

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.

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 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.

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 (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.
 - o 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**

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

RIVERBANK CITY COUNCIL / LRA AGENDA ITEM NO. 9.1

SECTION 9: CONSENT CALENDAR

Meeting Date:	March 8, 2022
Subject:	Waiver of Readings
From:	Marisela H. Garcia, Interim City Manager
Submitted by:	Kathy L. Teixeira, Interim City Clerk

RECOMMENDATION

It is recommended that the City Council / LRA Board approve the waiver of readings of any proposed ordinances and resolutions for consideration, except by title.

SUMMARY

In lieu of reading the entire text of a proposed ordinance or resolution that is introduced for consideration for adoption and approval, by majority vote, the City Council/LRA Board may waive the reading of the text and introduce the ordinance or resolution by title only for the record.

The full text of the proposed ordinances and resolutions, and any related documents that are part of the agenda packet, are available for review by the public on the City's website and in the City Clerk's office at City Hall (North) upon distribution to a majority of the City Council/LRA Board; typically 72 hours prior to the scheduled date and time of the meeting.

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENTS

There are no attachments to this report.

RIVERBANK CITY COUNCIL / LRA AGENDA ITEM NO. 9.2

SECTION 9: CONSENT CALENDAR

Meeting Date:	March 8, 2022
Subject:	Approval of the February 22, 2022 City Council and Local Redevelopment Authority Board Minutes.
From:	Marisela H. Garcia, Interim City Manager
Submitted by:	Kathy L. Teixeira, Interim City Clerk

RECOMMENDATION

It is recommended that the City Council / Local Redevelopment Authority Board approve the City Council /LRA Meeting Minutes of February 22, 2022, as presented.

SUMMARY

The Draft Minutes of the City Council and the Local Redevelopment Authority Board meetings have been prepared for review and approval.

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENT

1. The February 22, 2022, City Council and Local Redevelopment Authority Board Minutes.

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
(Virtual via ZOOM)**

Council Chambers, 6707 Third St., Suite B
Riverbank, CA 95367



MINUTES

TUESDAY, FEBRUARY 22, 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. 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
Vice Mayor / Vice Chair (CM-D03) Cal Campbell
Mayor / Chair Richard D. O'Brien

Members of the City Council / Local Redevelopment Authority absent and excused:
Council Member / Authority Member District 4 Darlene Barber-Martinez

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.

Chelsie King, President of the Young Adults Fighting Tobacco Coalition requested the City Council implement solutions to address the environmental burdens as result of the

tobacco industry by implementing public policies within the General Plan's Environmental Justice Element.

Jamie Eggers, Bernard Eggers, Karen Carado, Dan Whetstone all spoke in opposition of the River Walk project citing concerns of increased traffic and noise, loss of prime farmland, a flawed project process, building a flood zone, and adverse impacts to the water supply, sewage system and community services.

Anita Young spoke in opposition of the River Walk project citing concerns of continued shortage of affordable housing, loss prime farmland as well as the impacts to the water supply and sewage system.

8. PRESENTATIONS (Informational only)

Item 8.1 Presentation on Environmental Justice Program – City Council to receive a report from Zoe Jonick of CivicSpark on the Environmental Justice Element as part of the General Plan Update process.

Zoe Jonick provided a comprehensive PowerPoint Presentation on the Environmental Justice Element (AB 1000), noting Assembly Bill 1000 was passed in 2016 creating the newest element required to be a part of all jurisdictions General Plan Update processes. Key Principles for Community Engagement would include Access, Transparency, and Responsiveness, Accountability, Broad and Balanced Participation, Honor and include Local Community, Knowledge and Long-Term Commitment.

Mayor O'Brien invited Ms. Jonick to attend the San Joaquin Valley Environmental Justice Group meeting scheduled for February 24, 2022.

Ms. Jonick responded to questions raised by the Mayor and City Council.

Annabel Gammon stated her desire to be involved with the process.

Item 8.2 Presentation Mobile MMS - City Council receive the presentation; no action is requested at this time.

Michael Riddell, Public Works Director introduced Sean Dingman with Mobile MMS.

Mr. Dingman addressed the City Council advising Mobile MMS is a map-based, mobile, activity tracking system that agencies use to manage their plant assets such as treatment plants and their flat assets such as sewer or water pipes. The system provides maintenance, asset, inspection, and compliance management. MMS will help the city in the near term in managing Work Orders, Customer Service Requests, and Citizen Requests as well as a full implementation of a Backflow Tracking and Testing system similar to work that MMS has done for other jurisdictions.

Mr. Dingman responded to questions raised by the Mayor and City Council.

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 following Minutes:

9.2A: The January 4, 2022, Special City Council and Local Redevelopment Authority Board Minutes.

9.2B: The January 11, 2022, City Council and Local Redevelopment Authority Board Minutes.

9.2C: The January 25, 2022, City Council and Local Redevelopment Authority Board Minutes.

9.2D: The February 8, 2022, City Council and Local Redevelopment Authority Board Minutes.

Item 9.3 **Resolution (No. 2022-013)** Authorizing the Senior Project Coordinator Job Classification and Salary Range; and Amending the City of Riverbank Compensation Plan for the Addition.

Item 9.4 **Resolution (No. 2022-014)** of the City Council of the City of Riverbank, Authorizing Submittal of Notification of Intent to Comply with SB 1383 Requirements.

Item 9.5 **Resolution (No. 2022-015)** 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.

ACTION: *By motion moved and seconded (Campbell / Uribe / passed 4-0) to approve Consent Calendar Items 9.1 through 9.5, as presented.
Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Campbell, Hernandez, Uribe, and Mayor / Chair O'Brien
NAYS: None / ABSENT: Barber-Martinez / ABSTAINED: None*

10. PUBLIC HEARINGS

Item 10.1 Proposition 218 Public Notification and Protest Process for the Proposed Rate Increase for Solid Waste Disposal Services - *It is recommended that the City Council open the public hearing, allow public comment, and continue the public hearing to April 12, 2022, as requested. The public hearing notice for Item 10.1 was posted on the City website January 5, 2022 and mailed via USPS to each property owner and tenant signed up for service on January 6, 2022.*

The time being 6:45 p.m., Mayor / Chair Richard O'Brien opened the public hearing requesting staff's report.

Interim City Manager Garcia presented the staff report advising on December 14, 2021, the City Council received a report regarding the proposed solid waste rates that were presented by Gilton Solid Waste Management and at that point in time Council authorized staff to proceed with the process to increase refuse rates subject to the Proposition 218 process. The public hearing was scheduled for today, February 22 unfortunately due to some timing issues with the public notification in the local newspaper, the Riverbank News which is required to be published; staff is requesting that Council continue tonight's public hearing to April 12, 2022. This extends the time allowed for residents to submit their protest vote should they desire to the city clerk's office at City Hall at 6707 Third Street. City Council will then consider the adoption of the rates at the public hearing scheduled for April 2, 2022.

The time being 6:51 p.m., Mayor / Chair Richard O'Brien asked for public comments. There being none, Mayor / Chair Richard O'Brien requested a concurrence of the City Council to continue the public hearing to April 12, 2022.

ACTION: A unanimous concurrence of the City Council (4/0) was to continue discussion of Proposition 218 Public Notification and Protest Process for the Proposed Rate Increase for Solid Waste Disposal Services and to continue the public hearing to April 12, 2018, as requested by staff.

Item 10.2 A Resolution Approving the Fiscal Year 2021-2022 Mid-Year Budget Amendments - It is recommended that the City Council consider approval of the Fiscal Year 2021-2022 Mid-Year Budget Amendments. ***The public hearing notice for Item 10.2 was published in the Riverbank News on February 9, 2022.***

Tammy Alcantor, Assistant Finance Director presented a comprehensive staff report and PowerPoint presentation of the Fiscal Year 2021-2022 Mid-Year Budget Amendments recommending the City Council approve the amendments as recommended by staff.

