

CITY COUNCIL / LRA BOARD

Mayor/Chair

Richard D. O'Brien

Council/Authority Members

District 1 - Luis Uribe

District 2 - Rachel Hernandez

District 3 - Leanne Jones Cruz

District 4 - Darlene Barber-Martinez



CITY OF RIVERBANK

Regular City Council and Local Redevelopment Authority Board Meetings

Council Chambers, 6707 Third Street,
Suite B
Riverbank, CA 95367



TUESDAY, JULY 25, 2023 – 6:00 P.M.

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

MEETING LOCATION: COUNCIL CHAMBERS, 6707 THIRD STREET, SUITE B

1. CALL TO ORDER

2. FLAG SALUTE

3. INVOCATION

4. ROLL CALL

5. AGENDA CHANGES

6. CONFLICT OF INTEREST

Any Council/Authority Member or Staff who has a direct Conflict of Interest on any scheduled agenda item to be considered is to declare their conflict at this time.

7. PRESENTATIONS (Informational only)

Item 7.1 **Proclamation to Golden Valley Health Centers-** It is recommended that the City Council read the Proclamation for National Health Center Week – August 8-12, 2023; and present to Golden Valley Health Centers.



8. PUBLIC COMMENTS (No action can be taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/LRA Board. Individual comments will be limited to a **maximum of 3 minutes (or as stated by the presiding Officer)** and time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon.

PLEASE SPEAK DIRECTLY INTO THE MICROPHONE.

Refer to the last page of this agenda for the Public Comment Procedures via ZOOM.

9. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council/LRA Board unless requested by an individual Council/Authority Member or member of the public for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by motion of the City Council/LRA Board.

Item 9.1 **Waive Readings.** All Readings of ordinances and resolutions, except by title, are waived.

Item 9.2 **Approval** of the City Council and Local Redevelopment Authority Board Minutes for June 27, 2023.

Item 9.3 **Acceptance** of the Riverbank Pool Resurfacing Project and Authorization to File a Notice of Completion.

Item 9.4 **Resolution** to Award Bid for the Sierra House Remodel Project to Harris Builders Inc. and Authorize Execution of Future Change Orders.

Item 9.5 **Resolution** to Award Bid for the Well #13 – Test Well Project to Eaton Drilling Co., LLC and Authorize Execution of Future Change Orders.

Item 9.6 **Resolution** to Approve and Adopt the Revised 2023 City of Riverbank Measure L Expenditure Plan Project List.

10. PUBLIC HEARING- No Items Scheduled.

11. NEW BUSINESS

Item 11.1 **Designation of a Voting Delegate and Alternate(s) to Attend the 2023 League of California Cities Annual Conference-** It is recommended that City Council designate a member of the Council as the Voting Delegate, plus one or two alternates. They will attend the 2023 League of California Cities Annual Conference and Expo, to be held in Sacramento on September 20-22, 2023, and to participate in the Annual Business Meeting for the consideration of resolutions that establish Cal Cities policy. The City Council is to ratify the designations by roll call vote.

Item 11.2 **Consideration of the Options for the Selection of a Riverbank Representative to the City of Oakdale Ad Hoc Animal Shelter Subcommittee-** It is recommended that the City Council consider the options for the selection and appointment of a Riverbank Representative to the City of Oakdale Ad Hoc Animal Shelter Subcommittee.

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- No items Scheduled.

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

14. ADJOURNMENT

- **The August 8th Meeting is Canceled.**
- The next regular City Council Meeting will be on August 22nd, 2023 at 6:00 P.M.

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted at the meeting location, on the North City Hall public exterior bulletin board, South City Hall public exterior Bulletin, Riverbank Community Center exterior bulletin, and the City's website 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

Posted this 20th Day of July, 2023

/s/ *Gabriela Hernandez, City Clerk*



ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, and the Governor's Executive Order N-29-20, the City will make every effort to make reasonable modifications or accommodations from individuals with disabilities. Contact the Administration Dept. at (209) 863-7122 or the City Clerk at cityclerk@riverbank.org at least (48) hours prior to the meeting to enable the City to make reasonable arrangements for accessibility.

NOTICE REGARDING NON-ENGLISH SPEAKERS

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank City Council/LRA Board shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.



TELECONFERENCE/VIRTUAL PLATFORM PUBLIC PARTICIPATION COMMENT PROCEDURES FOR CITY COUNCIL MEETING HELD IN CONFORMANCE WITH THE BROWN ACT

PUBLIC “LIVE” VIEWING

- Government Channels: Charter– 2 and AT&T U-VERSE – 99
- YouTube Live – City of Riverbank
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS FOR THE RECORD

Written comments must be received before 4:00 p.m. on the date of the meeting in order for them to be distributed to the Council prior to consideration of the matter. Written comments will not be read aloud at the meeting, but will be reported as received for the record. If you do not receive an acknowledgement of receipt within an hour of submission or by 5:00 pm, please call the City Clerk's Office at (209) 863-7198 or the Administration Dept. at (209) 863-7122.

ACCEPTABLE METHODS OF SUBMITTING COMMENTS BEFORE THE 4:00 PM DEADLINE

- **Via Mail Service:** Mail comments to City of Riverbank, Attn. City Clerk, 6707 Third Street, Suite A, Riverbank, CA 95367. (Call 209-863-7198 / 209-863-7122 to ensure they were received.)
- **Via Email:** Mail to cityclerk@riverbank.org *(Note: This technology is not a guaranteed method.)*
 - Indicate Agenda Item # in the **subject line**. (Call 209-863-7198 /209-863-7122 to ensure receipt)
- **Oral Comments In-Person:** The Mayor will ask the public if anyone wishes to comment, at that time you may approach the podium.
- **Oral Comments Via Zoom:** The Mayor will announce when public comments may be made for a limit of 3 minutes on the agenda item being considered, at which time you will:
(please make sure the volume on your video device or any nearby device is turned down.)
 - **Using a computer** – click on the “raise hand” feature in the webinar controls. This will alert staff that you wish to speak, and you will be unmuted.
 - **Using a Phone** – press ***9** to “raise the hand”. This will alert staff that you wish to speak, and you will be unmuted.

Teleconference Phone Number (This system is a backup for ZOOM technical difficulties only when providing oral comments.) If there are technical difficulties or disconnection with ZOOM while making oral comments, please immediately call the **teleconference phone number (209) 863-7151** so that Council may receive your comments. Council will be waiting for your call. Thank you

JOIN THE MEETING VIA ZOOM PLATFORM

Join by this link: <https://us02web.zoom.us/j/81566235156>

Join by accessing website: <https://zoom.us/join>, enter **Webinar ID: 815 6623 5156**

- Join by telephone: **1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: 815 6623 5156**

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

RIVERBANK CITY COUNCIL/ LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 7.1

SECTION 7: PRESENTATIONS

Meeting Date:	July 25, 2023
Subject:	Proclamation –National Health Center Week – August 8-12, 2023
From:	Marisela H. Garcia, City Manager
Submitted by:	Jessica Barragan, Administrative Assistant – Confidential

RECOMMENDATION

It is recommended that the City Council read the Proclamation for National Health Center Week – August 8-12, 2023; and present to Golden Valley Health Centers.

SUMMARY

Golden Valley Health Centers is a fully accredited FQHC (Federally Qualified Health Center) offering quality medical, dental, behavioral health, vision, urgent care and school-based health centers. They are able to provide these services because they are funded by federal monies, grants specifically for the care of low-income and homeless patients, insurance reimbursement for care, and donations. With this funding, they have 45 health centers in Merced, Stanislaus, and San Joaquin Counties, including four school-based health centers, two freestanding women's health centers, twelve dental clinics, and two homeless healthcare programs.

Golden Valley Health Centers believes everyone should have access to affordable health care. For over 50 years, they have made this possible to communities across the Central Valley. Their mission is to improve the health of patients by providing quality, primary health care services regardless of language, financial or cultural barriers.

