

CITY COUNCIL / LRA BOARD

Mayor/Chair

Richard D. O'Brien

Vice Mayor/Chair (CM-D1) Luis Uribe

Council/Authority Members

District 2 Rachel Hernandez

District 3 Cal Campbell

District 4 Darlene Barber-Martinez



**City of Riverbank
Regular City Council and
Local Redevelopment Authority
Board Meetings**

(via Virtual Platform Only)

Council Chambers is located at
6707 Third St., Suite B
Riverbank, CA 95367



AGENDA

TUESDAY, MAY 11, 2021– 6:00 P.M.

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

NOTICE: THIS MEETING WILL BE HELD 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.

1. CALL TO ORDER

2. FLAG SALUTE

3. ROLL CALL

4. AGENDA CHANGES

5. 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.*

6. 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**. Under State Law, matters presented during the public comment period cannot be discussed or acted upon.

Refer to the last page of this agenda for the Public Comment Procedures via ZOOM.

7. PRESENTATIONS (Informational only)

Item 7.1. Proclamation – Mental Health Awareness Month – May 2021.

8. 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 8.1. Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.

- Item 8.2.** Approval of the April 27, 2021 City Council and Local Redevelopment Authority Board Minutes.

9. PUBLIC HEARINGS

The Public Hearing Notice was published in the Riverbank News on 03/31/2021 and a Notification Letter was mailed on 03/31/2021 to each property owner within 300 feet of the property project matter based on the latest equalized assessment rolls of record by the Stanislaus County Assessor.

- Item 9.1.** **First Reading by Title Only and Introduction of a Proposed Ordinance Approving a First Amendment to the Development Agreement By And Between The City Of Riverbank and Pacafi Cooperative, Inc., A California Cooperative Corporation Doing Business As Flavors** - The Planning Commission of the City of Riverbank recommends that the City Council adopt an Ordinance to approve the first amendment to the development agreement by and between the City of Riverbank and Pacafi Cooperative, Inc., a California cooperative corporation doing business as Flavors by conducting the public hearing and consider its approval, which initiates the second reading at the regular City Council meeting of May 25, 2021, or soon thereafter to consider its adoption.

10. NEW BUSINESS

- Item 10.1.** **The project consists of a Final Map to Subdivide Approximately 4.76 Acre Parcel into Two Lots: 1.65 acre (Parcel 1) and 2.88 acres (Parcel 2). A Resolution Approving Final Map 04-2021 for Albert W. Dadesho at 2173 Morrill Road (APN 074-006-013) – Approve the Final Map (“FM”) for the Dadesho property based on the required finding that the map is in conformity with the provisions of subdivision law and city code.**
- Item 10.2.** **A Resolution Authorizing the Appropriation of an Amount Not to Exceed \$25,000 from the Public Benefit Fund for the Cost to Repair Exterior Dry Rot and Repaint the Historical Riverbank Museum Building at 3237 Santa Fe Street** – It is recommended that the City Council consider the proposed resolution appropriating an amount not to exceed \$25,000 from the Public Benefit Fund and directing staff to contract with an appropriate contractor for the repainting and dry rot repair of the Riverbank Historical Museum at 3237 Santa Fe Street.
- Item 10.3.** **A Resolution of Concurrence and Support for the Approval of the Fiscal Year 2021-2022 Annual Action Plan (AAP)** – It is recommended that the City Council open the Community Meeting, accept Public Comment, and consider adopting a Resolution of Concurrence and support for the approval of the Fiscal Year 2021-2022 Annual Action Plan (AAP). A public notice announcing the community meeting was published in English and Spanish on May 5, 2021 in the Riverbank News.

11. 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 11.1. Staff

Item 11.2. Council/Authority Member

Item 11.3. Mayor/Chair

12. 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 adjourning to Closed Session.

Item 12.1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code § 54956.9(a)

Name of Case: Francisco D. Gonzalez, Et.al, v. City of Riverbank, Et.al
Stanislaus County Superior Court Case No. 614551

13. ADJOURNMENT OF THE PUBLIC PORTION OF THE MEETING

The City Council and the LRA Board will be going into Closed Session.

14. REPORT FROM CLOSED SESSION

The Mayor's report on the Closed Session Items will be made to the City Clerk, and the report will be reflected in the Minutes of this meeting. Anyone interested in obtaining the report may contact the City Clerk at cityclerk@riverbank.org or call (209) 863-7198.

15. ADJOURNMENT OF THE REGULAR MEETING (Immediately after Closed Session)

(The next regular meeting is on Tuesday, May 25, 2021 at 6:00 p.m.)

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted on an accessible public location, and the City's website 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

Posted this Thursday, May 6, 2021

/s/ Annabelle H. Aguilar, CMC, City Clerk of Riverbank

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 aaquilar@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.



**PUBLIC PARTICIPATION PROCEDURES
FOR THE CITY COUNCIL/LRA MEETINGS HELD IN A
TELECONFERENCE OR VIRUAL PLATFORM IN CONFORMANCE
WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20**

CHANGES TO THIS NOTICE OF PROCEDURES

In accordance with the Governor's Executive Order, should the meeting procedures change, 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.

PUBLIC "LIVE" VIEWING

- Charter Government Channel - 2
- AT&T U-VERSE Government Channel - 99
- YouTube Live <https://www.youtube.com/channel/UCq2x8QChEcknBq7uuJLcZow>
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS

Via Mail Service: Mail comments to City of Riverbank, Attn. City Clerk, 6707 Third Street, Suite A, Riverbank, CA 95367. (Must be received by 4:00 p.m. on the day of the meeting.)

Via Email to cityclerk@riverbank.org:

- Written comments must be received by 4:00 p.m. on the day of the meeting; and
- Indicate Agenda Item # in the *subject line*.

Join via ZOOM Platform:

- Visit <https://zoom.us/j/94943925973?status=success> for a free account or to download the app.
- Join by this link: <https://us02web.zoom.us/j/81991514942>
- Join by accessing website: <https://zoom.us/join>
 - **Webinar ID: 819 9151 4942**
- Join by telephone: **1 669 900 9128 or 1 253 215 8782 plus webinar ID**

HOW DO I COMMENT? The Mayor will announce when public comment may be made for the agenda item being considered, at which time you will:

- Using a computer - click on the "raise hand" feature in the webinar controls. This will let us know you wish to speak.
 - Once you confirm that you want to be unmuted, your 3 minutes will begin for you to make your comments.
- Using a Phone - press ***9** to "raise the hand".
 - Once you confirm that you want to be unmuted, your 3 minutes will begin for you to make your comments.

Learn about using ZOOM - Visit <https://support.zoom.us/hc/en-us/categories/201146643>