 (Via Teleconference)

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 for Hispanic Heritage Month September 15th to October 15th, 2024 and Honoring Mr. Jose Enrique Morales for His Contributions to the Riverbank Community-** It is recommended that the City Council present the Proclamation in honor of Hispanic Heritage Month from September 15th to October 15th, 2023, to longtime Riverbank resident Mr. Jose Morales, member of Central Valley Community Resources, Inc. a local Riverbank non-profit.

Mayor O'Brien read and presented the proclamation for Hispanic Heritage Month to Mr. Jose Enrique Morales, longtime Riverbank resident and member of Central Valley Community Resources, Inc.

- Item 7.2** **Presentation- Cheese and Wine Festival Update-** It is recommended that the City Council receive a presentation from Michael Patton, City of Riverbank Parks and Recreation Director, regarding an update of the Cheese and Wine Festival 2024.

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

- Item 7.3** **Presentation- Water Restriction Updates-** It is recommended that the City Council receive a presentation from Cody Bridgewater, City of Riverbank Director of Public Works, regarding an update of the water use restrictions and "Making Conservation a California Way of Life."

Director of Public Works Bridgewater gave a presentation on updates for water use restrictions and "Making Conservation a California Way of Life"

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 6:55 P.M.

Kimberly Evans, Riverbank resident to express concern and seek an update on her previous comment regarding Roselle and Morrill Rd Intersection.

Olivia Arambula, Riverbank Chamber of Commerce provided an update of upcoming events.

Gonzalo and Elvira Velasco, owners of Riverbank Antigua Event Center, to extend an invitation to the upcoming event celebrating their 20th Anniversary Gala on October 19th at Antigua Event Center.

City Manager Garcia, provided clarification regarding the intersection on Roselle and Morrill Road project.

Rich Holmer, Riverbank Historical Society to extend an invitation to the event "Through Tamsen's Eyes: The Story of the Donner Party" on November 10th at 4:00p.m. at Galaxy Theaters.

There being no further public comments, Mayor O'Brien closed the Public Comment period 7:03 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 August 27, 2024.

Item 9.3 **Acceptance** of the Riverbank Police Gate & Fence Project and Authorization to File a Notice of Completion.

Item 9.4 **Acceptance** of the Patterson Road Sidewalk Project between Roselle and Hwy 108 and Authorization to File a Notice of Completion.

Item 9.5 **Resolution 2024-079** Accepting the Public Improvements for DMG Development, LP for Crossroads West Unit 2.

Item 9.6 **Resolution 2024-080** Approving the Purchase of a BMW Motorcycle for Riverbank Police Services and Authorizing the Surplus and Sale of 2018 BMW Motorcycle #18-03 to the Sheriff's Office.

Item 9.7 **Resolution 2024-081** Approving the Addition of the Capital Project/Regulatory Compliance Manager Position and Salary Range to the City's Compensation Plan and Removing the Development Services Administration Manager Position.

Item 9.8 **Resolution 2024-082** Authorizing the Purchase of One (1) Acre of Land Located on APN 074-014-016 for the Construction of Well #13 for \$410,000 and Allocating Funds from the Water System Development Fee (Fund 206) for said Purchase.

Item 9.9 **Second Reading** by Title Only and Introduction of a Proposed **Ordinance 2024-004** Amendment to Title XI, Business Regulations, Amending Chapter 119 Massage/Bodywork Establishments.

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 **Resolution Approving an Agreement with Epic I/O for the Addition of Three (3) Camera Site Locations within the City of Riverbank Security Camera and LPR (License Plate Reader) System and Authorize the Relocation of an Existing Camera Site-** It is recommended that the City Council consider approving a resolution authorizing the City Manager to execute an Agreement with Epic I/O, formerly known as IntelliSite LLC, to add three (3) additional locations within the City, relocate an existing camera site, and to authorize Modesto Executive Electric to add power to two proposed locations.

Police Chief Ridenour gave a comprehensive staff report and PowerPoint Presentation for City Council to consider approving an agreement with Epic I/O for the addition of three (3) Camera Site Locations within the City of Riverbank Security Camera and LPR (License Plate Reader) System and Authorize the Relocation of an Existing Camera Site.

City Council Discussed item with City Staff.

Gonzalo Velasco, Riverbank resident, question "Does it have Artificial Intelligence to recognize facial features or recognize people?" Do they have battery backup systems in case of a power outage?