Assistant Finance Director Alcantor responded to questions raised by the Mayor and City Council and discussed increasing the set aside for future employee benefits and to fund unfunded retirement liability.

ACTION: By motion moved and seconded (Uribe / Hernandez / passed 4-0) to **adopt City Council Resolution 2022-016** approving the Fiscal Year 2021-2022 Mid-Year Budget Amendments.
Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Campbell, Hernandez, Uribe, and Mayor / Chair O'Brien
NAYS: None / ABSENT: Barber-Martinez / ABSTAINED: None

11. NEW BUSINESS

Item 11.1 2022 Cheese & Wine Festival - It is recommended that the City Council hear the plans being considered for the 2022 Cheese & Wine Festival and provide input to the Director of Parks and Recreation and Simply Devine Events, LLC for the Coordination of the 2022 Cheese & Wine Festival.

Sue Fitzpatrick, Director of Parks and Recreation provided a brief overview of the outcome and challenges of the 2021 Cheese & Wine Festival. Director of Parks and Recreation Fitzpatrick advised potential plans and changes for the upcoming 2022 Festival will be presented to the City Council by Tamra Spade, owner of Simply Devine Events, LLC.

Tamra Spade, owner of Simply Devine Events, LLC. provided a PowerPoint and Vimeo Video presentation reviewing the 2021 Cheese and Wine Festival covering the highlights and challenges addressing security, cost savings, advertising, car show, Riverbank Wine and Cheese Dinner, event boundaries, set up and take down issues, challenges with multiple booths of volunteers handling wine and beer tickets, noting preference for one booth selling beer and wine tickets. Recommended changes to the 2022 event include:

- *Change in layout and boundaries.*
- *Use of the Community Center for the craft beer and wine and cheese tasting.*
- *Elimination Caltrans Road closures.*
- *Increase to vendor fees.*
- *Increase to Wine and Cheese Tasting Fee.*
- *Addition of a ticket booth for the sale of beer tickets, ID check and wine and cheese ticket sales.*

The Mayor and City Council discussed with Ms. Spade how to elevate the experience of the Wine and Cheese tasting, as well as potentially alternating having one day be Wine and Cheese Tasting and the next Craft Beers with snacks. Also discussed was expanding advertising through Galaxy Theatres throughout their chain to get the word out about the festival to get individuals to come in from out of the area to enjoy the event.

An unidentified gentleman approached the podium suggesting rather than just increasing ticket pricing perhaps there could be a couple's price ticket. Ms. Spade responded she is open to all ideas.

Item 11.2 A Resolution to Award a Contract for the Technical Package, Program Management, and Preliminary Design for the Regional Recycled Water Project - Phase I to Kjeldsen, Sinnock & Neudeck, Inc., and Authorize a Budget Appropriation in the amount of \$425,000 from the Wastewater Enterprise Fund for Said Contract - It is recommended that the City Council award the contract for preliminary design phase, program management, and preparation of the Technical 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 Kjeldsen, Sinnock & Neudeck, Inc., authorize the City Manager to execute a contract with said firm in the amount of \$404,662, authorize a contingency amount of \$20,338 (approximately 5%), and authorize a budget appropriation of \$425,000 from the Wastewater Enterprise Fund for said contract.

Michael Riddell, Public Works Director presented the staff report recommending that the City Council award the contract for preliminary design phase, program management, and preparation of the Technical 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 Kjeldsen, Sinnock & Neudeck, Inc., subject to the resolution contained in staff's report.

ACTION: By motion moved and seconded (Campbell / Uribe / passed 4-0) to **adopt City Council Resolution 2022-017** award the contract for preliminary design phase, program management, and preparation of the Technical 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 Kjeldsen, Sinnock & Neudeck, Inc., authorize the City Manager to execute a contract with said firm in the amount of \$404,662, authorize a contingency amount of \$20,338 (approximately 5%), and authorize a budget appropriation of \$425,000 from the Wastewater Enterprise Fund for said contract.
Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Campbell, Hernandez, Uribe, and Mayor / Chair O'Brien
NAYS: None / ABSENT: Barber-Martinez / ABSTAINED: None

Item 11.3 A Resolution Opposing Initiative 21-0042A1 the Taxpayer Protection and Government Accountability Act - It is recommended that the City Council consider adopting a resolution in opposition of Initiative 21-0042A1, the Taxpayer Protection and Government Accountability Act.

Interim City Manager Garcia presented the staff report recommending the City Council consider adopting the resolution opposing Initiative 21-0042A1, the Taxpayer Protection and Government Accountability Act which limits voters' authority to adopt new and stricter rules for raising taxes and fees and makes it more difficult to hold violators of state and local laws accountable.

ACTION: By motion moved and seconded (Uribe / Hernandez / passed 4-0) to **adopt City Council Resolution 2022-018** opposing Initiative 21-0042A1, the Taxpayer Protection and Government Accountability Act.
Motion carried by City Council and LRA Board roll call vote:
Motion carried by unanimous City Council and LRA Board roll call vote:
AYES: Campbell, Hernandez, Uribe, and Mayor / Chair O'Brien
NAYS: None / ABSENT: Barber-Martinez / ABSTAINED: None

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

Interim City Manager Garcia reported on the following:

- Tickets are still available for the Centennial Gala scheduled for March 5, 2022, at 6:00 p.m. at the Community Center. Tickets may be purchased until March 1 and may be purchased at City Hall North or from a Historical Society Member for \$25.
- The Point and Time Count for unsheltered individuals will be held this Thursday, February 24, 2022.

- *Reminded residents holding yard sales to keep in mind when putting up their signs to please remove them after their sales, especially if they are in the public right-of-way.*

Item 12.2 Council/Authority Member

Councilmember Hernandez stated although she agrees with changing the structure of the Wine and Cheese tasting portion of the Festival she recommended to Tamra Spade, owner of Simply Devine Events LLC, in order to avoid push back from individuals when introducing increase price changes, to do so slowly and, with regard to a different tasting program she suggested having wine and cheese tasting one day with craft beer and noshes the next day.

Councilmember Uribe reported on the following:

- *Met with John Klarich, representative on the Stanislaus Commission on Aging to discuss the need for low-income senior housing. Although, Mr. Klarich praised Riverbank on the Willow Point apartments and the units available through the Housing Authority, Mr. Klarich has shared his concerns with the Stanislaus Commission on Aging for the need for more low-income senior housing units. He stated he expects Mr. Klarich will be coming before the City Council within a couple of weeks to provide a presentation.*
- *Continued conversations with Opportunity Stanislaus not only on economic development at the LRA, but also on stackable grants available for electric charging stations.*
- *Attended a Department of Transportation (DOT) webinar which discussed infrastructure, specifically for Electric Vehicles noting there are 18.6 billion dollars available in grant money available for this program.*
- *Will be holding monthly meetings with the City's Economic Specialist.*

Vice Mayor Campbell encouraged individuals, especially parents during drop off and pick up of their children at school to please drive slowly and be aware of their surroundings particularly at the Crossroads, California Avenue and Language Arts schools as these schools are located on narrow streets.

Item 12.3 Mayor/Chair

Mayor/Chair O'Brien requested updates on the City Council calendar from Department Heads, not all together, but on rotation once monthly to receive updates on each department's projects. One of interest would be an update from Kathleen Cleek on Measure L Funds stating he would encourage community involvement as to where the City should spend those funds. He also requested that the City Council receive a quarterly update on the Fire District from Charlie Neal.

