

**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



*101 Years  
Anniversary*

**CITY OF RIVERBANK**

**Regular City Council and  
Local Redevelopment Authority  
Board Meetings**  
**Council Chambers, 6707 Third Street,  
Suite A  
Riverbank, CA 95367**

**REVISED AGENDA**

**MEETING LOCATION: COUNCIL CHAMBERS, 6707 THIRD STREET, SUITE A, RIVERBANK CA 95367**

**TUESDAY, AUGUST 22, 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 from SMA Entertainment on the Marketing Plan for the 2023 Cheese & Wine Festival-** It is recommended that the City Council review the marketing plan that will be presented by SMA Entertainment for the 2023 Cheese & Wine Festival.

**Item 7.2**



**Presentation by Dave White, Chief Executive Officer for Opportunity Stanislaus-** It is recommended that the City Council receive a presentation from Dave White, Chief Executive Officer of Opportunity Stanislaus regarding the resources and assistance they have provided to the City of Riverbank and its businesses.

**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.**

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## **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 City Council and Local Redevelopment Authority Board Minutes for July 25, 2023.

**Item 9.3**      **Authorization** for Out of State Travel Request to have Finance Staff Attend the Caselle Annual Conference in Salt Lake City, UT.

**Item 9.4**      **Authorization** for Out of State Travel Request to have Finance Staff Attend the Itron Conference in San Antonio, Texas.

**Item 9.5**      **Resolution** to Approve Final Map 02-2022 Countryside III – APN: 062-022-020.

**Item 9.6**      **Resolution** to Approve Final Map 01-2023 for BDC Riverbank II L.P. in the Crossroads West Specific Plan – APN: 074-140-007.

**Item 9.7**      **Resolution** approving the City Manager to enter into a Cost Sharing Agreement between the City of Riverbank and the County of Stanislaus for the construction of the Claribel Road Overlay Project.

## **10. PUBLIC HEARING**

*The Public Notice for Item 10.1 was published on August 9, 2023 in the Riverbank News.*

**Item 10.1**      **A Resolution to Adopt the 2023-2024 schedule of Park Amenity Rentals, Recreation Programs, and Facility Rental Fees for the City of Riverbank** - It is recommended that the City Council consider adopting a Resolution to approve the 2022-2023 fees for Park Amenity Rentals, Recreation Programs, and Facility Rentals. The recommended fee increases, and new classes/programs offered with associated fees are highlighted in Exhibit A.

## **11. NEW BUSINESS**

**Item 11.1**      **Resolution to Approve the McRoy Wilbur Communities Deferral of System Development Fees for the River Terrace Subdivision-** It is recommended that the City Council consider adopting a Resolution approving the deferral of the McRoy-Wilbur Communities System Development Fees assessed on the construction of dwelling units in the River Terrace subdivision from building permit issuance to final inspection.

- Item 11.2**     **Consideration of the Options for the Appointment of a Riverbank Representative to the Stanislaus Consolidated Fire Protection District Board (SCFPD): 1) Adopt a Resolution to Reappoint Mr. Charles E. Neal for a Four-Year Term, 2) Adopt a Resolution to Reappoint Mr. Charles E. Neal for Less than a Four-Year Term; or 3) Open a Recruitment to Select a Representative for a Term Beginning January 1, 2024** - It is recommended that City Council evaluate and discuss the options for the appointment of a Riverbank Representative to the Stanislaus Consolidated Fire Protection District. (SCFPD). Should the City Council decide to re-appoint the existing representative, Council should consider approval of a Resolution to appoint Mr. Charles E. Neal to a new term.

## **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**     **PUBLIC EMPLOYMENT**  
(Pursuant to Gov. Code § 54957)  
Title: Chief of Police
- Item 13.2**     **LIABILITY CLAIMS**  
(Pursuant to Government Code § 54961)  
Claimant: Cari McCormick -Aiman-Smith & Marcy  
Agency Claimed Against: City of Riverbank
- Item 13.3**     **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. REPORT FROM CLOSED SESSION**

- Item 14.1**     Report from Closed Session **Item 13.1**  
**PUBLIC EMPLOYMENT**  
(Pursuant to Gov. Code § 54957)  
Title: Chief of Police

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**15. ADJOURNMENT**

- The Next Regular City Council Meeting will be on Tuesday, September 12, 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 17<sup>th</sup> Day of August, 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/82304094391>

Join by accessing website: <https://zoom.us/join>, enter Webinar ID: **823 0409 4391**

- Join by telephone: **1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: 823 0409 4391**

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