

CITY COUNCIL
Mayor Richard D. O'Brien
Vice Mayor (CM-D1) Luis Uribe
Council Members
District 2 Rachel Hernandez
District 3 Cal Campbell
District 4 Darlene Barber-Martinez



**NOTICE AND CALL OF A
SPECIAL RIVERBANK CITY COUNCIL
HYBRID MEETING**
**(In-Person: [Face Covering Required](#))
(Virtual via ZOOM)**
Council Chambers, 6707 Third St., Suite B
Riverbank, CA 95367



REVISED AGENDA

WEDNESDAY, NOVEMBER 3, 2021– 6:00 P.M.

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

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 59453, SUBDIVISION (e) OF THE RALPH M. BROWN ACT (CALIFORNIA GC § 54950, ET SEQ.), THE FEDERAL AMERICANS WITH DISABILITIES ACT AND THE RECENT STANISLAUS COUNTY HEALTH OFFICER'S MANDATORY FACE COVERING ORDER (Sept.2, 2021). WHILE THIS MEETING WILL BE PHYSICALLY OPEN TO THE PUBLIC, GIVEN THE STATE OF EMERGENCY REGARDING THE THREAT OF COVID-19, MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE AND COMMENT VIA THE ZOOM VIRTUAL PLATFORM. REFER TO THE LAST PAGE OF THE AGENDA FOR PARTICIPATION INFORMATION.

1. CALL TO ORDER

2. FLAG SALUTE

3. ROLL CALL

4. CONFLICT OF INTEREST: Any Council 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.

5. PUBLIC HEARING

The public hearing notice was published in the Modesto Bee on 10/27/2021.

Item 5.1 **1st Public Hearing – Redistricting Process for Riverbank's Four (4) Councilmember District Boundaries** – It is recommended that the City Council receive the introductory redistricting process information presented by National Demographics Corporation (NDC) Consultant Doug Yoakam, and thereafter conduct the public hearing on this matter.

(Refer to the last page of this agenda for the Public Comment Procedures.)

6. PUBLIC COMMENTS (No action can be taken)

Pursuant to Government Code in reference to a special meeting, the public has the opportunity to address the City Council only on items appearing on this special meeting agenda. Individual comments are limited to a **maximum of 3 minutes (or as stated by the presiding Officer)** and time cannot be yielded to another person.

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

7. NEW BUSINESS

Emergency

Item 7.1

An Emergency Situation has come to the Attention of the City Subsequent to the Special Agenda being Posted 24 Hours before the Special City Council Meeting on November 9, 2021, that Requires Immediate Action by City Council, which has Created Work Stoppage and Severely Impairs Public Safety Provided by the Stanislaus Consolidated Fire Protection District's Local Fire Station due to Blockage of the Station's Access

A Resolution to Address an Emergency Situation and to Approve the Appropriation of Additional Funds to the Topeka Street Improvement Project Between 3rd And 5th Streets Due to Unforeseen Conditions – It is recommended that City Council:

1. First determine, by a majority vote, that that an emergency situation exists that requires your immediate attention and which created work stoppage and severely impairs public safety; and
2. Receive the staff report presentation; and
3. Consider adoption of the proposed resolution by a 2/3 vote of the Members present.

8. ADJOURNMENT

- The next regular City Council meeting will be on November 9th at 6:00 pm.
- A special City Council meeting for the 2nd Public Hearing on Redistricting is scheduled on January 4, 2022, 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 **revised agenda due to an emergency** was posted near the meeting location door, on the North City Hall public exterior bulletin board, at the Riverbank Community Center exterior bulletin board, and the City's website as immediate as possible to inform the public.

I further certify that the original agenda was posted near the meeting location door, on the North City Hall public exterior bulletin board, at the Riverbank Community Center exterior bulletin board, and the City's website at least 24 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

Posted this 3rd day of November, 2021

/s/ Annabelle H. Aguilar, C.M.C, City Clerk of the City of Riverbank



ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, and the Governor's Executive Order N-29-20, the City will make every effort to make reasonable modifications or accommodations from individuals with disabilities. Contact the Administration Dept. at (209) 863-7122 or the City Clerk at aaguilar@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. The City will be providing a certified Spanish language interpreter for the redistricting public hearings.



