



RIVERBANK CITY COUNCIL / LRA  
MEETING  
**SPECIAL NOTICING OF MEETING PROCEDURES FOR**  
Tuesday, March 24, 2020 AT 6:00 P.M.

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**NOTICE: THIS MEETING WILL BE HELD BY THE FOLLOWING PROCEDURES IN ACCORDANCE WITH THE GOVERNOR’S NEW EXECUTIVE ORDER N-29-20, ISSUED ON MARCH 17, 2020, REGARDING THE OPEN MEETING REQUIREMENTS OF THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT IN AN EFFORT TO HELP CONTROL THE SPREAD OF COVID-19, TO MAXIMIZE TRANSPARENCY, AND PROVIDE PUBLIC ACCESS TO CITY COUNCIL MEETINGS.**

**CITY COUNCIL PARTICIPATION STATEMENT**

The Governor’s Executive Order temporarily waives Brown Act “teleconferencing” provisions, and authorizes City Council to hold public meetings via teleconferencing. The requirement of physical presence of Council Members, the City Clerk, other Personnel of the body, or the public as a condition of participation in or a quorum to conduct a public meeting is waived.

**PUBLIC PARTICIPATION STATEMENT**

This meeting will not be physically open to the public. All members of the public will be given the opportunity to provide comments by participating in the meeting telephonically or via email. Every possible effort will be made to have these technological systems available and in working order.

**ADA COMPLIANCE STATEMENT**

In compliance with the Americans with Disabilities Act, and the Governor’s Executive Order N-29-20, the City will make every effort to receive and swiftly resolve requests for reasonable modifications or accommodations from individuals with disabilities, consistent with ADA. Persons requiring special assistance to participate in the meeting should notify the Administration Dept. at (209) 863-7122 or the City Clerk at [aaguilar@riverbank.org](mailto:aaguilar@riverbank.org) at least (48) hours prior to the meeting to enable the City to make reasonable arrangements for accessibility.

**ACCESS FOR PUBLIC VIEWING ARE:**

Charter Government Channel – 2  
AT&T UVERSE Government Channel – 99

## **PUBLIC COMMENTS/PARTICIPATION TO ITEMS OF CONSIDERATION:**

Via Email: Written public comments will be received via email *before and during* the time the Item being considered is open for comments by the Mayor. Please follow the following protocol:

- Emails before the meeting: Send comments via email to [cityclerk@riverbank.org](mailto:cityclerk@riverbank.org) and they will be provided to the Council for consideration and made part of the record.
- Emails during the meeting when the Mayor has opened the Item for comment: Send comments to [cityclerk@riverbank.org](mailto:cityclerk@riverbank.org), when announced to do so.
  - In the **subject line, indicate the Item #** that you are commenting on to help identify your comment.
- Every effort will be made to read all comments up to (5) minutes, however, this allotted time may be reduced, and some comments may not be read due to time limits. All comments received will be made part of the City's record
- The time allotted and the number of emails read will be at the discretion of the Mayor..
- Emails received *after* the Mayor has closed the comment period for that Item or has moved on to another Item of Business will not be included in the record.

Public comment telephonically: Calls will be received only during the time the Mayor opens the hearing or opens the item for comments. You may **call (209) 863-7172**. One call at a time will be received, please try again if the line is busy.

- The normal allotment of (5) minutes to comment will be allowed; however, this remains at the discretion of the Mayor due to the new process of commenting.

## **CHANGES TO THIS NOTICE OF PROCEDURES**

In accordance with the Governor's Executive Order, should the aforementioned meeting procedures change for public viewing or public commenting, the City may use the most rapid means of communication available at the time including, but not limited, to posting the notice of changes on the City's website.

## **REPLAY OF THE MEETING RECORDING**

The video recording of this meeting is usually posted on YouTube within 24 hours of the meeting adjourning as long as there are no technical difficulties.

Please visit the City's website at <http://www.riverbank.org/agendacenter>

**The Mayor has the right to stop any uncivil decorum during the meeting.**

## **FOR QUESTIONS**

Contact Annabelle Aguilar, City Clerk at [aaguilar@riverbank.org](mailto:aaguilar@riverbank.org) or (209) 863-7198, before 5:00 p.m. on Tuesday, March 24, 2020.



**CITY OF RIVERBANK  
REGULAR CITY COUNCIL AND  
LOCAL REDEVELOPMENT AUTHORITY BOARD  
MEETINGS**

(The City Council also serves as the LRA Board)  
City Hall North • Council Chambers

6707 Third Street • Suite B • Riverbank • CA • 95367

## AGENDA

**TUESDAY, MARCH 24, 2020 – 6:00 P.M.**

(THE AGENDA PACKET IS POSTED AT THE CITY CLERK’S OFFICE AND AT [WWW.RIVERBANK.ORG](http://WWW.RIVERBANK.ORG))

- CALL TO ORDER:** Mayor/Chair Richard D. O’Brien
- FLAG SALUTE:** Mayor/Chair Richard D. O’Brien
- INVOCATION:** Riverbank Ministerial Association
- ROLL CALL:** Mayor/Chair Richard D. O’Brien  
Vice Mayor/Chair Luis Uribe (CM-D1)  
Council/Authority Member District 2 Cindy Fosi  
Council/Authority Member District 3 Cal Campbell  
Council/Authority Member District 4 Darlene Barber-Martinez

**CHANGES TO THE AGENDA:** Mayor/Chair Richard D. O’Brien

<b>CONFLICT OF INTEREST</b>
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.

