

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 Hybrid Meetings
(In-Person: Face Covering Required)
(Virtual via ZOOM)**

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



AGENDA

TUESDAY, SEPTEMBER 14, 2021– 6:00 P.M.

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

NOTICE: THIS IN-PERSON AND VIRTUAL HYBRID MEETING WILL BE HELD IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20, AS AMENDED BY ORDER N-08-21 REGARDING THE OPEN MEETING REQUIREMENTS OF THE RALPH M. BROWN ACT, THE FEDERAL AMERICANS WITH DISABILITIES ACT, AND ALSO WITH THE GOVERNOR'S "REOPENING" ORDERS (June 15, 2021), THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH'S COVID GUIDANCE, AND THE RECENT STANISLAUS COUNTY HEALTH OFFICER'S MANDATORY FACE COVERING ORDER (Sept. 2, 2021). THIS IS TO ENSURE THE PUBLIC CONTINUES TO HAVE SAFE ACCESS TO PARTICIPATE IN MEETINGS. REFER TO THE LAST PAGE OF THE AGENDA FOR PARTICIPATION INFORMATION.

1. CALL TO ORDER

2. FLAG SALUTE

3. INVOCATION

4. ROLL CALL

5. AGENDA CHANGES

6. 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.*

7. 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)** and time cannot be yielded to another person. 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.

8. PRESENTATIONS (For informational only)

Item 8.1. Proclamation – Historical Museum- 100th Year Anniversary.

Item 8.2. 2021 Cheese & Wine Festival Update.

9. 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 9.1.** Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.
- Item 9.2.** A **Resolution** Authorizing the Approval of a Subrecipient Agreement between the City of Riverbank and the County of Stanislaus for the Community Development Block Grant Program for FY 2021-2022.
- Item 9.3.** Award Bid for the Patterson Road at First Street Project to Dirt Synasty, Inc. and Authorize Execution of Future Change Orders.
- Item 9.4.** A **Resolution** Providing the City Manager, or Their Designee, Signature Authority for the Submittal of an Application for Funding to the State Water Board Community Water System COVID Relief Program.
- Item 9.5.** A **Resolution** Authorizing the Allocation of Funds to Update the Parks & Recreation Component of the City's System Development Fees and Authorize the City Manager to Enter into an Agreement for Professional Services between Willdan Financial Services and the City of Riverbank to Conduct the Study.
- Item 9.6.** **Resolution** to Award a Contract for the Solid Waste Rate Study to Bartle Wells Associates, Authorize the City Manager to Execute the Contract, and Authorize a Budget Appropriation in the amount of \$15,000 from the General Fund Reserves for Said Contract.

10. PUBLIC HEARINGS

The Public Hearing Notice was published in the Riverbank News on 09/01/2021 and for Items 10.2 and 10.3 a Notification Letter was mailed on 08/30/2021 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 10.1.** **Public Hearing to Adopt Resolution of the City Council of the City of Riverbank Annexing of Territory to a Community Facilities District, Authorizing the Levy of a Special Tax, and Submitting Levy of Tax to Qualified Electors, City of Riverbank Community Facilities District No. 2016-1(Public Services) Annexation No. 1; and**
- Resolution of the City Council of the City of Riverbank Declaring Results of a Special Annexation Election, Determining Validity of Prior Proceedings, and Directing Recording of Amended Notice of Special Tax Lien, City of Riverbank Community Facilities District No. 2016-1(Public Services) Annexation No. 1.**

It is recommended that the City Council hold a public hearing and adopt resolutions annexing territory to a City of Riverbank Community Facilities

District 2016-1 (Public Services) and to authorize the levy of a special tax therein to finance certain City services.

Item 10.2. First Reading by Title Only and Introduction of a Proposed Ordinance Approving the Rezone of 4.6± Acres to Planned Development Located at 4131 Kentucky Avenue (APN 062-022-020) – A Project Known as Countryside III; and

A Resolution Approving Vesting Tentative Map 03-2020 For Mcroy Wilbur Communities, Located At 4131 Kentucky Avenue (APN 62-022-020) – A Project Known as Country Side III.