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 REAL PROPERTY NEGOTIATORS
(Pursuant to Government Code § 54956.8)

Property: 6509 Claus Road, Riverbank (APN 132-048-016)
Agency Negotiator: Interim City Manager Marisela H. Garcia
Property Negotiator: Esam Khacho
Under Negotiation: Price, terms of payment, or both.

Item 13.2 LIABILITY CLAIMS
(Pursuant to Government Code § 54961)
Claimant: Eva Rodriguez
Agency Claimed Against: City of Riverbank

At 7:54 p.m. Mayor O'Brien asked whether there was anyone wishing to speak on the items listed on the Closed Session Agenda: there being none, Mayor O'Brien adjourned the City Council to closed session at 7:56 p.m.

14. RECONVENE – REPORT FROM CLOSED SESSION

Mayor O'Brien reconvened the meeting at 8:11 p.m.

Item 14.1 Report from Closed Session Item 13.1 CONFERENCE WITH REAL
PROPERTY NEGOTIATORS
(Pursuant to Government Code § 54956.8)
Property: 6509 Claus Road, Riverbank (APN 132-048-016)
Agency Negotiator: Interim City Manager Marisela H. Garcia
Property Negotiator: Esam Khacho
Under Negotiation: Price, terms of payment, or both.

Mayor/Chair O'Brien reported direction was provided to staff.

Item 14.2 Report from Closed Session Item 13.2 LIABILITY CLAIMS
(Pursuant to Government Code § 54961)
Claimant: Eva Rodriguez
Agency Claimed Against: City of Riverbank

Mayor/Chair O'Brien reported the City Council has rejected the claim and will provide a written response to Claimant, Eva Rodriguez.

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 8:11 p.m. to the next regular scheduled City Council / LRA Meeting March 8, 2022.

ATTEST: (Adopted 03/08/2022)

APPROVED:

Kathy L. Teixeira
Interim City Clerk / LRA Recorder

Richard D. O'Brien
Mayor / Chair

RIVERBANK CITY COUNCIL / LRA AGENDA ITEM NO. 9.3

SECTION 9: CONSENT CALENDAR

Meeting Date:	March 8, 2022
Subject:	Acceptance of the Patterson Road at First Street Project and Authorization to File a Notice of Completion
From:	Marisela H. Garcia, Interim City Manager
Submitted by:	Kathleen Cleek, Development Services Administration Manager Laura Graybill, Project Coordinator

RECOMMENDATION:

It is recommended that the City Council accept the completion of the Patterson Road at First Street Project and authorize staff to file a Notice of Completion.

SUMMARY:

Dirt Dynasty, Inc. completed the construction of the Patterson Road at First Street Project. William Kull, City Engineer and City staff have completed a final inspection and determined that construction has been completed per the plans and specifications.

The contract was awarded on September 7, 2021 to Dirt Dynasty, Inc. in the amount of \$116,570.00. Three contract change orders were issued for this project in the amount of \$1,001.84.

It is recommended that the Council accept the Patterson Road at First Street Project as complete and authorize the Project Coordinator to record the Notice of Completion.

FISCAL IMPACT:

Funding has been programmed for this project with CMAQ and Measure L Funds. The total cost of construction is \$117,571.84

ATTACHMENTS:

1. Notice of Completion
2. Site Map

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

NAME
STREET
ADDRESS
CITY &
STATE

CITY OF RIVERBANK
ATTN: DEVELOPMENT SERVICES
6707 THIRD STREET
RIVERBANK, CA 95367

SPACE ABOVE THIS LINE
FOR RECORDER'S USE

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the owner of the interest or estate stated below in the property hereinafter described.

2. The full name of the undersigned is City of Riverbank

(Print Full Name)

3. The complete address of the undersigned is 6707 Third Street, Riverbank, CA 95367

(Address, City, State, Zip)

4. The nature of the title of the undersigned is:

☒ Owner in Fee, or

☐ Vendee (Buyer) under Contract of Purchase, or

☐ Lessee, or

☐ Other

If "Other," briefly list or describe appropriate designation or title _____

5. The full names and complete addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

Co-owner's Name(s)

Co-owner's Complete Address (Number and Street, City, State, Zip)

N/A

6. The names of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work of improvement herein referred to, include, but are not limited to the following individual(s) (if no transfer was made, insert the word "none"):

Co-owner's Name(s)

Co-owner's Complete Address (Number and Street, City, State, Zip)

N/A

7. A work of improvement on the property described below was completed on March 8, 2022

(Date of Completion)

This document is only a general form which may be proper for use in simple transactions and in no way acts, or is intended to act, as a substitute for the advice of an attorney. The printer does not make any warranty, either expressed or implied, as to the merchantability or fitness for a particular purpose, or as to the legal validity of any provision or the suitability of these forms in any specific transaction.

Cowdery's Form No. 34809 • NOTICE OF COMPLETION (Civil Code Section 3093) • (Revised 12.03) • © Cowdery's 2005



8. The name of the original contractor, if any, for the work of improvement was (if no contractor for the work of improvement as a whole, insert the word "none") Dirt Dynasty, Inc.

If notice covers completion of contract for only part of the work of improvement, check box and complete:

☐ The kind of work done or finished was install a right turn lane on westbound Patterson Road
(Give General Description of Work Completed, e.g., Furnishing of Concrete for Sidewalks, etc.)
onto northbound 1st Street work included asphalt paving, curb, gutter, sidewalk, striping,
storm drainage systems, traffic control and all other work included on the plans.

9. The property on which the work of improvement was completed is in the City of Riverbank,
County of Stanislaus, State of California, and is described as follows:
Patterson Road at First Street
(Set Forth Description of Jobsite Sufficient for Identification, Using Legal Description if Possible)

10. The street address of the said property is Patterson Road at First Street
(Address, City, State, Zip, or if No Official Street Address, Insert the Word "None")
in Riverbank, CA 95367

Dated this 8th day of March, 2022
(Day) (Month) (Year)

(Owner's Signature) City of Riverbank
Laura Graybill, Project Coordinator
(Owner's Typed or Printed Name)

VERIFICATION

I the undersigned, say:

I am the person who signed the foregoing notice. I have read and understand the above notice and know its contents, and the facts stated therein are true and correct to the best of my knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in City of Riverbank, County of Stanislaus, State of California
on this 8th day of March, 2022
(Day) (Month) (Year)

(Signature of Person Signing Notice of Completion)
City of Riverbank
Laura Graybill, Project Coordinator