TELECONFERENCE/VIRTUAL PLATFORM PUBLIC PARTICIPATION COMMENT PROCEDURES FOR THE HYBRID CITY COUNCIL MEETING HELD IN CONFORMANCE WITH THE BROWN ACT AS AMENDED BY SB 361

PUBLIC "LIVE" VIEWING

- Government Channels: Charter– 2 and AT&T U-VERSE – 99
- YouTube Live <https://www.youtube.com/channel/UCq2x8QChEcknBq7uuJLcZow>
- 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

- **Via Mail Service:** Mail comments to City of Riverbank, Attn. City Clerk, 6707 Third Street, Suite A, Riverbank, CA 95367.
- **Via Email:** Mail to cityclerk@riverbank.org
 - Indicate Agenda Item # in the **subject line**.
- **Oral Comments In-Person:** The Mayor will ask the audience if anyone wishes to comment, at that time you may approach the podium. (A Spanish language interpreter is available for assistance.)
- **Oral Comments Via Zoom:** The Mayor will announce when public comments may be made for a limit of 3 minutes on the agenda item being considered, at which time you will:
(please make sure the volume on your video device or any nearby device is turned down.)
 - **Using a computer** – click on the “raise hand” feature in the webinar controls. This will alert staff that you wish to speak, and you will be unmuted.
 - **Using a Phone** – press *9 to “raise the hand”. This will alert staff that you wish to speak, and you will be unmuted.

Teleconference Phone Number (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.

JOIN THE MEETING VIA ZOOM PLATFORM

- Join by this link: <https://us02web.zoom.us/j/82378105091>
- Join by accessing website: <https://zoom.us/join>, enter **Webinar ID: 823 7810 5091**
- Join by telephone: **1 669 900 9128 or 1 346 248 7799, plus Webinar ID**

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

SPECIAL RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.1

SECTION 5: PUBLIC HEARING

Meeting Date:	November 3, 2021
Subject:	1 st Public Hearing – Redistricting Process for Riverbank’s Four (4) Councilmember District Boundaries
From:	Sean Scully, City Manager
Submitted by:	Annabelle H. Aguilar, City Clerk/Elections Official

RECOMMENDATION

It is recommended that the City Council receive the introductory redistricting process information presented by National Demographics Corporation (NDC) Consultant Doug Yoakam, and thereafter conduct the public hearing on this matter.

SUMMARY

Every ten years, cities with by-district election systems must use new census data to review and, if needed, redraw district lines to reflect how local populations have changed. This process, called redistricting, ensures all districts have nearly equal population.

The redistricting process for the City of Riverbank must be completed by April 17, 2022 by passage of an ordinance. The City adopted its current four (4) Councilmember district boundaries in 2015, based on 2010 census data as required by law. The districts must now be redrawn using the 2020 census data, and in compliance with the FAIR MAPS Act, which was adopted by the California legislature as AB 849 and took effect January 1, 2020.

The purpose of this public hearing is to inform the public about the redistricting process and to hear from the community on what factors should be taken into consideration while to change the existing district boundaries. The public is requested to provide input regarding communities of interest and other local factors that should be considered while drafting district maps. Redistricting will determine which neighborhoods and communities are grouped together into a district for the purposes of electing a Councilmember.

The City Council will conduct Public Hearing # 2 on January 4, 2022, to seek additional public input and provide direction on criteria to be considered while drafting district maps. Following that hearing, draft district maps and proposed election sequencing will be posted to the City’s redistricting website at <https://redistrictingriverbank.org/> and available at City Hall. The dates for Public Hearings # 3 (March 8, 2022) and # 4 (March 22, 2022) are scheduled to consider draft maps, and ultimately adopt a map.

NDC was hired to guide the City through the entire redistricting process, to conduct the 2020 Census data analysis for Riverbank, and to present the statistical findings that will determine the City's options of creating maps to consider, and ultimately adoption of a final map that is compliant with the FAIR MAPS Act.

FINANCIAL IMPACT

There is no financial impact to this report.

