



NOTICE AND CALL OF A
CITY OF RIVERBANK
**SPECIAL CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY MEETING**
(The City Council also serves as the LRA Board)
City Hall North Council Chambers
6707 Third Street • Riverbank • CA 95367

AGENDA

MONDAY, SEPTEMBER 16, 2013 – 6:00 P.M.

- CALL TO ORDER:** Mayor/Chair Richard D. O'Brien
- FLAG SALUTE:** Mayor/Chair Richard D. O'Brien
- ROLL CALL:** Mayor/Chair Richard D. O'Brien
Vice Mayor/Chair Jeanine Tucker
Council/Authority Member Darlene Barber-Martinez
Council/Authority Member Cal Campbell
Council/Authority Member (Vacant)

CONFLICT OF INTEREST

Council/Authority Members and Staff who would have a direct Conflict of Interest on any scheduled agenda item to be considered are to declare their conflict.

1. PRESENTATIONS

Item 1.1: Proclamation – Drive 4 Pledges Day – September 19, 2013.

2. PUBLIC COMMENTS (No Action Can Be Taken)

Pursuant to Government Code in reference to a special meeting, the public has the opportunity to address the City Council/LRA Board on any item described in this agenda before or during consideration of that item. Individual comments are limited to a **maximum of 5 minutes** per person and each person may speak once during this time. Time cannot be yielded to another person. For record purposes, please step up to the podium and state your name and City of residence. When speaking, please refrain from directing your comments to a single Member of the City Council/LRA Board, or the audience.

3. NEW BUSINESS

Item 3.1: (LRA) **Workshop on the Transfer of the Riverbank Army Ammunition Plant to the City of Riverbank** - This is a workshop to present information surrounding the early transfer of the Riverbank Army Ammunition Plant to the City of Riverbank and review relevant documents including the Economic Development Conveyance Memorandum of Agreement and the Environmental Services Cooperative Agreement. Barry Steinberg and George Schlossberg from Kutak Rock, LLC are counsel for the Local Redevelopment Authority and will present the information and lead the discussion.

4. COMMENTS (Information only – No action)

Item 4.1: Staff Comments

Item 4.2: Council/Authority Member Comments

5. CLOSED SESSION**Item 5.1:** **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Government Code Section 54956.8

Property: 5300 Claus Road, Modesto, CA 95357

Agency Negotiator: Jill Anderson, City Manager

Property Negotiator: U.S. Army

Under Negotiation: Price, terms of payment, or both

Recommendation: It is recommended that the LRA Board give direction to Staff.

6. REPORT FROM CLOSED SESSION

Item 6.1: Report from Closed Session Item 5.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

ADJOURNMENT**NOTICE OF CITY VACANCIES:**

Sept. 3 – Sept. 16	• PLANNING COMMISSIONER VACANCY – Application and information at www.riverbank.org and at City Hall North. Questions: Administration Dept. (209) 863-7122
Sept. 12 – Sept. 23	• COUNCILMEMBER VACANCY – Application and information at http://www.riverbank.org. Questions: Administration Dept. (209) 863-7122
Open until filled	• BUDGET ADVISORY COMMITTEE – (3) vacancies. Application and information at www.riverbank.org and at City Hall North and South. For questions call Finance Director, Marisela Hernandez at (209) 863-7110

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board 24 hours prior to the meeting.

Dated this 13th day of September, 2013

Annabelle Aguilar, CMC, City Clerk/LRA Recorder

Notice Regarding Americans with Disabilities Act: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (209) 863-7122. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

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.

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| General Information: | The City Council Members also serve as the LRA Board Members. The Riverbank City Council/LRA Board meets in the City Hall North Council Chambers. Regular City Council meetings are held on the 2nd and 4th Mondays of each month at 6:00 p.m. The Local Redevelopment Authority Board meets on an "as needed" basis. Meetings are held as indicated, unless otherwise noticed. |
| Council/LRA Agenda: | The City Council/LRA Board agenda is posted pursuant to the California Brown Act, which only requires these agenda title pages to be posted. Additional documents may be provided by the City in its efforts of transparency to keep the public well informed. The agenda is posted for public review at the City's website www.riverbank.org , at the City Clerk's Office, and on the exterior of the North City Hall building's bulletin board, 6707 Third Street, Riverbank, CA. Subscription to receive the agenda can be purchased for a nominal fee through the City Clerk's Office. |
| Public Hearings: | In general, a public hearing is an open consideration within a regular meeting of the City Council or a meeting of the LRA, for which special notice has been given and may be required. During a specified portion of the hearing, any resident or concerned individual is invited to present protests or offer support for the subject under consideration. |
| Questions: | Contact the City Clerk at (209) 863-7122 or aaguilar@riverbank.org |

