

**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, JANUARY 25, 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 to Annabelle Aguilar, City Clerk/Elections Official in Appreciation of Her Services to the City of Riverbank.

**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** Acceptance of the Topeka Street Improvements between 3<sup>rd</sup> and 5<sup>th</sup> Streets Construction Project Completed by George Reed, Inc. and Authorization to File a Notice of Completion.
- Item 9.3** Consideration of 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
- Item 9.4** **Resolution** Authorizing the Interim City Manager to Execute New Signature Cards & Facsimile Signatures with WestAmerica Bank and Bank of America
- Item 9.5** A **Resolution** Adopting a Formal Financial Policy and Procedure for Returned Checks
- Item 9.6** **Resolution** Authorizing the Addition of the Public Works Superintendent Job Classification to the Public Works Organizational Chart and Allocating up to \$9,100 in Additional Funds for a Potential Promotion for Fiscal Year 2021-22.

## **10. UNFINISHED BUSINESS**

- Item 10.1** **Resolution Rescinding Resolution No. 2021-116 and Authorizing the Application and Adopting the PLHA Plan for the Permanent Local Housing Allocation Program** – It is recommended that the City Council consider adopting a Resolution that will rescind Resolution 2021-116 and authorize the City to submit an application and adopt the amended PLHA Plan for the Permanent Local Housing Allocation Program.

## **11. NEW BUSINESS**

- Item 11.1** **A Resolution Authorizing the City of Riverbank to Jointly Apply for the Homekey Program Funds Not to Exceed \$3,200,000 with Central Valley Community Resources, Inc. and for the City Manager to Execute a Standard Agreement and Any Necessary Related Documents to Jointly Participate in the Homekey Program** – It is recommended that the City Council consider adoption of a Resolution which will allow the submittal of a joint application between the City of Riverbank and Central Valley Community Resources, Inc. for the State of California Homekey Program.
- Item 11.2** **A Resolution to Enter into a Municipal Advisory Agreement with McLiney and Company (A Division of SAMCO Capital) for the Issuance of Debt or Lease Obligations Related to the Riverbank Efficiency Project with SitelogIQ and to Authorize the Interim City Manager to Execute Said Agreement** – It is recommended that the City Council adopt the proposed resolution to provide authorization to the Interim City Manager

to enter into a Municipal Advisory Agreement with McLiney and Company for the issuance of debt or lease obligations related to the Riverbank Energy Efficiency Project with SitelogIQ.

**Item 11.3**     **Adjustments to 2022 City Council Meeting Schedule** – It is recommended that the City Council by roll call vote:

- 1) Cancel the meetings of July 12, August 9, November 22, and December 27, for a modified summer schedule and to minimize conflicts with Holiday activities.

**Item 11.4**     **Annual Consideration of City Council Appointments to Intergovernmental Boards and Committees and Appointments to Internal City Committees for the Year 2022** – It is recommended that the City Council:

- 1) Review the appointment lists; and
- 2) Consider the rotation of appointments by volunteer or nomination of a Member of the Council to serve as the representative; and
- 3) By roll call vote, ratify the appointments for the year 2022.

**Added**

**Item 11.5**     **Resolution Appointing Kathy Teixeira as Interim City Clerk Pursuant to California Government Code Section 21221(h)** – It is recommended that the City Council consider approving a resolution appointing Mrs. Kathy Teixeira as Interim City Clerk.

## **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 – ANTICIPATED LITIGATION**  
(Pursuant to Government Code § 54956.9(b))  
Number of cases: 1 potential case

**Item 13.2**     **CONFERENCE WITH LABOR NEGOTIATORS**  
(Pursuant to Government Code § 54957.6)  
Agency representative: Interim City Manager Marisela Garcia  
Employee organizations: Riverbank Miscellaneous Employees  
Riverbank Mid-Management Bargaining Unit

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

Report on Item 13.1 - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: 1 potential case

Report on Item 13.2 - CONFERENCE WITH LABOR NEGOTIATORS

**15. ADJOURNMENT**

- The next regular City Council meeting will be on February 8<sup>th</sup> at 6 pm.

**AFFIDAVIT OF POSTING**

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing *Revised* 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 21st day of January, 2022

*/s/ Annabelle H. Aguilar, CMC, City Clerk of the City of Riverbank*

**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 [aguilar@riverbank.org](mailto:aguilar@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](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/88233760610>
- Join by accessing website: <https://zoom.us/join>, enter **Webinar ID: 882 3376 0610**
- 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.