

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



MINUTES

TUESDAY, JUNE 14, 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 at 6:00 p.m.

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

3. INVOCATION – Reverend Randy Richardson provided the invocation.

4. ROLL CALL

Members of the City Council / Local Redevelopment Authority Board 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

5. AGENDA CHANGES

Mayor Richard D. O'Brien reorganized the agenda to move item 9.3-5 to the end of consent calendar as a separate action item.

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.

Mayor Richard D. O'Brien and Councilmember District 4 Darlene Barber-Martinez declared a conflict of interest with Agenda Item 9.3-5. Crossroads Landscaping and Lighting District due to residing within the Crossroads Landscaping and Lighting District.

7. PRESENTATIONS (Informational only)

Item 7.1 **Proclamation in Recognition and Celebration to the Society for disABILITIES for their 75 years of service** - It is recommended that the City Council read and presented the Proclamation to Cathy Mendoza, Executive Director for Society for disABILITIES.

Mayor O'Brien presented a Proclamation in Recognition and Celebration to the Society for disABILITIES in recognition of their 75 years of service to the community to Cathy Mendoza, Executive Director for Society for disABILITIES.

Cathy Mendoza, Executive Director for the Society stated her appreciation and thanked City Council for their support.

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.*

Mayor O'Brien opened Public Comment at 6:07 p.m.

Karen Coronado spoke in opposition of the Riverwalk Project.

Vicki Holt, Riverbank Library Branch Manager spoke about the programs that are being offered by the Library such as:

Summer Reading Challenge May 17th through August 2nd, Register on Library Website
Story Time, Tuesday at 11:00 a.m. alternate in English and Spanish

Magician Shawn Durham at the Library June 23rd at 12:30 p.m.

Personal Hot Spots can be checked out the Library for anyone who need one
Master Gardener Class on June 27th at 6:15 p.m. at the Modesto Library

There being no further public comments, Mayor O'Brien closed the Public Comment period at 6:11 p.m.

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 May 24, 2022 City Council and Local Redevelopment Authority Board Minutes.

Item 9.3 Adopt Three (3) Resolutions for Each of the Following Landscape and Lighting Districts to: 1) Initiate Proceedings for the Annual Levy of Assessments; 2) Declare Its Intention to Levy Annual Assessments; and 3) For Preliminary Approval of the Annual Levy Report for Fiscal Year 2022/2023.

The Landscape and Lighting Districts are:

9.3-1: Consolidated Landscaping and Lighting District

Resolution (2022-050) Initiating Proceedings for the Annual Levy of Assessments for the Consolidated Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-051) Declaring its Intention to Levy Annual Assessments for the Consolidated Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-052) for Preliminary Approval of the Annual Levy Report for the Consolidated Landscaping and Lighting District for Fiscal Year 2022/2023.

9.3-2: Ridgewood Place Landscaping and Lighting District

Resolution (2022-053) Initiating Proceedings for the Annual Levy of Assessments for the Ridgewood Place Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-054) Declaring its Intention to Levy Annual Assessments for the Ridgewood Place Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-055) for Preliminary Approval of the Annual Levy Report for the Ridgewood Place Landscaping and Lighting District for Fiscal Year 2022/2023.

9.3-3: River Cove Landscaping and Lighting District

Resolution (2022-056) Initiating Proceedings for the Annual Levy of Assessments for the River Cove Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-057) Declaring its Intention to Levy Annual Assessments for the River Cove Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-058) for Preliminary Approval of the Annual Levy Report for the River Cove Landscaping and Lighting District for Fiscal Year 2022/2023.

9.3-4: Sierra Vista Estates Landscaping and Lighting District

Resolution (2022-059) Initiating Proceedings for the Annual Levy of Assessments for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-060) Declaring its Intention to Levy Annual Assessments for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-061) for Preliminary Approval of the Annual Levy Report for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2022/2023.

Item 9.4 Adopt a Resolution for Each of the following Storm Drain Maintenance Districts Declaring its Intention to Levy and Collect Annual Assessments for Fiscal Year 2022/2023.

The Storm Drain Maintenance Districts are:

9.4-1: Resolution (2022-062) Declaring its Intention to Levy and Collect Annual Assessments within the Riverbank Storm Drain Maintenance District No. 2006-01 (Heartlands) for Fiscal Year 2022/2023.

9.4-2: Resolution (2022-063) Declaring its Intention to Levy and Collect Annual Assessments within the Riverbank Storm Drain Maintenance District No. 05-01 (Sterling Ridge) for Fiscal Year 2022/2023.

Item 9.5 **Resolution (2022-064)** Adopting a List of Projects for Fiscal Year 2022-2023 Funded by SB 1: The Road Repair and Accountability Act of 2017.

