

## 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



## **TUESDAY, FEBRUARY 14, 2023 – 6:00 P.M.**

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

### **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. PRESENTATIONS (Informational only)- No Presentations Scheduled.**

### **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 January 24, 2023 City Council and Local Redevelopment Authority Board Minutes.

**Item 9.3** **A Resolution** Adopting by Reference Fair Political Practices Commission Title 2, Division 6, California Code Sections 18730 and 18730.1; the 2023 Conflict of Interest Code List of Designated City Positions; and the Related Economic Interest Disclosure Categories.

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**Item 9.4**      **A Resolution** Declaring Certain Property Surplus as Listed in Exhibit A and Authorizing its Disposition.

**Item 9.5**      **A Resolution** to Award Bid for the Claus Road Curb & Sidewalk Project to Hensley's Paving & General Engineering Inc. and Authorize Execution of Future Change Orders

**10. PUBLIC HEARING – No Items Scheduled.**

**11. NEW BUSINESS**

**Item 11.1**      **A Resolution Appropriating funds for the 2022 Cheese & Wine Festival-** It is recommended that the City Council consider the approval of a Resolution to appropriate funds for the 2022 Cheese & Wine Festival.

**Item 11.2**      **2023 Cheese & Wine Festival Options-** It is recommended that the City Council consider the options for the 2023 Cheese & Wine Festival and give staff direction.

**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- POTENTIAL LITIGATION**  
(Pursuant to Government Code § 54956.9)  
Number of Cases: 1 Potential Case

**Item 13.2**      **LIABILITY CLAIMS**  
(Pursuant to Government Code § 54961)  
Claimant: Henry S. (Mic) Meeks, Advanced Materials and Manufacturing Technologies, LLC  
Agency Claimed Against: City of Riverbank

**14. REPORT FROM CLOSED SESSION**

**Item 14.1**      Report from Closed Session **Item 13.1**  
**CONFERENCE WITH LEGAL COUNSEL- POTENTIAL LITIGATION**

(Pursuant to Government Code § 54956.9)  
Number of Cases: 1 Potential Case

**Item 14.2** Report from Closed Session **Item 13.2**

**LIABILITY CLAIMS**

(Pursuant to Government Code § 54961)

Claimant: Henry S. (Mic) Meeks, Advanced Materials and Manufacturing Technologies, LLC

Agency Claimed Against: City of Riverbank

**15. ADJOURNMENT**

- The next regular City Council meeting will be on February 28th, 2023 at 6:00 p.m.
- *Happy Valentine's Day! ♥*

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, South City Hall public exterior Bulletin, 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 9th Day of February, 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](mailto: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 – City of Riverbank
- 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](mailto: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 public 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/89944541462>

- Join by accessing website: <https://zoom.us/join>, enter Webinar ID: **899 4454 1462**
- Join by telephone: **1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: 899 4454 1462**

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