Chief Ridenour Clarified, there is no Artificial intelligence on the cameras for facial recognition, but there is Artificial Intelligence to identify vehicle make and model. They do not have battery backup.

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

ACTION: By motion moved and seconded (Barber-Martinez / Uribe 5/0) to approve **Resolution 2024-083** approving an agreement with Epic I/O for the addition of three (3) Camera Site Locations within the City of Riverbank and Authorize the relocation of a License Plate Reader System.

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 11.2 **Resolution of Concurrence and Support of the Fiscal Year 2023-2024 Stanislaus HOME Consortium and Stanislaus Urban County Consolidated Annual Performance and Evaluation Report (CAPER)-** It is recommended that the City Council hold a Community Meeting to gather input on the Fiscal Year 2023-2024 HOME Program and Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) prepared by Stanislaus County.

Housing Specialist Ibanez, gave a comprehensive report and PowerPoint presentation for City Council to consider adopting a resolution of Concurrence and support of the Fiscal Year 2023-2024 Stanislaus HOME Consortium and Stanislaus Urban County Consolidated Annual Performance and Evaluation Report (CAPER).

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 (Uribe / Jones Cruz 5/0) to approve **Resolution 2024-084** of Concurrence and Support of the Fiscal Year 2023-2024 Stanislaus HOME Consortium and Stanislaus Urban County Consolidated Annual Performance and Evaluation Report (CAPER)

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 11.3 **Acceptance of Certificate of Initiative Petition Entitled “Voter Approval Required to Allow Development of Urban Uses on Agricultural or Open Space Lands Located West of Riverbank City Limits,” and Submitting the Initiative to the Voters at a Future Regular Election-** Staff is recommending adoption of the following two (2) resolutions: 1.) Adopt a Resolution of the City Council of the City of Riverbank accepting the certificate of initiative petition from the Stanislaus County Registrar of Voters entitled "Voter Approval Required to Allow Development of Urban Uses on Agricultural or Open Space Lands Located West of Riverbank City Limits." 2.) Adopt a Resolution of the City Council of the City of Riverbank submitting

the initiation petition entitled "Voter Approval Required to Allow Development of Urban Uses on Agricultural or Open Space Lands Located West of Riverbank City Limits" to the voters at the City's next regular election in accordance with Elections Code section 1405.

City Manager Garcia and City Clerk/Elections Official Hernandez, gave a comprehensive report and PowerPoint presentation on the acceptance of the Certificate of Initiative Petition Entitled "Voter Approval Required to Allow Development of Urban Uses on Agricultural or Open Space Lands Located West of Riverbank City Limits" and the submitting the Initiative to the Voters at a future regular election.
City Council Discussed item with City Staff.

Gary Pearson, Riverbank resident to urge the City Council to follow the City Staff's recommendations to allow a voter approval of this initiative.

Jami Aggers, Modesto resident regarding the initiative that we first tried last year and Gary is right, 1,544 people signed the petition, and those aren't necessarily the same 1, 200 that signed last year. So, we could be talking about more than 2,000 people in the City of Riverbank that are speaking to you, you who need to represent them. I've said previously, it was very unfortunate the fraud incident that happened last year, but we said we would come back not only bigger, but stronger. We did that. We qualified with signatures in less than 30 days. So, we are excited to be at this point and thank you for bringing this item forward.

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 **Resolution 2024-085** Accepting the Certificate of Initiative Petition from the Stanislaus County Registrar of Voters entitled "Voter Approval Required to Allow Development of Urban Uses on Agricultural or Open Space Lands Located West of Riverbank City Limits"*

*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*

*By motion moved and seconded (Jones Cruz / Uribe 5/0) to approve **Resolution 2024-086** submitting the initiative petition to the Voters at the City's next regular election in accordance with Elections Code section 1405.*

*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:

- *Centennial Park ribbon cutting is this Saturday from 12:00-1:00pm. The park for those who may not be familiar is located in the Crossroads West Development at the intersection of Aliso Way and Westgate Drive.*
- *Our next compost giveaway is scheduled for September 20th and 21st from 8 in the morning until 12 pm. The giveaway is located at the corner of 2nd and Sierra. We do ask that residents bring their own bins or buckets or their trucks to be able to load that on, as well as their own shovels.*
- *Our Housing Element stakeholder meeting for developers and housing related service providers is tomorrow from 12 to 3p.m. The meeting will be here in the Council Chambers, and is also accessible via Zoom. Future workshops regarding the Housing Element will be held at the next Planning Commission meeting on 9/17 and at the next City Council meeting on 9/24, in order to provide for additional public comments.*

