

CITY COUNCIL / LRA BOARD

Mayor/Chair
Richard D. O'Brien
Vice Mayor/Chair (CM-D1) Luis Uribe
Council/Authority Members:
District 2 Rachel Hernandez
District 3 Cal Campbell
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



MINUTES

TUESDAY, FEBRUARY 8, 2022 – 6:00 P.M.

(THE AGENDA PACKET IS ONLINE AT [HTTP://WWW.RIVERBANK.ORG/AGENDACENTER](http://www.riverbank.org/agendacenter))

1. CALL TO ORDER - Mayor / Chair Richard D. O'Brien called the meeting to order 6:00 p.m.

2. FLAG SALUTE - Mayor / Chair Richard O'Brien led the pledge of allegiance.

3. ROLL CALL

Members of the City Council / Authority Member present in the Chamber:

Council Member / Authority Member District 1 Luis Uribe

Council Member / Authority Member District 2 Rachel Hernandez

Council Member / Authority Member) District 4 Darlene Barber-Martinez

Vice Mayor / Vice Chair (CM-D03) Cal Campbell

Mayor / Chair Richard D. O'Brien

4. INVOCATION – Reverend Charles Neal provided the invocation.

5. AGENDA CHANGES – There were no changes to the agenda.

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.

No conflicts were declared.

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.

Charles Neal stated his request that the City Council get involved in a solution to resolve the traffic issues related to Rio Altura School.

Karen Carado spoke in opposition to the River Walk project citing concern for the loss of farmland.

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 **Resolution (No. 2022-009)** 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).

ACTION: *By motion moved and seconded (Uribe / Barber-Martinez / passed 5-0) to approve Consent Calendar Items 8.1 through 8.2 as presented.
Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Barber-Martinez, Campbell, Hernandez, Uribe, and Mayor / Chair O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

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.

Interim City Manager Maricela Garcia presented a comprehensive staff report recommending the City Council open the public hearing, receive public testimony, and consider adopting a resolution authorizing the Interim City Manager to execute a Facility Solutions Master Agreement and Operations & Maintenance Agreement with SitelogIQ, Inc.

Mayor Richard D. O'Brien opened the public hearing at 6:12 p.m. asking for those wishing to speak for or against the project.

There being no public comments Mayor Richard D. O'Brien closed the public hearing at 6:13 p.m. asking for City Council consideration.

ACTION: *By motion moved and seconded (Uribe / Hernandez / passed 5-0) to **adopt City Council Resolution 2022-010** authorizing the Interim City Manager to execute a Facility Solutions Master Agreement and Operations & Maintenance Agreement with SitelogIQ, Inc.
Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Barber-Martinez, Campbell, Hernandez, Uribe, and Mayor / Chair O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

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.

Public Works Director Riddell presented the staff report requesting that the City Council approve the additional appropriation of \$100,000 for the Construction of the Public Works Administration Building from the Water and Sewer Operating Funds.

Public Works Director Riddell responded to questions raised by the City Council.

Mayor O'Brien advised there being no comments from the public, he brought the item back to the City Council for discussion.

ACTION: *By motion moved and seconded (Barber-Martinez / Campbell / passed 5-0) to **adopt City Council Resolution 2022-011** authorizing an additional appropriation of \$100,000 for the construction of the Public Works Administration Building from the Water and Sewer Operating Funds. Motion carried by City Council and LRA Board roll call vote:
AYES: Barber-Martinez, Campbell, Hernandez, Uribe, and Mayor / Chair O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

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.

Public Works Director Riddell presented the staff report requesting that the City Council 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.

Mayor O'Brien advised there being no comments from the public; he would bring the item back to the City Council for discussion.

ACTION: *By motion moved and seconded (Campbell / Uribe / passed 5-0) to **adopt City Council Resolution 2022-012** 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.*

Motion carried by City Council and LRA Board roll call vote:

AYES: Barber-Martinez, Campbell, Hernandez, Uribe, and Mayor / Chair O'Brien

NAYS: None / ABSENT: None / ABSTAINED: None

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.

Interim City Manager Garcia presented the staff report recommending that the City Council award a contract for the 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 subject to the terms and conditions contained in the contract as attached to staff's report.