Item 9.6 **Resolution (2022-065)** to Award Bid for the Santa Fe Street (between 5th and 7th Streets) Project to Contractor George Reed, Inc. and Authorize Execution of Future Change Orders.

Item 9.7 **Resolution (2022-066)** Award Landscape & Lighting and Storm Drain Maintenance Contract and Authorize the City Manager to Enter Into a 3-Year Contract with Grover Landscaping Services, Inc.

Item 9.8 **Resolution (2022-067)** Authorizing the Senior Neighborhood Improvement Officer Job Classification and Salary Range; and Amending the City of Riverbank Compensation Plan for the Addition.

Item 9.9 **Resolution (2022-068)** Accepting the Annual Financial Reports for Fiscal Year 2017-2018, 2018-2019, and Fiscal Year 2019-2020.

ACTION: *By motion moved and seconded (Uribe / Barber-Martinez / passed 5/0) to approve Consent Calendar Items 9.1 through 9.3-4 and 9.4 through 9.9, as presented.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Reference Item 9.3-5: Mayor O'Brien and Councilmember Barber-Martinez recused themselves from consideration of this Item due to a conflict of interest; stepped out of the City Council Chambers at 6:16 p.m.; Vice Mayor Campbell presided.

9.3-5: Crossroads Landscaping and Lighting District.

Resolution (2022-069) Initiating Proceedings for the Annual Levy of Assessments for the Crossroads Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-070) Declaring its Intention to Levy Annual Assessments for the Crossroads Landscaping and Lighting District for Fiscal Year 2022/2023.

Resolution (2022-071) for Preliminary Approval of the Annual Levy Report for the Crossroads Landscaping and Lighting District for Fiscal Year 2022/2023.

ACTION: *By motion moved and seconded (Hernandez / Uribe / passed 3/0) to approve Consent Calendar Item 9.3-5, as presented. Motion carried by unanimous City Council and LRA Board roll call vote: AYES: Uribe, Hernandez and Campbell NAYS: None / ABSENT: None / ABSTAINED: Barber-Martinez and Mayor O'Brien*

Mayor O'Brien and Councilmember Barber-Martinez returned to the City Council Chambers; and Mayor O'Brien resumed presiding over the meeting at 6:17 p.m.

10. PUBLIC HEARINGS - No Public Hearings Scheduled.

11. NEW BUSINESS

Item 11.1 **Consideration of a Resolution to Award and Authorize the City Manager to Enter into a Professional Services Contract with Visual Sound for the Audio / Visual Media Equipment Upgrade Project for the Council Chamber; and Authorize a 10% Contingency of the Total Contract for Unforeseen Conditions or Extra Work Required** - It is recommended that that the City Council approve the Resolution (1) awarding Visual Sound the Service Contract for the update and upgrading of the audio / visual (AV) media equipment in the Riverbank Council Chamber, (2) authorize the City Manager to enter into said contract with Visual Sound and, (3) authorize a 10% contingency of the total contract for unforeseen conditions or extra work that may arise.

Senior Management Analyst Torres-Manriquez presented a comprehensive staff report and PowerPoint Presentation recommending that the City Council approve the Resolution (1) awarding Visual Sound the Service Contract for the update and upgrading of the audio / visual (AV) media equipment in the Riverbank Council Chamber, (2) authorize the City Manager to enter into said contract with Visual Sound and, (3) authorize a 10% contingency of the total contract for unforeseen conditions or extra work required.

City Council discussed the item with staff.

City Manager Garcia stated funds will be coming from public education fund and will not be drawn from any other funds.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: *By motion moved and seconded (Uribe / Campbell / passed 5/0) to adopt **City Council Resolution 2022-072** to Award and Authorize the City Manager to enter into a Professional Services Contract with Visual Sound for the Audio/Visual Media Equipment Upgrade Project for the Council Chamber; and authorize a 10% Contingency of the total Contract for Unforeseen Conditions or Extra Work Required.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Item 11.2 **Consideration of a Resolution Approving the Memorandum of Understanding between City of Riverbank and the Riverbank Miscellaneous Employees Bargaining Unit** - It is recommended that the City Council adopt a Resolution approving the Memorandum of Understanding between City of Riverbank and the Riverbank Miscellaneous Employees Bargaining Unit.

Human Resources Analyst Stefani presented a comprehensive staff report with PowerPoint presentation recommending the City Council approve the Memorandum of Understanding between City of Riverbank and the Riverbank Miscellaneous Employees Bargaining Unit, as presented.