It is recommended that the City Council conduct the public hearing for the first reading and introduction of the proposed ordinance and consider its approval, which initiates the second reading at the September 28, 2021, regular City Council meeting or soon thereafter to consider its adoption, and by separate roll call vote adopt the proposed resolution for the planned development project.

Item 10.3. First Reading by Title Only and Introduction of a Proposed Ordinance Approving the Rezone of 5.9 ± Acres to Planned Development, Located At 6448 Claus Road (Apn 062-020-001) – A Project Known as The Heritage Collection; and

A Resolution Approving Tentative Map 01-2021 for SCM Hearthstone, LLC, Located At 6448 Claus Road (Apn 062-020-001) – A Project Known as The Heritage Collection

It is recommended that the City Council conduct the public hearing for the first reading and introduction of the proposed ordinance and consider its approval, which initiates the second reading at the September 28, 2021, regular City Council meeting or soon thereafter to consider its adoption, and by separate roll call vote adopt the proposed resolution for the planned development project.

11. NEW BUSINESS

Item 11.1. A Resolution Approving the City of Riverbank 2022-2027 Strategic Plan – It is recommended that City Council:

1. Approve the proposed resolution which approves the proposed City of Riverbank 2022-2027 Strategic Plan.
2. Alternative action: The Council may choose to approve the strategic plan with specific amendments (if desired).
3. Alternative action: Request revisions or more analysis and consider at a future Council meeting date.

Item 11.2. **Riverbank Recycled Water Project Planning Studies – Project Status Report and Implementation Steps** – Staff recommends that City Council receive an update and presentation on the current status of the City of Riverbank Recycled Water Planning Studies and provide feedback and direction on proposed implementation steps as appropriate.

Item 11.3. **Direction on League of California Cities Annual Conference Resolutions** – It is recommended that the City Council provide direction to the voting member regarding the City of Riverbank’s position on the resolution which will be considered at this year’s League of California Cities Annual Conference General Assembly.

12. 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 12.1. Staff

Item 12.2. Council/Authority Member

Item 12.3. Mayor/Chair

13. 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 13.1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Pursuant to Government Code Section 54956.9)
Name of Case: Carlson Morgan, LLC vs. City of Riverbank Local
Redevelopment Authority
Stanislaus Superior Court Case No.: CV-21-001556

Item 13.2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
(Pursuant to Government Code Section 54956.8)
Property: APN: 132-017-017; Address: 3338 Sierra St, Riverbank, CA
Agency Negotiator: Sean Scully, City Manager
Property Negotiator: Delbert and Gracie Liles
Under Negotiation: Price, terms of payment, or both

Item 13.3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
(Pursuant to Government Code Section 54956.8)
Property: APN: 132-017-013; 132-010-014, and 132-010-062; Addresses:
6825, 6827, and 6813 Third Street, Riverbank, CA
Agency Negotiator: Sean Scully, City Manager
Property Negotiator: Dharendra & Saroj Patel
Under Negotiation: Price, terms of payment, or both

14. RECONVENE – REPORT FROM CLOSED SESSION**15. ADJOURNMENT**

- The next regular City Council meeting will be on Tuesday Sept. 28th , 2021 at 6 pm.

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted at the meeting location, on the North City Hall public exterior bulletin board, the Riverbank Community Center, and the City's website 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

Posted this Thursday, September 9, 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.



**TELECONFERENCE OR VIRUAL PLATFORM
PUBLIC PARTICIPATION PROCEDURES
FOR THE CITY COUNCIL/LRA MEETINGS HELD 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/83902407595>
- Join by accessing website: <https://zoom.us/join>
 - **Webinar ID: 839 0240 7595**
- Join by telephone: **1 669 900 9128 or 1 346 248 7799, plus web 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>