Mayor O'Brien asked whether there were any public comments.

Public Comment

Charles Neal inquired what the costs would be for current residents. Mayor O'Brien and Interim City Manager Garcia responded the rate study would examine how the project could be funded by city customers, users of the farm water and other sources.

Evelyn Halbert asked whether new home builders would be paying for this and how will existing users benefit from the Wastewater Treatment Plant. Mayor O'Brien explained all new property owners/builders will be subject to a higher cost than existing users however existing users will have to pay something because not one taxpayer has paid into any fund for upgrades to the existing Wastewater Treatment Plant or the development of a new Wastewater Treatment Plant.

Mayor O'Brien advised there being no further comments from the public; he brought the item back to the City Council for discussion.

ACTION: By motion moved and seconded (Uribe / Campbell / passed 5-0) to **adopt City Council Resolution 2022-013** 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.

Motion carried by City Council and LRA Board roll call vote:

AYES: Barber-Martinez, Campbell, Hernandez, Uribe, and Mayor / Chair O'Brien

NAYS: None / ABSENT: None / ABSTAINED: None

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

Interim City Manager Garcia reported on the following:

- *Announced N95 masks, two per individual, not household will be available for distribution to Riverbank residents tomorrow from 4:30 to 5:30 p.m. in the City Council Chambers.*
- *Tickets are still available for the Centennial Gala scheduled for March 5, 2022, at 6:00 p.m. at the Community Center and may be purchased at City Hall North or from a Historical Society Member for \$25.*
- *Neighborhood Improvement would like to remind everyone that it's time for weed abatement, reminded everyone to do their part to keep our community mowed and clean.*
- *Today, Stanislaus County Board of Supervisors ended their local State of Emergency which allowed for staff to expedite purchases or decisions necessary during the pandemic these decisions and expenditures will now revert back to the Board of Supervisors; however, the Public Health Emergency is still in place and will be reviewed every 30 days.*

Item 11.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- *Met with Zoe Jonick with Civic Spark who is interning with the City and will be working with city residents on the Environmental Justice Element as part of the General Plan Update process.*
- *LOVE Riverbank is slated to take place on the last weekend in April, she noted she would be reaching out to others for their involvement.*

Councilmember Uribe reported on the following:

- *Attended a ZOOM meeting with Wade Patton from City Ministry to discuss empowerment and tools to develop our youth council.*

- *Met with Chief Ridehour to discuss a school resource officer position and follow-up on previous discussion related to a community strategy to deal with gangs.*
- *Attending the Stanislaus 2030 meeting on February 16.*
- *The first Riverbank Chamber Business Expo will be held from 5:30 to 7:00 p.m. at the Community Center on February 24 noting all small business owners will be invited.*

Councilmember Barber-Martinez reported on the following:

- *February is Black History Month and the theme for 2022 is Black Health and Wellness, a focus on all medical practitioners such as birth workers, doulas, midwives, herbalists, etc. the reason for this is to celebrate those who have contributed to the wellness of social and medical holistic betterment of all people.*
- *Central Valley Community Resources will be holding a crab feed on February 12 at the Community Center, an annual fundraiser to benefit the Transitional Housing Placement Program for at-risk young adults ages 18 to 21.*
- *SHAW meeting, Stanislaus Home Alliance is tomorrow.*

Vice Mayor Campbell reminded everyone that the weather has been changing over the last several years which is having an effect on the water supply. He stated this is why the City Council is looking at alternative ways to replenish the City's aquifer as discussed, this evening (Agenda Item 10.3).

Item 11.3 Mayor/Chair

Mayor/Chair O'Brien reported on the following:

- *At one point the City of Riverbank lead Stanislaus County in the number of vaccinated residents, now Riverbank is the lowest of all the cities as well as the County. The City of Riverbank has not yet obtained a 50-percent vaccination rate, he encouraged those 60 years of age and older who are at a higher risk to get vaccinated.*
- *The City needs to push on the General Plan Technical Update addressing water, sewer, boundaries and goals for the future.*
- *Encouraged the use of both English and Spanish on everything we write and post on the City's website.*
- *Attending Environmental Quality Meeting on Friday, February 11,*

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

