



NOTICE AND CALL OF A  
CITY OF RIVERBANK  
**SPECIAL CITY COUNCIL MEETING**  
City Hall North • Council Chambers  
6707 Third Street • Suite B • Riverbank • CA • 95367



## AGENDA

**TUESDAY, MARCH 19, 2019 AT 6:00 P.M.**

(The agenda packet is posted at the City Clerk's office and at [www.riverbank.org](http://www.riverbank.org))

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| <b><u>CALL TO ORDER</u></b> | Mayor Richard D. O'Brien  |
| <b><u>FLAG SALUTE</u></b>   | Mayor Richard D. O'Brien  |
| <b><u>ROLL CALL</u></b>     | Mayor Richard D. O'Brien<br>Vice Mayor Darlene Barber-Martinez (CM-D4)<br>Councilmember District 1 Luis Uribe<br>Councilmember District 2 Cindy Fosi<br>Councilmember District 3 Cal Campbell |

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| <b>CONFLICT OF INTEREST</b> |
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| Any Council 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. |
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### **1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken)**

Pursuant to Government Code in reference to a special meeting, the public has the opportunity to address the City Council only on items appearing on this special meeting notice. Individual comments are limited to a **maximum of 5 minutes** per person and each person may speak once during this time. Time cannot be yielded to another person.

### **2. CONSENT CALENDAR**

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Council/Authority Member for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

**Item 2.A:** Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.

### **3. PUBLIC HEARING**

The public notices for Items 3.1 and 3.2 were published in the Riverbank News on 3/6/2019. The public notices were also mailed to property owners within 300 feet of the property, according to the most recent assessor's roll, on 03/07/2019.

#### **Item 3.1: Crossroads West Specific Plan (CWSP) Consideration of:**

- 1) Resolution [No. 2019-013] Certifying an Environmental Impact Report (State Clearinghouse #2017032062) Adopting the California Environmental Quality Act (CEQA) Findings of Fact and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Crossroads West Specific Plan, General Plan Amendment, and Annexation; and**
- 2) Resolution [No. 2019-014] Approving General Plan Amendments for the Crossroads West Specific Plan; and**
- 3) Resolution [No. 2019-015] Approving the Crossroads West Specific Plan; and**
- 4) First Reading by Title Only and Introduction of Ordinance [No. 2019-003] to Approve Pre-Zoning of the Crossroads West Specific Plan (APNs: 074-006-022, 074-006-021, 074-006-016, 074-006-014, 074-006-013, 074-011-009, 074-014-006, 074-014-007, and 074-011-004); and**
- 5) Resolution [No. 2019-016] Adopting a Resolution of Application to Request that Stanislaus LAFCO Initiate Proceedings Authorizing Annexation of the Crossroads West Specific Plan Area into the City of Riverbank**

Planning staff recommends approval of the proposed Project and adoption of the Environmental Impact Report, Findings of Fact, Statement of Overriding Considerations and Mitigation and Monitoring and Reporting Program, based on the analysis presented below and the findings published in the EIR for the Crossroads West Specific Plan ("CWSP"), and approval of the first reading of the Ordinance to conduct its second reading at the regular City Council meeting on March 26<sup>th</sup> to consider its adoption.

#### **Item 3.2: Crossroads West Specific Plan (CWSP) – Mixed Use 1 Project – Consideration of:**

- 1) First Reading by Title Only and Introduction of Ordinance [No. 2019-004] Approving a Development Agreement by and Between the City of Riverbank and Western Pacific Holdings, Inc.; and**
- 2) Resolution [No. 2019-017] Approving a Preliminary Development Plan by Western Pacific Holdings, Inc. for the Crossroads West Specific Plan; and**
- 3) Resolution [No. 2019-018] Approving a Tentative Parcel Map by Western Pacific Holdings, Inc. for the Crossroads West Specific Plan; and**
- 4) Resolution [No. 2019-019] Approving a Sales Tax Sharing Agreement by and between the City of Riverbank and Western Pacific Holdings, Inc. for the Mu-1 Project in the Crossroads West Specific Plan.**