**1. PRESENTATIONS**            There are no presentations.

**2. 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 5 minutes** per person and each person may speak once during this time; time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the City Council/LRA Board.

**Comments will be accepted via email to [cityclerk@riverbank.org](mailto:cityclerk@riverbank.org)  
or calling (209) 863-7172**

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

**Item 3.B:** Adoption of a **Resolution** to Amend Riverbank's Elections District Based Map G to Add the Crossroads West Specific Plan Annexed Territory to the Nearest Existing Councilmember Residency District(s), and Directing the City Clerk to Forward the Territory's Certified Legal Description and Amended Map G to the Stanislaus County Registrar of Voters.

**Item 3.C:** A **Resolution** to Award City Civil Engineering Services to Giuliani & Kull, Inc. and Authorize City Manager to Enter into a Contract with Giuliani & Kull, Inc. to Perform General Municipal Engineering Services for the City of Riverbank, and to Negotiate Contracts on an "As Needed" basis with Gouveia Engineering, Inc. for Project Specific Civil Engineering Services, and Kjeldsen, Sinnock, Neudeck (KSN), Inc. for "As Needed" Engineering Services for Wastewater and Water Projects.

**Recommendation:** It is recommended that City Council/LRA Board approve the Consent Calendar items by roll call vote.

### **4. UNFINISHED BUSINESS**

**Item 4.1:** **Second Reading by Title Only of Ordinance No. 2020-004 Approving a Development Agreement No. 02-2019 for the River Run Subdivision Residential Project (APN: 062-021-008)** – It is recommended that the City Council adopt Ordinance No. 2020-004 for a Development Agreement which extends the life of approved River Run Tentative Map 02-2016 relating to real property located at 6272 Central Avenue (APN 062-021-008).

### **5. PUBLIC HEARINGS**

The public notice for Item 5.1 and 5.2 were published in the Riverbank News on 03/03/2020.

**Item 5.1:** **A Resolution to Adopt a \$1 Application Fee for a Sidewalk Vending Permit in the City of Riverbank** – It is recommended that the City Council consider adopting a Resolution to approve a \$1 application fee for sidewalk vending permits.

**Item 5.2:** **First Reading by Title Only and Introduction of a Proposed Ordinance Amending Section 92.28: Issuance of Permit; Non-Transferability; Duration, Under the Fireworks Sales and Discharge Subsection, and Section 92.43: Administrative Fines, and Section 92.44: Administrative Appeal Hearing Under Fireworks Regulations and Enforcement Subsection, of Chapter 92: Fire Protection and Prevention Under Title IX: General Regulations of the City of Riverbank Code of Ordinances** – It is recommended that the City Council conduct the public hearing for the first reading and introduction of the proposed ordinance and consider its approval, which initiates the second reading of the ordinance to consider its adoption at the regular City Council meeting on April 14, 2020.

## **6. NEW BUSINESS**

**Item 6.1:** **2019 General Plan and Housing Element Annual Progress Reports. A Resolution to Adopt the 2019 General Plan and Housing Element Annual Progress Reports (APRs) as well as authorizing Staff to submit said Reports to the California Office of Planning and Research and California Department of Housing and Community Development** – Staff recommends approval of the City’s 2019 General Plan and Housing Element Annual Progress Reports (APR) and to authorize Staff to submit said reports to the California Office of Planning and Research (OPR) and California Department of Housing and Community Development (HCD).

**Item 6.2:** **Utility Billing Discussion and Feedback** – It is recommended that the City Council provide feedback on the implementation of any one or combination of options presented regarding utility billing during the coronavirus (“COVID-19”) pandemic.

**Item 6.3:** **General Local Public Health COVID-19 Update** – It is recommended that the City Council receive an update, discuss the matter, and provide any direction to staff as deemed necessary.

## **7. 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 during this time.

**Item 7.1:** Staff

**Item 7.2:** Council/Authority Member

**Item 7.3:** Mayor/Chair

**8. CLOSED SESSION**

The public will have a limit of 5 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 8.1: Threat to Public Services or Facilities**  
 Pursuant to Government Code § 54957  
 Consultation with: City of Riverbank Director of Emergency Services

**9. REPORT FROM CLOSED SESSION**

- Item 9.1: Report from Closed Session on Item 8.1 – Threat to Public Services or Facilities.**

**ADJOURNMENT** (The next regular City Council meeting – Tuesday, April 14<sup>th</sup> @ 6:pm)

COVID-19 Information	<ul style="list-style-type: none"> <li>Please refer to the City of Riverbank website at <a href="http://www.riverbank.org">www.riverbank.org</a> for information.</li> </ul>
City Office Building Doors Closed	<ul style="list-style-type: none"> <li><b><u>By direction of the City Council</u></b> – Office building doors will be closed to the public <b>through April 30, 2020</b>, to help eliminate the spread of COVID-19. You may call (209) 869-7101 to reach City Departments or you may email staff.</li> </ul>

<b>AFFIDAVIT OF POSTING</b>
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<p>I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.</p>
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<p>Posted this 20<sup>th</sup> day of March, 2020</p>
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<p><b><u>/s/ Amabelle H. Aguilar, CMC, City Clerk /LRA Recorder</u></b></p>
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**[Please refer to the amended meeting procedures.](#)**

**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](mailto: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.