

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, JUNE 28, 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. PRESENTATIONS (Informational only)

Item 7.1 **Homeless Action Plan** - City Council to receive a presentation from Stanislaus Homeless Alliance Chairperson Brad Hawn on the Homeless Action Plan; no action is requested at this time.

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.

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- Item 9.1** Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.
- Item 9.2** Approval of the June 14, 2022 City Council and Local Redevelopment Authority Board Minutes.
- Item 9.3** Adopt a Resolution Authorizing the City to Implement Teleconferenced Public Meetings Pursuant to Assembly Bill 361 Allowing the City to Continue a Hybrid Virtual Meeting Environment.
- Item 9.4** Approve a correction to Appendix A of the Memorandum of Understanding between the City of Riverbank and the Northern California District Council of Laborers and its affiliate, Construction, Production & Maintenance Laborers Local Union, AFL:CIO #1130 to correctly reflect employee pay scales effective July 1, 2022, and Authorize City Manager or Human Resources Analyst to make correction. Correction consists of replacing current version of Appendix A with an updated version of Appendix A to correctly reflect employee pay scales.

10. PUBLIC HEARINGS

- Item 10.1** **General Plan Amendment 01-2021 and Rezone 02-2021 (Dept. File #21-0024) – Pocket Avenue Senior Apartment Complex – 3318 Pocket Avenue (APN 075-090-063). The applicant requests a General Plan Amendment to modify the existing Low Density Residential (LDR) land-use designation to High Density Residential (HDR) and to rezone the existing Single Family Residential (R-1) site to Planned Development (PD) for a proposed 40-unit senior apartment complex on 2.01 acres. The subject site is 3318 Pocket Avenue. Pursuant to the California Environmental Quality Act, the proposed Project is exempt pursuant to CEQA Guidelines Section 21159.21 (a-j) Exemption for Qualified Housing Projects – Staff recommends no action be taken for this item. City staff discovered a public notice irregularity. To ensure the project is in strict conformance with State public noticing laws, staff will re-notice the item and it will be rescheduled to be heard during a duly noticed public hearing on July 26, 2022.**

Public Hearing Notice(s) were published in the Riverbank News on 06/08/2022 for Items 10.2 through 10.9.

Item 10.2 **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 2022/2023; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2022/2023** - 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 2022/2023.

Item 10.3 **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 2022/2023; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2022/2023** - 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 2022/2023.

Item 10.4 **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 2022/2023; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2022/2023** - 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 2022/2023.

Item 10.5 **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 2022/2023; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2022/2023** - 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 2022/2023.

Item 10.6 **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 2022/2023; and 2) Ordering the Levy and Collection of Annual Assessments for Fiscal Year 2022/2023** - 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 2022/2023.

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 Riverbank Storm Drain Benefit Assessment District No. 2006-01 (Heartlands) for Fiscal Year 2022/2023** - 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 2022/2023.

Item 10.8 **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 2022/2023** - 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 2022/2023.

Item 10.9 **A Resolution Adopting the Fiscal Year 2022-2023 Annual Operating Budget** – It is recommended that the City Council consider adopting a Resolution approving the Fiscal Year 2022-2023 Annual Operating Budget.

Local Redevelopment Authority

Item 10.10 **A Resolution Adopting the Proposed Fiscal Year 2022-2023 Local Redevelopment Authority (LRA) Board Budget** - It is recommended that the Local Redevelopment Authority (LRA) Board of Directors (Board) review and approve the Proposed Fiscal Year 2022-2023 LRA Budget.

11. NEW BUSINESS

Item 11.1 **A Resolution of the City Council of the City of Riverbank, California, approving a Subdivision Improvement Agreement for Countryside III with McRoy Wilbur Communities and Authorizing the City Manager to Execute the Agreement** - It is recommended that the City Council consider the attached resolution approving the Subdivision Improvement

Agreement with McRoy Wilbur Communities for Countryside III and directing the City Manager to execute the agreement.

Item 11.2 **A Resolution Approving Final Map 02-2022 Countryside III – APN: 062-022-020** – It is recommended that the City Council approve the Final Map (“FM”) for McRoy Wilbur Communities and Countryside III based on the required finding that the map is in conformity with the provisions of subdivision law and city code.

Item 11.3 **A Resolution of the City Council of the City of Riverbank, California, to Approve a Subdivision Improvement Agreement for Crossroads West Unit 2 with DMG Development, LP and Authorizing the City Manager to Execute the Agreement** - It is recommended that the City Council consider the attached resolution approving the Subdivision Improvement Agreement with DMG Development, LP for Crossroads West Unit 2 and directing the City Manager to execute the agreement.

Item 11.4 **A Resolution Approving the Final Map (“FM”) for DMG Development, LP and Crossroads West Unit 2 APN: 074-010-006** – It is recommended that the City Council approve the Final Map (“FM”) for DMG Development, LP and Crossroads West Unit 2 APN: 074-010-006 based on the required finding that the map is in conformity with the provisions of subdivision law and city code.

Item 11.5 **A Resolution Expressing Support of St. Frances of Rome Church Harm Reduction Program** – It is recommended that the City Council receive the presentation on the St. Francis of Rome Harm Reduction Program and approve the Resolution expressing support.

Item 11.6 **A Resolution Approving a Master Property Tax Revenue Agreement between the City of Riverbank and Stanislaus County and Authorizing the City Manager to Finalize and Execute Said Agreement** - It is recommended that the City Council consider adopting a Resolution approving a Master Property Tax Revenue Agreement with Stanislaus County and authorizing the City Manager to finalize and execute this agreement.

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 REAL PROPERTY NEGOTIATORS**

(Pursuant to Government Code § 54956.8)
Property: 6436 Oakdale Road, Riverbank (APN 075-026-040)
Agency Negotiator: City Manager Marisela H. Garcia
Property Negotiator: High, Price & Leffler Associates
Under Negotiation: Price, terms of payment, or both.

14. RECONVENE – REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session on **Item 13.1**
CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code § 54956.8)
Property: 6436 Oakdale Road, Riverbank (APN 075-026-040)
Agency Negotiator: City Manager Marisela H. Garcia
Property Negotiator: High, Price & Leffler Associates
Under Negotiation: Price, terms of payment, or both.

15. ADJOURNMENT

- The next regular City Council meeting will be on July 26, 2022 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, 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 June, 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 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 (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/81040537062>
- Join by accessing website: <https://zoom.us/join>, enter **Webinar ID: 81040537062**
- Join by telephone:**1 669 900 9128 or 1 346 248 7799, plus Webinar ID 81040537062**

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