



**RIVERBANK CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY
BOARD MEETINGS
SPECIAL NOTICING OF MEETING PROCEDURES FOR
Tuesday, May 12, 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.

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

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.

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.

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>

FOR QUESTIONS

Contact Annabelle Aguilar, City Clerk at aaguilar@riverbank.org or (209) 863-7198, **before 4:00 p.m.** on Tuesday, April 28, 2020.

PUBLIC "LIVE" VIEWING

- Charter Government Channel – 2
- AT&T U-VERSE Government Channel – 99
- YouTube Live Streaming at <https://www.youtube.com/watch?v=7UN98ekdzdk>

PUBLIC COMMENTS

Every effort is made to receive your comments for the record. Please be aware that technology has its potential to fail. If you believe your written comments were not received, please contact the City Clerk at aaguilar@riverbank.org or (209) 863-7198.

Via U.S. Postal Service: Mail comments to City of Riverbank, Attn. City Clerk, 6707 Third Street, Suite A, Riverbank, CA 95367. (Must be received prior to the meeting.)

Via Email to cityclerk@riverbank.org:

- Emails before the meeting: (Will be distributed to the City Council)
 - **No later than 5:00 p.m.** on the day of the meeting; and
 - The **subject line** must contain the Agenda Item # and brief title. (e.g., Item 5.1 – Urgency Ordinance)
- Emails during the meeting:
 - The **subject line** must contain the Agenda Item # and brief title. (e.g., Item 5.1 – Urgency Ordinance)

Every effort will be made to read all comments up to (5) minutes, however, this allotted time and reading comments is at the discretion of the Mayor. Comments received during this time will be made part of the record.

Via Telephone:

- Call **(209) 863-7172**; only one call at a time may be received.

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.

Via Other Platforms:

At the preparation of this agenda the use of the other platforms are being tested for public participation. Information will be posted when other means of participation are established.



(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, MAY 12, 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.

Send comments via email to cityclerk@riverbank.org or call (209) 863-7172, or other platforms posted. In the subject line indicate “#2 Public Comment”

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 4/14/2020 City Council and Local Redevelopment Authority Board Minutes.

Item 3.C: Consider Adoption of a **Resolution** Approving the Execution of the Measure L Master Funding Agreement between the Stanislaus Council of Governments and the City of Riverbank for Fiscal Years 2020-2025 and Approve the City Manager to Execute Said Agreement.

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: **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: **COVID-19 Parks, Recreation, and Events** – It is recommended that the City Council give direction to the City Parks and Recreation Director concerning the re-opening of park amenities and upcoming programs and events.

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

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: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Pursuant to subdivision (b) of Government Code § 54956.9
Number of cases: (2) potential cases

Item 8.4: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code § 54956.9(a)
Name of Case: Stanislaus Consolidated Fire Protection District v. City of Riverbank and DOES 1-20
Stanislaus County Superior Court Case No. CV-19-004402

ADJOURNMENT – THE PUBLIC PORTION OF THE MEETING (The next regular City Council meeting – Tuesday, May 26th @ 6:pm)

9. REPORT FROM CLOSED SESSION

The Mayor's report on the following 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 from Closed Session may contact the City Clerk at aaguilar@riverbank.org or call (209) 863-7198.

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

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

Item 9.3: Report from Closed Session Item 8.3: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – (2) potential cases

- Item 9.4:** Report from Closed Session on Item 8.4: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:** Stanislaus Consolidated Fire Protection District v. City of Riverbank and DOES 1-20

ADJOURNMENT

COVID-19 Information	<ul style="list-style-type: none"> Please refer to the City of Riverbank website at www.riverbank.org for information.
City Office Building Doors Closed	<ul style="list-style-type: none"> By direction of the City Council – Office building doors will be closed to the public to help eliminate the spread of COVID-19. You may call (209) 869-7101 to reach City Departments or you may email staff.
2020 Canceled Regular City Council Meetings	<ul style="list-style-type: none"> City Council voted to cancel the following regular meetings: <ul style="list-style-type: none"> July 14th, August 11th, November 24th, and December 22nd

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 7th day of May, 2020

/s/ Annabelle Aguilar, CMC, City of Riverbank

Any documents that are not privileged or part of a Closed Session provided to a majority of the City Council/LRA Board after distribution of the agenda packet, regarding any item on this agenda, will be made available for public inspection at the City Clerk's Office, 6707 Third Street, Suite A, Riverbank, CA, during normal business hours. Page 6 of 6