City of Riverbank

REGULAR CITY COUNCIL AND LOCAL REDEVELOPMENT AUTHORITY MEETINGS

(The City Council also serves as the LRA Board)

MINUTES

TUESDAY, JANUARY 26, 2016

CALL TO ORDER:

The City Council and Local Redevelopment Authority Board of the City of Riverbank met at 6:00 p.m. on this date at the Riverbank City Council Chambers, 6707 Third Street, Suite B, Riverbank, California, with Mayor/Chair Richard D. O'Brien presiding.

FLAG SALUTE: Mayor/Chair Richard D. O'Brien

ROLL CALL:
Mayor/Chair Richard D. O'Brien
Vice Mayor/Chair Jeanine Tucker
Council/Authority Member Darlene Barber-Martinez
Council/Authority Member Cal Campbell
Council/Authority Member Leanne Jones Cruz

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.

Councilmember Barber-Martinez and Councilmember Campbell claimed a conflict with item 6.2.

1. PRESENTATIONS

Item 1.1: Presentation to Recognize Ms. Patricia Hughes for her Exemplary Service as a Planning Commissioner – ***Ms. Hughes was presented with a plaque. She thanked several people.***

Item 1.2: Administer the Oath of Office to Reappointed Planning Commissioner Joan Stewart and Newly Appointed Planning Commissioners Edward Tabacco and Larry King – ***The appointed Planning Commissioners were sworn in by City Clerk Annabelle Aguilar.***

Item 1.3: Strategic Planning Update – ***City Manager Jill Anderson made the presentation.***

LRA Item 1.4: Enhanced Infrastructure Financing Districts – a Financing Option for Funding Redevelopment and Future Capital Improvements – ***Mr. Gomez of Economic & Planning Systems, Inc. made the presentation.***

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.

No one spoke.

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 otherwise requested by an individual Council/Authority Member for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

Item 3.A: Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.

Item 3.B: Approval of the January 12, 2016, City Council and Local Redevelopment Authority Minutes.

Item 3.C: A **Resolution [No. 2016-004]** of the City Council, of the City of Riverbank, California, Approving the Interim Appointment of Michelle Guzman to the Stanislaus Consolidated Fire Protection District Board of Directors as the Riverbank Representative.

Item 3.D: A **Resolution [No. 2016-005]** of the City Council of the City of Riverbank, California, to Replace in its Entirety the City of Riverbank Standard Specifications Design Standards and Standard Plans for Section 1 through Section 8 with New Specifications and Drawings.

Item 3.E: Out of State Travel Request to Attend Training for the Implementation of Casselle Financial Management Software in Provo, Utah.

Item 3.F: Adjustments to 2016 City Council Meeting Schedule and Closure of City Offices from December 26 to December 30, 2016.

Item 3.G: Authorization of the Out of State Travel Made by the City Manager to attend the International City/County Management Association Annual Conference in Seattle, WA in September 2015.

Recommendation: It is recommended that City Council/LRA Board approve the Consent Calendar items by roll call vote.

ACTION: ***By motion moved and seconded (Tucker/ Jones Cruz /passed 5-0) to approve Items 3.A through 3.G as presented. Motion carried by unanimous City Council and LRA Board roll call vote.***

AYES: Campbell, Jones Cruz, Tucker, Barber-Martinez, and Mayor O'Brien
NAYS: None, ABSENT: None, ABSTAINED: None

4. UNFINISHED BUSINESS There were no items to consider.

5. PUBLIC HEARINGS There were no items to consider.

6. NEW BUSINESS

Item 6.1: **Riverbank Cheese & Wine Festival Report** – It is recommended that the City Council hear the report on the 2015 Cheese & Wine Festival and provide direction regarding the plans for the 2016 event.

Mr. Chris Ricci of Chris Ricci Presents provided an update on the financial status of conducting the Cheese and Wine Festival. City Council and presenters discussed the item. Mr. Ricci will proceed with the preparations of the Festival for 2016.

Item 6.2: **Farmer's Market Update and Fee Waiver Request** – It is recommended that the City Council review the plans for the 2016 Farmer's Market and provide staff direction on the request to waive the fees for City services and if approved, authorize the reimbursement of the Enterprise Fund with a General Fund allocation.

Due to serving on the Farmer's Market Committee for the Chamber of Commerce, Councilmembers Barber-Martinez and Campbell recused themselves from consideration of this item and left the room at 7:10 p.m.

Parks and Recreation Director Sue Fitzpatrick presented the staff report.

Ms. Garnett Martin, Marketing Director of the Chamber of Commerce, and Mr. Anthony McKinney Chamber President, spoke in favor of approving the waiver to conduct the event. City Council discussed the item.