SPECIAL RIVERBANK CITY COUNCIL AGENDA ITEM NO. 1.1

SECTION 1: PRESENTATIONS

Meeting Date:	September 16, 2013
Subject:	Proclamation – Drive 4 Pledges Day – September 19, 2013
From:	Jill Anderson, City Manager
Submitted by:	Luanne Bain, Administrative Assistant

RECOMMENDATION

It is recommended that the City Council read and present the Proclamation to representatives of AT&T.

SUMMARY

The No Text & Drive campaign began last summer and has continued throughout the year in many forms, from online programs to local events – to get the word out that it is dangerous to text and drive. Thousands of accidents, many with fatalities, occur each year due to drivers' texting while on the road. These accidents and deaths can be prevented by simply not using the cell phone when behind the wheel. The campaign continues with a new program Drive 4 Pledges Day, on September 19. It is hoped that local businesses pick up the campaign and ask their employees to sign the pledge.

FINANCIAL IMPACT

There is no financial impact with the report.

ATTACHMENTS

1. Proclamation

City of Riverbank

Proclamation

WHEREAS, The City of Riverbank holds the health and safety of its teenagers and adults as a chief concern; and

WHEREAS, Through ItCanWait.com, Facebook, text-to-pledge, tweet-to-pledge, and events, more than 2-million people have committed to never text and drive; and

WHEREAS, 98-percent of American commuters know sending a text or email while driving is not safe; and

WHEREAS, Nearly 50-percent of commuters text while behind the wheel; and

WHEREAS, More than 40-percent of commuters who text while driving reported the activity as being a habit; and

WHEREAS, A driver that sends a text message while driving not only jeopardizes his or her safety, but also the safety of passengers, pedestrians, and other drivers.

NOW, THEREFORE, the City Council of the City of Riverbank does hereby proclaim that:

DRIVE 4 PLEDGES DAY is SEPTEMBER 19, 2013

Throughout the City of Riverbank, and as such, asks that all residents take the pledge to "Not Text and Drive".

September 16, 2013



Richard D. O'Brien, Mayor

Jeanine Tucker, Councilmember

Darlene Barber-Martinez, Councilmember

Cal Campbell, Councilmember

**SPECIAL RIVERBANK LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 3.1**

SECTION 3: NEW BUSINESS

Meeting Date:	September 16, 2013
Subject:	Workshop on the Transfer of the Riverbank Army Ammunition Plant to the City of Riverbank
From:	Jill Anderson, City Manager
Submitted by:	Debbie Olson, Executive Director

RECOMMENDATION:

This is a workshop to present information surrounding the early transfer of the Riverbank Army Ammunition Plant to the City of Riverbank and review relevant documents including the Economic Development Conveyance Memorandum of Agreement and the Environmental Services Cooperative Agreement.

Barry Steinberg and George Schlossberg from Kutak Rock, LLC are counsel for the Local Redevelopment Authority and will present the information and lead the discussion.

SUMMARY:

The transfer of federal property is a long and federally prescribed process, the details of which are spelled out in hundreds of pages of federal statutes and codes.

The Riverbank LRA has completed many of the required steps including:

- Formal organization of an authority responsible for all decisions surrounding the transfer and reuse of the Riverbank Army Ammunition Plant.
- Developing and submitting to Federal authorities a community-led and supported Reuse Plan and Homeless Provider Assistance application.
- Applying for designation as an implementing Reuse Authority
- Preparing and submitting an economic development conveyance application for review and approval by the Secretary of Defense and Congressional approval
- Developing a memorandum of agreement to finalize the real estate deal with the U.S. Dept. of Defense
- Negotiation of an early transfer agreement

- Drafting of an Environmental Services Cooperative Agreement to clean up selected contamination on the property

This workshop will provide new members of the LRA Board with an overview of the process and context for the upcoming documents and decisions left to execute.

FINANCIAL IMPACT:

Presentation only. No fiscal impact to the general fund.

Funds from an Office of Economic Adjustment grant and LRA leasehold revenue were used to pay for time and travel of our attorneys.

ATTACHMENT:

None.