

**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 St.  
Suite B  
Riverbank, CA 95367



**TUESDAY, JUNE 27, 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 by Gilton Solid Waste on SB 1383 and the Material Recovery Facility (MRF) Equipment-** It is recommended that the City Council receive an updated presentation from Gilton Solid Waste on SB 1383 and the Material Recovery Facility (MRF) Equipment.



**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.

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**Item 9.2**      **Approval** of the City Council and Local Redevelopment Authority Board Minutes for June 13, 2023.

**Item 9.3**      **Acceptance** of the Stanislaus & 7th Street Valley Gutter and Curb Ramp Project and Authorization to File a Notice of Completion.

**Item 9.4**      **Resolution** to Award Bid for the Topeka Street Improvement Project to Consolidated Engineering, Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment in the amount of \$85,000.00 from Sewer Fund 106.

**Item 9.5**      **Resolution** – Approving the Transportation Development Act Local Transportation Fund (LTF) Non-Transit Claim for Fiscal Year 2022/2023 Other Purposes and Amending the Budget for the City of Riverbank to Conform to Said Claim.

**Item 9.6**      **Resolution** Approving the First Amendment to the Agreement between the City of Riverbank and MuniServices, LLC. and Authorizing the City Manager to Execute the First Amendment.

**Item 9.7**      **Resolution** Awarding a Contract for Executive Recruitment Services to Mosaic Public Partners for the Recruitment of a Director of Parks and Recreation, Authorizing the City Manager to Finalize & Execute said Contract, and Allocate \$25,000 from the General Fund Reserve.

## **10. PUBLIC HEARING**

*Public Hearing Notice(s) were published in the Riverbank News on 05/31/2023 & 06/7/2023 for Item 10.1 and on 06/07/2023 for Items 10.2 & 10.3.*

**Item 10.1**      **Public Hearing for Proposed Solid Waste Rate Increase-** It is recommended that the City Council consider adopting a resolution approving a 4.2% Consumer Price Index (CPI) increase in rates for solid waste disposal services pursuant to the executed franchise agreement with Gilton Solid Waste, Inc.

**Item 10.2**      **Fiscal Year 2023-2024 Annual Operating Budget-**It is recommended that the City Council consider adopting a Resolution approving the Fiscal Year 2023-2024 Annual Operating Budget.

**LRA**  
**Item 10.3**      **Review and Adoption of Proposed Fiscal Year 2023-24 Local Redevelopment Authority (LRA) Budget-** It is recommended that the Local Redevelopment Authority (LRA) Board of Directors (Board) review and approve the Proposed Fiscal Year 2023-2024 LRA Budget.

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## **11. NEW BUSINESS**

**Item 11.1**     **Resolution to Reduce (Credit) and Waive the Summerfaire Commerce Center, LLC System Development Fees for The Concierge RV, Boat, and Self-storage Facility-** It is recommended that the City Council consider and approve the Resolution (Attachment 1) reducing (credit) and/or waiving the Summerfaire Commerce Center, LLC (“Summerfaire”) System Development Fees assessed on the construction of The Concierge RV, Boat, and Self-storage facility (“The Concierge”).

**Item 11.2**     **A Resolution to Award a Contract for 30% Design for the Regional Recycled Water Project – Phase I to Brown and Caldwell, and Authorize a Budget Appropriation in the amount of \$1,400,247.00 from the Sewer Fund 106-** It is recommended that the City Council award the contract for preparation of the 30% design for the Riverbank Regional Recycled Water Project – Phase I to Brown and Caldwell, authorize the City Manager to execute a contract with said firm in the amount of \$1,272,952.00, authorize a contingency amount of \$127,295.00 (approximately 10%), and authorize a budget appropriation of \$1,400,247.00 from Sewer Fund 106 for said contract.

**Item 11.3**     **A Resolution to Award a Contract for the 30% Design Phase Program Management and Project Permitting Support for the Regional Recycled Water Project – Phase I to Kjeldsen, Sinnock & Neudeck, Inc., and Authorize a Budget Appropriation in the amount of \$219,122.00.00 from the Sewer Fund 106 for FY 2023/2024-** It is recommended that the City Council award the contract for ongoing program management for the 30% design phase and permitting support for the Riverbank Regional Recycled Water Project – Phase I to Kjeldsen, Sinnock & Neudeck, Inc. (KSN), authorize the City Manager to execute a contract with said firm in the amount of \$199,202.00, authorize a contingency amount of \$19,920.00 (approximately 10%), and authorize a budget appropriation of \$219,122.00 from the Wastewater Enterprise Fund (Fund 106) for FY 2023/2024.

## **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**      **LIABILITY CLAIMS**  
(Pursuant to Government Code § 54961)  
Claimant: Margarita Castaneda  
Agency Claimed Against: City of Riverbank

**14. REPORT FROM CLOSED SESSION**

**Item 14.1**      Report from Closed Session **Item 13.1**  
**LIABILITY CLAIMS**  
(Pursuant to Government Code § 54961)  
Claimant: Margarita Castaneda  
Agency Claimed Against: City of Riverbank

**15. ADJOURNMENT**

- **The July 11<sup>th</sup> Meeting is Canceled.**
- The next regular City Council Meeting will be on July 25th, 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 22nd Day of June, 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](mailto: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](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 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/85151551253>

Join by accessing website: <https://zoom.us/join>, enter Webinar ID: **851 5155 1253**

- Join by telephone: **1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: 851 5155 1253**

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