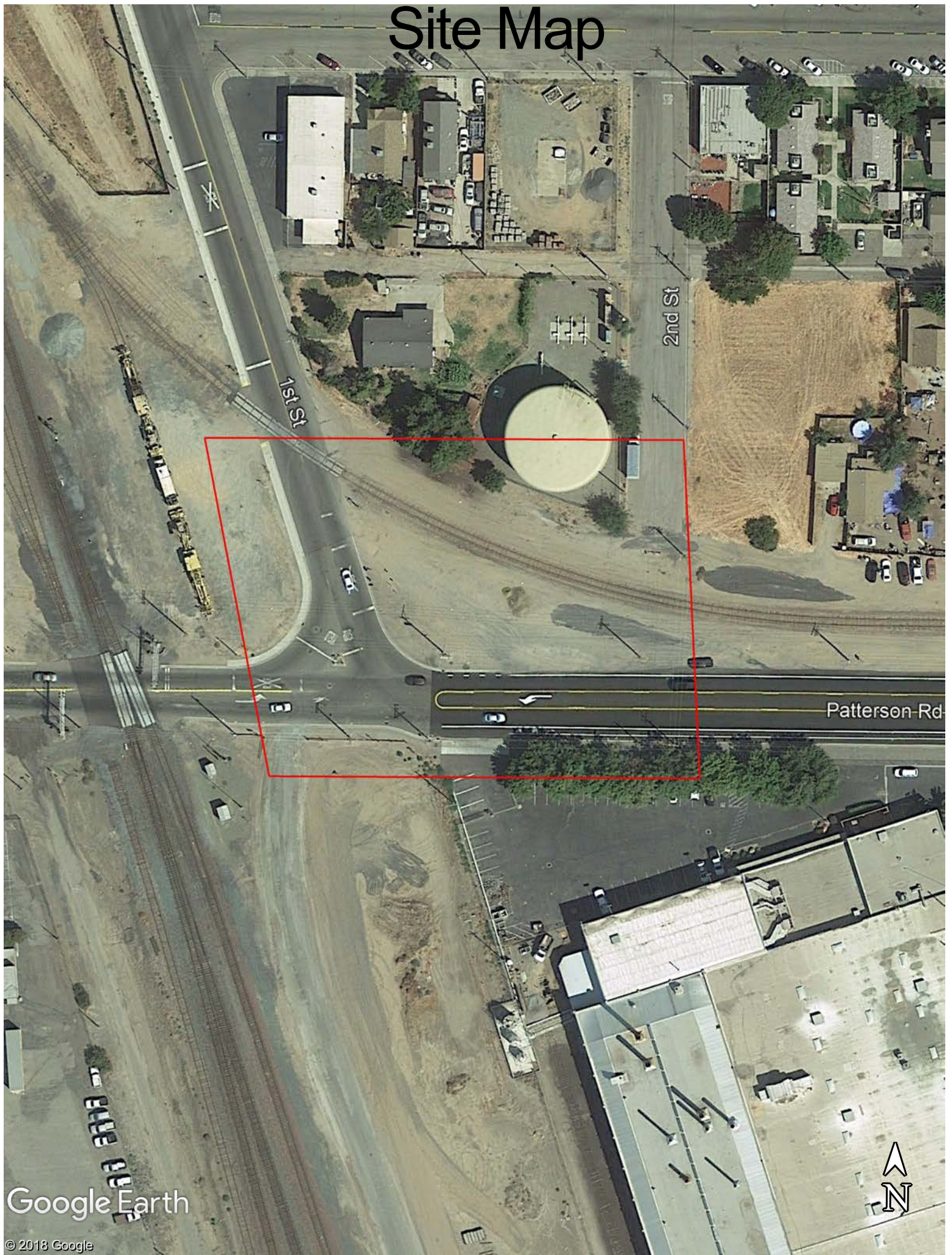
This form is the notice of completion that a property owner may record to limit the time in which mechanics' liens may be recorded against a construction project (see CA Civil Code § 3093). For this purpose an "owner" is the person who causes a building, improvement, or structure to be constructed, altered, or repaired, whether the interest or estate is in fee, as a vendee (buyer) under contract or purchase, as lessee, or other interest or estate less than fee. If the interest is held by two or more persons as joint tenants or tenants in common, any one or more of the co-tenants may be deemed to be the owner. (CA Civil Code §§ 3092(g), 3093). **This form is for use with a private work of improvement only, and is not intended for public sector applications.**

If the owner records the notice within the applicable time period, the original contractor has sixty (60) days from the day the notice is recorded to record a claim of lien against

the project (CA Civil Code § 3115); and all other persons who furnished labor, services, equipment, or materials must record their liens within thirty (30) days after the notice of completion is recorded (CA Civil Code § 3116). Otherwise, all persons who furnished labor, services, equipment, or materials have ninety (90) days after completion of the work of improvement in which to record their liens (CA Civil Code §§ 3115, 3116).

The owner must record the notice in the office of the county recorder of the county where the site is located within ten (10) days after the work of improvement is completed (CA Civil Code § 3093(e)). This applies equally to the project which is completed in phases. A notice of completion must be filed within ten (10) days after the completion of each phase of the project to shield owner properly (CA Civil Code § 3117).

Site Map



RIVERBANK CITY COUNCIL / LRA AGENDA ITEM NO. 9.4

SECTION 9: CONSENT CALENDAR

Meeting Date:	March 8, 2022
Subject/ Title:	Award Bid for the Castleberg Park Basketball Court Project to Frontline General Engineering Construction, Inc. and Authorize Execution of Future Change Orders
From:	Marisela H. Garcia, Interim City Manager
Submitted by:	Sue Fitzpatrick, Parks and Recreation Director Laura Graybill, Project Coordinator

RECOMMENDATION

It is recommended that City Council approve two (2) actions by a roll call vote:

1. Award bid to the lowest responsible bidder, Frontline General Engineering Construction, Inc.; and
2. Authorize the Interim City Manager to execute Change Orders within total project budget.

SUMMARY

The City has received the California Department of Parks and Recreation 2018 Park Bond Act, Per Capita Grant Allocation in the amount of \$193,566.00. The following is a description of the projects to be funded via this grant: Renovate Castleberg Park by reconstructing two basketball courts, installing fitness equipment, erosion control, and minor amenities.

The bid opening was held on Tuesday, March 1, 2022 to consider the bids for the Castleberg Park Basketball Court Project. The following bids were received:

Frontline General Engineering Construction Inc.	\$145,766.00
TBS Contractors	\$163,723.26
Richard Townsend Construction, Inc.	\$202,804.00

Work on the project includes, but is not limited to, furnishing all labor, materials, equipment, transportation, and incidentals necessary for the installation of a concrete basketball court slab, adjoining concrete benches w/ slab, court layout paint and all other work included on the plans for the above mentioned project.

Bids have been reviewed and Frontline General Engineering Construction, Inc. has been identified as the lowest responsible bidder for the project.

It is requested that the City Council provide the Interim City Manager authorization to execute Change Orders if they are within total budget.

FINANCIAL IMPACT

Costs to be covered by the California Department of Parks and Recreation 2018 Park Bond Act, Per Capita Grant \$193,566.

ATTACHMENT

- 1) Site Map
- 2) Draft City Council Resolution 2022-

Castleberg Park Basketball Courts

Site Map



**CITY OF RIVERBANK
RESOLUTION NO. 2022-____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, TO AWARD A CONTRACT FOR THE CASTLEBERG PARK
BASKETBALL COURT PROJECT WITH
FRONTLINE GENERAL ENGINEERING CONSTRUCTION, INC.,
IN THE AMOUNT OF \$145,766, AND AUTHORIZE THE INTERIM CITY MANAGER
TO EXECUTE SAID CONTRACT AND APPROVE THE CHANGE ORDERS UP TO
THE PROJECT CONTINGENCY FUND OF \$47,790**

WHEREAS, the Castleburg Park Basketball Court Project includes the renovation of Castleberg Park by constructing two basketball courts, erosion control, and minor amenities; and

WHEREAS, the City published a Notice to Bidders inviting interested bidders to submit their sealed bids for the Project; and

WHEREAS, on March 2, 2022, the City of Riverbank received three (3) bids and publicly opened and read the bids; and

WHEREAS, the apparent responsive and responsible low bidder is Frontline General Engineering Construction Inc., in the amount of \$145,766; and

WHEREAS, staff also recommends that the City Council approve a project contingency of \$47,790 for the Project to fund additional work as needed during renovation and construction; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves a contract with Frontline General Engineering, Inc., in the amount of \$145,766; and

AND NOW THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Riverbank authorizes the Interim City Manager to execute the said contract and approve change orders up to the project contingency funds of \$47,790.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of March, 2022; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of :

AYES:

NAYS:

ABSENT:
ABSTAINED:

ATTEST:

APPROVED:

Kathy L. Teixeira
Interim City Clerk

Richard D. O'Brien
Mayor

Attachment: Contract

CONTRACT

THIS AGREEMENT, made and entered into this _____ day of March, 2022, by and between the City of Riverbank, California, and Frontline General Engineering Construction Inc., herein called the "Contractor."