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- *I want to thank the staff and everybody for facilitating me being on zoom.*
- *Soroptimist Riverbank is meeting regularly now, and I'd encourage anyone to join. They are fundraising for scholarships for young girls and women.*
- *I want to thank Galaxy Theaters. They're having this push to be involved in the community, and it's been great seeing them host various events which I'm sure Councilmember Barber-Martinez will speak more on.*

Councilmember Uribe reported on the following:

- *I had the opportunity to have a meeting with Lance Christiansen. He is a representative from California Policy Center. Got to do a deep dive to our discussion about pensions and 401K plans. So, I've kind of asked staff if we can have the Budget subcommittee kind of relaunch, hoping for a meeting next year in preparation for those contracts that we're going to be having next year. I think it'd be a good discussion for the for the subcommittee to kind of discuss that.*
- *Shout out to 2 of the 8 members of the Sister City Committee, John and Mo in the back seat. We're going to be having a meeting September 20th at 6 o'clock. Please reach out to us. We're going to be getting ready for our fundraiser. Cheese and Wine is right around the corner, and we're looking to sponsor Riverbank youth to a youth summit in Washington, DC next year. So, we're hoping for a big turnout. You'll see some more social media posts coming out real soon. We're going to start to push it a little bit heavier. As we get a little bit closer. So, if you guys are interested, please reach out to any one of us. Rachel's on the committee, so any*

one of us please reach out. Come, join us and hear about what we're planning to do. We're going to have a Loteria fundraiser. It's going to be \$5 a card. Come, join us.

Councilmember Barber-Martinez reported on the following:

- I attended the Celebration of Donor's event of 100yrs at MJC. I said a few words of congratulations on behalf of our City Council.*
- Stanislaus Homeless Alliance meeting is tomorrow at 1010th Street, 5:30-7:30.*

Vice Mayor Jones Cruz reported on the following:

- No Comments*

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- Today, I met with the Deputy Secretary of the Army for Installations, Mr. Drew White. He came from D.C. with his entourage to take a look at Riverbank, and what we're doing here. He was amazed on how productive we are without having it. He was truly amazed. And he's going to go back to D.C. and get support from others of his same rank, we are not going to get the expedited conveyance, but we may get a long-term lease of 25 to 50 years which would be excellent. We can start doing construction out there, and we can start completing the carbon sequestration ethanol plant, and all the others. So, he was extremely pleased with what we're doing out here, and he commended us for our efforts over the last 10 to 15 years.*

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 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Pursuant to Government Code § 54956.8)

Property: 6436 Oakdale Road, Riverbank (APN 075-026-040)

Agency Negotiator: City Manager Marisela H. Garcia

Property Negotiator: High, Price & Leffler Associates

Under Negotiation: Price, terms of payment, or both.

Annabel Gammon, Riverbank resident to oppose Item 13.1.being under closed session when it already was on open session.

There being no public comment, Mayor O'Brien moved to Closed Session at 7:57 P.M.

Reconvened from Closed Session at 8:21 P.M.

14. REPORT FOR CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**
CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code § 54956.8)
Property: 6436 Oakdale Road, Riverbank (APN 075-026-040)
Agency Negotiator: City Manager Marisela H. Garcia
Property Negotiator: High, Price & Leffler Associates
Under Negotiation: Price, terms of payment, or both.

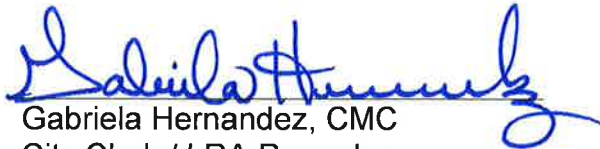
ACTION: *Direction has been provided to staff.*

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 8:21 P.M. to the next regular scheduled City Council / LRA Meeting of September 24, 2024 at 6:00P.M.

ATTEST: (Adopted 09/24/2024)

APPROVED:


Gabriela Hernandez, CMC
City Clerk / LRA Recorder


Richard D. O'Brien
Mayor/ Chair