

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, MARCH 28, 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)

Item: 7.1 Presentation by Stanislaus Regional Transit Authority (StanRTA)- It is recommended that City Council receive a presentation from Mr. Adam Barth, StanRTA CEO.

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.

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- Item 9.2** **Approval** of the City Council and Local Redevelopment Authority Board Minutes for March 14, 2023.
- Item 9.3** **Resolution** Opposing Initiative No. 21-0042A1, The Taxpayer Protection and Government Accountability Act.
- Item 9.4** **Resolution** Awarding a Contract for budgeting and transparency software to ClearGov, Inc. and Authorizing the Assistant City Manager Execute said Contract.
- Item 9.5** **Resolution** Authorizing the Addition of the Senior Planner Job Classification and Salary Range; and Amending the City of Riverbank Compensation Plan.
- Item 9.6** **Resolution** to Approve and Adopt the 2023 City of Riverbank Measure L Expenditure Plan Project List.
- Item 9.7** **Resolution** Adopting a List of Projects for Fiscal Year 2023-2024 Funded by SB 1: The Road Repair and Accountability Act of 2017.
- Item 9.8** **Resolution** of the City of Riverbank Declaring Its Intention to Annex Territory to a Community Facilities District and to Authorize the Levy of Special Taxes Therein, the City of Riverbank Community Facilities District No. 2016-1 (Public Services) Annexation No. 2.
- Item 9.9** **Resolution** to Approve a Subdivision Improvement Agreement for Diamond Bar East with LGI Homes - California LLC and Authorizing the City Manager to Execute the Agreement.
- Item 9.10** **Resolution** adopting the Final Map 03-2022 Diamond Bar East – APN: 062-020-010.
- Item 9.11** **Resolution** Accepting the Annual Financial Report for Fiscal Year 2020-2021.
- Item 9.12** **Authorization** for Out of State Travel Request for Mayor Richard D. O'Brien and City Manager Marisela H. Garcia to Travel to Washington D.C. for Meetings with the U.S. Army and Federal Regulators.

10. PUBLIC HEARING – No Items Scheduled

11. NEW BUSINESS

- Item 11.1** **2022 General Plan and Housing Element Annual Progress Reports. A Resolution Adopting the 2022 General Plan and Housing Element**

Annual Progress Reports (APRs) and Authorizing Staff to Submit said Reports to the California Office of Planning and Research and the California Department of Housing and Community Development. - Staff recommends City Council approve the 2022 General Plan and Housing Element Annual Progress Reports (APR) and authorize Staff to submit said reports to the California Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD).

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 LABOR NEGOTIATORS (Pursuant to Government Code § 54957.6)**

Agency Representative: Marisela H. Garcia, City Manager
Unrepresented Employee: Director of Parks & Recreation

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**
CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code § 54957.6)

Agency Representative: Marisela H. Garcia, City Manager
Unrepresented Employee: Director of Parks & Recreation

15. ADJOURNMENT

- The next regular City Council meeting will be on April 11th, 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, 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 23rd Day of March, 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 – 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. (*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/89374006966>

- Join by accessing website: <https://zoom.us/join>, enter Webinar ID: **893 7400 6966**
- Join by telephone: **1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: 893 7400 6966**

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