That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City of Riverbank, the contractor hereby agrees with the City of Riverbank to commence and complete the work embraced in the Plans, Specifications and Contract Documents for the Castleberg Park Basketball Court Project, under the terms as stated therein, and at the contractor's own proper cost and expense to furnish all plant, labor, materials, tools, equipment, superintendence, bonds, insurance, guarantees and other accessories and services necessary therefor. Said Plans, Specifications and Contract Documents are all made a part hereof and together herewith collectively evidence and constitute the Contract.

The City of Riverbank shall pay or cause to have paid to the Contractor, for the performance of the Contract, subject to additions and deductions provided therein the sum of \$145,766.00 in lawful money of the United States and shall be paid in payments in accordance with and subject to the provisions embodied in the Documents made a part of this contract. The contract sum as herein stipulated shall include all applicable taxes.

The contractor hereby further agrees to commence work under this Contract and to prosecute the same to completion within the time limits prescribed in the Specifications and Contract Documents; and further agrees to pay, as liquidated damages, the sum of \$500.00 for each calendar day of delay in completing said work or any portion thereof in excess of said time limits and any authorized time extensions.

The contractor hereby certifies that he is aware of and will comply with the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workmen's compensation or to undertake self-insurance before commencing any of the work.

Pursuant to Section 1770 of the California Labor Code, the Successful Bidder shall pay not less than the prevailing rate of per diem wages as determined by the Director the California Department of Industrial Relations. Copies of such prevailing rate of per diem wages are on file at the office of the Owner, which copies shall be made available to any interested party on request. The Successful Bidder shall post a copy of such determination at each job site.

The provisions of California Labor Code Sections 1777.5 and 1777.6 shall apply to the employment of apprentices by contractor or any subcontractor.

All provisions of the California Occupational Safety and Health Act of 1973 (CALOSHA), as amended, shall be adhered to by contractor and any subcontractor.

The City of Riverbank hereby agrees with the contractor to employ, and does hereby employ, the contractor for the performance of the contract according to the terms and conditions herein contained and referred to, and further agrees to pay the contractor for the performance of the Contract in accordance with the prices set forth in the contractor's proposal, a copy of which is bound herein, subject to additions and deductions as provided in the Specifications and Contract Documents, and to make payments on a monthly basis as provided in the Specifications.

For any moneys earned by the contractor and withheld by the City of Riverbank to ensure the performance of the Contract, the contractor may, at his request and expense, substitute securities equivalent to the amount withheld in the form and manner and subject to the conditions provided in Chapter 13 (commencing with Section 4590), Division 5, Title 1 of the Government Code of the State of California.

Any worker's time of service is restricted to 8 hours during any calendar day, and 40 hours during any calendar week, unless overtime compensation is paid at least one and one-half times the basic rate of pay. The contractor must pay a penalty of \$25.00 for each day a worker or employee is in violation of these provisions.

Contractor and Subcontractors are required to keep accurate payroll records and submit certified payroll upon the City of Riverbank's request.

To the fullest extent permitted by law, Contractor shall indemnify, hold harmless and defend the City and its agents, officers and employees from and against all claims, damages, losses, judgments, liabilities, expenses and other costs, including litigation costs and attorneys' fees, arising out of, resulting from, or in connection with the performance of this Agreement by the Contractor or Contractor's officers, employees, agents, representatives or subcontractors and resulting in or attributable to personal injury, death, or damage or destruction to tangible or intangible property, including the loss of use. Notwithstanding the foregoing, Contractor's obligation to indemnify the City and its agents, officers and employees for any judgment, decree or arbitration award shall extend only to the percentage of negligence or responsibility of the Contractor in contributing to such claim, damage, loss and expense.

Contractor's obligation to defend, indemnify and hold the City and its agents, officers and employees harmless under the provisions of this paragraph is not limited to or restricted by any requirement in this Agreement for Contractor to procure and maintain a policy of insurance.

To the fullest extent permitted by law, the City shall indemnify, hold harmless and defend the Contractor and its officers, employees, agents, representatives or subcontractors from and against all claims, damages, losses, judgments, liabilities, expenses and other costs, including litigation costs and attorney's fees, arising out of or resulting from the negligence or wrongful acts of City and its officers or employees.

IN WITNESS WHEREOF, the City of Riverbank and the contractor have executed this Contract in three counterparts, each of which shall be deemed an original, on the date first above written.

FOR THE City of Riverbank:

By: _____

Date: _____

FOR THE CONTRACTOR

By: _____

Date: _____

I hereby certify that I have examined this Contract and find it to be in accordance with the provisions of the California Local City of Riverbank Public Construction Act and the Laws of Cities of the General Law Class and the applicable provisions of the Public Contracts Code.

By _____
Tom Hallinan, City of Riverbank Attorney

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 10.1

SECTION 10: PUBLIC HEARINGS

Meeting Date:	March 8, 2022
Subject/ Title:	3 rd Public Hearing – Redistricting Process for Riverbank’s Four (4) Councilmember District Boundaries
From:	Marisela H. Garcia, Interim City Manager / Assistant City Manager
Submitted by:	Tom Hallinan, City Attorney

RECOMMENDATION

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”.

INTRODUCTION

Every ten (10) years, cities with by-district election systems must use new census data to review and, if needed, redraw City Council district lines to reflect how local populations have changed. This process, called redistricting, ensures all districts have substantially equal population. National Demographic Corporation (“NDC”) was hired to conduct and present the 2020 Census data analysis for the City of Riverbank (the “City”), and to guide the City in achieving the final district boundaries map for adoption. The redistricting process for the City must be completed by April 17, 2022.¹

ANALYSIS

The City adopted its current four (4) district boundaries in 2015, based on the 2010 census data. In compliance with the requirements of the FAIR MAPS Act (AB 849, effective January 1, 2020), the City must now use the new 2020 census data to consider redrawing the current district boundaries so that districts will be substantially equal in population.² However, if the census data reflects that the total population deviation of the City’s current districts is less than 10%, the current districts are substantially equal in population and the City Council may choose to retain and adopt the City’s current district boundaries map as its final redistricting map.³

¹ Elec. Code, § 21602, subd. (a)(3).

² Elec. Code, § 21601, subd. (a).

³ *Harris v. Arizona Independent Redistricting Com’n* (2016) 578 U.S. 253, 259.

The City's current district boundaries are substantially equal in population. The total population deviation between the largest and smallest district is 7.07%. Accordingly, the City Council may choose to retain and adopt the City's current district boundaries map as its final redistricting map. At the January 4, 2022 redistricting public hearing, the City Council unanimously (5-0) voted to adopt the City's current district boundaries map as its final redistricting map.

If the City Council chooses to continue the process of retaining and adopting the current district boundaries map, the remaining public hearing will reflect this plan. The City Council will conduct the last public hearing on March 22, 2022 to consider adoption by resolution of the City's current district boundaries.

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act requires environmental review only if a public agency action constitutes a "project." (Pub. Resources Code, § 21065.) Conducting a public hearing regarding redistricting is not a "project" since it does not have the potential to cause a direct or reasonably foreseeable indirect physical change in the environment.

FINANCIAL IMPACT

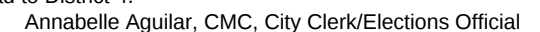
Funds for redistricting have been approved.

