

**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  
(Virtual via ZOOM)  
Council Chambers, 6707 Third St., Suite B  
Riverbank, CA 95367



# AGENDA

**MARCH 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. 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. 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**      **Government Code Claim Submitted by Schneider Electric Buildings, Inc. – Verbal Presentation by Deputy City Attorney Doug White**

**Item 8.2**      **Cannabis DUI (Driving Under the Influence) Grant - Verbal Presentation by Deputy Eric Bavaro, Police Services**

**Item 8.3**      **Introduction of Public Works Superintendent, Darin Smallen – Verbal Presentation by Michael Riddell, Public Works Director**

Any documents that are not privileged or part of a Closed Session provided to a majority of the City Council/LRA Board after distribution of the agenda packet, regarding any item on this agenda, will be made available for public inspection at the City Clerk's Office 6707 Third St., Suite A, Riverbank. Page 1 of 6

## **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 February 22, 2022 City Council and Local Redevelopment Authority Board Minutes.
- Item 9.3** Acceptance of the Patterson Road at First Street Project and Authorization to File a Notice of Completion.
- Item 9.4** Adopt a Resolution to Award Bid for the Castleberg Park Basketball Court Project to Frontline General Engineering Construction, Inc. and Authorize Execution of Future Change Orders.

## **10. PUBLIC HEARINGS**

*The Public Hearing Notice was published in the Riverbank News on 02/23/2022 and posted on the City's website.*

- Item 10.1** **3rd Public Hearing – Redistricting Process for Riverbank's Four (4) Councilmember District Boundaries** – It is recommended that the City Council conduct a public hearing regarding the redistricting process and provide direction to continue with the process of adopting the City's current district boundaries map as the "Final Redistricting Map".

## **11. NEW BUSINESS**

- Item 11.1** **A Resolution to Amend the Adopted Streets 5-Year Capital Improvement Plan (CIP) for Fiscal Years 2018-2023** – It is recommended that the City Council approve a Resolution to Amend the Adopted 5-Year Capital Improvement Plan (CIP) for Fiscal Years 2018-2023 for Street projects.
- Item 11.2** **A Resolution Authorizing an Additional appropriation of \$26,000 for the upgrade of the Sewer Collection SCADA System from the Sewer Operating Fund** – It is recommended that the City Council consider adopting a resolution which will allocate an additional \$26,000 to upgrade the Sewer Collection SCADA System from the Sewer Operating Fund.
- Item 11.3** **A Resolution Authorizing an Additional appropriation of \$83,000 for the purchase of Truck Mounted Sewer Jetter from the Sewer Operating Fund 106** – It is recommended that the City Council consider adopting a resolution which will allocate an additional \$83,000 for the purchase of a Truck Mounted Sewer Jetter from the Sewer Operating Fund 106.

## **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 – EXISTING LITIGATION**  
(Government Code §54956.9)  
Name of Case: City of Riverbank v. Schneider Electric Buildings  
America, Inc.

## **14. RECONVENE – REPORT FROM CLOSED SESSION**

**Item 14.1**     Report from Closed Session on **Item 13.1**  
**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Government Code §54956.9)  
Name of Case: City of Riverbank v. Schneider Electric Buildings  
America, Inc.

## **15. ADJOURNMENT**

- The next regular City Council meeting will be on March 22, 2022 at 6 pm.

### **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 March 3, 2022.

*/s/ Kathy L. Teixeira, Interim 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.

Any documents that are not privileged or part of a Closed Session provided to a majority of the City Council/LRA Board after distribution of the agenda packet, regarding any item on this agenda, will be made available for public inspection at the City Clerk's Office 6707 Third St., Suite A, Riverbank. Page 3 of 6

**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 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](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 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/87803852966>
- Join by accessing website: <https://zoom.us/join>, enter **Webinar ID 878 0385 2966**
- Join by telephone: **1 669 900 9128 or 1 346 248 7799, plus Webinar ID**

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