ATTACHMENT

1. NDC PowerPoint Presentation



City of Riverbank

Introduction to Redistricting

November 3, 2021

Doug Yoakam, Consultant
National Demographics Corporation

Redistricting Process

Step	Description
Census Data Release August 12, 2021	<ul style="list-style-type: none">• Census Bureau releases official 2020 Census population data
California Data Release September 27, 2021	<ul style="list-style-type: none">• California Statewide Database releases California's official 'prisoner-adjusted' 2020 redistricting data
Public Hearing #1 November 3, 2021	<ul style="list-style-type: none">• Held prior to release of draft maps• Educate, solicit input on neighborhoods and Communities of Interest
Public Hearing #2 January 4, 2022	<ul style="list-style-type: none">• Held prior to release of draft maps• Educate, solicit input on neighborhoods and Communities of Interest• Public release of mapping tools

Redistricting Process (continued)

Step	Description
Deadline for Public to Submit Draft Maps February 22, 2022	<ul style="list-style-type: none">• Two weeks prior to first post-draft hearing
Public Hearing #3 March 8, 2022	<ul style="list-style-type: none">• Held after release of draft maps• Educate, solicit input on neighborhoods and Communities of Interest• Discuss, revise draft maps
Public Hearing #4 March 22, 2022	<ul style="list-style-type: none">• Held after release of draft maps• Educate, solicit input on the communities in the Districts• Adopt Final Map
Statutory Deadline April 17, 2022	<ul style="list-style-type: none">• Map must be adopted prior to this date.



Riverbank Adjusted Census Population

Total: 24,933

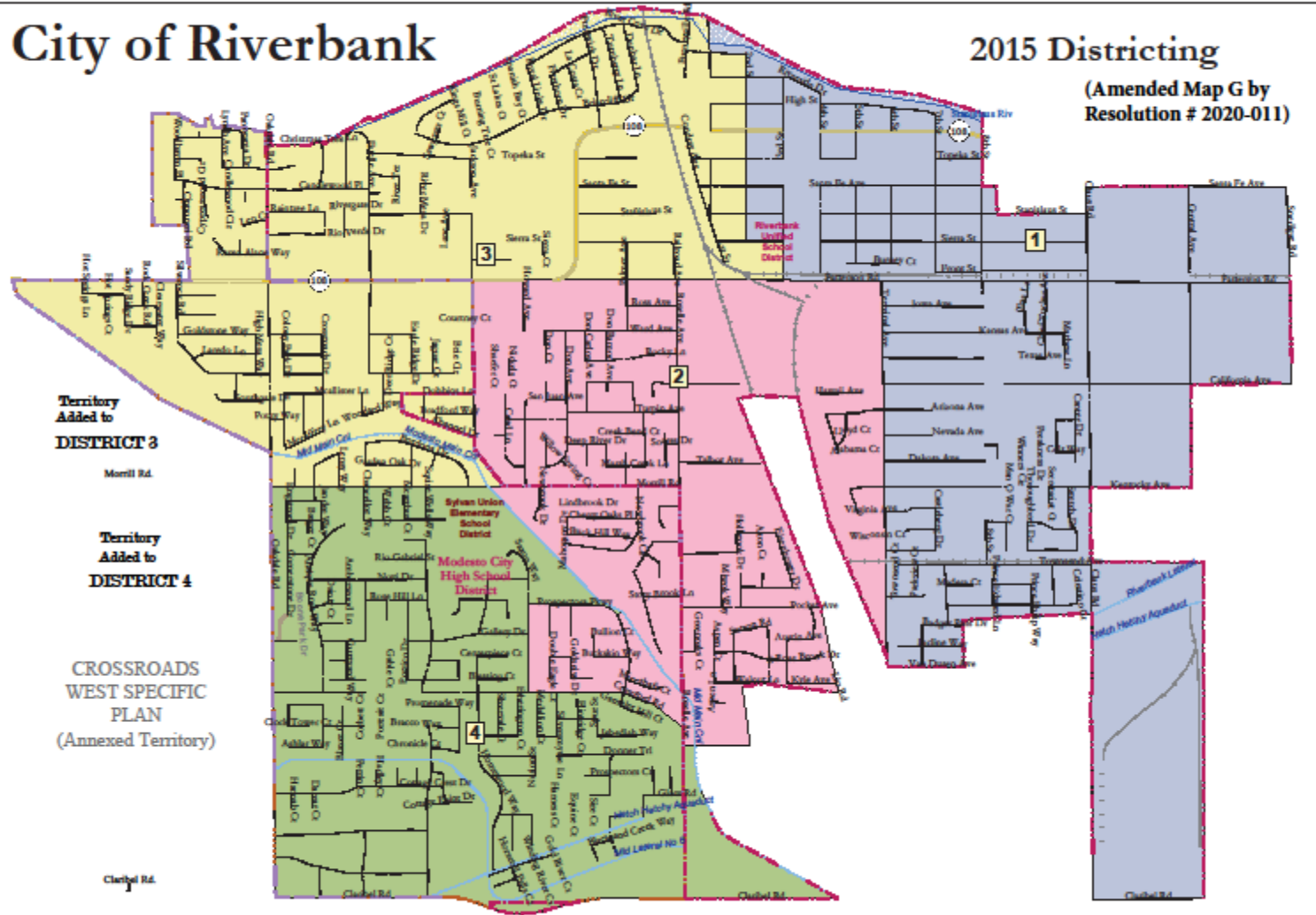
Ideal District population: 6,233
(4 districts)