BACKGROUND

In September 1972, Golden Valley Health Centers began as a small Migrant Health Services program connected to Merced General Hospital. Since that time, Golden Valley Health Centers has expanded to meet community needs across Merced, Stanislaus, and San Joaquin counties. They are now serving nearly 150,000 patients each year through 45 clinical locations in the region. Early on it was clear that demand for primary care surpassed what the Center could provide out of the small clinic in Merced, and rapid expansion began. In 1998 they began a homeless healthcare program at the Modesto

Inn to provide free medical services to Stanislaus County's homeless population. Golden Valley Health Centers has prioritized Women's Health and other specialty services have been adopted, such as optometry, podiatry, and behavioral health to improve an array of health outcomes for residents.

FINANCIAL IMPACT

There is no financial impact with the report.

ATTACHMENT

1. Proclamation



CITY OF RIVERBANK

PROCLAMATION

NATIONAL HEALTH CENTER WEEK 2023

WHEREAS, for over 50 years, Community Health Centers have provided high-quality, affordable, comprehensive primary and preventive health care in our nation's medically underserved communities, delivering value to, and having a significant impact on America's health care system.

WHEREAS, Community Health Centers are a critical element of the health system, serving rural, suburban, frontier, and urban populations, and often providing the only accessible and dependable source of primary care in their communities. Nationwide, Community Health Centers serve one in every five residents of rural areas.

WHEREAS, disabilities can affect all people, regardless of race, age, gender, or social status and the essence of life is not embodied by physical or mental perfection but it is an integral part of the human spirit; and

WHEREAS, every day, Community Health Centers develop new approaches to integrating a wide range of services beyond primary care, including oral health, vision, behavioral health, and pharmacy services, to meet the needs and challenges of their communities. Health centers have more than doubled their behavioral health workforce in the last decade to meet Americans' growing need for behavioral health services.

WHEREAS, Community Health Centers are governed by patient-majority boards, ensuring that patients are engaged in their own health care decisions.

WHEREAS, during National Health Center Week, we celebrate the legacy of America's Community Health Centers, and their vital role in shaping the past, present, and future of America's health care system.

NOW, THEREFORE, LET IT BE PROCLAIMED by the City Council of the City of Riverbank that August 8th-12th 2023 is National Health Center Week within the City of Riverbank. I encourage all Americans to take part in this week by visiting their local health center and celebrating the important partnership between America's Community Health Centers and the communities they serve.

Richard D. O'Brien, Mayor
July 25, 2023

Riverbank City Council:

**District 1 – Luis Uribe, District 3 – Leanne Jones Cruz, District 4 – Darlene Barber-Martinez
District 2-Vice Mayor Rachel Hernandez - Mayor Richard D. O'Brien**

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.1

SECTION 9: CONSENT CALENDAR

Meeting Date:	July 25, 2023
Subject:	Waiver of Readings
From:	Marisela H. Garcia, City Manager
Submitted by:	Gabriela Hernandez, City Clerk/LRA Secretary

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 / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.2

SECTION 9: CONSENT CALENDAR

Meeting Date:	July 25, 2023
Subject:	Approval of the June 27, 2023 City Council and Local Redevelopment Authority Board Minutes.
From:	Marisela H. Garcia, City Manager
Submitted by:	Gabriela Hernandez, City Clerk/LRA Secretary

RECOMMENDATION

It is recommended that the City Council/ Local Redevelopment Authority Board approve the City Council/LRA Meeting Minutes of June 27, 2023 as presented.

SUMMARY

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

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENTS

1. The June 27, 2023 City Council and Local Redevelopment Authority Board Minutes.

CITY COUNCIL / LRA BOARD

Mayor/Chair
Richard D. O'Brien
Council/Authority Members:
District 1 -Luis Uribe
District 2- Rachel Hernandez
District 3- Leanne Jones Cruz
District 4 -Darlene Barber-Martinez



CITY OF RIVERBANK

**Regular City Council and
Local Redevelopment Authority
Board Meetings**
Council Chambers, 6707 Third St
Suite B
Riverbank, CA 95367



MINUTES

TUESDAY, JUNE 27, 2023 – 6:00 P.M.

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

- 1. CALL TO ORDER** - Mayor / Chair O'Brien called the meeting to order at 6:00P.M.
- 2. FLAG SALUTE** –Mayor / Chair O'Brien led the pledge of allegiance.
- 3. INVOCATION** – Reverend Randy Richardson provided the invocation.
- 4. ROLL CALL** – City Clerk Hernandez conducted Roll Call.

Members of the City Council / Local Redevelopment Authority Board present:

Council Member / Authority Member District 1 Luis Uribe

Council Member / Authority Member District 3 Leanne Jones Cruz

Council Member / Authority Member District 4 Darlene Barber-Martinez

Vice Mayor / Vice Chair District 2 Rachel Hernandez

Mayor / Chair Richard D. O'Brien

5. AGENDA CHANGES

No 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.*

No Conflicts Declared at this time.

7. PRESENTATIONS (Informational only)

Item 7.1 **Presentation by Gilton Solid Waste on SB 1383 and the Material Recovery Facility (MRF) Equipment-** It is recommended that the City

Council receive an updated presentation from Gilton Solid Waste on SB 1383 and the Material Recovery Facility (MRF) Equipment.

Denise Landon, with Gilton Solid Waste Management gave a PowerPoint presentation on the SB 1383 and the Material Recovery Facility (MRF) Equipment.

8. PUBLIC COMMENTS (No action can be taken)

*At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/LRA Board. Individual comments will be limited to a **maximum of 3 minutes (or as stated by the presiding Officer)** and time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon.*

Mayor O'Brien Opened Public Comment at 6:23 P.M.

Jami Aggers, Modesto Resident commented in opposition of the River Walk Project.

Karen Conrotto, Modesto Resident commented in opposition of the River Walk Project.

Sergeant, David Hickman with Riverbank Police Services commented on the 4th of July Holiday fast approaching and with that we want to remind our residents that any illegal fireworks, so if it leaves the ground, airborne, that is a violation of City Ordinance and the first offense is a fine of \$1,000 dollars. For every subsequent contact after the first, it is a fine of additional \$1,000 dollars. Violations will be issued to the individual or the property owner who is lighting the fireworks. We will have several deputies out in marked and unmarked vehicles. All those who are caught and cited will be mailed a letter from the City. Safe and Sane fireworks are allowed, and those can be purchased from the City permitted booths.

There being no further public comments, Mayor O'Brien closed the Public Comment period 6:27 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 City Council and Local Redevelopment Authority Board Minutes for June 13, 2023.

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

Item 9.4 **Resolution 2023-081** to Award Bid for the Topeka Street Improvement Project to Consolidated Engineering, Inc., Authorize Execution of Future Change Orders, and Authorizing a Budget Amendment in the amount of \$85,000.00 from Sewer Fund 106.

- Item 9.5** **Resolution 2023-082** Approving the Transportation Development Act Local Transportation Fund (LTF) Non-Transit Claim for Fiscal Year 2022/2023 Other Purposes and Amending the Budget for the City of Riverbank to Conform to Said Claim.
- Item 9.6** **Resolution 2023-083** Approving the First Amendment to the Agreement between the City of Riverbank and MuniServices, LLC. and Authorizing the City Manager to Execute the First Amendment.
- Item 9.7** **Resolution 2023-084** Awarding a Contract for Executive Recruitment Services to Mosaic Public Partners for the Recruitment of a Director of Parks and Recreation, Authorizing the City Manager to Finalize & Execute said Contract, and Allocate \$25,000 from the General Fund Reserve.

City Council discussed Item 9.5 with Staff.

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

ACTION: *By motion moved and seconded (Jones Cruz / Uribe 5/0) to approve the **consent calendar** as presented.*

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

10. PUBLIC HEARINGS

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

Assistant City Manager Alcantor presented a comprehensive staff report and Power Presentation on the proposed solid waste rate increase, based on the 4.2% Consumer Price Index (CPI) increase in rates to effective on July 1, 2023.