ATTACHMENT

1. 2020 Census data for the City of Riverbank's existing Districts.
2. Copy of Riverbank's current District Boundaries Map adopted 2015.

Existing Districts						
District		1	2	3	4	Total
	Total Pop	6,216	6,079	6,118	6,520	24,933
	Deviation from ideal	-17	-154	-115	287	441
	% Deviation	-0.27%	-2.47%	-1.85%	4.60%	7.08%
Total Pop	% Hisp	71.5%	51%	63%	40%	56%
	% NH White	22%	40%	26%	41%	33%
	% NH Black	2%	2%	2%	3%	2%
	% Asian-American	1%	3%	5%	13%	6%
Citizen Voting Age Pop	Total	3,380	3,633	3,097	4,311	14,421
	% Hisp	57%	39%	50%	34%	44%
	% NH White	38%	53%	38%	50%	45%
	% NH Black	2%	0%	2%	2%	2%
	% Asian/Pac.Isl.	2%	3%	9%	14%	7%
Voter Registration (Nov 2020)	Total	2,743	3,119	2,947	3,635	12,444
	% Latino est.	65%	38%	57%	36%	48%
	% Spanish-Surnamed	60%	35%	52%	33%	44%
	% Asian-Surnamed	1%	2%	2%	5%	2%
	% Filipino-Surnamed	1%	1%	2%	3%	2%
	% NH White est.	36%	61%	42%	57%	50%
	% NH Black	2%	0%	2%	1%	2%
Voter Turnout (Nov 2020)	Total	2,003	2,503	2,130	2,953	9,589
	% Latino est.	61%	35%	53%	34%	44%
	% Spanish-Surnamed	57%	32%	48%	32%	41%
	% Asian-Surnamed	1%	2%	2%	4%	2%
	% Filipino-Surnamed	1%	1%	2%	3%	2%
	% NH White est.	39%	64%	45%	59%	53%
	% NH Black	2%	0%	3%	2%	2%
Voter Turnout (Nov 2018)	Total	1,246	1,880	1,474	1,889	6,489
	% Latino est.	59%	29%	51%	31%	40%
	% Spanish-Surnamed	55%	28%	47%	29%	38%
	% Asian-Surnamed	1%	2%	2%	4%	2%
	% Filipino-Surnamed	1%	2%	2%	3%	2%
	% NH White est.	40%	67%	46%	61%	55%
	% NH Black est.	2%	0%	2%	1%	1%
ACS Pop. Est.	Total	6,463	5,994	5,592	6,692	24,741
Age	age0-19	31%	27%	33%	32%	31%
	age20-60	52%	53%	53%	56%	53%
	age60plus	17%	21%	14%	11%	16%
Immigration	immigrants	27%	24%	29%	17%	24%
	naturalized	37%	36%	42%	65%	43%
Language spoken at home	english	37%	56%	44%	61%	50%
	spanish	60%	40%	51%	28%	44%
	asian-lang	1%	3%	2%	7%	3%
	other lang	2%	2%	3%	4%	3%
Language Fluency	Speaks Eng. "Less than Very Well"	29%	19%	21%	12%	20%
Education (among those age 25+)	hs-grad	53%	57%	48%	53%	53%
	bachelor	5%	10%	9%	17%	10%
	graduatedegree	1%	7%	3%	6%	4%
Child in Household	child-under18	52%	38%	52%	50%	48%
Pct of Pop. Age 16+	employed	65%	64%	68%	68%	66%
Household Income	income 0-25k	19%	14%	14%	6%	13%
	income 25-50k	25%	21%	22%	13%	20%
	income 50-75k	26%	19%	19%	13%	19%
	income 75-200k	27%	37%	38%	58%	40%
	income 200k-plus	4%	9%	7%	10%	8%
Housing Stats	single family	90%	84%	98%	99%	92%
	multi-family	10%	16%	2%	1%	8%
	rented	42%	40%	22%	22%	32%
	owned	58%	60%	78%	78%	68%
Total population data from the 2020 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data.						

(Amended Map G by
Resolution # 2020-011)



Riverbank Adopted Plan (Formerly Plan G)						
District		1	2	3	4	Total
	Total Pop	5,743	5,639	5,626	5,670	22,678
	Deviation from ideal	73	-31	-44	0	117
	% Deviation	1.29%	-0.55%	-0.78%	0.00%	2.06%
Total Pop	% Hisp	71%	59%	44%	35%	46%
	% NH White	25%	34%	50%	50%	44%
	% NH Black	1%	2%	2%	3%	2%
	% Asian-American	1%	3%	2%	10%	6%
Voting Age Pop	% Hisp	66%	55%	39%	32%	40%
	% NH White	29%	37%	55%	52%	50%
	% NH Black	1%	2%	2%	3%	2%
	% Asian-American	1%	3%	2%	10%	6%
Citizen Voting Age Pop	% Hisp	53%	47%	35%	40%	34%
	% NH White	42%	47%	54%	46%	57%
	% NH Black	1%	0%	5%	4%	2%
	% Asian-American	0%	3%	2%	9%	4%
Voter Registration (Nov 2012)	% Latino	58%	44%	32%	31%	31%
	% Asian-Surnamed	1%	2%	3%	3%	2%
	% Filipino-Surnamed	1%	2%	2%	2%	1%
Voter Turnout (Nov 2012)	% Latino	56%	40%	29%	28%	26%
	% Asian-Surnamed	1%	2%	2%	3%	1%
	% Filipino-Surnamed	1%	2%	2%	2%	1%
Age	age0-19	36%	33%	31%	34%	34%
	age20-60	53%	56%	53%	52%	53%
	age60plus	10%	10%	16%	15%	13%
Immigration	immigrants	27%	20%	23%	18%	22%
Housing Stats	vacant	8%	5%	10%	6%	7%
	occupied	92%	95%	90%	94%	93%
	rented	39%	24%	30%	17%	28%
	owned	61%	76%	70%	83%	72%
	singlefamily	89%	98%	88%	98%	93%
	multifamily	11%	2%	12%	2%	7%
Language spoken at home	english	44%	56%	59%	68%	57%
	spanish	53%	42%	37%	23%	38%
	asian-lang	0%	1%	1%	3%	1%
	other lang	3%	1%	3%	6%	3%
Child in Household	child-under18	49%	46%	43%	45%	46%
Work (percent of pop age 16+)	employed	52%	58%	53%	58%	55%
	Commute on Public Transit	0%	0%	0%	0%	0%
Household Income	hhincome0-25k	29%	19%	21%	15%	21%
	hhincome25-50k	32%	27%	27%	19%	26%
	hhincome50-75k	18%	22%	15%	17%	18%
	hhincome75-200k	20%	31%	34%	45%	33%
	hhincome200k-plus	0%	2%	3%	4%	2%
Education (among those age 25+)	hs-grad	55%	66%	60%	64%	61%
	bachelor	7%	9%	11%	15%	10%
	graduatedegree	1%	4%	5%	7%	4%
Total and Voting Age population data from the 2010 Decennial Census.						
Voter Registration and Turnout data from the California Statewide Database, Nov. 2012 data.						
Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2008-2012 American Community Survey 5-year data.						

Note: This demographic information was adopted with the original Map G of 2015, and excludes the annexed territory of the Crossroads West Specific Plan, which at the time contained 12 registered voters.

RIVERBANK CITY COUNCIL / LRA AGENDA ITEM NO. 11.1

SECTION 11: NEW BUSINESS

Meeting Date:	March 8, 2022
Subject/ Title:	A Resolution to Amend the Adopted Streets 5–Year Capital Improvement Plan (CIP) for Fiscal Years 2018-2023
From:	Marisela H. Garcia, Interim City Manager
Submitted by:	Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION:

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.