City of Riverbank

2015 Districting

(Amended Map G by Resolution # 2020-011)



National Demographics Corporation, December 6, 2015

Defining Neighborhoods

1st Question: What are the attributes or characteristics of your neighborhood?

2nd Question: What are its geographic boundaries?

Examples of physical features defining a neighborhood boundary:

Natural neighborhood dividing lines, such as highway or major roads, rivers, canals and/or hills

Areas around parks or schools

Other neighborhood landmarks

In the absence of public testimony, planning records and other similar documents may provide definition.



Beyond Neighborhoods: Defining Communities of Interest

1st Question: What defines your community?

Geographic Area, plus

Shared issue or characteristic

Shared social or economic interest

Impacted by city policies

Tell us “your community’s story”

2nd Question: Would this community benefit from being “included within a single district for purposes of its effective and fair representation”?

Or would it benefit more from having multiple representatives?

Definitions of Communities of Interest may not include relationships with political parties, incumbents, or political candidates.

Public Mapping and Map Review Tools

Different tools for different purposes

Different tools for different levels of technical skill and interest

Simple “review draft maps” tool

Easy-to-use “Draw your neighborhood” tool (Dave’s Redistricting)

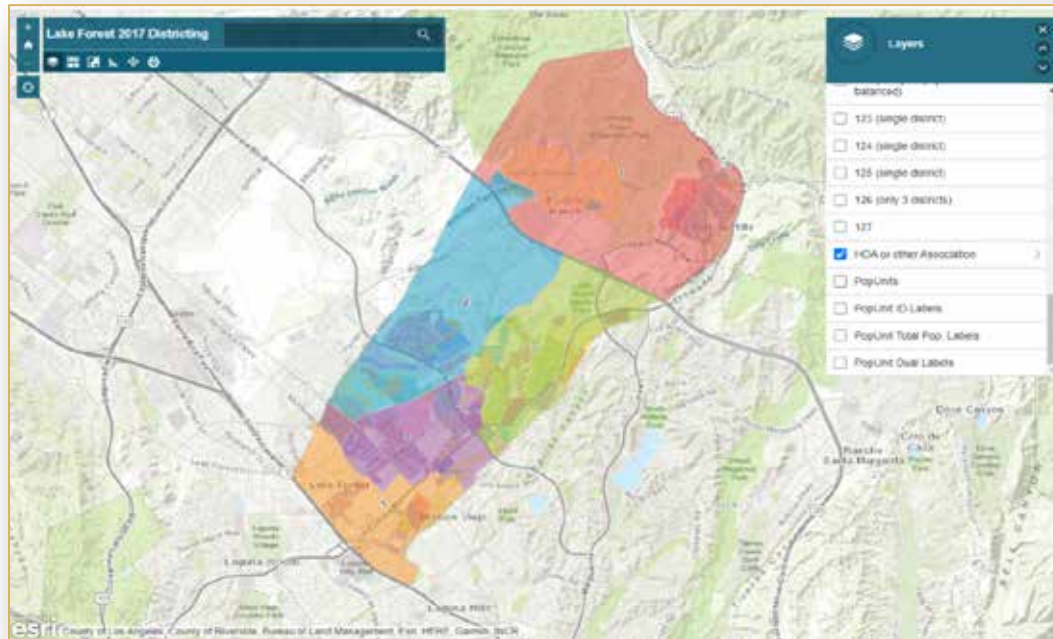
Paper- and Excel-based simple “Draw a draft map” tools

Whether you use the online mapping tool, Excel, the paper kit, or just draw on a napkin, we welcome your maps!