City Council discussed the item with staff.

Mayor O'Brien Opened the Public Hearing at 6:36 P.M.

Mayor O'Brien Closed the Public Hearing at 6:36 P.M.

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

ACTION: By motion moved and seconded (Barber-Martinez / Jones Cruz 5/0) to approve **Resolution 2023-085** adopting a resolution approving a 4.2% Consumer Price Index (CPI) increase in rates for solid waste disposal services pursuant to the executed franchise agreement with Gilton Solid Waste, Inc. effective July 1st, 2023.

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

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

Assistant City Manager Alcantor presented a comprehensive staff report and Power Presentation on the proposed Annual Operating Budget for Fiscal Year 2023-2024.

City Council discussed the item with staff.

Mayor O'Brien Opened the Public Hearing at 6:52 P.M.

Mayor O'Brien Closed the Public Hearing at 6:52 P.M

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

ACTION: By motion moved and seconded (Uribe / Hernandez 5/0) to adopt **Resolution 2023-086** adopting the Fiscal Year 2023-2024 Annual Operating Budget.

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

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

LRA Board discussed the item with staff.

Chair O'Brien Opened the Public Hearing at 6:58 P.M.

Evelyn Halbert, Riverbank Resident commented on the budget not showing who or how the Fire assessment is paid for the Ammo Plant?

Chair O'Brien Closed the Public Hearing at 6:59 P.M

Chair O'Brien, clarified fire assessments will be paid once the land is conveyed to either the City or Aemetis. As of right now, it is federal property, except for Parcel B, which has fire assessments paid to that, but not through the LRA. Federal does not pay State Assessments or taxes or fees.

There being no public comments, Chair O'Brien brought the item back to the LRA Board.

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe 5/0) to adopt **LRA Resolution 2023-002** adopting the Fiscal year 2023-2024 Local Redevelopment Authority (LRA) Budget.*

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

11. NEW BUSINESS

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

Building and Planning Manager, Kenney presented a comprehensive staff report and power point presentation on the request to reduce and/or waive the Summerfaire Commerce Center System Development Fees for the Storage Facility.

City Council discussed the item with staff.

Steve Mothersell, Summerfaire Commerce Developer commented on the request to waive and reduce the fees for the proposed storage facility and the use of water for the storage facility and the proposal that has been worked on diligently with engineers and city staff.

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

ACTION: *Councilmember Jones Cruz motioned to approve Item 11.1 as presented. Motion died due to lack of a second.*

*By motion moved and seconded (O'Brien / Uribe 4/1) to adopt **Resolution 2023-087** reducing and waiving system development fees, to include a one-time fee for water of \$5, 738.00 (equivalent to one housing unit) for the Summerfaire Commercial Center, llc for The Concierge.*

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

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

Public Works Director, Bridgewater gave a comprehensive staff report and power point presentation on the proposal to award a contract for the 30% design for the Regional Recycled Water Project Phase I to Brown and Caldwell.

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 / Jones Cruz 5/0) to adopt **Resolution 2023-088** to Award a Contract for 30% Design for the Regional Recycled Water Project – Phase I to Brown and Caldwell, and Authorize a Budget Appropriation in the amount of \$1,400,247.00 from the Sewer Fund 106.*

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

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

Public Works Director, Bridgewater gave a comprehensive staff report and power point presentation on the proposal to award a contract for the 30% design Phase I to Kjeldsen, Sinnock, & Neudeck, Inc for the Program Management and Project Permitting Support for the Regional Recycled Water Project.

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 / Jones Cruz 5/0) to adopt **Resolution 2023-089** to award a contract for the 30% design phase program management and project permitting support for the regional recycled water project – Phase I to Kjeldsen, Sinnock & Neudeck, Inc., authorize the city manager to execute a contract with said firm, and authorize a budget appropriation of \$219,122.00 from the wastewater enterprise fund 106 for said contract

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

City Manager Garcia reported on the following:

- Thank you to the City Council for the rapport that we have up here on the dais, it provides staff with an opportunity to see Council's view and perspective on certain items. It gives us an opportunity to go back and look at our processes, so that we can continue to make those better. So as recommendations, come forward to City Council, were able to come back and make we are complying or addressing City Council's wishes.
- The city has issued a request for proposals (RFP) from qualified housing developers, for the construction and operation of the City's transitional housing project. This will be built on City owned property, that is located at Jackson and Stanislaus. The RFP will be available on our website starting tomorrow.
- All City Offices will be closed on Tuesday, July 4th for the Independence Day Holiday.
- Groundbreaking Ceremony will be taking place on Tuesday, July 11th at 9:00 a.m. for the Crossroads West Commercial Site. That will be at the Northwest corner of Oakdale and Claribel Road.

Director of Public Works, Bridgewater reported on:

- *Tomorrow morning beginning at 8:00 a.m. City Staff will be assisting the developer at Aeriz, with identifying their cross connections, between the sewer and storm drain lines. So, if you see a lot of smoke coming out of the ground over there, I promise you it is not on fire. We are going to be performing some smoke testing, we also did this about a week ago, and it was relatively successful.*

Item 12.2 Council/Authority Member

Councilmember Jones Cruz reported on the following:

- *Thank you to the Recreational Staff for putting on the Downtown Market, I've heard nothing but positive feedback. The only negative comment was, they wish it would have been longer. I appreciate their staff, I know what a great undertaking this is.*
- *Wish everyone a happy and safe 4th of July. Let's remember to keep it Safe & Sane.*

Councilmember Uribe reported on the following:

- *Thank you to the volunteers of the Sister City Committee for taking the time out of their day on Saturday to show up for the fundraiser. Just very proud of these committee members, who show up, take time out of their day, and just support Sister City Events.*
- *The next fundraiser for Sister City, we will be teaming up with Menchie's Frozen Yogurt, it will be all day Friday, July 14th from 11:00 a.m. to 10:00 p.m. located at 2231 Claribel, just mention the flyer and 20% of sales will go to Sister City Committee, please show up and support.*

Councilmember Barber-Martinez reported on the following:

- *Attended the Public Safety Committee meeting last week, representing the Central Valley and Riverbank. Topics of discussion were homeless outreach services with a different and interesting approach, earthquake early warning systems, ambulance patient offload time, transnational opioid trafficking, emergency response and recovery services from natural disasters, and seismic retrofits for vulnerable housing.*
- *Attended the cultural event on Saturday. Enjoyed the different experiences of tasting of food, the booths and the traditional dancers and the music.*
- *Along with our Recreation Department, our Sheriff's Department we will be hosting our Annual Bike Rodeo Kids Health and Safety Event that is on Wednesday, July 12th, it will be right out front of the Plaza.*
- *Attended the Zero Waste Stanislaus workshop, regarding waste reduction, recycling, composting, and sustainable alternatives.*
- *CVCR is hosting a Christmas in July Dinner Dance its going to be a fundraiser for scholarships.*
- *Happy July 4th to Everyone!*

Vice Mayor Hernandez reported on the following:

- *Attended Cal Cities Policy Committee meeting, encompassing state wide bills that are coming up on behavioral health, parks, and housing. It was nice to advocate for the small cities and what they face and opening communication lines with*

statewide departments. Look forward to having and bringing a list of bills the State is trying to propose.

- With June ending, would like to wish everyone a Happy Pride Month, and also an upcoming Happy 4th of July!

Item 12.3 Mayor/Chair

Mayor O'Brien reported on the following:

- Would like the city to participate in May Bike Month, bike to work month. Would like to see us next May participate in one way or the other. Would allow us to take a look at our walk and bike route safety.
- Would like to get an update in early August on our rating for EPA.

13. CLOSED SESSION-

The public will have a limit of **3 minutes** to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing to Closed Session.

Item 13.1 **LIABILITY CLAIMS**

(Pursuant to Government Code § 54961)

Claimant: Margarita Castaneda

Agency Claimed Against: City of Riverbank

There being No Public Comment, Mayor O'Brien adjourned to Move to Closed Session at 7:56 P.M.

