

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



**REVISED
AGENDA**

TUESDAY, FEBRUARY 22, 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. PRESENTATIONS (Informational only)

Item 8.1 **Presentation on Environmental Justice Program** – City Council to receive a report from Zoe Jonick of CivicSpark on the Environmental Justice Element as part of the General Plan Update process.

Item 8.2 **Presentation Mobile MMS** - City Council receive the presentation; no action is requested at this time.

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 following Minutes:

9.2A: The January 4, 2022, Special City Council and Local Redevelopment Authority Board Minutes.

9.2B: The January 11, 2022, City Council and Local Redevelopment Authority Board Minutes.

9.2C: The January 25, 2022, City Council and Local Redevelopment Authority Board Minutes.

9.2D: The February 8, 2022, City Council and Local Redevelopment Authority Board Minutes.

Item 9.3 A Resolution Authorizing the Senior Project Coordinator Job Classification and Salary Range; and Amending the City of Riverbank Compensation Plan for the Addition.

Item 9.4 A Resolution of the City Council of the City of Riverbank, Authorizing Submittal of Notification of Intent to Comply with SB 1383 Requirements.

Item 9.5 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.

10. PUBLIC HEARINGS

* **Item 10.1** **Proposition 218 Public Notification and Protest Process for the Proposed Rate Increase for Solid Waste Disposal Services** – It is recommended that the City Council open the public hearing, allow public comment and continue the public hearing to April 12, 2018, as requested. *The public hearing notice for Item 10.1 was posted on the City website on January 5, 2022 and mailed via USPS to each property owner and tenant signed up for service on January 6, 2022.*A date in this staff report has been corrected to reflect the new hearing date.*

Item 10.2 **A Resolution Approving the Fiscal Year 2021-2022 Mid-Year Budget Amendments** – It is recommended that the City Council consider approval of the Fiscal Year 2021-2022 Mid-Year Budget Amendments. *The public hearing notice for Item 10.2 was published in the Riverbank News on February 9, 2022.*

11. NEW BUSINESS

Item 11.1 **2022 Cheese & Wine Festival** - It is recommended that the City Council hear the plans being considered for the 2022 Cheese & Wine Festival and provide input to the Director of Parks and Recreation and Simply Devine Events, LLC for the Coordination of the 2022 Cheese & Wine Festival.

Item 11.2 **A Resolution to Award a Contract for the Technical Package, Program Management, and Preliminary Design for the Regional Recycled Water Project – Phase I to Kjeldsen, Sinnock & Neudeck, Inc., and Authorize a Budget Appropriation in the amount of \$425,000 from the Wastewater Enterprise Fund for Said Contract** – It is recommended that the City Council award the contract for preliminary design phase, program management, and preparation of the Technical 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 Kjeldsen, Sinnock & Neudeck, Inc., authorize the City Manager to execute a contract with said firm in the amount of \$404,662, authorize a contingency amount of \$20,338 (approximately 5%), and authorize a budget appropriation of \$425,000 from the Wastewater Enterprise Fund for said contract.

Item 11.3 **A Resolution Opposing Initiative 21-0042A1 the Taxpayer Protection and Government Accountability Act** – It is recommended that the City Council consider adopting a resolution in opposition of Initiative 21-0042A1, the Taxpayer Protection and Government Accountability Act.

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: 6509 Claus Road, Riverbank (APN 132-048-016)
Agency Negotiator: Interim City Manager Marisela H. Garcia
Property Negotiator: Esam Khacho
Under Negotiation: Price, terms of payment, or both.

- Item 13.2** **LIABILITY CLAIMS**
(Pursuant to Government Code § 54961)
Claimant: Eva Rodriguez
Agency Claimed Against: City of Riverbank

14. RECONVENE – REPORT FROM CLOSED SESSION

15. ADJOURNMENT

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 17th day of February, 2022

/s/ Kathy L. Teixeira, Interim City Clerk of the City of Riverbank

- The next regular City Council meeting will be on March 8, 2022 at 6 p.m.



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/83805311822>
- Join by accessing website: <https://zoom.us/join>, enter **Webinar ID: 838 0531 1822**
- 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.