Simple Map Review Tool

Online Interactive Review Map

ESRI's "ArcGIS Online" – similar to Google Maps in ease of use
Used to review, analyze and compare maps, not to create them

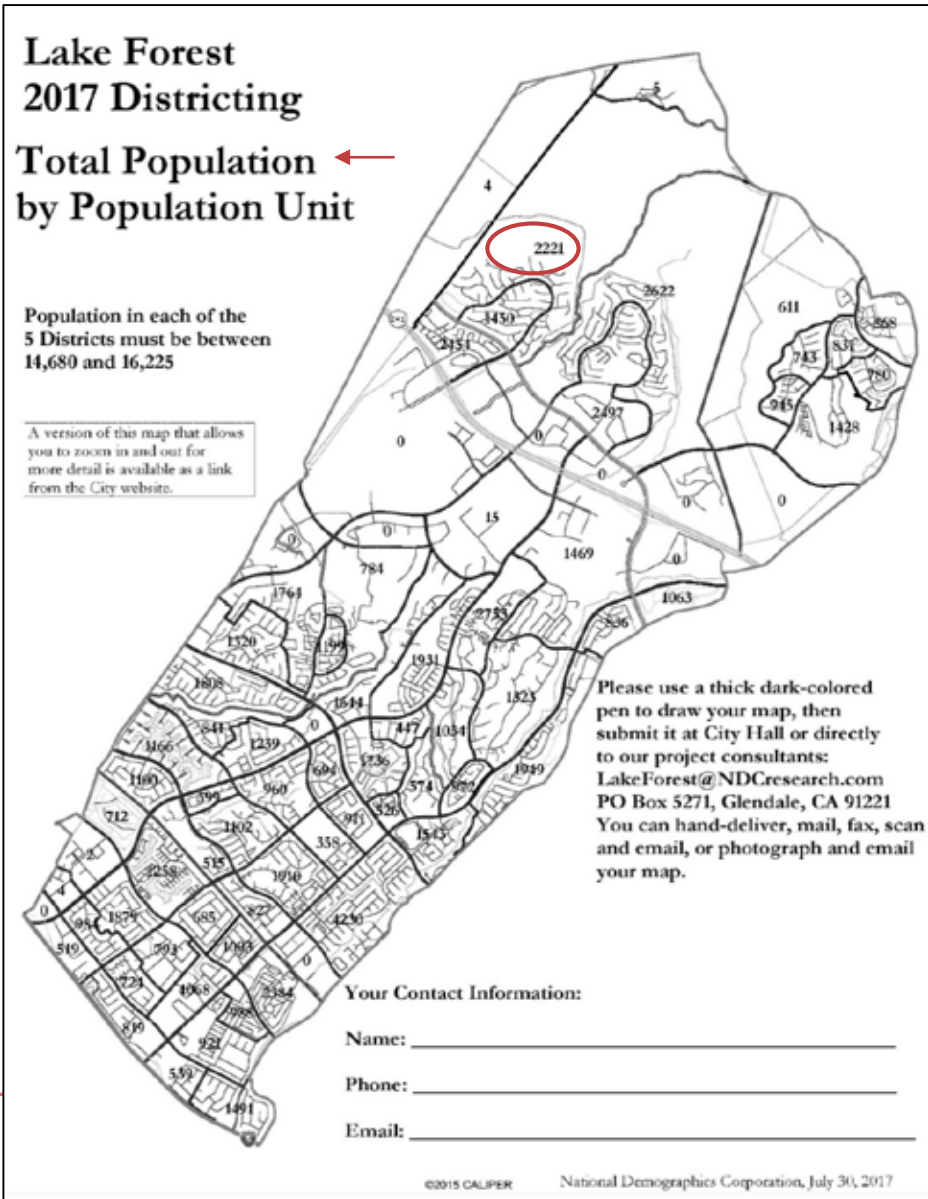


Simple Map Drawing Tool

Paper “Public Participation Kit”