City Council discussed the item with staff.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: *By motion moved and seconded (Hernandez / Uribe / passed 5/0) to adopt **City Council Resolution 2022-073** approving the Memorandum of Understanding between City of Riverbank and the Riverbank Miscellaneous Employees Bargaining Unit.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Item 11.3 **Consideration of a Resolution to Approve the McRoy Wilbur Communities System Development Fees/Credits and to Defer the System Development Fees for the Countryside III Subdivision** – It is recommended that the City Council consider and approve the Resolution approving the McRoy-Wilbur Communities System Development Fees and Credits assessed on the construction of dwelling units in the Countryside III

subdivision and deferring their payments of the System Development Fees to Building Final.

Planning and Building Manager Kenney presented a comprehensive staff report and PowerPoint Presentation recommending that the City Council approve the Resolution approving the McRoy-Wilbur Communities System Development Fees and Credits assessed on the construction of dwelling units in the Countryside III subdivision and deferring their payments of the System Development Fees to Building Final.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: *By motion moved and seconded (Barber-Martinez / Campbell / passed 5/0) to adopt **City Council Resolution 2022-074** approving the McRoy-Wilbur Communities System Development Fees and Credits assessed on the construction of dwelling units in the Countryside III subdivision and deferring their payments of the System Development Fees to Building Final.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Item 11.4 ***Consideration of a Resolution to Adopt 5–Year Capital Improvement Plan (CIP) for Street and Road Improvements for Fiscal Years 2022-2027 – It is recommended that the City Council consider and adopt the Resolution adopting the 5–Year Capital Improvement Plan (CIP) for Street and Road Improvements for Fiscal Years 2022-2027.***

Development Services Administration Manager Cleek presented a comprehensive staff report and PowerPoint presentation recommending that the City Council consider and adopt the Resolution the 5–Year Capital Improvement Plan (CIP) for Street and Road Improvements for Fiscal Years 2022-2027 as presented.

City Council discussed the item with staff.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: *By motion moved and seconded (Uribe / Campbell / passed 5/0) to adopt **City Council Resolution 2022-075** adopting the 5–Year Capital Improvement Plan (CIP) for Street and Road Improvements for Fiscal Years 2022-2027.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Item 11.5 **Consideration of a Resolution to Declare Water Emergency per California Governor's Executive Order (EO) N-7-22** – It is recommended that the City Council consider and adopt a resolution to declare a water shortage emergency and implement the water shortage response actions identified in the current Water Shortage Contingency Plan, adopted October 26, 2021 in conjunction with the 2020 Urban Water Management Plan.

Public Works Director Riddell presented a comprehensive staff report recommending that the City Council adopt a resolution to declare a water shortage emergency and implement the water shortage response actions identified in the current Water Shortage Contingency Plan, adopted October 26, 2021 in conjunction with the 2020 Urban Water Management Plan.

City Council discussed the item with staff. City Manager Garcia brought up discussion items with a displayed spreadsheet showing other items that could support meeting the 20-percent (20%) needed for the City to meet with the Governor's saving water order.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe / passed 5/0) to adopt **City Council Resolution 2022-076** declaring a water shortage emergency and implement the water shortage response actions identified in the current Water Shortage Contingency Plan, adopted October 26, 2021 in conjunction with the 2020 Urban Water Management Plan.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Item 11.6 **Consider of a Resolution Establishing the Turf Replacement Program Guidelines in the City of Riverbank** - It is recommended that the City Council consider adopting a resolution that will establishment the guidelines of a turf replacement program in the City of Riverbank.

City Manager Garcia presented a comprehensive staff report and PowerPoint Presentation recommending that the City Council consider adopting a resolution that will establish the guidelines of a turf replacement program in the City of Riverbank.

City Council discussed the item with staff.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: *By motion moved and seconded (Campbell / Hernandez / passed 5/0) to adopt **City Council Resolution 2022-077** establishing the guidelines of a turf replacement program in the City of Riverbank.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Item 11.7 ***Authorize the City Manager to direct the City's On-Call Utility Engineer to conduct rehabilitation and testing of Well No. 10 to assess reduction in well nitrate for the wells continued use during upcoming high water demands - It is recommended that the City Council authorize the City Manager to direct the City's on-call Utility Engineer Kjeldsen, Sinnock & Neudeck, Inc. (KSN) to perform certain rehabilitation, test pumping, and monitoring of Well No. 10.***

Public Works Director Riddell presented a comprehensive staff report recommending the city council authorize the City Manager to direct the City's on-call Utility Engineer Kjeldsen, Sinnock & Neudeck, Inc. (KSN) to perform certain rehabilitation, test pumping, and monitoring of Well No. 10.

There being no public comments, Mayor O'Brien closed public participation and brought the item back to the City Council.

