



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

## Revised AGENDA

**TUESDAY, FEBRUARY 12, 2019– 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 Darlene Barber-Martinez (CM-D4)  
Council/Authority Member District 1 Luis Uribe  
Council/Authority Member District 2 Cindy Fosi  
Council/Authority Member District 3 Cal Campbell

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

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**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.

**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.

### **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:** Approval of the January 8, 2019, City Council and Local Redevelopment Authority Minutes.

**Item 3.C:** A **Resolution** Authorizing the Appointment of the Stanislaus County Public Health Officer as the City Of Riverbank Public Health Officer.

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

**4. UNFINISHED BUSINESS** There are no items to consider.

**5. PUBLIC HEARINGS** There are no items to consider.

### **6. NEW BUSINESS**

**Item 6.1:** **Consider a Resolution to Approve the Waiver of Storm Drain System Development Fees for the NNN Retail Development / Dollar general Project Located at 5842 Roselle Avenue** – It is recommended that the City Council consider the petition from NNN Retail Development to waive payment for the Storm Drain System Development Fee which will be assessed on the construction of the Dollar General Project at permit issuance.

**Item 6.2:** **Bid Award for 2019 Cheese & Wine Festival** - It is recommended that the City Council review the bid results for the Contract for coordination of the 2019 Cheese & Wine Festival and give staff direction.  
(added)

**Item 6.3:** **Sheriff Classification Change and Change to Riverbank Law Enforcement Services Contract** – It is recommended that the City Council provide direction to the City Manager regarding the proposal presented by Stanislaus County relating to sharing of additional contract law enforcement costs to be incurred during the current law enforcement services contract. Council could choose to provide direction in one of the following ways:

1. Direct City Manager to inform Stanislaus County that the City is in agreement with the cost sharing and flexible services proposal outlined in the CEO's December 5<sup>th</sup> letter.
2. Direct the City Manager to inform Stanislaus County that the City is not in agreement with the proposal and is prepared to cover the entire increase in salary.
3. Any other alternate direction as dictated by the City Council.

**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: CONFERENCE WITH LEGAL COUNSEL: INITIATION OF LITIGATION**  
 Pursuant to Government Code Section 54956.9(d)(4)  
 Number of cases: (1) one

**9. REPORT FROM CLOSED SESSION**

**Item 9.1:** Report from Closed Session Item 8.1: **CONFERENCE WITH LEGAL COUNSEL: INITIATION OF LITIGATION** – (1) case

**ADJOURNMENT** (The next regular City Council meeting – Tuesday, Feb. 26 @ 6:pm)

**UPCOMING EVENTS:**

|                                                   |                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| February 18<br>(Monday)                           | <ul style="list-style-type: none"> <li><b>City offices Closed</b> – In honor of President’s Day.</li> </ul>                                                                                                                                                                                                                                                               |
| February 21<br>(Thursday)                         | <ul style="list-style-type: none"> <li><b>Special City Council Meeting – Annual Nonprofit and Community Partners Forum</b>, Riverbank Teen Center, 600-A Santa Fe St., Riverbank, at 6:30 p.m. Contact Administrative Analyst Norma Torres-Manriquez (209) 863-7153 or <a href="mailto:nmanriquez@riverbank.org">nmanriquez@riverbank.org</a> for information.</li> </ul> |
| March 13<br>(Wednesday )                          | <ul style="list-style-type: none"> <li><b>State of the City Address</b> – at the Antigua Event Center, 3200 Santa Fe Street, Riverbank, at 6:30 p.m. Contact Administrative Analyst Norma Torres-Manriquez (209) 863-7153 or <a href="mailto:nmanriquez@riverbank.org">nmanriquez@riverbank.org</a> for information.</li> </ul>                                           |
| 2019 Canceled<br>Regular City Council<br>Meetings | <ul style="list-style-type: none"> <li><b>City Council voted to cancel the following regular meetings:</b> <ul style="list-style-type: none"> <li>July 9, 2019, August 13, 2019, November 26, 2019, and December 24, 2019.</li> </ul> </li> </ul>                                                                                                                         |

### AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing revised agenda was posted 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

Posted this 7<sup>th</sup> day of February, 2019

*/s/ Annabelle H. Aguilar, C.M.C., City Clerk / LRA Recorder*

**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.

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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 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>                 | <ul style="list-style-type: none"> <li>Anyone wishing to provide written public comments may do so <u>prior to 5:00 p.m. of the day of the meeting</u> 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.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                     |
| <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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |