

CITY COUNCIL / LRA BOARD

Mayor/Chair

Richard D. O'Brien

Council/Authority Members

District 1 - Luis Uribe

District 2 - Rachel Hernandez

District 3 - Leanne Jones Cruz

District 4 - Darlene Barber-Martinez



CITY OF RIVERBANK

**Regular City Council and
Local Redevelopment Authority
Board Meetings**

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



AMENDED AGENDA

DATED: JAN 10, 2023

TUESDAY, JANUARY 10, 2023 – 6:00 P.M.

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

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 59453, SUBDIVISION (e) OF THE RALPH M. BROWN ACT (CALIFORNIA GC § 54950, ET SEQ.), THE FEDERAL AMERICANS WITH DISABILITIES. WHILE THIS MEETING WILL BE PHYSICALLY OPEN TO THE PUBLIC, GIVEN THE STATE OF EMERGENCY REGARDING THE THREAT OF COVID-19, MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE AND COMMENT VIA THE ZOOM VIRTUAL PLATFORM. 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

Include Item 11.4 New Business- Resolution Declaring the Existence of a Local Emergency in Response to the 2023 Winter Storms

Remove Item 7.1 Presentations- Presentation Project Resolve

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. PRESENTATIONS (Informational only)

~~**Item 7.1 — Presentation Project Resolve— It is recommended that City Council receive a presentation from Katy Trompetter with Project Resolve.**~~

8. 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.

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 Approval of the December 13, 2022 City Council and Local Redevelopment Authority Board Minutes.

10. PUBLIC HEARING

The Public Notice for Item 10.1, Item 10.2, and Item 10.3 was Published on December 28th, 2022 in the Riverbank News.

Item 10.1 **First Reading by Title Only and Introduction of a Proposed Ordinance Amending Title XV: Building Regulations, Adoption of Standard Codes, by repealing in their entirety Sections §150.01 ADMINISTRATIVE CODE through §150.16 SOLAR /PHOTOVOLTAIC POWER SYSTEMS, and substituting them with new Sections §150.01 through §150.16 and Adopting by Reference the 2023 California Administrative, Building, Residential, Electrical, Mechanical, Plumbing Energy, Existing Building, Historical Building, Fire, and Green Building Standards and Solar/Photovoltaic Power Systems; and Amending Title XV: Land Usage, Chapter 157: WATER EFFICIENT LANDSCAPE AND IRRIGATION; Section 157.01: Purpose and Intent.-** It is recommended that the City Council introduce and pass to a second reading an Ordinance adopting the 2023 California Building Codes as referenced above.

Item 10.2 **First Reading by Title Only and Introduction of Summerfair General Plan Amendment, Rezone, Architecture and Site Plan Review, and Mitigated Negative Declaration Project-** It is recommended that the City Council listen to the presentation, take public comment, and consider approving the Ordinance and Resolutions for the Summerfair General Plan Amendment, Rezone, Architecture and Site Plan Review, and Mitigated Negative Declaration Project.

Item 10.3 **First Reading by Title Only and Introduction of a Proposed Ordinance Amending Title XV: Section §153.003, DEFINITIONS, Section §153.031, USES PERMITTED, Section §153.046, USES PERMITTED, Section §153.061, USES PERMITTED, Section §153.067, USES PERMITTED, and adding Sections §153.170 through §153.177 related to Tiny House Villages.** It is recommended that the City Council introduce and pass to a second reading an Ordinance permitting and providing development standards for tiny house villages in residential zones.

11. NEW BUSINESS

Item 11.1 **Nomination and Appointment of the Vice Mayor to serve for the year 2023-**
It is recommended that the Mayor nominate a Councilmember to serve as Vice Mayor for the year 2023, and by roll call vote, City Council approve the appointment for a one-year term.

Item 11.2 **Annual Consideration of the City Council Appointments to Intergovernmental Boards and Committees and Appointments to the Internal City Committees for the year 2023.** – It is recommended that the City Council: 1) Review the appointment lists; and 2) Volunteer or nominate a member of the Council to serve as the representative; and 3) By roll call vote, ratify the appointments for the year 2023.

Item 11.3 **Adjustments to the 2023 Regular City Council Meetings Schedule-** It is recommended that the City Council cancel the regular City Council meetings of July 11th, August 8th, November 28th and December 26th, for a modified summer schedule and to minimize conflicts with Holiday Activities.

Item 11.4 **A Resolution Declaring the Existence of a Local Emergency in Response to the 2023 Winter Storms-** It is recommended that the City Council consider adopting a Resolution declaring the existence of a local emergency in response to the 2023 winter storms. (Consideration of this item is subject to a majority vote by the City Council for inclusion to the agenda pursuant to Cal. Gov. Code §54954.2(b)(1).

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 **LIABILITY CLAIMS**
(Pursuant to Government Code § 54961)
Claimant: Diego Hernandez
Agency Claimed Against: City of Riverbank

14. REPORT FROM CLOSED SESSION

Item 14.2 Report from Closed Session on **Item 13.1**
LIABILITY CLAIMS
(Pursuant to Government Code § 54961)
Claimant: Diego Hernandez
Agency Claimed Against: City of Riverbank

15. ADJOURNMENT

- The next regular City Council meeting will be on January 24, 2023 at 6:00 p.m.

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, Riverbank Community Center exterior bulletin, and the City's website 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

Posted this 10th Day of January, 2023

/s/ *Gabriela Hernandez, City Clerk*



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 cityclerk@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/VIRUAL PLATFORM PUBLIC PARTICIPATION COMMENT PROCEDURES FOR CITY COUNCIL MEETING HELD IN CONFORMANCE WITH THE BROWN ACT

PUBLIC “LIVE” VIEWING

- Government Channels: Charter– 2 and AT&T U-VERSE – 99
- YouTube Live – is no longer available due to technical difficulties, which is being worked on.
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS FOR THE RECORD

Written comments must be received before 4:00 p.m. on the date of the meeting in order for them to be distributed to the Council prior to consideration of the matter. Written comments will not be read aloud at the meeting, but will be reported as received for the record. If you do not receive an acknowledgement of receipt within an hour of submission or by 5:00 pm, please call the City Clerk’s Office at (209) 863-7198 or the Administration Dept. at (209) 863-7122.

ACCEPTABLE METHODS OF SUBMITTING COMMENTS **BEFORE THE 4:00 PM DEADLINE**

- **Via Mail Service:** Mail comments to City of Riverbank, Attn. City Clerk, 6707 Third Street, Suite A, Riverbank, CA 95367. (Call 209-863-7198 / 209-863-7122 to ensure they were received.)
- **Via Email:** Mail to cityclerk@riverbank.org. (*Note: This technology is not a guaranteed method.*)
 - Indicate Agenda Item # in the **subject line**. (Call 209-863-7198 /209-863-7122 to ensure receipt)
- **Oral Comments In-Person:** The Mayor will ask the audience if anyone wishes to comment, at that time you may approach the podium.
- **Oral Comments Via Zoom:** The Mayor will announce when public comments may be made for a limit of 3 minutes on the agenda item being considered, at which time you will:
(please make sure the volume on your video device or any nearby device is turned down.)
 - Using a computer – click on the “raise hand” feature in the webinar controls. This will alert staff that you wish to speak, and you will be unmuted.
 - Using a Phone – press ***9** to “raise the hand”. This will alert staff that you wish to speak, and you will be unmuted.

Teleconference Phone Number (This system is a backup for ZOOM technical difficulties only when providing oral comments.) If there are technical difficulties or disconnection with ZOOM while making oral comments, please immediately call the **teleconference phone number (209) 863-7151 so that Council may receive your comments. Council will be waiting for your call. Thank you**

JOIN THE MEETING VIA ZOOM PLATFORM

Join by this link: <https://us02web.zoom.us/j/86260208607>

- Join by accessing website: <https://zoom.us/join>, enter **Webinar ID: 862 6020 8607**
- Join by telephone:**1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: 862 6020 8607**

Learn about using ZOOM - Visit <https://zoom.us/j/94943925973?status=success> for a free account or to download the app.