



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

(The City Council also serves as the LRA Board)  
City Hall North • Council Chambers

6707 Third Street • Suite B • Riverbank • CA • 95367

## REVISED AGENDA

**TUESDAY, JANUARY 22, 2019–6:00 P.M.**

(THE AGENDA PACKET IS POSTED AT THE CITY CLERK’S OFFICE AND AT [WWW.RIVERBANK.ORG](http://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 Darlene Barber-Martinez (CM-D4)  
Council/Authority Member District 1 Luis Uribe  
Council/Authority Member District 2 Cindy Fosi  
Council/Authority Member District 3 Cal Campbell

**CHANGES TO THE AGENDA:** Mayor/Chair Richard D. O’Brien

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**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.

### **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 December 11, 2018, City Council and Local Redevelopment Authority Minutes.

**Item 3.C:** A **Resolution** to Award a Contract to Indigo Hammond + Playle Architects, LLP for the City-Wide Space Use and Needs Assessment and Authorize the Additional Appropriation of \$90,600 from the General Government System Development Fee Fund (Fund 210).

**Recommendation:** It is recommended that City Council/LRA Board approve 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. 2019-001 Approving a Rezone of 1.1± Acres to Planned Development Located at Seventh and Sierra Streets (APN 312-015-023) a Project Known as Riverbank Commons** – It is recommended that the City Council conduct the second reading by title only of proposed Ordinance No. 2019-001 and consider its adoption by roll call vote.

The Planned Development Rezone 01-2017, Architecture & Site Plan Review 02-2017, Tentative Subdivision Map 01-2017 (Dept. File # 17-0015) – Edmond Shamass, applicant; Edward Touma, owner – a fourteen lot gated community including Lot A which consists of streets, parking area, utilities, landscaping, and a small park, which was considered by the Planning Commission, and by a 5-0 vote on October 16, 2018, approved the Tentative Map and Architecture & Site Plan Review for the Project and recommended City Council approval of the proposed ordinance.

**Item 4.2:** **Second Reading by Title Only and Adoption of Proposed Ordinance No. 2019-002 Amending Chapter 96: Trees of Title IX: General Regulations by Adding a New Section §96.20: Dangerous Trees, Mistletoe a Nuisance, to the Riverbank Code of Ordinances** – It is recommended that the City Council conduct the second reading by title only of proposed Ordinance No. 2019-002 and consider its adoption by roll call vote.

**5. PUBLIC HEARINGS** There are no items to consider.

## **6. NEW BUSINESS**

**Item 6.1:** **Mobile Food Vendor Pilot Program** – Staff recommends that the City Council review the materials, take public comment, and then provide staff with direction to commence the pilot project for six (6) months.

**Item 6.2:** **Consideration of a Public Art Pilot Program** – It is recommended that the City Council consider approving a Public Art Pilot Program with a specific focus of encouraging student participation in public art projects of City owned equipment boxes within public spaces. Council may also provide direction on establishing an ad hoc committee to review applications and a small stipend amount for those applications that are approved.

**Item 6.3:** **Adjustments to the 2019 Regular City Council Meeting Schedule** – It is recommended that the City Council:

- 1) Cancel the meetings of July 9, August 13, November 26, and December 24, for a modified summer schedule and to minimize conflicts with Holiday activities.

## **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:** **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.

**Item 8.2:** **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Pursuant to Government Code Section 54957  
Title: City Manager

