

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
(In-Person: Face Covering Required)
(Virtual via ZOOM)
Council Chambers, 6707 Third St., Suite B
Riverbank, CA 95367



AGENDA

TUESDAY, FEBRUARY 8, 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 ACT AND THE RECENT STANISLAUS COUNTY HEALTH OFFICER'S MANDATORY FACE COVERING ORDER (Sept.2, 2021). 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. ROLL CALL

4. INVOCATION

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. 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.

8. 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 8.1 Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.

Item 8.2 Consideration of a **Resolution** of the City Council of the City of Riverbank, Authorizing Submittal of Application(s) for all CalRecycle Grants for Which the City of Riverbank is Eligible and Authorize the City Manager to Execute Said Application(s).

9. PUBLIC HEARINGS

The Public Hearing Notice was published in the Riverbank News on 01/26/2022.

- Item 9.1** **Public Hearing – Adopting Certain Findings and approving Energy Service Contract for energy related improvements to City facilities with SITELOGIQ, INC.** – It is recommended that the City Council hold a Public Hearing and consider adopting a Resolution which authorizes the Interim City Manager to execute a Facility Solutions Master Agreement and Operations & Maintenance Agreement with SitelogIQ, Inc.

10. NEW BUSINESS

- Item 10.1** **A Resolution Authorizing an Additional Appropriation of \$100,000 for the Construction of the Public Works Administration Building from the Water and Sewer Operating Funds** - It is recommended that the City Council consider adoption of a Resolution allocating an additional \$100,000 for the Public Works Administration Building 50% from the Water Operating Fund and 50% from the Sewer Operating Fund for the construction of the Public Works Administration Building.

- Item 10.2** **A Resolution to Award a Contract for Preparation of the Environmental Package for the Regional Recycled Water Project – Phase I to Ascent Environmental, Inc., and Authorize a Budget Appropriation in the amount of \$216,000 from the Wastewater Enterprise Fund for Said Contract** – It is recommended that the City Council consider adoption of a Resolution to award the contract for preparation of the Environmental Package for the State Water Resources Control Board Clean Water State Revolving Fund Financial Assistance application for the Riverbank Regional Recycled Water Project – Phase I to Ascent Environmental, Inc., authorize the City Manager to execute a contract with said firm in the amount of \$196,400, authorize a contingency amount of \$19,600 (approximately 10%), and authorize a budget appropriation of \$216,000 from the Wastewater Enterprise Fund for said contract.

- Item 10.3** **A Resolution to Award a Contract for Preparation of a Financial Security Package and Wastewater Rate Study for the Regional Recycled Water Project – Phase I to Bartle Wells Associates, and Authorize a Budget Appropriation in the amount of \$55,000 from the Wastewater Enterprise Fund for Said Contract** – It is recommended that the City Council award the contract for preparation of the Financial Security Package for the State Water Resources Control Board Clean Water State Revolving Fund Financial Assistance application and Wastewater Rate Study for the Riverbank Regional Recycled Water Project – Phase I to Bartle Wells Associates, Inc., authorize the City Manager to execute a contract with said firm in the amount of \$49,600, authorize a contingency amount of \$5,400, and authorize a budget appropriation of \$55,000 from the Wastewater Enterprise Fund for said contract.

11. 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 11.1 Staff

Item 11.2 Council/Authority Member

Item 11.3 Mayor/Chair

12. 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 12.1 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(Government Code §54956.9)

Name of Case: City of Riverbank v. Schneider Electric Buildings America, Inc.

Item 12.2 **CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Government Code §54957.6)

Agency representative: Interim City Manager Marisela Garcia

Employee organizations: Riverbank Miscellaneous Employees

13. RECONVENE – REPORT FROM CLOSED SESSION**14. ADJOURNMENT**

- The next regular City Council meeting will be on February 22, 2022 at 6 p.m.

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| AFFIDAVIT OF POSTING |
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| <p>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.</p> |
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| <p>Posted this February 3, 2022.</p> |
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| <p><i>/s/ Kathy L. Teixeira, Interim City Clerk</i></p> |
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**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/84647405857>
- Join by accessing website: <https://zoom.us/join>, enter **Webinar ID: 846 4740 5857**
- Join by telephone: **1 669 900 9128 or 1 346 248 7799, plus Webinar ID**

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