

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, JUNE 13, 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



Proclamation – Disability Awareness Month, June 2023- It is recommended that the City Council read the Proclamation for Disability Awareness Month – June 2023; and present to Cathy Mendoza, Executive Director of Society for disABILITIES.

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.

PLEASE SPEAK DIRECTLY INTO THE MICROPHONE.

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 May 23, 2023.
- Item 9.3** **Acceptance** of the Overlay Project 2022 and Authorization to File a Notice of Completion.
- Item 9.4** **Resolution** to Award Bid for the Riverbank Police Gate & Fence Project to Golden Bay Fence Plus Iron Works, Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment for an Additional \$94,923.00 from American Rescue Plan Act Funds.
- Item 9.5** **Resolution** to Approve New Engineering Services Contract with Ardurra Group, Inc. and Authorize City Manager to Enter into a Contract with Ardurra Group, Inc. and William F. Kull to Perform General Municipal Engineering Services for the City of Riverbank.
- Item 9.6** **Resolution** of the City Council of the City of Riverbank, California, to Approve a Subdivision Improvement Agreement for The Heritage with SCM Hearthstone, LLC and Authorizing the City Manager to Execute the Agreement.
- Item 9.7** **Resolution** to approve Final Map 04-2022 The Heritage – APN: 062-020-001.
- Item 9.8** **Resolution** to Award Bid for the Third Street Parking Lot Project to Consolidated Engineering, Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment for an Additional \$256,924 from American Rescue Plan Act Funds.
- Item 9.9** **Resolution** to Award Bid for the Pavement Restoration 2023 Project to Pavement Coatings Co. and Authorize Execution of Future Change Orders.

10. PUBLIC HEARING

Public Hearing Notice(s) were published in the Riverbank News on 05/31/2023 for Items 10.2 through 10.8.

- Item 10.1** **Two Resolutions for Consolidated Landscaping & Lighting District to: 1) Amend and/or Approve the Engineer’s Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024** - It is recommended that the City Council adopt the Resolutions corresponding to Consolidated District amending and/or approving the Engineer’s Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.
- Item 10.2** **Two Resolutions for Ridgewood Place Landscaping & Lighting District to: 1) Amend and/or Approve the Engineer’s Report and the**

Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024 - It is recommended that the City Council adopt the Resolutions corresponding to Ridgewood Place District amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.

Item 10.3 **Two Resolutions for River Cove Landscaping & Lighting District No.1 to: 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024** - It is recommended that the City Council adopt the Resolutions corresponding to River Cove District amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.

Item 10.4 **Two Resolutions for Sierra Vista Estates Landscaping & Lighting District to: 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024** - It is recommended that the City Council adopt the Resolutions corresponding to Sierra Vista Estates District amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.

Item 10.5 **Two Resolutions for Crossroads Landscaping & Lighting District to: 1) Amend and/or Approve the Engineer's Report and the Levy and Collection of Annual Assessments Related Thereto for Fiscal Year 2023/2024; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2023/2024** - It is recommended that the City Council adopt the Resolutions corresponding to Crossroads District amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Landscaping and Lighting Districts for Fiscal Year 2023/2024.

Item 10.6 **A Resolution of the City Council of the City of Riverbank, County of Stanislaus, State of California, Ordering the Levy and Collection of Assessments Within the Riverbank Storm Drain Benefit Assessment District No. 2006-01 (Heartlands) for Fiscal Year 2023/2024** - It is recommended that the City Council adopt Resolutions amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Riverbank Storm Drain District No. 2006-01 (Heartlands) for Fiscal Year 2023/2024.

Item 10.7 **A Resolution of the City Council of the City of Riverbank, County of Stanislaus, State of California, Ordering the Levy and Collection of Assessments Within the Sterling Ridge Benefit Assessment District for Fiscal Year 2023/2024** - It is recommended that the City Council adopt Resolutions amending and/or approving the Engineer's Report and ordering the levy and collection of annual assessments for the Riverbank Storm Drain District No. 05-01 (Sterling Ridge) for Fiscal Year 2023/2024.

11. NEW BUSINESS

Item 11.1 **Resolution to Reduce (Credit) and/or Waive the SCM Hearthstone LLC System Development Fees for The Heritage Subdivision-** It is recommended that the City Council consider and approve the Resolution (Attachment 1) reducing (credit) and/or waiving the SCM Hearthstone LLC ("SCM Hearthstone") System Development Fees assessed on the construction of dwelling units in The Heritage subdivision.

Item 11.2 **Fiscal Year 2023-24 Major Fund Budget Workshop** - It is recommended that the City Council receive a presentation on the Fiscal Year 2023-24 Major Fund Proposed Budgets and provide feedback in anticipation of the adoption of the Final Budget on June 27, 2023.

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- No Items Scheduled.

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

14. ADJOURNMENT

* The next regular City Council Meeting will be on June 27th, 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 8th Day of June, 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/85151551253>

Join by accessing website: <https://zoom.us/join>, enter Webinar ID: **851 5155 1253**

- Join by telephone: **1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: 851 5155 1253**

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