

**CITY COUNCIL / LRA BOARD**

Mayor/Chair  
Richard D. O'Brien  
Vice Mayor/Chair (CM-D3) Cal Campbell  
Council/Authority Members:  
District 1 Luis Uribe  
District 2 Rachel Hernandez  
District 4 Darlene Barber-Martinez



City of Riverbank  
Regular City Council and  
Local Redevelopment Authority  
Board Hybrid Meetings  
(Virtual via ZOOM)  
Council Chambers, 6707 Third St., Suite B  
Riverbank, CA 95367



# AGENDA

**TUESDAY, MAY 10, 2022 – 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**

**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. 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.

**8. PRESENTATIONS (Informational only) – None scheduled.**

**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 April 26, 2022 City Council and Local Redevelopment Authority Board Minutes.

**Item 9.3**      Adopt a Resolution Approving the Transportation Development Act Local Transportation Fund (LTF) Non-Transit Claim for Fiscal Year 2021/2022 Other Purposes and Amending the Budget for the City of Riverbank to Conform to Said Claim.

## **10. PUBLIC HEARINGS**

**Item 10.1**      **First Reading and Introduction by Title Only of an Ordinance Approving a Development Agreement (DA) for The Heritage Collection at Sierra Street Subdivision Development Agreement No. 03-2021 (Dept. File #21-0021) – SCM Hearthstone LLC, The Heritage Collection at Sierra Street Subdivision - 6448 Claus Road (APN 062-020-001). The project site has a General Plan Land Use Designation of Medium Density Residential (MDR) and is zoned Planned Development (PD). The adoption of a Development Agreement is exempt from environmental review because it is not a project within the meaning of Section 15378 of the State CEQA Guidelines. The Planning Commission, with a vote of 5/0 at their meeting of April 19, 2022, recommended approval of the DA to the City Council – It is recommended that the City Council open the public hearing, accept public testimony and Introduce and Waive the First Reading of Ordinance 2022-\_\_\_\_, for a Development Agreement which extends the life of approved The Heritage Collection at Sierra Street Tentative Map 01-2021 relating to real property located at 6448 Claus Road (APN 062-020-001). *The Public Hearing Notice was published in the Riverbank News on April 27, 2022.***

## **11. 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 11.1**      Staff

**Item 11.2**      Council/Authority Member

**Item 11.3**      Mayor/Chair

## **12. ADJOURNMENT**

- The next regular City Council meeting will be on May 24, 2022 at 6 pm.

---

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

Posted this 5th day of May, 2022.

*/s/ Kathy L. Teixeira, Interim 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/VIRTUAL PLATFORM PUBLIC PARTICIPATION COMMENT PROCEDURES FOR THE HYBRID CITY COUNCIL MEETING HELD IN CONFORMANCE WITH THE BROWN ACT AS AMENDED BY SB 361**

**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](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 audience if anyone wishes to comment, at that time you may approach the podium. (A Spanish language interpreter is available for assistance.)
- **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/82779391428>
- Join by accessing website: <https://zoom.us/join>, enter **Webinar ID:** Join by telephone:**1 669 900 9128 or 1 346 248 7799, plus Webinar ID 827 7939 1428**

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