STAFF SUMMARY:

The 5-year Capital Improvement Plan (CIP) for Fiscal Years 2018-2023 was adopted by the City Council at the October 9, 2018 City Council meeting. Staff is in the process of updating the CIP, which will be brought before the City Council in May 2022.

Crossroads West residential development along Oakdale Road has progressed to the point where improvements along Oakdale Road may begin. The Oakdale Road improvements include pavement widening, striping, storm drain improvements, curb, gutter and sidewalk, joint trench for utilities, and landscaping. To cover the cost of these improvements, staff is recommending moving out to later years 3 capital improvements identified in the CIP as:

RR Xing Improvements Patterson near Terminal	\$243,000
RR Xing & Intersection Improvements First Street near Patterson	\$311,000
RR Xing Improvements Third Street near Patterson	<u>\$311,000</u>
TOTAL	\$865,000

By moving these projects out to future years, it will enable the City to move these funds to complete the Oakdale Road Improvements in Fiscal Year 2022/2023.

The City realizes that the RR Xing improvements need to be constructed, and will work with BNSF to begin the process in 2023.

FISCAL IMPACT:

None at this time. The City currently has funds in the Streets/Public Works System Development Fee Reserve to re-allocate to this project.

ATTACHMENTS:

1. Draft City Council Resolution 2022-
2. City of Riverbank Streets 2018-2023 Capital Improvement Plan - Amended

CITY OF RIVERBANK

RESOLUTION NO. 2022-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
AMENDING THE
ADOPTED STREETS 5-YEAR CAPITAL IMPROVEMENT PLAN (CIP)
FOR FISCAL YEARS 2018-2023**

WHEREAS, the 5-year Capital Improvement Plan (CIP) for Fiscal Years 2018-2023 was adopted by the City Council at the October 9, 2018 City Council meeting; and

WHEREAS, Crossroads West residential development along Oakdale Road has progressed to the point where improvements along Oakdale Road are to begin; and

WHEREAS, the improvements will include pavement widening, striping, storm drain improvements, curb, gutter and sidewalk, landscaping and joint trench for utilities; and

WHEREAS, to cover the cost of these improvements staff recommended moving out to later years 3 capital improvements identified in the CIP as RR Xing Improvements Patterson near Terminal \$243,000, RR Xing & Intersection Improvements First Street near Patterson \$311,000, and RR Xing Improvements Third Street near Patterson \$311,000; and

WHEREAS, by moving these projects out to future years, it will enable the City to allocate these current funds to complete the Oakdale Road Improvements in Fiscal Year 2022/2023; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves amending the 5-Year Capital Improvement Plan for fiscal year 2018-2023.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of March, 2022; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of ____ :

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Kathy Teixeira
Interim City Clerk

Richard D. O'Brien
Mayor

Attachment: City of Riverbank 2018-2023 Capital Improvement Plan – Amended 03/08/2022

CITY OF RIVERBANK 2018-2023 CAPITAL IMPROVEMENT PLAN - AMENDED 3/8/2022

Project Name	Project #	Funding	2018-19	2019-20	2020-21	2021-22	2022-23	5 Year Total
STREETS								
Measure L - Street/Road Improvements - Various Streets	STR-070	Measure L/ SB-1 Funds	671,433					671,433
Eighth Street Overlay - Patterson to Townsend	STR-060	RSTP/ Measure L	370,572					370,572
Claus Road Overlay - Townsend to Claribel Road	STR-080	Measure L		526,500				526,500
Santa Fe Street Overlay - Fourth Street to Eighth Street	STR-081	Measure L			626,500			626,500
Oakdale Road Overlay - Silver Rock to Westgate Road	STR-082	Measure L				626,500		626,500
Patterson Road Overlay - Terminal Avenue to Central Avenue	STR-083	Measure L					626,500	626,500
Measure L - Bicycle/Pedestrian/Traffic Management - Calender Avenue Improvements	STR-077	Measure L/ TBD	111,330		1,449,707			1,561,037
Measure L - Traffic Management - Claus Road @ California Avenue	STR-079	Measure L Funds				656,650		656,650
Measure L - Bicycle/Pedestrian - To Be Determined	STR-078	Measure L Funds			131,330	65,000	65,000	261,330
Signal Light Patterson @ Roselle/Ped Railroad Crossing/Sidewalk Infill along Roselle & Patterson Roads including BNSF improvements	STR-035	CMAQ/RSTP/ Fund 205/TBD	1,926,753					1,926,753
Alley Improvements - Between Texas & Kansas	STR-031	Fund 102				100,000		100,000
Patterson Road Sidewalk - First to Claus (South Side) - Infill	STR-046	LTF/CMAQ	181,906					181,906
Roselle @ Morrill Intersection Improvements - ROW/Design/Construction	STR-049	Fund 205/CMAQ	433,352					433,352
Roselle Avenue Sidewalks, ROW, Drainage - Patterson to Pocket (East Side)	STR-066	CMAQ/LTF	330,000					330,000
Parsley Lane - Alley Improvements	STR-068	Fund 102				146,630		146,630
Kentucky Avenue Overlay - Eighth to Claus	STR-062	RSTP/ Measure L		382,000				382,000
Reconstruction/Overlay - Road to be Determined	STR-064	RSTP			227,345	227,345	227,345	682,035
Roselle Avenue Bicycle Lane Striping	STR-040	CMAQ	267,050					267,050
First Street @ Patterson Road Intersection Improvements	STR-074	CMAQ	30,000	250,250				280,250
Roselle Avenue Pedestrian Access over MID Canal	STR-075	CMAQ		399,850				399,850
Patterson Road Pedestrian Access - Third Street to Terminal	STR-076	CMAQ	32,000	367,275				399,275
Oakdale Road Improvements - MID Lateral #6 to North of Westgate - ADD	STR-084	Fund 205					865,000	865,000
RR Xing Improvements Patterson near Terminal - REMOVE	STR-054	Fund 205		243,000				243,000
RR Xing & Intersection Improvements First St. near Patterson - REMOVE	STR-052	Fund 205			311,000			311,000
RR Xing Improvements Third Street near Patterson - REMOVE	STR-051	Fund 205				311,000		311,000

RIVERBANK CITY COUNCIL / LRA AGENDA ITEM NO. 11.2

SECTION 11: NEW BUSINESS

Meeting Date: March 8, 2022

Subject: Resolution Authorizing an Additional appropriation of \$26,000 for the upgrade of the Sewer Collection SCADA System from the Sewer Operating Fund

From: Marisela H. Garcia, Interim City Manager

Submitted by: Michael Riddell, Public Works

RECOMMENDATION

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.

SUMMARY

A budget appropriation of \$22,800 to upgrade the SCADA System was allocated within the 21/22 CIP Sewer Operating Fund. With the current economy prices for goods and services are increasing very quickly. Technology has increased more than 50 percent in just the last three (3) months.

BACKGROUND

The Supervisory Control and Data Acquisition (SCADA) System is the heart of the monitoring of our sewer collection system as required by the Collection System Waste Discharge Report (WDR) issued by the Regional Water Quality Control Board (RWQCB).

The Sewer Collection Division's current SCADA System is over ten (10) years old. In technology age that would be like fifty + (50+). The current Computer (CPU) operating system and the programmable logic controller (PLC) are no longer upgradeable. The current software is also in need of an update.

The update will consist of new software, new main CPU, PLC, and Radio.

STRATEGIC PLAN

Promote Sustainable Development

FINANCIAL IMPACT

\$26,000 in additional funds to be allocated from the Sewer Operating Fund Reserve (106) for a total allocation of \$48,800.