For those without internet access
or who prefer paper

Total Population Counts only –
no demographic numbers



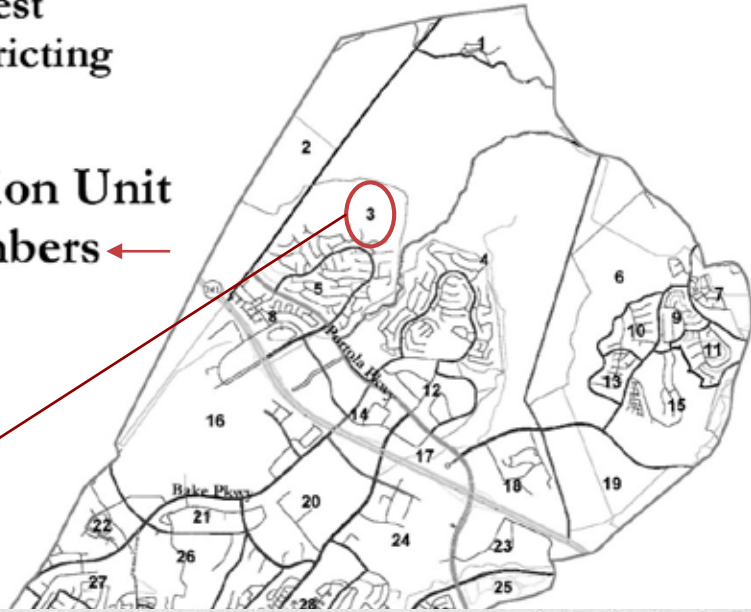
Simple Map Drawing Tool + Excel Supplement

“Public Participation Kit”

For those who know Excel and do not wish to use online tools
 Adds CVAP data
 Excel does the math

Lake Forest
 2017 Districting

Population Unit
 ID Numbers ←



AutoSave OFF Lake Forest 5-district Kit_ENG.xlsx

File Home Insert Page Layout Formulas Data Review View Help Acrobat

Clipboard Font Alignment Number

District	Unit	Pop	Total Population				Young Age Population				Grain Young Age Population				Net 2014 Registration						
		Tot. Pop.	His	Blk	NH Asv	total	His	Wh	Blk	Asv	net	His	Wh	Blk	Asv	net	Isson	as	RI	net	
1	1	1,216	44	557	15	873	397	442	12	831	390	441	0	0	574	195	7	3	245	63	
2	2	2,367	28	1,043	43	96	1,784	741	889	74	1,915	730	1,140	0	45	1,299	435	14	7	955	140
5	5	1,643	38	378	42	25	1,056	741	236	15	400	235	145	0	20	505	266	3	4	161	73
6	6	1,753	734	855	62	84	1,272	464	685	62	1,231	461	639	19	111	1,022	366	11	11	391	89
7	7	2,001	209	1,855	14	79	1,639	144	1,392	64	1,311	88	1,337	12	38	1,776	148	46	7	1,089	67
8	8	612	56	499	4	39	517	37	440	26	471	22	425	3	15	525	39	15	2	337	18

Sheet for District Assigned 16ed population: 11,214

City of San Bernardino 2017 Public Participation Kit

enter your name here

Group	Category	Counts								Percentages								Unassigned	Total
		1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8		
Total Population	Total	11,214	11,214	11,214	11,214	11,214	11,214	11,214	11,214	100%	100%	100%	100%	100%	100%	100%	100%		11,214
Total Population	Hispanic	44	28	38	734	557	15	873	397	0.4%	0.2%	0.3%	6.5%	4.9%	0.1%	7.8%	3.5%		1,643
	White	0	0	0	0	0	0	0	0	0%	0%	0%	0%	0%	0%	0%	0%		0
	Black	0	0	0	0	0	0	0	0	0%	0%	0%	0%	0%	0%	0%	0%		0

Submitter's Comments about the plan:

Your own mapping software?