ACTION: ***By motion moved and seconded (Tucker / Jones Cruz / passed 3-0) to approve Resolution No. 2015-006 of the City Council of the City Of Riverbank, California, Approving the Request from the Riverbank Chamber of Commerce for the Waiver of Fees for the Operation of the Farmer's Market and Authorization to Reimburse the Associated Enterprise Fund from the General Fund as presented. Motion carried by unanimous City Council roll call vote.***
AYES: Jones Cruz, Tucker, and Mayor O'Brien
NAYS: None, ABSENT: None, ABSTAINED: None

Councilmembers Barber-Martinez and Campbell returned to the dais at 7:25 p.m.

Item 6.3: **Citywide Special Events Planning** – It is recommended that the City Council direct staff in the planning of special events for the upcoming year.

Director Fitzpatrick presented the staff report; City Council and staff discussed the item.

City Council directed to continue the RiverFest event in combination with the Color Run event for another year and reassess the event next year, to continue with the Memorial Day Remembrance event, and discontinue a separate event for the Fiesta Riverbank/Multi-Cultural event.

LRA Item 6.4: **Authorize the City Manager and Local Redevelopment Authority Executive Director to finalize negotiations and execute an Environmental Services Cooperative Agreement that will Remediate and/or Remove Contamination to Real Property at the (former) Riverbank Army Ammunition Plant** – It is recommended that the Local Redevelopment Authority ("LRA") Board of Directors ("BOD") authorize the City Manager and the Local Redevelopment Authority Executive Director to finalize negotiations and execute an environmental services cooperative agreement ("ESCA") with the US Army for the purpose of remediating and/or removing contamination to real property ("Project") associated with the Army's mission at the former Riverbank Army Ammunition Plant ("RAAP"), now commonly known as the Riverbank Industrial Complex.

LRA Executive Director Debbie Olson presented the staff report.

ACTION: ***By motion moved and seconded (O'Brien / Jones Cruz / passed 5-0) to approve Authorizing the City Manager and LRA Executive Director to finalize negotiations and execute an Environmental Services Cooperative Agreement that will Remediate and/or Remove Contamination to Real Property at the (former) Riverbank Army Ammunition Plant as presented. Motion carried by unanimous City Council and LRA Board roll call vote.***
AYES: Campbell, Jones Cruz, Tucker, Barber-Martinez, and Mayor/Chair O'Brien
NAYS: None, ABSENT: None, ABSTAINED: None

7. COMMENTS (Information only – No action)

Item 7.1: Staff Comments.

- ***Planning and Building Manager Donna Kenney announced a training workshop and a training Academy for Planning Commissioners, and for anyone who may be interested.***
- ***Director Fitzpatrick reported on the Dog Park Task Force meeting.***
- ***City Clerk Annabelle Aguilar announced the recruitment to fill the Riverbank Representative seat on the Stanislaus Consolidated Fire Protection District, Board of Directors.***
- ***City Manager Jill Anderson announced the restaurants that will be opening soon.***

Item 7.2: Council/Authority Member Comments

- ***Councilmember Cal Campbell reported on his attendance of the California League of Cities Employee Relations meeting, and spoke in regards to the potential business opportunities that the IMAX theatre will offer to current and new entrepreneurs.***
- ***Councilmember Barber-Martinez reported on her attendance of the Institute for Local Government Workshop on immigrant engagement and integration, and on her attendance of the League of California Cities Policy Committee meeting on the topic of homelessness.***

Item 7.3: Mayor/Chair Comments

- ***Mayor O'Brien encouraged City departments to further develop the City's new website.***

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 into Closed Session.

Mayor/Chair O'Brien announced the Closed Session items and opened the items for public comment; no one spoke. The City Council and LRA Board recessed into Closed Session at 8:01 p.m.

LRA Item 8.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Government Code Section 54956.8
Property: APN #062-031-007; 062-031-006; 062-008-009
Agency Negotiator: Jill Anderson, City Manager and Debbie Olson, LRA Executive Director
Property Negotiator: U.S. Army

LRA Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code § 54956.9(a)
Name of Case: In Re: AQH, LLC dba Aquifer LLC
United States Bankruptcy Court, Northern District of California
Case No. 15-50553 ASW 11

Item 8.3: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: 1 potential case

9. REPORT FROM CLOSED SESSION

Mayor/Chair O'Brien reconvened the meetings at 8:17 p.m.

LRA Item 9.1: Report on Closed Session LRA Item 8.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

There was no report on this item.

LRA Item 9.2: Report on Closed Session LRA Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Chair O'Brien reported that direction was given to staff.

Item 9.3: Report from Closed Session Item 8.3: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Mayor O'Brien reported that direction was given to staff.

ADJOURNMENT

There being no further business, Mayor/Chair O'Brien adjourned the meetings at 8:18 p.m.

ATTEST: (Adopted *02/09/2016*) **APPROVED:**

THE ORIGINAL MINUTES ARE ON FILE WITH THE CITY CLERK

Annabelle H. Aguilar, CMC
City Clerk / LRA Recorder

Richard D. O'Brien
Mayor / Chair