



**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.**

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

**TUESDAY, JUNE 9, 2020 – 6:00 P.M.**

**VIA TELECONFERENCE OR VIRTUAL PLATFORM ONLY – NO PUBLIC LOCATION OF THIS MEETING**

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## A G E N D A

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

- 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**

**Item 1.1:** Security Camera Update by Chief Ridenour.

### **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 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 Page 6 for the Public Comment Procedures page.**

### **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 May 12, 2020 City Council and Local Redevelopment Authority Board Minutes.

**Item 3.C:** A **Resolution** Calling and Giving Notice for the Holding of a General Municipal Election to be held on Tuesday, November 3, 2020, for the By-District Elections of Councilmember District 2, Councilmember District 4, and Election of a Mayor At-Large as Required by the Provisions of the Laws of the State of California Relating to General Law Cities; to Request the Stanislaus County Board of Supervisors to Permit the County Elections Official to Render Election Services to the City; and, to Request the Consolidation of Said Election with the Statewide General Election Held on the Same Date

**Item 3.E:** Three (3) **Resolutions** for Each of the Following Landscape and Lighting Districts to: 1.) Initiate Proceedings for the Annual Levy of Assessments; 2.) Declare Its Intention to Levy Annual Assessments; and 3.) For Preliminary Approval of the Annual Levy Report for Fiscal Year 2020/2021:

**3.E-1:** Consolidated Landscaping and Lighting District

**3.E-2:** Crossroads Landscaping and Lighting District

**3.E-3:** Ridgewood Place Landscaping and Lighting District

**3.E-4:** River Cove Landscaping and Lighting District

**3.E-5:** Sierra Vista Estates Landscaping and Lighting District

**Item 3.F:** A **Resolution** for Each of the Following Storm Drain Maintenance Districts Ordering the Levy and Collection of Assessments for Fiscal Year 2020/2021:

**3.F-1:** Riverbank Storm Drain Maintenance District No. 2006-01 (Heartlands)

**3.F-2:** Riverbank Storm Drain Maintenance District No. 05-01 (Sterling Ridge)

**Recommendation:** Approval of the Consent Calendar items by roll call vote.

### **4. WORKSHOPS**

Information and educational presentation of a subject matter to receive direction and to prepare for its future consideration and decisions by the City Council.

**Item 4.1:** **Fiscal Year 2020-21 Major Fund Budget Workshop** – It is recommended that the City Council receive the information and provide feedback in anticipation of adoption of the Preliminary Budget on June 23, 2020. A Final Budget will be presented to Council in September 2020.

**Item 4.2:**     **Workshop: Law Enforcement Services Agreement** – It is recommended that the City Council receive the information provided in the workshop and ask questions or raise concerns as necessary.

## **5. PUBLIC HEARINGS**

**Item 5.1:**     **The First Reading and Introduction of a Proposed Ordinance Approving a Development Agreement By and Between the City Of Riverbank and Canna Mart, LLC, a California Limited Liability Corporation Doing Business as Canna Mart** – It is recommended that the City Council conduct the public hearing and consider its approval, which initiates the second reading of the ordinance at the July 28, 2020, regular City Council meeting or soon thereafter to consider its adoption.

## **6. NEW BUSINESS**

**Item 6.1:**     **Illegal Firework Enforcement 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:**     **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 3 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 REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8  
Property: 3012 High Street; APN 132-003-022  
Agency Negotiator: Sean Scully, City Manager  
Property Negotiator: Virginia Jones  
Under Negotiation: Price, terms of payment, or both

**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: LIABILITY CLAIMS**

Pursuant to Government Code § 54956.95  
Claimant: Alcira Padilla-Vega  
Claimant: Ismael Martinez, Jr  
Claimant: Sylus Mason Martinez  
Agency claimed against: City of Riverbank

**ADJOURNMENT – THE PUBLIC PORTION OF THE MEETING** (The next regular meeting is on Tuesday, June 23rd @ 6:00 p.m.)

**9. 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 from Closed Session may contact the City Clerk at [cityclerk@riverbank.org](mailto:cityclerk@riverbank.org) or call (209) 863-7198.*

**Item 9.1:** Report from Closed Session on Item 8.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – with Virginia Jones

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

**Item 9.3:** Report from Closed Session Item 8.3: **LIABILITY CLAIMS**  
Claimant: Alcira Padilla-Vega; Claimant: Ismael Martinez, Jr; and  
Claimant: Sylus Mason Martinez

**ADJOURNMENT OF CLOSED SESSION**

**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 4<sup>th</sup> day of June, 2020

*/s/ Annabelle H. Aguilar, CMC, City 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 [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.

**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**

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**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 Stream <https://www.youtube.com/watch?v=7UN98ekdzdk>
- Via ZOOM Platform (See instructions below)

**SUBMITTING PUBLIC COMMENTS**

- ***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 by 4:00 p.m. prior to the meeting.)

***Via Email to [cityclerk@riverbank.org](mailto:cityclerk@riverbank.org):***

- ***Emails before the meeting:*** (Will be distributed to the City Council)
  - Submit No later than 4:00 p.m. on the day of the meeting; and
  - Indicate Agenda Item # in the ***subject line***.
- ***Emails during the meeting:***
  - 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/82837929602>
- Join by accessing website: <https://zoom.us/join>
  - Webinar ID: 828 3792 9602
- Join by telephone: 1 669 900 9128                      Webinar ID: 828 3792 9602
- ***HOW DO I COMMENT?*** The Mayor will announce when public comment may be made for the agenda item, 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*** - Dial \*9, which will notify us that have a "raised hand"
    - Once you are told "you may make your comments" you will have 3 minutes to make your comments.

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