Reconvened from Closed Session at 8:05 P.M.

14. REPORT FROM CLOSED SESSION

Item 14.1 Report from Closed Session **Item 13.1**

LIABILITY CLAIMS

(Pursuant to Government Code § 54961)

Claimant: Margarita Castaneda

Agency Claimed Against: City of Riverbank

ACTION: Claim was unanimously rejected 5/0.

15. ADJOURNMENT OF THE REGULAR MEETING

There being no further business, Mayor / Chair O'Brien adjourned the regular meeting at 8:06 P.M. to the next regular scheduled City Council / LRA Meeting of July 25th, 2023 at 6:00 P.M.

ATTEST: (Adopted 07/25/2023)

APPROVED:

Gabriela Hernandez
City Clerk / LRA Recorder

Richard D. O'Brien
Mayor/ Chair

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.3

SECTION 9: CONSENT CALENDAR

Meeting Date:	July 25, 2023
Subject:	Acceptance of the Riverbank Pool Resurfacing Project and Authorization to File a Notice of Completion
From:	Marisela H. Garcia, City Manager
Submitted by:	Sue Fitzpatrick, Director of Parks and Recreation Laura Graybill, Senior Project Coordinator

RECOMMENDATION:

It is recommended that the City Council accept the completion of the Riverbank Pool Resurfacing Project and authorize staff to file a Notice of Completion.

SUMMARY:

Burkett's Pool Plastering completed the construction of the Riverbank Pool Resurfacing Project. Stanislaus County Environmental Health Department 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 13, 2022 to Burkett's Pool Plastering in the amount of \$171,500.00. Two contract change orders were issued for this project in the amount of \$4,600.00. The total cost of construction is \$176,100.00.

It is recommended that the Council accept the Riverbank Pool Resurfacing Project as complete and authorize the Senior Project Coordinator to record the Notice of Completion.

FISCAL IMPACT:

Funding was budgeted in the 2022-2023 fiscal year budget.

ATTACHMENTS:

1. Notice of Completion
2. Before and After Photos

AND WHEN RECORDED MAIL TO

NAME
STREET
ADDRESS
CITY &
STATECITY OF RIVERBANK
ATTN: DEVELOPMENT SERVICES
6707 THIRD STREET
RIVERBANK, CA 95367SPACE 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 July 25, 2023
(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.



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") Burkett's Pool Plastering

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 community pool resurfacing, drain pool, drill relief holes,
(Give General Description of Work Completed, e.g., Furnishing of Concrete for Sidewalks, etc.)
reconfigure existing entry steps to meet code, install commercial nonskid tile, install
new deck markers, install No Dive markers and new 3 bend rail at pool shallow end.

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:
Riverbank Pool Resurfacing Project
(Set Forth Description of Jobsite Sufficient for Identification, Using Legal Description if Possible)

10. The street address of the said property is 7th and Stanislaus
(Address, City, State, Zip, or if No Official Street Address, Insert the Word "None")
in Riverbank, CA 95367

Dated this 25th day of July, 2023
(Day) (Month) (Year)

(Owner's Signature)

City of Riverbank
Laura Graybill, Senior 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 25th day of July, 2023
(Day) (Month) (Year)

(Signature of Person Signing Notice of Completion)

City of Riverbank
Laura Graybill, Senior 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).

Riverbank Pool Resurfacing Project Photos

Before



During



After



RIVERBANK CITY COUNCIL / LOCAL RDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.4

SECTION 9: CONSENT CALENDAR

Meeting Date:	July 25, 2023
Subject/ Title:	Resolution to Award Bid for the Sierra House Remodel Project to Harris Builders Inc. and Authorize Execution of Future Change Orders
From:	Marisela H. Garcia, City Manager
Submitted by:	Kathleen Cleek, Development Services Administration Manager Laura Graybill, Senior Project Coordinator

RECOMMENDATION

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

1. Adopt a Resolution to Award bid to the lowest responsible bidder, Harris Builders Inc.; and
2. Authorize the City Manager to execute Change Orders within total project budget.

SUMMARY

The Sierra House is located at 3344 Sierra Street, Riverbank which will be used for Riverbank's Emergency Shelter and Street Outreach Project. The project includes the complete remodel of the house to provide facilities for our unhoused population who are in need of services. Constrution will include updated plumping, electrical, cable, ADA compliance, flooring, windows, structural engineering, Title 24 compliance, building code compliance, roof, insulation, remodeled kitchen, remodeled restrooms and appliances. Additional improvements include minor landscaping, additional or replacement fencing at the site and appropriate lighting and security lighting in the area.

The bid opening was held on Thursday, July 13, 2023 to consider the bids for the Sierra House Remodel Project. The following bids were received:

Harris Builders Inc.	\$507,300.00
T&S Intermodal Maintenance, inc. DBA T&S West	\$597,000.00

Work on the project includes, but is not limited to, furnishing all labor, materials, equipment, transportation, and incidentals necessary to fully remodel house including but not limited to electrical, plumbing, HVAC, windows, doors, lighting, appliances, communication wiring, LVP flooring, stucco, roofing, insulation, structural requirements, ADA compliance, ADA ramps, and all other work included on the plans for the above mentioned project. Bids are required for the entire work described herein.

Bids have been reviewed and Harris Builders Inc. has been identified as the lowest responsible bidder for the project.

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

FINANCIAL IMPACT

Project is funded via the CA-ESG-CV2 #2 (Fund 152) awarded to the City by Stanislaus County.

ATTACHMENT

- 1) Draft City Council Resolution 2023-A.) EXHIBIT A- Contract
- 2) Site Map

CITY OF RIVERBANK

RESOLUTION 2023-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, TO AWARD A CONTRACT FOR THE
SIERRA HOUSE REMODEL PROJECT WITH HARRIS BUILDERS INC.
IN THE AMOUNT OF \$507,300.00, AND AUTHORIZE THE CITY MANAGER TO
EXECUTE SAID CONTRACT AND APPROVE THE CHANGE ORDERS UP TO
THE PROJECT CONTINGENCY FUND OF \$50,730.00**

**THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS
THE "CITY COUNCIL") DOES HEREBY RESOLVE THAT:**

WHEREAS, the Sierra House Remodel Project includes to construct updated plumbing, electrical, cable, ADA compliance, flooring, windows, structural engineering, Title 24 compliance, building code compliance, roof, insulation, remodeled kitchen, remodeled restrooms and appliances; and

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

WHEREAS, on July 13, 2023, the City of Riverbank received two (2) bids and publicly opened and read the bids; and

WHEREAS, the apparent responsive and responsible low bidder is Harris builders Inc., in the amount of \$507,300.00; and

WHEREAS, staff also recommends that the City Council approve a project contingency of \$50,730.00 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 Harris Builders Inc., in the amount of \$507,300.00; and

AND NOW THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Riverbank authorizes the City Manager to execute the said contract and approve change orders up to the project contingency funds of \$50,730.00.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 25th day of July, 2023; 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:

Gabriela Hernandez
City Clerk

Richard D. O'Brien
Mayor

Attachment: Harris Builders Inc. Contract

CONTRACT

THIS AGREEMENT, made and entered into this _____ day of _____, 2023, by and between the City of Riverbank, California, and Harris Builders 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 Sierra House Remodel 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 \$507,300.00 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: _____