ATTACHMENT

1. Draft City Council Resolution 2022-
2. Purchase Quote

CITY OF RIVERBANK

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, AUTHORIZING AN ADDITIONAL APPROPRIATION OF \$26,000 TO
UPGRADE THE COLLECTION SYSTEM SUPERVISORY CONTROL AND DATA
ACQUISITION (SCADA) FROM THE SEWER OPERATING FUNDS**

WHEREAS, the City of Riverbank owns and operates a Wastewater Collection system and budgeted \$22,800 to upgrade the SCADA; and

WHEREAS, the Collection System is monitored by a SCADA that is required per the RWQCB issued WDR; and

WHEREAS, the SCADA system is the heart of the monitoring of the Collection System and is outdated; and

WHEREAS, the City Sewer Fund Capital Reserves are sufficient to cover this additional cost, while continuing to provide for planned capital improvement projects; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorizes the additional appropriation of \$26,000 to be funded by the Sewer Operating Fund 106 for a total appropriation of \$48,800 for this upgrade.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of March, 2022; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____.

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Kathy L. Teixeira
Interim City Clerk

Richard D. O'Brien
Mayor

Attachment: Automation Group Quote

QUOTE NUMBER

Q-RBK0015

DATE

Not yet submitted

VALID UNTIL

Mar 04, 2022

FROM

James Rhyne

TO

Daren Martin

ADDRESS

Automation Group
4400 Sisk Road
Modesto, CA 95356

ADDRESS

City of Riverbank
6707 Third St
Riverbank, 95367

EMAIL

jrhyne@automationgroup.com

EMAIL

dmartin@riverbank.org

PHONE

(209) 479-1400

PHONE

(209) 968-4685

Dear Daren Martin,

This correspondence outlines the complete scopes of work you requested, including estimated fees.

SCADA Conversion to Ignition

Base Bid Without Options	Subtotal
Controls Engineering	\$17,063
Controls Engineering support for system design and development.	
Hardware	\$2,941
Dell tower PC to host Ignition	
Software	\$21,844
Software as outlined in our scope. <i>This is a one time purchase for unlimited seats and tags.</i>	
Ignition Software annual BasicCare support	\$3,879
Annual fee to ensure system updates are available	
Commissioning	\$2,885
Controls Engineering support to validate I/O and test system functionality.	
Total (Less options, tax & freight)	\$48,612
Options	Subtotal
☐ (1) Day of Recommended Personnel Training	\$1,400
☐ Owners Manual	\$5,600
☐ Lifetime Cloud Storage	\$500
Total Options (Less tax & freight)	\$0

RIVERBANK CITY COUNCIL / LRA AGENDA ITEM NO. 11.3

SECTION 11: NEW BUSINESS

Meeting Date: March 8, 2022

Subject: A Resolution Authorizing an additional appropriation of \$83,000 for the purchase of Truck Mounted Sewer Jetter from the Sewer Operating Fund 106

From: Marisela H. Garcia, Interim City Manager

Submitted by: Michael Riddell, Public Works

RECOMMENDATION

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.

SUMMARY

An initial budget appropriation of \$90,000 was approved in June 2021 to replace the existing 1998 trailer mounted sewer jetter due to its age and condition.

BACKGROUND

Street/Sewer Division Staff are requesting additional funds so the city can purchase a Truck Mounted Jetter for several reasons provided by the division staff below:

“City of Riverbank Council Members:

On behalf of all the members of the Streets/Sewer division, we would like to thank you for the purchase approval of a new sewer jetter trailer.

We would like to propose the purchase of a Truck Mounted Sewer Jetter in place of the Sewer Jetter Trailer. We feel that our department and residents will have a greater benefit if the Department is approved to purchase the Truck Mounted Sewer Jetter.

As a team we have compiled these important reasons on why this purchase will better fit the city’s needs:

1. Public and employee safety. This truck will take less room on the road, enabling better traffic flow and making it safer for employees to operate.
2. This truck also sits higher making warning lights more visible from longer distance.
3. Faster response time. There is no need to hook up a trailer which can take up valuable time, which is crucial in preventing possible sewer spills.
4. Easier to maneuver in tight alley spaces and streets.

Thank you for taking the time to review this proposal. We hope that everyone considers our reasons mentioned and approves the purchase of a truck mounted sewer jetter.

Sincerely

Juan Vigil, Miguel Torres, Melvin Brooks, Ulises Campos, Rigo Ramos, Oscar Ortiz,
Daren Martin
Public Works Department, Streets/Sewer Division"

STRATEGIC PLAN

While not directly related to the City Council's Strategic Plan, this report is in line with the City Council's desire for staff to have proper equipment to perform their job.

FINANCIAL IMPACT

Additional amount of \$83,000 to be allocated from the Sewer Operating Fund Reserve (106) for a total allocation of \$173,000.

ATTACHMENT

1. Draft City Council Resolution 2022-
2. Purchase Quote

CITY OF RIVERBANK

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, AUTHORIZING AN ADDITIONAL APPROPRIATION OF \$83,000 FOR
THE PURCHASE OF A TRUCK MOUNTED SEWER JETTER FROM THE SEWER
OPERATING FUNDS**

WHEREAS, the City of Riverbank owns and operates a trailer-mounted sewer jetter, which is critical in aiding Public Works staff to perform preventive sewer line cleaning and clearing blockages in emergencies; and

WHEREAS, in 2021 the City allocated \$90,000 in funding to replace the 1998 trailer mounted sewer jetter due to age and condition; and

WHEREAS, after researching Truck Mounted sewer jetter staff discovered that it could greatly improve its efficiency, effectiveness, and safety replacing the aging trailer-mounted sewer jetter with a Truck Mounted sewer jetter; and

WHEREAS, the City Sewer Fund Operating Reserves are sufficient to cover this additional cost, while continuing to provide for planned capital improvement projects; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorizes the additional appropriation of \$83,000 to be funded by the Sewer Operating Fund 106 for a total appropriation of \$173,000.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of March, 2022; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Kathy L. Teixeira
Interim City Clerk

Richard D. O'Brien
Mayor

Attachment: 3-T Equipment Co., Inc. Quote

3-T EQUIPMENT CO. INC.
541 MARTIN AAVE SUITE #2
ROHNERT PARK, CAL 9540

2/2/22

CITY OF RIVERBANK
DEPARTMENT OF PUBLIC WORKS
6707 3RD STREET
RIVERBANK, CA 95367
ATTN: MR. MIGUEL TORRES

SUBJECT: O'BRIEN MODEL 7040-T SEWER CLEANER MOUNTED ON A 2023 FORD
F-600 CHASSIS -0 22,000 GVW
MR. TORRES,

WE ARE PLEASED TO SUBMIT FOR YOUR CONSIDERATION A PRICE FOR ONE
O'BRIEN MODEL 7040-T TRUCK MOUNTED SEWER CLEANER

I HAVE ENCLOSED LITERATURE AND DETAILED SPECIFICATIONS FOR YOUR REVIEW
ON BOTH THE FORD F-650 AND THE O'BRIEN JETTER

THE UNIT HAS A KOHLER TIER 4F DIESEL ENGINE AND A 750 GLLON WATER TANK

PRICE INCLUDES DELIVERY AND TRAINING ADD CALIFORINA SALES TAX

PRICE F.O.B. RIVERBANK, CAL.....\$159,747.00 (Price does not include Sales Tax)

IF YOU HAVE ANY QUESTIONS OR NEED MORE INFORMATION PLEASE FEEL FREE
IN CONTACTING ME AT 1-707-799-5997

SINCERELY,

TIM KENNEDY
SALES MANAGER
707-799-5997
EMAIL: TK3TEQUIP@AOL.COM