ACTION: *By motion moved and seconded (Uribe / Campbell / passed 5/0) authorizing the City Manager to direct the City's on-call Utility Engineer Kjeldsen, Sinnock & Neudeck, Inc. (KSN) to perform certain rehabilitation, test pumping, and monitoring of Well No. 10.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Item 11.8 ***Consideration of a Resolution Approving an Intergovernmental Cooperation Agreement between the County of Stanislaus and the City of Riverbank for Joint Participation in the Community Development Block Grant Program - It is recommended that the City Council consider adopting a Resolution approving a Cooperation between Stanislaus County and the City of Riverbank for participation in the Community Development Block Grant Program.***

City Manager Garcia presented a comprehensive staff report recommending City Council adopt a Resolution to approve a Cooperation between Stanislaus County and the City of Riverbank to participate in the Community Development Block Grant Program.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: *By motion moved and seconded (Campbell / Uribe / passed 5/0) to adopt **City Council Resolution 2022-078** approving a Cooperation Agreement between Stanislaus County and the City of Riverbank for participation in the Community Development Block Grant Program.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Item 11.9 **Consideration of a Resolution Approving HOME Investment Partnership Consortium Agreement for One Year from October 1, 2022 to September 30, 2023; and, a Resolution Approving HOME Investment Partnership Program Consortium Agreement for Three Years from October 1, 2023 to September 30, 2026 - It is recommended that the City Council consider approving the HOME Investment Partnership Program Consortium One-Year and Three-Year Agreements for continued participation in the HOME Consortium.**

City Manager Garcia presented a comprehensive staff report recommending to City Council consider approving the HOME Investment Partnership Program Consortium One-Year Resolution and Three-Year Resolution for the Agreements to allow continued participation in the HOME Consortium.

There being no public comments, Mayor O'Brien brought the item back to the City Council.

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe / passed 5/0) to adopt **City Council Resolution 2022-079** Approving HOME Investment Partnership Consortium Agreement for One Year from October 1, 2022 to September 30, 2023.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe / passed 5/0) to adopt **City Council Resolution 2022-080** Approving HOME Investment Partnership Program Consortium Agreement for Three Years from October 1, 2023 to September 30, 2026.*

*Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Uribe, Hernandez, Campbell, Barber-Martinez, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None*

Item 11.10 **Fiscal Year 2022-23 Major Fund Budget Workshop -It is recommended that the City Council receive a presentation on the Fiscal Year 2022-23 Major Fund Proposed Budgets and provide feedback in anticipation of the adoption of the Final Budget on June 28, 2022.**

City Manager Garcia alongside Assistant Finance Director Alcantor presented a comprehensive staff report and PowerPoint presentation reviewing the Fiscal Year 2022-23 Major Fund Workshop.

DIRECTION: *City Council discussed and directed City Manager Garcia to place two item requests on the Final Budget. The first request, re-plastering of the Community Center Pool at \$171,000 to be funded from the General Fund. The second request, a Vector/Jet Combo unit at \$550,000 to be funded from the General Fund.*

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

City Manager Garcia advised the City Council and the public on the following upcoming public events:

- *Riverbank Car Show and Picnic location has been changed to be held at the Downtown Plaza, Saturday, June 25th from 11:00 a.m. until 3:00 p.m. This event, including the picnic is free to the public which will be hosted by the City of Riverbank.*
- *July 4th is upon us, with dry lots and high winds, the city recommends being careful with Fireworks use.*
- *Movies at the Park, June 18th at Jacob Myers Park*

Item 12.2 Council/Authority Member

Councilmember Hernandez reported on the following:

- *Attended Solidarity Event where the focus was on the Education System.*

Councilmember Uribe reported on the following:

- *Attended Harm Reduction Program.*
- *Stated his support on the Water Drought Changes that need to be made to reduce water use.*

Councilmember Barber-Martinez reported on the following:

- *Attended a Public Safety Committee Meeting through the League of California Cities, discussed several propositions that are being reviewed at the State level.*
- *Bicycle Rodeo Kids Safety & Health Fair in collaboration with Riverbank Police Services and City of Riverbank will be held July 13th.*

Vice Mayor Campbell reported on the following:

- *Attended an Environmental Justice meeting.*
- *Stated his concern with 4th of July around the corner, advising everyone to stay safe from fires and be careful with the high winds that can cause Fireworks to spread fires.*

Item 12.3 Mayor/Chair

Mayor O'Brien stated had no comments.

13. CLOSED SESSION – No Items Scheduled.

14. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 8:15 p.m. to the next regular scheduled City Council / LRA Meeting of June 28, 2022.

ATTEST: (Adopted 06/28/2022)

APPROVED:

/s/Kathy L. Teixeira

/s/Richard D. O'Brien

Kathy L. Teixeira
Interim City Clerk / LRA Recorder

Richard D. O'Brien
Mayor / Chair