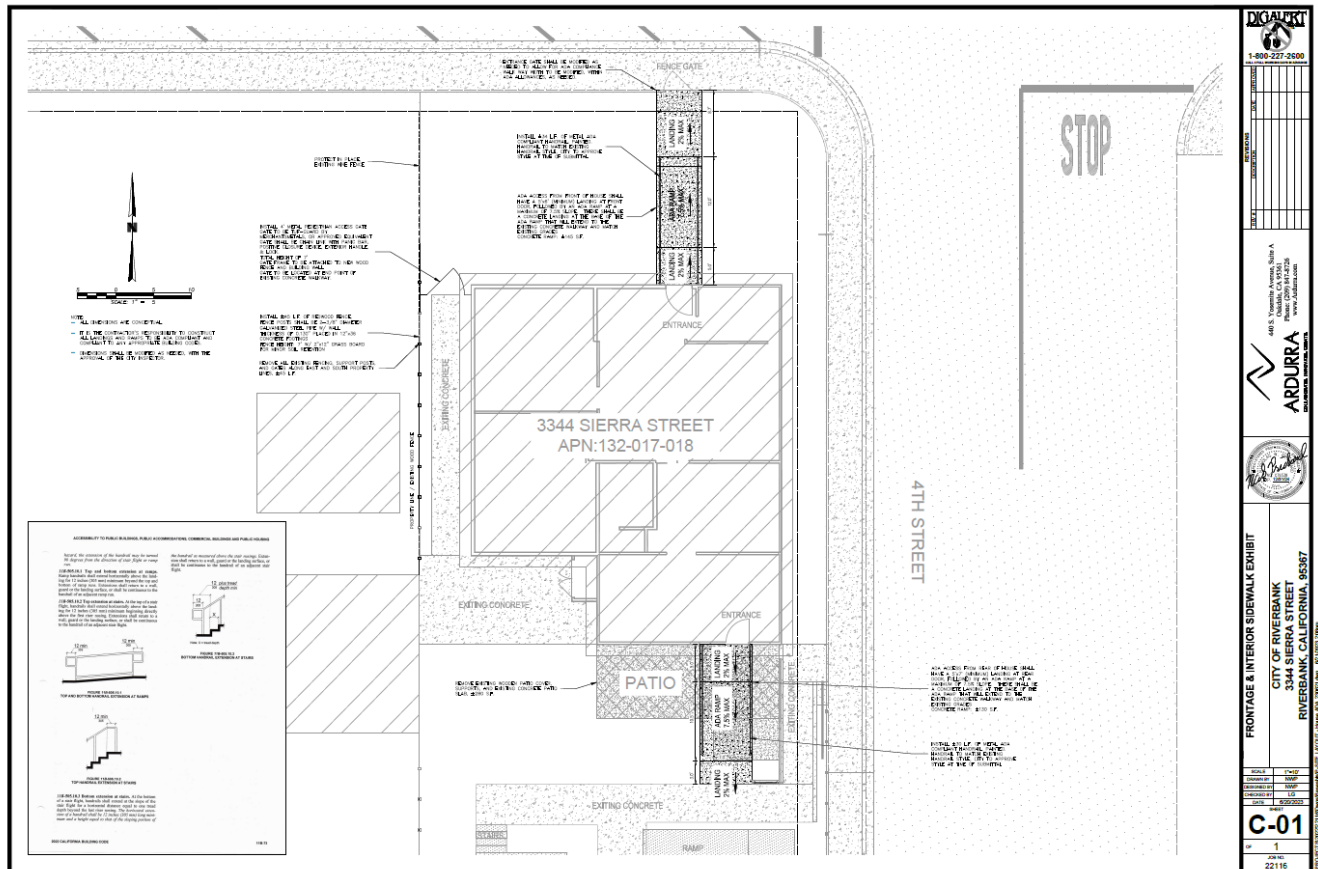
Date: _____

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

Site Map

Sierra House Remodel Project – 3344 Sierra Street



RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.5

SECTION 9: CONSENT CALENDAR

Meeting Date:	July 25, 2023
Subject/ Title:	Resolution to Award Bid for the Well #13 – Test Well Project to Eaton Drilling Co., LLC and Authorize Execution of Future Change Orders
From:	Marisela H. Garcia, City Manager
Submitted by:	Cody Bridgewater, Director of Public Works Kathleen Cleek, Development Services Administration Manager Laura Graybill, Senior Project Coordinator

RECOMMENDATION

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

1. Adopt a Resolution to Award bid to the lowest responsible bidder, Eaton Drilling Co., LLC; and
2. Authorize the City Manager to execute Change Orders within total project budget.

SUMMARY

The bid opening was held on Tuesday, July 11, 2023 to consider the bids for the Well #13 – Test Well Project. The following bids were received:

Eaton Drilling Co., LLC	\$193,744.00
WildRose Drilling, LLC dba Wild Heron Drilling	\$282,169.00
Nor-Cal Pump & Well Drilling, Inc.	\$338,025.00
Maggiora Bros. Drilling, Inc.	\$401,550.00
Zim Industries, Inc.	\$754,997.00

Work on the project includes, but is not limited to, furnishing all labor, materials, equipment, transportation, and incidentals necessary for drilling of new borehole, application of drilling fluids, installation of well casings and intermediate seals, and construction of well pedestal and all other work included on the plans for the above mentioned project. Bids are required for the entire work described herein.

Bids have been reviewed and Eaton Drilling Co., LLC has been identified as the lowest responsible bidder for the project.

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

FINANCIAL IMPACT

Funding has been programmed for this project in System Development Fees Water Fund 206, \$400,000.00.

ATTACHMENT

- 1) Draft City Council Resolution 2023-A.) EXHIBIT A- Contract
- 2) Site Map

CITY OF RIVERBANK

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO AWARD A CONTRACT FOR THE WELL #13 – TEST WELL PROJECT WITH EATON DRILLING CO., LLC IN THE AMOUNT OF \$193,744.00, AND AUTHORIZE THE CITY MANAGER TO EXECUTE SAID CONTRACT AND APPROVE THE CHANGE ORDERS UP TO THE PROJECT CONTINGENCY FUND OF \$206,256.00

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE “CITY COUNCIL”) DOES HEREBY RESOLVE THAT:

WHEREAS, the Well #13 – Test Well Project includes to furnishing all labor, materials, equipment, transportation, and incidentals necessary for drilling of new borehole, application of drilling fluids, installation of well casings and intermediate seals, and construction of well pedestal; and

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

WHEREAS, on July 13, 2023, the City of Riverbank received two (2) bids and publicly opened and read the bids; and

WHEREAS, the apparent responsive and responsible low bidder is Eaton Drilling Co., LLC, in the amount of \$193,744.00; and

WHEREAS, staff also recommends that the City Council approve a project contingency of \$206,256.00 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 Eaton Drilling Co., LLC, in the amount of \$193,744.00; and

AND NOW THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Riverbank authorizes the City Manager to execute the said contract and approve change orders up to the project contingency funds of \$206,256.00.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 25th day of July, 2023; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Gabriela Hernandez
City Clerk

Richard D. O'Brien
Mayor

Attachment: Eaton Drilling Co., LLC Contract

EXHIBIT A

CONTRACT

THIS AGREEMENT, made and entered into this _____ day of _____, 2023, by and between the City of Riverbank, California, and Eaton Drilling Co., LLC, 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 Well #13 – Test Well 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 \$193,744.00 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