Feel free to submit using your own mapping software:

- 1) A GIS Shapefile and/or a Census Block equivalency file (w/2020 Census Blocks);
- 2) A description of the choices and key points of your map; and,
- 3) Send to the City of Ceres redistricting email address:
city.clerk@ci.ceres.ca.us

Public Comments and Questions

SPECIAL RIVERBANK CITY COUNCIL AGENDA ITEM NO. 7.1

SECTION 7: NEW BUSINESS (EMERGENCY)

Meeting Date: November 3, 2021

Subject/ Title: An **Emergency** Situation has come to the Attention of the City Subsequent to the Special Agenda being Posted 24 Hours before the Special City Council Meeting on November 9, 2021, that Requires Immediate Action by City Council, which has Created Work Stoppage and Severely Impairs Public Safety Provided by the Stanislaus Consolidated Fire Protection District's Local Fire Station due to Blockage of the Station's Access

A **Resolution** to Address an Emergency Situation and to Approve the Appropriation of Additional Funds to the Topeka Street Improvement Project Between 3rd And 5th Streets Due to Unforeseen Conditions

From: Sean Scully, City Manager

Submitted by: Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION

It is recommended that City Council:

1. First determine, by a majority vote, that that an emergency situation exists that requires your immediate attention and which created work stoppage and severely impairs public safety; and
2. Receive the staff report presentation; and
3. Consider adoption of the proposed resolution by a 2/3 vote of the Members present.

SUMMARY

On July 27, 2021 the City Council awarded George Reed, Inc. a contract to complete the construction of the Topeka Street Improvement Project between 3rd and 5th Streets. George Reed has completed the ADA curb ramps for this project and removed the existing pavement. Ever since the pavement was removed the project has experienced



November 2, 2021
Kleinfelder Project No. 20222436.001A

Mr. William Kull, PE
Giuliani & Kull, Inc.
440 South Yosemite Avenue
Oakdale, CA 95361

**Subject: Subgrade Stabilization Recommendations
Topeka Street Reconstruction
City of Riverbank
Stanislaus County, California**

Dear Mr. Kull:

Introduction

Kleinfelder is pleased to present this geotechnical recommendation letter for stabilization of subgrade soils to support the Topeka Street Reconstruction Project located in the City of Riverbank in Stanislaus County, California. The project site is located along Topeka Street between 3rd and 5th within the limits of the City of Riverbank. Specifically, we have included in this recommendation letter for chemically treating soils at the site to mitigate unstable subgrades for the purpose of roadway reconstruction.

Project Understanding and Site Observations

We understand the project includes the removal of existing pavement sections (aggregate base and asphalt concrete) and exposure of underlying subgrade soils. The intent of the reconstruction is to re-work the underlying subgrade soils and build back new pavement sections to meet current traffic demands. The area along the roadway consists of mixed-use light commercial and residential. Accordingly, a traffic index of 7 is being used for design. However, the design pavement section is unknown to us.

An inspector from our office visited the site on October 28, 2021 to observe the subgrade soil conditions. At the time of our site visit the subgrade soils were covered with approximately 7 inches of aggregate base and consisted of generally silty and clayey sands to sandy silts and clays. The soils were observed to be at grade but unstable as evidenced by probing to depths of between two and four feet.

Conclusions and Recommendations

Based on the results of our site observations, the subgrade soil can be stabilized by mixing it with cement (cement treatment). This procedure acts as a cementing agent, increasing the strength and decreasing the flexibility of the subgrade soil. During or following rainfall, cement-treated soil also tends to remain reasonably stable, thus providing a firm, accessible working platform for construction. It should be noted that cement increases the pH of the soil and does not promote

plant growth. Accordingly, treatment should not be performed in landscape areas or the cement-treated soils should be completely removed and replaced prior to planting.

A disadvantage of cement stabilized subgrade beneath roadways is possible disruption during the placement of underground utility lines. If numerous underground lines are placed after treatment, the benefit of cement stabilization is reduced. As an option, utility trenches excavated through cement treated soils can be backfilled within the cement treated section with a control density fill or low strength material with a minimum compressive strength of 200 psi.

The cement treatment procedure consists of mixing the upper 18 inches of subgrade soils within the roadway areas with Portland cement and compacting the soil as engineered fill. The upper 12 inches of the mixed materials should be compacted to 95 percent relative compaction with the underlying materials compacted to 90 percent relative compaction. The zone of cement-treated soil should extend laterally at least 3 feet beyond the perimeter of the roadway. Based on experience with similar materials within the site vicinity, we recommend an application rate of 6½ percent Portland cement by dry weight of soil with an assumed dry unit weight of 115 pcf.

