



**RIVERBANK CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY
BOARD MEETINGS
SPECIAL NOTICING OF MEETING PROCEDURES FOR
Tuesday, April 14, 2020 AT 6:00 P.M.**

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 AVOID 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, 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, via email, or by other platforms. 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 make reasonable modifications or accommodations from individuals with disabilities. Contact the Administration Dept. at (209) 863-7122 or the City Clerk at aaguilar@riverbank.org at least (48) hours prior to the meeting to enable the City to make reasonable arrangements for accessibility.

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.

ACCESS FOR PUBLIC "LIVE" 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 **no later than 5:00 p.m.** of the day of the meeting, and they will be provided to the Council for consideration and made part of the record.
- Emails during the meeting: Send comments to 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. Comments received during this time will be made part of the record
- The time allotted and the number of emails read will be at the discretion of the Mayor.

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.

Other Platforms used: At the preparation of this meeting the use of the ZOOM Video Conferencing platform was currently being tested. If it is used and made available to the public, information to join will be posted and disseminated for public participation.

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 24-48 hours of the adjournment of the meeting, and 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 or (209) 863-7198, before 5:00 p.m. on Tuesday, April 14, 2020.



(BY TELECONFERENCE ONLY)

CITY OF RIVERBANK
**REGULAR CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY BOARD MEETINGS**
(The City Council also serves as the LRA Board)
(Location closed to the public)
City Hall North • Council Chambers
6707 Third Street • Suite B • Riverbank • CA • 95367

AGENDA

TUESDAY, APRIL 14, 2020 – 6:00 P.M.

(THE AGENDA PACKET IS POSTED AT THE CITY CLERK’S OFFICE AND AT 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

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.

Comments will be accepted via email to cityclerk@riverbank.org or calling (209) 863-7172 or other platforms posted.

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 March 10, 2020, City Council and Local Redevelopment Authority Board Minutes.

Item 3.B-1: Approval of the March 18, 2020, Special City Council Minutes.

Item 3.C: Recommend Approval of **Resolution** Adopting a List of Projects for Fiscal Year 2020-2021 Funded by SB 1: The Road Repair and Accountability Act of 2017.

Item 3.D: A **Resolution** to Approve and Adopt the Revised 2020 City of Riverbank Expenditure Plan Project List for Measure L Funds.

Item 3.F: Re-adoption of **Ordinance No. 2020-004** Approving a Development Agreement No. 02-2019 for the River Run Subdivision Residential Project (APN: 062-021-008)

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 and Adoption of Proposed Ordinance No. 2020-005 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 second reading by title only of proposed Ordinance No. 2020-005 and consider its adoption by roll call vote.

5. PUBLIC HEARINGS

The public notice for Item 5.1. was published in the Riverbank News on April 1, 2020. The 300 ft. property owner notice of the public hearing was mailed out via US Postal Service on April 2, 2020.

Item 5.1: **First Reading and Introduction by Title Only of a Proposed Ordinance Approving Development Agreement No. 01-2020 for the Diamond Bar East Residential Project (APN 062-020-0210 AND 062-020-025)**

Extending the Life of Tentative Map 04-2014 – It is recommended that the City Council approve the proposed Ordinance for a Development Agreement which extends the life of approved Diamond Bar East Tentative Map 02-2014 relating to real property located at 4424 Santa Fe Street (APNs 062-020-010 and 062-020-025), and initiates the second reading of this ordinance and consideration of its adoption at the regular City Council meeting on April 28, 2020.

Item 5.2: **Waive Reading and Introduce by Title Only Urgency Ordinance No. 2020-006 of the City Council Of The City of Riverbank: (1) Adopting The Stanislaus County Health Officer’s March 31, 2020, Order Directing All Individuals Living In The County To Shelter At Their Place Of Residence; (2) Adopting The Governor’s Executive Order N-33-20, Directing All Individuals In The State To Shelter At Their Place Of Residence; (3) Adopting Any Subsequent Orders That The Stanislaus County Health Officer Or Any Official Of The State Of California May Issue To Limit The Spread Of COVID-19; And (4) Ordering All Individuals In The City of Riverbank To Shelter At Their Place Of Residence And Setting Forth Enforcement Rules** – Motion to waive reading and introduction of Urgency Ordinance No. 2020-006, reading by title only, waiving further reading, and adoption of an Urgency Ordinance of the City Council of the City of Riverbank: (1) adopting the Stanislaus County Health Officer’s March 31, 2020 Order; (2) adopting the Governor’s Executive Order N-33-20, directing all individuals in the State to shelter at their place of residence; (3) adopting any subsequent orders that the Stanislaus County Health Officer or any official of the State of California may issue to limit the spread of COVID-19; and (4) ordering all individuals in the City of Riverbank to shelter at their place of residence and setting forth enforcement rules (the “Ordinance”).

6. NEW BUSINESS

Item 6.1: **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.

Item 6.2: **Regarding Medicare for All – A Resolution in Support of the Medicare for all Act of 2019** – It is recommended that the City Council consider whether or not to adopt a resolution declaring support for the Medicare for All Act of 2019.

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 LABOR NEGOTIATORS**

Pursuant to Government Code § 54957.6
 Agency representative: City Manager Sean Scully
 Employee organizations:
 Riverbank Miscellaneous Employees Bargaining Unit
 Riverbank Mid-Management Bargaining Unit

Item 8.2: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8
 Property: 062-031-005, 062-031-006, 062-031-007
 Agency Negotiator: Sean Scully, City Manager
 Property Negotiator: Aemetis, Inc.
 Under Negotiation: Price, terms of payment, or both

Item 8.3: **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 on Closed Session on Item 8.1: **CONFERENCE WITH LABOR NEGOTIATORS** – Riverbank Miscellaneous Employees and Mid-Management Bargaining Units

Item 9.2: Report from Closed Session on Item 8.2: **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – Aemetis, Inc.

Item 9.1: Report from Closed Session on Item 8.3 – **Threat to Public Services or Facilities.**

ADJOURNMENT (The next regular City Council meeting – Tuesday, April 28th @ 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 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act. Posted this 10th day of April, 2020

/s/ *Annabelle Aguilar, C.M.C., City of Riverbank*