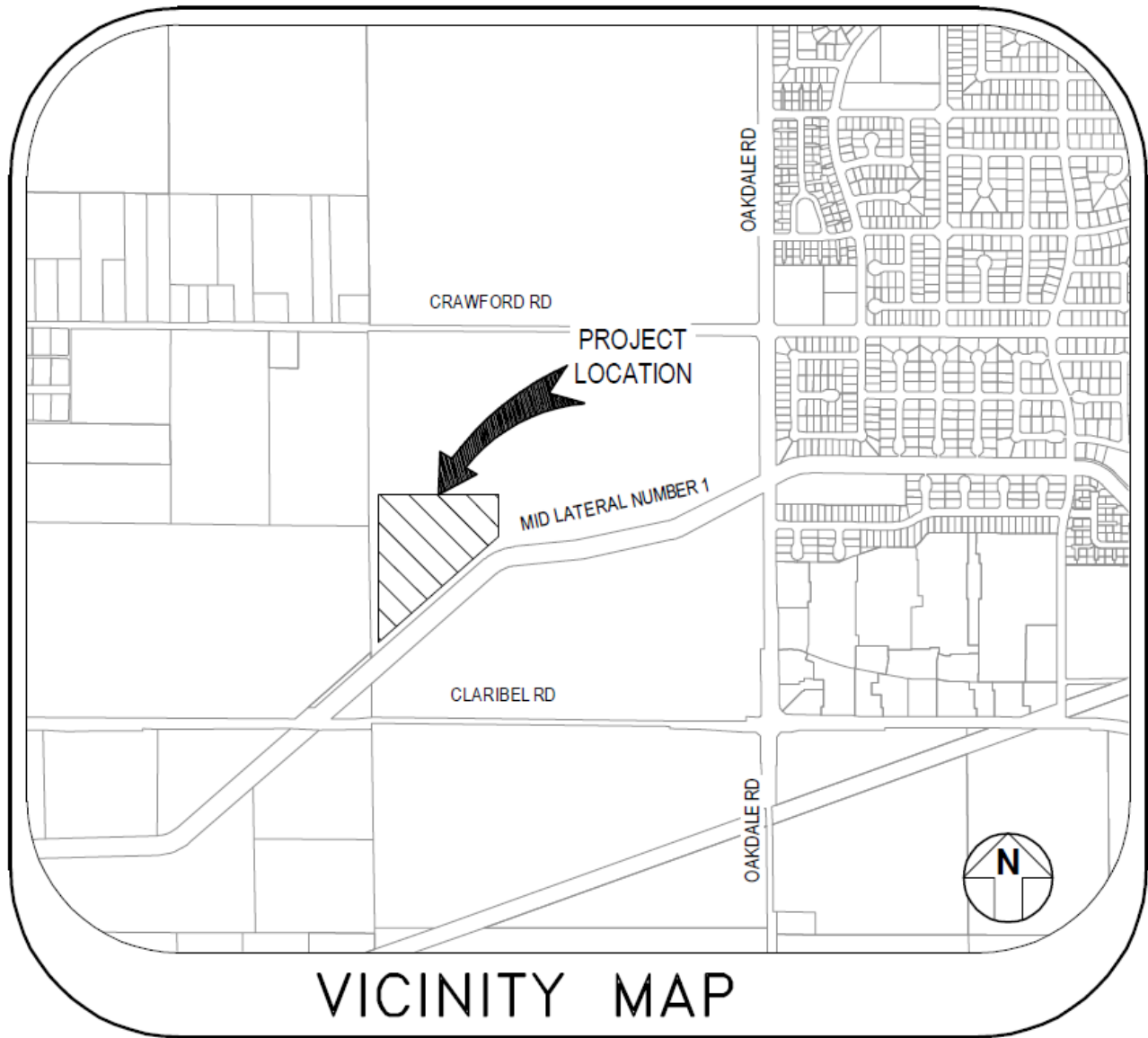
By: _____

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

Site Map
Well 13 – Test Well Project



RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 9.6

SECTION 9: CONSENT CALENDAR

Meeting Date: July 25, 2023

Subject: Resolution to Approve and Adopt the Revised 2023 City of Riverbank Measure L Expenditure Plan Project List

From: Marisela H. Garcia, City Manager

Submitted By: Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION

It is recommended that the City Council adopt the revised 2023 City of Riverbank Measure L Expenditure Plan Project List for local streets and roads, traffic management, and bike and pedestrian improvement projects.

SUMMARY

On November 8, 2016 the Stanislaus County voters approved a ½ cent sales tax measure to fund local and regional transportation projects and programs. The tax is expected to generate approximately \$39 million dollars a year over a 25-year period for Stanislaus County.

The City of Riverbank entered into a Master Funding Agreement with the Stanislaus Council of Governments (StanCOG) and within that agreement the City agrees to provide StanCOG with a detailed project list for local streets and roads, traffic management and bicycle/pedestrian projects that are scheduled to be constructed with Measure L Funding. The projects identified on the Expenditure Plan Project List detail a comprehensive list of infrastructure improvements that the City has identified as priority projects.

The last update to the list was approved by the City Council at the March 28, 2023 meeting. Staff has added two additional projects to the 2023 Measure L Expenditure Plan to start the preliminary engineering process.

Projects added for this year utilizing these funds:

Patterson Road Overlay – Claus to Snedigar (PE)	\$ 58,000
Roselle @ Morrill Intersection Improvements (PE)	\$ 82,500

TOTAL:	\$ 140,500
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FISCAL IMPACT THROUGH THE END OF 2023:

Measure L – Streets & Roads additional	\$ 140,500
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ATTACHMENTS

1. Draft Resolution 2023-
2. 2023 City of Riverbank Expenditure Plan Project List

CITY OF RIVERBANK

RESOLUTION 2023-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
APPROVING AND ADOPTING THE REVISED 2023 CITY OF RIVERBANK
MEASURE L EXPENDITURE PLAN PROJECT LIST**

THE CITY OF RIVERBANK CITY COUNCIL (HEREAFTER REFERRED TO AS THE “CITY COUNCIL”) DOES HEREBY RESOLVE THAT:

WHEREAS, The Riverbank City Council has reviewed the Revised 2023 City of Riverbank Measure L Expenditure Plan Project List presented by staff; and

WHEREAS, the ½ cent sales tax measure approved by the voters to fund local and regional transportation projects and programs is expected to generate approximately \$1,200,000 for the City of Riverbank’s local streets and roads; and

WHEREAS, the ½ cent sales tax measure approved by the voters to fund local and regional transportation projects and programs is expected to generate approximately \$192,000 for the City of Riverbank’s traffic management projects; and

WHEREAS, the ½ cent sales tax measure approved by the voters to fund local and regional transportation projects and programs is expected to generate approximately \$90,000 for the City of Riverbank’s bicycle/pedestrian projects; and

WHEREAS, each project on the 2023 City of Riverbank Measure L Expenditure Plan Project List attached, will require City Council review and approval prior to construction; and

WHEREAS, each year a comprehensive review of the proposed Measure L Project List will be conducted and any changes presented to Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves the City of Riverbank’s Revised 2023 City of Riverbank Measure L Expenditure Plan Project List.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 25th day of July, 2023; motioned by Councilmember , seconded by Councilmember , and upon roll call was carried by the following City Council vote of :

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Gabriela Hernandez
City Clerk