Staff recommends that the City Council take the following actions, based on the findings in the Environmental Impact Report for the Crossroads West Specific Plan (EIR), the analysis presented in this report, and the record of evidence for these proceedings:

- (1) Approve the first reading of the ordinance for approval of a Development Agreement between the City of Riverbank and Western Pacific Holdings (WPH), and to conduct the second reading at the regular City Council meeting on March 26<sup>th</sup> to consider its adoption,
- (2) Adopt a resolution conditionally approving Preliminary Development Plan 2018-0001 (PDP),
- (3) Adopt a resolution conditionally approving Tentative Parcel Map 2018-004, and
- (4) Adopt a resolution approving the Sales Tax Sharing Agreement between the City of Riverbank and WPH.

#### **4.1 COMMENTS**

City Council or Staff comments may be made at this time.

**ADJOURNMENT** (The next regular City Council meeting – Tuesday, March 26<sup>th</sup> @ 6:pm)

### AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted at least 24 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

*Posted this 15<sup>th</sup> day of March, 2019*

*/s/ Annabelle H. Aguilar, CMC, City Clerk*

**Notice Regarding Americans with Disabilities Act:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (209) 863-7122 or cityclerk@riverbank.org. Notification of (72) hours before the meeting will enable the City to make reasonable arrangements to ensure any special needs are met. [28 CFR 35.102-35.104 ADA Title II].

**Notice Regarding Non-English Speakers:** Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank City Council/LRA Board shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

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| <b>Meeting Schedule</b>                        | <p><u>Regular City Council Meetings:</u> 6:00 p.m. on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month, unless otherwise noticed.</p> <p><u>Local Redevelopment Authority Board:</u> (The City Council also serves as the LRA Board.) Meets on an "as needed" basis. The City Council also serves as the LRA Board.</p>  |
| <b>City Council / LRA Agenda &amp; Reports</b> | <p>The City Council/LRA Board agenda is posted pursuant to the California Brown Act, which only requires these agenda title pages to be posted near the entrance of the location where the meeting is to be held and, when available, on the City's website. Additional documents may be provided by the City in its efforts of transparency to keep the public well informed. <b>The agenda packet (agenda plus supporting documents) are posted for public review at the City Clerk's Office, 6707 Third Street, Riverbank, CA and at <a href="http://www.riverbank.org">www.riverbank.org</a> upon distribution to a majority of the City Council/LRA Board.</b> A subscription to receive the agenda can be purchased for a nominal fee through the City Clerk's Office.</p> |
| <b>Public Hearings</b>                         | <p>In general, a public hearing is an open consideration within a regular meeting of the City Council/LRA Board, for which special notice has been given. During a specified portion of the hearing, any interested party is invited to present written or oral protests or support for the subject matter under consideration. Written testimony sent or delivered to the City Clerk must be received no later than <u>5:00 p.m. on the day of the meeting</u> to allow for their distribution to the City Council/LRA Board. Preparations for the meeting are conducted between 5:00 p.m. and 6:00 p.m. and therefore the City Clerk is not available during this time.</p>  |
| <b>Written Public Comments</b>                 | <p>Anyone wishing to provide written public comments may do so prior to 5:00 p.m. of the day of the meeting to allow for distribution to the City Council. Comments must specify what agenda item they are referring to. Comments will become part of the record, however, they will not be read aloud at the meeting.</p>   |
| <b>Televised / Video of Meetings</b>           | <ul style="list-style-type: none"> <li>• Charter – Channel 2</li> <li>• AT&amp;T Uverse – Channel 99</li> <li>• <a href="http://www.riverbank.org">www.riverbank.org</a> – video icon – under Agendas and Minutes link</li> </ul>  |
| <b>City Hall Hours</b>                         | <p>City Hall is open Monday – Thursday; 7:30 am – 5:30 pm and<br/>Fridays: 8:00 am – 5:00 pm; CLOSED alternating Fridays</p>   |
| <b>Questions</b>                               | <p>Contact the City Clerk at (209) 863-7122 or <a href="mailto:aaguilar@riverbank.org">aaguilar@riverbank.org</a></p>  |