The subgrade preparation, spreading, and mixing should meet the requirements of Section 24 of the Caltrans Standard Specifications. While the compaction requirements for cement treated soil and cement type should meet the requirements outlined in Section 27 of the Caltrans Standard Specifications. At least two to three days prior to spreading or mixing the cement, the moisture content of the underlying, untreated subgrade soil should be checked. If the soil moisture content is found to be dry of optimum, the soil moisture content should be raised using liberal sprinkling, flooding or another suitable method.

Following cement treatment, the treated soil should be properly cured by continual sprinkling with water to keep the surface damp, combined with light rolling to keep the surface knitted together. The subgrade soils should be covered with at least two inches of Class 2 aggregate base within two to three days of cement treatment in an effort to reduce drying. Periodic sprinkling is still required to keep the surface damp. As an alternative, the treated soil could be cured as discussed in Section 24 of the Caltrans Standard Specifications.

Although cement treatment has performed well for hundreds of developments in the general project area, isolated problems have occasionally occurred due to a lack of quality control during construction and/or inadequate curing following treatment. Accordingly, these factors are considered critically important. Prior to earthwork operations, our firm should review the cement contractor's proposed treatment procedures. Also, a representative from our firm should be on-site during treatment operations to document spreading, mixing and compaction operations and provide supplemental/revised recommendations, if warranted, based on the soil conditions observed.

Limitations

This work was performed in a manner consistent with that level of care and skill ordinarily exercised by other members of Kleinfelder's profession practicing in the same locality, under similar conditions and at the date the services are provided. The conclusions, opinions and recommendations are based on a limited number of observations and data. It is possible that conditions could vary between or beyond the data evaluated. Kleinfelder makes no other representation, guarantee or warranty, express or implied, regarding the services, communication (oral or written), report, opinion, or instrument of service provided.

Closing

We trust this letter presents the information requested. The limitations discussed in the referenced report also apply to the recommendations contained in this letter. If you need any further assistance, please contact our office.

Respectfully,

KLEINFELDER, INC.

Reviewed by:



Steven Wiesner, PE, GE No. 3027
Principal Geotechnical Engineer

A handwritten signature in blue ink, appearing to read "Rob Hill".

Rob Hill
Project Manager

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO ADDRESS AN EMERGENCY SITUATION AND TO APPROVE THE APPROPRIATION OF ADDITIONAL FUNDS TO THE TOPEKA STREET IMPROVEMENT PROJECT BETWEEN 3RD AND 5TH STREETS DUE TO UNFORESEEN CONDITIONS

WHEREAS, an emergency situation now exists since the street improvements project between 3rd and 5th streets as stopped and access to and from the Stanislaus Consolidated Protection District's Fire Station has been compromised due to the condition of the road; and

WHEREAS, on July 27, 2021 the City Council awarded George Reed, Inc. a contract to complete the construction of the Topeka Street Improvement Project between 3rd and 5th Streets; and

WHEREAS, after pavement was removed the project has experienced continued subgrade stabilization issues; and

WHEREAS, due to early fall storms, cooler weather, and reduced sunlight the soils have not been able to dry out and stabilize; and

WHEREAS, the recommendation was to add cement to the subgrade to absorb the excess water and form a strong concrete base; and

WHEREAS, the additional appropriation of funds to complete the project are needed due to the unforeseen conditions of the subgrade stabilization in the road.; and

WHEREAS, the additional SB 1 funds needed to resolve the stabilization problem and complete the project is estimated at \$125,088.00.

WHEREAS, City Council approve the additional appropriation of funds to the Topeka Street Improvement Project between 3rd and 5th Streets; and

NOW, THEREFORE, be it resolved that the City Council of the City of Riverbank hereby authorizes the appropriation of additional funds to the Topeka Street improvement project between 3rd and 5th streets due to unforeseen conditions of the subgrade stabilization in the road, which ultimately has an impact to public safety.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 3rd day of November, 2021; 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:

**Annabelle H. Aguilar, CMC
City Clerk**

**Richard D. O'Brien
Mayor**

PROPOSED