Richard D. O'Brien
Mayor

**Attachment: Exhibit A – Revised 2023 City of Riverbank Measure L Expenditure Plan
Project List**

2023 City of Riverbank Measure L Expenditure Plan Project List - Revised 7-25-2023

Type	Projects	Description	Shared Cost	Measure L Funds	Planned Start	Planned Completion
Local Streets and Roads (50%)						
Overlay (PE & Construction)	Patterson Road Overlay & First Street Overlay	Patterson Road Overlay (Eighth to Claus) First Street Overlay (Atchison to bridge)	Full Design & Construction Cost	\$839,566	FY 2021	FY 2023
Sidewalk Project	Roselle Avenue Sidewalks	Roselle Avenue Sidewalks	Match Monies	\$100,000	FY 2021	FY 2023
Signal Project	Signal At Patterson & Roselle	Revised Plans Per BNSF	Design Costs	\$60,000	FY 2022	FY 2023
Pavement Restoration 2023 (CON)	Micro Slurry Seal Various Streets	Micro Slurry Seal Various Streets	Full Design Cost	\$740,000	FY 2023	FY 2023
Signal Project	Signal at Patterson & Snedigar	Signal design	Full Design Cost	\$60,000	FY 2023	FY 2023
Overlay (PE)	Claribel Road Overlay - PE	Claribel Road Overlay Roselle to Squire Wells	Full Design Cost	\$30,000	FY 2023	FY 2023
Overlay (CON)	Claribel Road Overlay - CON	Claribel Road Overlay Roselle to Squire Wells	Constructon Cost	\$470,000	FY 2023	FY 2023
Overlay (PE)	Riverside Drive Overlay - PE	Riverside Drive Overlay 3rd to 4th St. - PE	Full Design Cost	\$35,000	FY 2023	FY 2023
Overlay (PE)	Oakdale Road Overlay - PE	Oakdale Road Overlay - Patterson to Silver Rock - PE	Full Design Cost	\$50,000	FY 2023	FY 2023
Overlay (CON)	Oakdale Road Overlay - CON	Oakdale Road Overlay - Patterson to Silver Rock - CON	Constructon Cost	\$500,000	FY 2023	FY 2024
Overlay & Widening (PE)	Howard Avenue Widening & Overlay - PE	Howard Avenue Widening & Overlay - Patterson Road to Ward Ave. - PE	Full Design Cost	\$45,000	FY 2023	FY 2023
Overlay (PE)	Patterson Road Overlay - Claus to Snedigar	Patterson Road Overlay - Claus to Snedigar- PE	Full Design Cost	\$58,000	FY 2023	FY 2024
Intersection Improvements (PE)	Roselle @ Morrill Intersection Impr. - PE	Roselle @ Morrill Intersection Impr. - PE	Full Design	\$82,500	FY 2023	FY 2024
Traffic Management (10%)						
Pedestrian & Road Improvements (Matching Funds)	Callander Avenue Pedestrian Project (Phase I)	Improvements - Calendar Avenue between Topeka & Santa Fe Streets	Shared Cost	\$430,217	FY 2021	FY 2024
Intersection Improvements	Roselle & S. Rosebrook Intersection Improvements - PE	Roselle & S. Rosebrook Intersection Improvements - PE	Full Design Cost	\$35,000	FY 2023	FY 2023
Intersection Improvements	Roselle & S. Rosebrook Intersection Improvements - CON	Roselle & S. Rosebrook Intersection Improvements - CON	Constructon Cost	\$350,000	FY 2023	FY 2023
Bike/Ped (5%)						
Pedestrian Sidewalk Project	Claus Road Sidewalk Project	Claus Road (RR Tracks to Sierra Street)	Full Design & Construction Cost	\$180,587	FY 2022	FY 2023
Pedestrian Sidewalk Project	Patterson Road Sidewalk Project	Patterson Road Sidewalks - Hwy 108 to Roselle Avenue - PE	Full Design Cost	\$42,500	FY 2022	FY 2023
Street Lighting	Squire Wells & Homewood	Squire Wells & Homewood Street Light		\$15,000	FY 2023	FY 2023
Pedestrian Sidewalk Project	Roselle Avenue Sidewalk Project	Roselle Avenue Sidewalks - Westgate to Rosebrook over MID Canal	Full Design Cost	\$35,000	FY 2023	FY 2023

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 11.1

SECTION 11: NEW BUSINESS

Meeting Date: July 25, 2023

Subject: Designation of a Voting Delegate and Alternate(s) to Attend the 2023 League of California Cities Annual Conference

From: Marisela H. Garcia, City Manager

RECOMMENDATION

It is recommended that City Council designate a member of the Council as the Voting Delegate, plus one or two alternates. They will attend the 2023 League of California Cities Annual Conference and Expo, to be held in Sacramento on September 20-22, 2023, and to participate in the Annual Business Meeting for the consideration of resolutions that establish Cal Cities policy. The City Council is to ratify the designations by roll call vote.

SUMMARY

Annually, the League of California Cities requests that the City Council take action in order to participate in the Annual Business Meeting by designating a Voting Delegate, and to appoint one or two alternates. Participation in the meeting ensures that Riverbank Officials have an opportunity to initiate and influence policy decisions by voting on resolutions that establish League policy. The resolutions for the City Council to consider will be presented at an upcoming Council meeting to discuss and determine the City's position to each resolution, and to have the designated Voting Delegate or alternate represent the City's position accordingly. The Annual Business Meeting will be held during the General Assembly on Friday, September 22nd. The Business Meeting is tentatively scheduled from 8:30 am – 10:30 am.

The designated Voting Delegate and alternate(s) must be registered for the conference. Council's selection of the Voting Delegate and alternate(s) will be reported to Cal Cities. The current Cal Cities Central Valley Executive Committee representatives are Vice Mayor Hernandez as the primary member and Councilmember Uribe as the alternate. New this year is a pre-conference informational session for voting delegates to explain their role.

FINANCIAL IMPACT

Conference registration for the conference is \$650, plus travel and hotel accommodations per attendee. Currently all members of the City Council are registered to attend as well as the City Manager and Assistant City Manager.

ATTACHMENTS

1. General Assembly Voting Guidelines

General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.
6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.
7. **Resolving Disputes.** In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.

How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure that we are representing California cities with one voice. These policies directly guide Cal Cities advocacy to promote local decision-making, and lobby against statewide policy that erodes local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how Resolutions and the General Assembly works.

Prior to the Annual Conference and Expo

General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved¹ by either a policy committee or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.²

General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates — one from every member city.

Seven **Policy Committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, municipal department, as well as individuals appointed by the Cal Cities president.

What's new in 2023?



- Voting delegates will receive increased communications to prepare them for their role during the General Assembly.
- The General Assembly will take place earlier to allow more time for debate and discussion.
- Improvements to the General Assembly process will make it easier for voting delegates to discuss and debate resolutions.

¹ The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

² Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY

AGENDA ITEM NO. 11.2

SECTION 11: NEW BUSINESS

Meeting Date: July 25, 2023

Subject: Consideration of the Options for the Selection of a Riverbank Representative to the City of Oakdale Ad Hoc Animal Shelter Subcommittee

From: Marisela H. Garcia, City Manager

RECOMMENDATION

It is recommended that the City Council consider the options for the selection and appointment of a Riverbank Representative to the City of Oakdale Ad Hoc Animal Shelter Subcommittee.

SUMMARY

In the past several months both the City of Oakdale and the City of Riverbank have had discussions with local residents and non-profit organizations who have expressed concerns with the operations of the Oakdale Animal Shelter. Concerns were received regarding staffing, the treatment of the animals located at the shelter, amongst others. To address these concerns at their July 17th meeting the City of Oakdale established an Ad Hoc Shelter Subcommittee to be able to discuss and recommend possible changes to the operations of the shelter for the benefit of our residents and the animals in their care. The City of Oakdale has asked that a Riverbank representative be appointed to the subcommittee.

BACKGROUND

Riverbank has contracted with the City of Oakdale for Animal Control Services since 2009. The Oakdale animal control staff has worked hard and dedicated many hours to helping our Riverbank community and its many lost and unsheltered animals. The shelter is located at 9800 Liberini Road in Oakdale and is open Monday – Friday from 9 am to 4:30 pm and on Saturday from 9 am to 1 pm. There is currently one full-time shelter attendant assisted by two part-time attendants.

On June 28, 2023 the City of Oakdale held a community meeting to discuss concerns that had been expressed regarding the operations of the shelter. Based on feedback received during the community meeting the City of Oakdale has moved forward with the establishment of an Ad Hoc Committee to discuss these concerns. This Ad Hoc Committee is to be comprised as follows:

1. Two City of Oakdale Council Members
2. One representative from ASTRO Foundation
3. One representative from OSPA
4. One representative from the animal shelter volunteers
5. One representative appointed by the Riverbank City Council
6. One representative appointed by the Escalon City Council

The subcommittee will work with the City of Oakdale Staff to develop recommendations for operational changes to the animal shelter.

OPTIONS

There are several options for the City Council to consider the appointment of a Riverbank representative to this Ad Hoc Committee:

1. A Riverbank City Council Member
2. Riverbank Staff Member Norma Torres-Manriquez who has been involved in the oversight of the Animal Control contract and has been involved in discussions with Riverbank residents and non-profit organizations who have expressed concerns.
3. Riverbank Resident, to be determined, to be appointed after holding a recruitment process. City staff would continue to attend the meetings until such time that a formal appointment is made.

The Committee's next meeting is scheduled for Wednesday, August 23, 2023.

If the City Council elects options number 1 or number 2, Council may ratify the appointment by roll call vote.

