



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, JULY 28, 2020 – 6:00 P.M.

**VIA TELECONFERENCE OR VIRTUAL PLATFORM ONLY – NO PUBLIC LOCATION OF THIS MEETING
(CITY HALL IS LOCATED AT 6707 THIRD STREET, RIVERBANK. CA 95367)**

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.
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1. PRESENTATIONS

- Item 1.1:** Proclamation – National Health Center Week
- Item 1.2:** Riverbank Representative Update by Stanislaus County Fire Protection District Board of Director Chad Homme.
- Item 1.3:** PROS Consulting Update on the Citywide Park Master Plan.

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: A **Resolution** of the City Council of the City of Riverbank, California, Authorizing the Destruction of Certain City Records Retained by the Parks and Recreation Department.

Item 3.C: Acceptance of the Eight Street Overlay Project Completed by George Reed, Inc. and Authorization to File a Notice of Completion.

Item 3.D: Re-adoption of **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.

Item 3.E: A **Resolution** Approving **Final Map 01-2020** for McRoy Wilbur Communities, Inc. (APN: 062-022-003). The project consists of a Tentative Map to subdivide approximately 9.40 acres into forty-nine (49) single-family detached residential lots (overall density of 5.21 du/acre), an approximately one (1) acre park, associated street, sewer, water, and storm drainage improvements

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

4. UNFINISHED BUSINESS

Item 4.1: A **Second Reading by Title Only of Proposed Ordinance No. 2020-009 Amending Title XI: Business Regulations; Chapter 120: Cannabis Regulations; Section 120.61: Penalties, by Repealing Section 120.61 in its Entirety and Substituting it with a New Section 120.61 Penalties, to the Riverbank Municipal Code of Ordinances** – It is recommended that the City Council consider adoption of proposed Ordinance No. 2020-009 by roll call vote.

5. PUBLIC HEARINGS

The public notices for all Public Hearing Item 5.1 was published in the Riverbank News on 7/15/2020.

Item 5.1: **A Resolution Granting an Easement Dedication to Pacific Gas and Electric on City Property (APN: 247-250-022, 247-250-004, & 247-260-002) as Described in the Easement Deed** – It is recommended that the City Council consider the proposed resolution granting an easement to PG&E for overhead power lines at City owned parcels (247-250-022, 247-250-004, & 247-260-002).

6. NEW BUSINESS

Item 6.1: **Utility Billing Discussion and Feedback** – It is recommended that the City Council provide feedback on the options presented regarding utility billing during the coronavirus (“COVID-19”) pandemic.

Item 6.2: **CARES Coronavirus Relief Fund (CRF) Allocation Discussion** – It is recommended that the City Council provide feedback to staff regarding the use of the CARES Coronavirus Relief Fund (CRF) Allocation that has been allocated to the City of Riverbank by the County of Stanislaus.

Item 6.3: **Electronic Sign Update – Discussion Direction** – It is recommended that the City Council consider an update on the electronic sign update.

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 LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(d)(1)
Name of Case: Elevations Plus, LLC v. City of Riverbank
Case No.: CV-20-002819

Item 8.2: **LIABILITY CLAIMS**
Pursuant to Government Code § 54956.95
Claimant: Lincoln Capitaio
Agency claimed against: City of Riverbank

Item 8.3: **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

ADJOURNMENT – THE PUBLIC PORTION OF THE MEETING

The meeting on August 11th is canceled. The next regular meeting is on August 25th @ 6:pm

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 07/28/2020 REGULAR MEETING

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 23rd day of July, 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 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 VIRTUAL 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 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 via Email 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/86325120231>
- Join by accessing website: <https://zoom.us/join>
 - **Webinar ID: 863 2512 0231**
- Join by telephone: **1 669 900 9128** or **1 346 248 7799**
- ***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 acknowledged, you will have 3 minutes to comment.
 - **Using a Phone** – Dial ***9**, which will notify us that you have a “raised hand”
 - Once you are acknowledged, you will have 3 minutes to comment.
- ***Learn about using ZOOM*** - Visit <https://support.zoom.us/hc/en-us/categories/201146643>