

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 Street,
Suite B
Riverbank, CA 95367

**AMENDED AGENDA
(ITEM 10.1- ATTACHMENT 1)**

TUESDAY, SEPTEMBER 12, 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 StanCOG (Stanislaus Council of Governments) on the Unmet Transit Needs (UTN)- It is recommended that City council receive a presentation from Jean Foletta, Director of Mobility Programs.

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.
- Item 9.2** **Approval** of the City Council and Local Redevelopment Authority Board Minutes for August 22, 2023.
- Item 9.3** **Acceptance** of the Castleberg Park Trail Project and Authorization to File a Notice of Completion
- Item 9.4** **Acceptance** of the Roselle Avenue Sidewalk Project and Authorization to File a Notice of Completion
- Item 9.5** **Resolution** to Approve a Subdivision Improvement Agreement for Ward Villas (River Terrace) with McRoy Wilbur Communities, Inc and Authorizing the City Manager to Execute the Agreement.
- Item 9.6** **Resolution** to approve Final Map 03-2021 Ward Villas – APN: 132-036-003.
- Item 9.7** **Resolution** to Authorize the City Manager to Enter into a Professional Services Agreement for a Housing Element Update to the General Plan with JB Anderson Land Use Planning.
- Item 9.8** **Resolution** Declaring the Existence of a Local Emergency in Response to the Recent Fire at the Riverbank Public Works Corporation Yard.

10. PUBLIC HEARING

The Public Notice for Item 10.1 was published on August 30, 2023 in the Riverbank News.

- Item 10.1** **Aemetis Conditional Use Permit Appeal-** Review the provided documents, take public comment, and approve the Addendum to the Riverbank Army Ammunition Plant Environmental Impact Report (“RAAP EIR”) and Use Permit 01-2023 for Aemetis Advanced Products Riverbank, Inc. (“Aemetis”), subject to the conditions in the Resolution.

11. NEW BUSINESS

- Item 11.1** **Cheese & Wine Festival Discussion-** It is recommended that the City Council receive additional information and provide direction to staff on the boundary map and other concerns regarding the 2023 Cheese & Wine Festival.
- Item 11.2** **American Rescue Plan Act Spending Plan Update-** It is recommended that the City Council receive an update regarding the ARPA Spending Plan Projects and provide direction to staff on possible amendments.
- Item 11.3** **Resolution to Approve the McRoy Wilbur Communities Reimbursement of PLHA Grant and Former Redevelopment Low-Moderate Income**

Housing Funds for the River Terrace Subdivision- It is recommended that the City Council consider adopting a Resolution approving the reimbursement of PLHA Grant and Former Redevelopment Low-Moderate Income Housing Funds by McRoy-Wilbur Communities for the River Terrace (formerly Ward Villas) subdivision to be collected via escrow at property closing.

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 LEGAL COUNSEL– Anticipated Litigation**
Significant Exposure to **Litigation**, (Pursuant to Gov. Code § 54956.9(d))
Number of Potential Cases: **1**

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**
CONFERENCE WITH LEGAL COUNSEL– Anticipated Litigation
Significant Exposure to **Litigation**, (Pursuant to Gov. Code § 54956.9(d))
Number of Potential Cases: **1**

15. ADJOURNMENT

- The Next Regular City Council Meeting will be on:

Tuesday, September 26, 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 September, 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/82963329089>

Join by accessing website: <https://zoom.us/join>, enter Webinar ID: **829 6332 9089**

- Join by telephone: **1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: 829 6332 9089**

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