STRATEGIC PLAN

While not directly related to the City's Strategic Plan, this item does help to provide an enhanced quality of life for residents and their pets.

FINANCIAL IMPACT

There is no financial impact associated with the appointment of a Riverbank representative to the Ad Hoc Committee.

ATTACHMENTS

1. City of Oakdale Staff Report July 17, 2023



**CITY OF OAKDALE
CITY COUNCIL STAFF REPORT**

Meeting Date: July 17, 2023

To: Mayor Bairos and Members of the Oakdale City Council

From: Bryan Whitemyer, City Manager

Subject: Consideration of a Resolution of the City of Oakdale City Council Approving the Creation and Make Up of the Ad Hoc Animal Shelter Subcommittee and Selecting Two City Council Members to Serve on the Committee

I. BACKGROUND

The City of Oakdale currently operates an animal shelter located at 9800 Liberini Avenue that serves the residents of Oakdale, Escalon, and Riverbank.

Recently, community members who volunteer at the shelter have expressed concerns with how the animal shelter is being operated. City staff takes concerns like these very seriously and held a community meeting on Wednesday, June 28, 2023 to discuss these concerns and to see how we could work together to better serve the animal population of our communities.

The meeting was very productive and several suggestions were offered by the community member/volunteers. Some of the suggestions were:

- 1) Increased staff training in animal handling and animal behavioral assessment.
- 2) Provide training for staff on customer service and communication skills.
- 3) Focus on adopting animals and only using euthanasia as a last resort.
- 4) Provide more supervision to the Animal Shelter Staff.
- 5) Develop standardized protocols for feeding the animals.
- 6) Implement a Trap, Neuter Return (TNR) program.
- 7) Change the shelter hours so they are open more on the weekends.
- 8) Improve communications between partner rescue groups for priority and high-risk transfer needs.
- 9) Increase online presence for missing, found, and adoptable animals.
- 10) Increase holding time for found cats.
- 11) Implement foster care and foster to adopt programs.
- 12) Provide free/low-cost microchip program for community pets.
- 13) Cease acceptance of trapped cats and refocus on low-cost spay/neuter resources.



CITY OF OAKDALE
City Council Staff Report (Continued)

SUBJECT: Ad Hoc Oakdale Animal Shelter Subcommittee
MEETING DATE: July 17, 2023

II. DISCUSSION

In order to adequately assess the operations at the Oakdale Animal Shelter staff believes that an Ad Hoc Animal Shelter Subcommittee should be established. This subcommittee would work with City staff to develop recommendations for operational changes at the animal shelter. These recommendations would ultimately be presented to the City Council for its formal approval.

Staff proposes that the subcommittee include seven members:

- 1) Two City of Oakdale Council Members
- 2) One representative from ASTRO Foundation
- 3) One representative from OSPA (Oakdale Shelter Pet Alliance)
- 4) One representative from the animal shelter volunteers
- 5) One representative appointed by the Riverbank City Council
- 6) One representative appointed by the Escalon City Council

III. FISCAL IMPACT

The creation of this subcommittee is not anticipated to adversely affect the general fund in anyway.

IV. RECOMMENDATION

Staff recommends that the City Council adopt a Resolution creating the Ad Hoc Animal Shelter Subcommittee that includes representation as follows:

- 1) Two City of Oakdale Council Members
- 2) One representative from ASTRO Foundation
- 3) One representative from OSPA (Oakdale Shelter Pet Alliance)
- 4) One representative from the animal shelter volunteers
- 5) One representative appointed by the Riverbank City Council
- 6) One representative appointed by the Escalon City Council

V. ATTACHMENTS

Attachment A: Draft City Council Resolution 2023-__
Attachment B: Shelter Recommendations from ASTRO



**IN THE CITY COUNCIL
OF THE CITY OF OAKDALE
STATE OF CALIFORNIA
CITY COUNCIL RESOLUTION 2023-___**

**A RESOLUTION OF THE CITY OF OAKDALE CITY COUNCIL
CREATING THE AD HOC ANIMAL SHELTER SUBCOMMITTEE AND**

THE CITY OF OAKDALE CITY COUNCIL DOES HEREBY RESOLVE THAT:

WHEREAS, the City of Oakdale currently operates an animal shelter located at 9800 Liberini Avenue and the City also provides animal control services to the City of Riverbank and the City of Escalon, and

WHEREAS, community members who volunteer at the shelter have expressed concerns with how the animal shelter is being operated, and

WHEREAS, City staff takes concerns like these very seriously and held a community meeting on Wednesday, June 28, 2023 to discuss these concerns and to see how we could work together to better serve the animal population of our communities, and

WHEREAS, the meeting was very productive and several suggestions were offered by the community member/volunteers. Some of the suggestions were:

- 1) Increased staff training in animal handling and animal behavioral assessment.
- 2) Provide training for staff on customer service and communication skills.
- 3) Focus on adopting animals and only use euthanasia as a last resort.
- 4) Provide more supervision to the Animal Shelter Staff.
- 5) Develop standardized protocols for feeding the animals.
- 6) Implement a Trap, Neuter Return (TNR) program.
- 7) Change the shelter hours so they are open more on the weekends.
- 8) Improve communications between partner rescue groups for priority and high-risk transfer needs.
- 9) Increase online presence for missing, found, and adoptable animals.
- 10) Increase holding time for found cats.
- 11) Implement foster care and foster to adopt programs.
- 12) Provide free/low-cost microchip program for community pets.
- 13) Cease acceptance of trapped cats and refocus on low-cost spay/neuter resources.

WHEREAS, the subcommittee will include seven members as follows:

- 1) Two City of Oakdale Council Members
- 2) One representative from ASTRO Foundation
- 3) One representative from OSPA (Oakdale Shelter Pet Alliance)
- 4) One representative from the animal shelter volunteers
- 5) One representative appointed by the Riverbank City Council
- 6) One representative appointed by the Escalon City Council



CITY OF OAKDALE
City Council Resolution 2023-__

NOW, THEREFORE, BE IT RESOLVED that the **CITY COUNCIL** of the **CITY OF OAKDALE** hereby adopts the Resolution creating the Ad Hoc Animal Shelter Subcommittee and selects XXXXXXXXXXXXXXXXXXXX and XXXXXXXXXXXXXXXXXXXX from the City Council to serve on this subcommittee.

THE FOREGOING RESOLUTION IS HEREBY ADOPTED THIS 17th DAY OF July, 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAINED: COUNCIL MEMBERS:

SIGNED:

Cherilyn Bairos, Mayor

ATTEST:

Rouzé Roberts, City Clerk

CITY OF OAKDALE ANIMAL SHELTER

SUGGESTIONS FOR ENHANCEMENT OF SHELTER OPERATIONS

1. SHORT TERM

- A. Extend Shelter operating hours to include weekends.
 - i. Increase RTO/adoptions, decrease euthanasia.
- B. Increased staff training in animal handling and animal behavioral assessment.
 - i. Utilize behavioral guidelines with classification and outcome decisions.
- C. Utilize veterinary partnerships for access to prescription medications for common shelter related illnesses.
- D. Provide training for staff on customer service and communication skills.
- E. Improve communications between partner rescue groups for priority and high-risk transfer needs.
- F. Increase utilization of Shelter volunteers and 'Friends of' alliances.
 - i. Focus on canine exercise/socialization, adoption events presence and social media content production.
- G. Increase online presence for missing, found, and adoptable animals.
- H. Increase holding time for found cats.
- I. Implement foster care and foster to adopt programs.
- J. Provide free/low-cost microchip program for community pets.
- K. Cease acceptance of trapped cats and refocus on low-cost spay/neuter resources.
 - i. See Stanislaus Animal Services Community Cat Program.
- L. Network with out of area rescue groups to create a shelter pet transfer program.

2. LONG TERM

- A. Prioritize plans for a modern, adequately sized and staffed animal care and control facility.
- B. Implement a TNR (trap-neuter-release) program for the community.
- C. Re-evaluate laws surrounding trapping and management of community cats.