**9. REPORT FROM CLOSED SESSION**

**Item 9.1:** Report from Closed Session on Item 8.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – Aemetis, Inc.

**Item 9.2:** Report from Closed Session on Item 8.2: **PUBLIC EMPLOYEES PERFORMANCE EVALUATION** – City Manager

**ADJOURNMENT** (The next regular City Council meeting – Tuesday, Feb. 12<sup>th</sup> @ 6:00 pm)

**UPCOMING EVENTS:**

January 21 (Monday)	<ul style="list-style-type: none"> <li>• <b><u>City Offices Closed</u></b> – In honor of Martin Luther King Day.</li> </ul>
February 18 (Monday)	<ul style="list-style-type: none"> <li>• <b><u>City offices Closed</u></b> – In honor of President's Day.</li> </ul>
February 21 (Thursday)	<ul style="list-style-type: none"> <li>• <b><u>Special City Council Meeting – Annual Nonprofit and Community Partners Forum</u></b>, Riverbank Teen Center, 600-A Santa Fe St., Riverbank, at 6:30 p.m. Contact Administrative Analyst Norma Torres-Manriquez (209) 863-7153 or <a href="mailto:nmanriquez@riverbank.org">nmanriquez@riverbank.org</a> for information.</li> </ul>
March 13 (Wednesday )	<ul style="list-style-type: none"> <li>• <b><u>State of the City Address</u></b> – at the Antigua Event Center, 3200 Santa Fe Street, Riverbank, at 6:30 p.m. Contact Administrative Analyst Norma Torres-Manriquez (209) 863-7153 or <a href="mailto:nmanriquez@riverbank.org">nmanriquez@riverbank.org</a> for information.</li> </ul>
2019 Canceled Regular City Council Meetings	<ul style="list-style-type: none"> <li>• <b><u>City Council voted to cancel the following regular meetings:</u></b> <ul style="list-style-type: none"> <li>○ To be determined.</li> </ul> </li> </ul>

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 North City Hall, 6707 Third Street, Riverbank, CA, during normal business hours.

**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 Brown Act.  
 Posted this 17<sup>th</sup> day of January, 2019.

*/s/ Annabelle H. Aguilar, CMC, City Clerk / LRA Recorder*

**Notice Regarding Americans with Disabilities Act:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk’s Office at (209) 863-7122 or cityclerk@riverbank.org. Notification of (72) hours before the meeting will enable the City to make reasonable arrangements to ensure any special needs are met. [28 CFR 35.102-35.104 ADA Title II].

**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.

<b>Meeting Schedule</b>	<p><u>Regular City Council Meetings:</u> 6:00 p.m. on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month, unless otherwise noticed.</p> <p><u>Local Redevelopment Authority Board:</u> (The City Council also serves as the LRA Board.) Meets on an “as needed” basis. The City Council also serves as the LRA Board.</p>
<b>City Council / LRA Agenda &amp; Reports</b>	<p>The City Council/LRA Board agenda is posted pursuant to the California Brown Act, which only requires these agenda title pages to be posted near the entrance of the location where the meeting is to be held and, when available, on the City’s website. Additional documents may be provided by the City in its efforts of transparency to keep the public well informed. <b>The agenda packet (agenda plus supporting documents) are posted for public review at the City Clerk's Office, 6707 Third Street, Riverbank, CA and at <a href="http://www.riverbank.org">www.riverbank.org</a> upon distribution to a majority of the City Council/LRA Board.</b> A subscription to receive the agenda can be purchased for a nominal fee through the City Clerk’s Office.</p>
<b>Public Hearings</b>	<p>In general, a public hearing is an open consideration within a regular meeting of the City Council/LRA Board, for which special notice has been given. During a specified portion of the hearing, any interested party is invited to present written or oral protests or support for the subject matter under consideration. Written testimony sent or delivered to the City Clerk must be received no later than <u>5:00 p.m. on the day of the meeting</u> to allow for their distribution to the City Council/LRA Board. Preparations for the meeting are conducted between 5:00 p.m. and 6:00 p.m. and therefore the City Clerk is not available during this time.</p>
<b>Televised / Video of Meetings</b>	<ul style="list-style-type: none"> <li>• Charter – Channel 2</li> <li>• AT&amp;T Uverse – Channel 99</li> <li>• <a href="http://www.riverbank.org">www.riverbank.org</a> – video icon – under Agendas and Minutes link</li> </ul>
<b>City Hall Hours</b>	<p>City Hall is open Monday – Thursday; 7:30 am – 5:30 pm and Fridays: 8:00 am – 5:00 pm; CLOSED alternating Fridays</p>
<b>Questions</b>	<p>Contact the City Clerk at (209) 863-7122 or aaguilar@riverbank.org</p>