



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. (Refer to Page 6 for public participation.)

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

(The City Council also serves as the LRA Board)

TUESDAY, JUNE 23, 2020 – 6:00 P.M.

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

REVISED

A G E N D A

(THE AGENDA PACKET IS POSTED 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 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 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.

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: A **Resolution** of the City Council Authorizing the Submittal of an Application to the California State Department of Housing and Community Development for Funding Under the SB 2 Permanent Local Housing Allocation Program, and if Selected, the Execution of a Standard Agreement, Any Amendments Thereto, and Any Related Documents Necessary to Participate in the Program.

(added)

Item 3.C: A **Resolution** Authorizing an Application for, and Receipt of, Local Government Planning Support Grant Program Funds.

Recommendation: Approval of 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. 2020-008 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 review the report, take public comment, and consider the adoption of the Ordinance.

5. PUBLIC HEARINGS

The public notices for all Public Hearing Items 5.1, 5.2, 5.3, 5.4, 5.5, and 5.6 were published in the Riverbank News on 6/10/2020.

Item 5.1: **Two Resolutions for Each Landscape and Lighting District to: 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2020/2021; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2020/2021.**

5.1-A: Consolidated Landscaping & Lighting District

5.1-B: Ridgewood Place Landscaping & Lighting District

5.1-C: River Cove Landscaping & Lighting District

5.1-D: Sierra Vista Estates Landscaping & Lighting District

5.1-E: Crossroads Landscaping & Lighting District

It is recommended that the City Council conduct the public hearing for each Landscape and Lighting District as listed, and consider the adoption of each corresponding proposed resolutions by roll call vote.

Item 5.2: A Resolution for Each Storm Drain Maintenance District Ordering the Levying and Collection of Assessments for Fiscal Year 2020/2021:

5.2-A: Riverbank Storm Drain Maintenance District No. 2006-01 (Heartlands)

5.2-B: Riverbank Storm Drain Maintenance District No. 05-01 (Sterling Ridge)

It is recommended that the City Council conduct the public hearing for each District as listed, and consider the adoption of each corresponding proposed resolution by roll call vote.

Item 5.3: First Reading and Introduction of a Proposed Ordinance Amending Section 120.61: Penalties of Chapter 120: Cannabis Regulations of Title XI: Business Regulations by Repealing the Section in its Entirety and Substituting it with a New Section 120.61: Penalties of the Riverbank Municipal Code of Ordinances – It is recommended that the City Council 1) consider the ordinance, 2) conduct the public hearing, and 3) consider approval of the first reading, which initiates the second reading on July 28, 2020.

Item 5.4: A Resolution Approving the Final Reports Funded by the Department of Housing and Economic Development (HCD), Community Development Block Grant (CDBG) Over-the-Counter Grant No. 16-CDBG-11211 Accomplishments and Final Grant Close Out – It is recommended that the City Council 1) receive a summary of the Grant, 2) conduct the public hearing, and 3) authorize staff to submit the final reports and the close out package.

LRA Item 5.5: Local Redevelopment Authority Board Resolution No. 2020-001 Adopting the Preliminary Budget for Fiscal Year 2020-21 – It is recommended that the LRA Board of Directors review and approve the Preliminary Fiscal Year 2020-2021 LRA Budget.

Item 5.6: A Resolution of the City Council Adopting the Preliminary Fiscal Year 2020-21 Operating Budget – It is recommended that the City Council receive a presentation on the Fiscal Year 2020-21 Major Fund Proposed Budgets and provide feedback in anticipation of the adoption of the Preliminary Budget on June 23, 2020. A Final Budget will be presented to Council in September 2020.

6. NEW BUSINESS

Item 6.1: **A Resolution of the City Council Approving a Law Enforcement Services Agreement with Stanislaus County for July 1, 2020– June 30, 2024** – It is recommended that the City Council adopt the resolution approving the updated Law Enforcement Services Agreement with Stanislaus County and authorizing its execution.

Item 6.2: **Electronic Sign Update – Discussion Direction** – It is recommended that the City Council consider an update on the electronic sign update.

Item 6.3: **Review and Discuss the Local and Regional Black Lives Matter Protest Events and Consider a Resolution Affirming the City Council and City of Riverbank Organization’s Commitment to a Community of Equality That Will Not Tolerate Violence or Disrespect for Human Life** - It is recommended that the City Council discuss the recent events summarized in this staff report and consider the attached resolution.

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 APN: 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 8.2: **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 (Others) DOES 1-20
Stanislaus County Superior Court Case No. CV-19-004402

Item 8.3: Threat to Public Services or Facilities

Pursuant to Government Code § 54957

Consultation with: City of Riverbank Director of Emergency Services

ADJOURNMENT – THE PUBLIC PORTION OF THE MEETING (The regular meeting of July 14th is canceled, the next open meeting will be on Tuesday, July 28th @ 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 or call (209) 863-7198.

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 **revised** agenda was posted 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

Posted this 19th day of June, 2020

/s/Annabelle K. Aguilar, CMC, City Clerk, 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 aaquilar@riverbank.org at least (72) 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 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:

- **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/81701251178>
- Join by accessing website: <https://zoom.us/join>
 - Webinar ID: 817 0125 1178
- Join by telephone: 1 669 900 9128 Webinar ID: 817 0125 1178
- ***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 are confirmed to be unmuted, your 3 minutes will begin for you to make your comments.
 - **Using a Phone** – Dial *9, which will notify us that you have a “raised hand”
 - Once you are told “you may make your comments” you will have 3 minutes to make your comments.

Learn about using ZOOM by visiting:

<https://support.zoom.us/hc/en-us/categories/201146643>