



SPECIAL RIVERBANK CITY COUNCIL MEETING

Tuesday, March 18, 2020 AT 6:00 P.M.

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER N-25-20, ISSUED ON MARCH 12, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

This meeting will be held at its regular location, City Hall Council Chambers 6707 Third Street, Riverbank, CA

In an effort to control the spread of covid-19, the City will impose social distancing measures for all individuals present, and require individuals to maintain at least six (6) feet of distance from others present. This means very limited seating will be available. Once capacity is met, no more people can be allowed to enter for health and safety purposes.

All meetings are open to the public but in keeping with recommendations of public health officials for the COVID-19 safety measures, the City of Riverbank strongly encourages remote participation via alternative means of access.

OTHER MEANS OF ACCESS FOR PUBLIC VIEWING ARE:

Government Televised Channel – Charter Channel 2

Government Televised Channel – AT&T Uverse Channel 99

PUBLIC COMMENTS/PARTICIPATION TO ITEMS OF CONSIDERATION:

Via Email: Written public comments will be received via email before and during the time the item being considered is open for comments by the Mayor. Please follow the following protocol:

- Emails Before the meeting: Send comments via email to cityclerk@riverbank.org and they will be provided to the Council for consideration and made part of the record.
- During the time the Mayor opens the Item: Send comments to cityclerk@riverbank.org when announced to do so.
- In the **subject line, indicate the Item #** that you are commenting on to help identify your comment.
- Every effort will be made to read all comments up to (5) minutes, but this allotted time may be reduced, and some comments may not be read due to time limits.

- The time allotted and the number of emails read will be at the discretion of the Mayor. All comments received will be made part of the City's record.
- Emails to agenda Items received after the Mayor has closed the comment period for that Item or has moved on to another Item of Business will not be included in the record.

Public comment via phone call: Calls will be received only during the time the Mayor opens the hearing or opens the item for comments. You may [call \(209\) 863-7172](tel:2098637172). (One call at a time will be received).

The normal allotment of (5) minutes for comments will be allowed; however, this remains at the discretion of the Mayor due to the new process of comments.

The video recording of this meeting is usually posted on YouTube within 24 hours of the meeting (if there are no technical difficulties).

Go to <http://www.riverbank.org/agendacenter>

THE MAYOR HAS THE RIGHT TO STOP ANY UNCIVIL DECORUM.

For questions contact Annabelle Aguilar, City Clerk at aaguilar@riverbank.org or (209) 863-7198, before 5:00 p.m. on Tuesday, March 18, 2020.



NOTICE AND CALL OF A
CITY OF RIVERBANK
SPECIAL CITY COUNCIL MEETING
City Hall North • Council Chambers
6707 Third Street • Suite B • Riverbank • CA • 95367



AGENDA

WEDNESDAY, MARCH 18, 2019 AT 6:00 P.M.

(The agenda packet is posted at the City Clerk's office and at www.riverbank.org)

<u>CALL TO ORDER</u>	Mayor Richard D. O'Brien
<u>FLAG SALUTE</u>	Mayor Richard D. O'Brien
<u>ROLL CALL</u>	Mayor Richard D. O'Brien Vice Mayor Luis Uribe (CM-D1) Councilmember District 2 Cindy Fosi Councilmember District 3 Cal Campbell Councilmember District 4 Darlene-Barber Martinez

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.

1. PUBLIC BUSINESS FROM THE FLOOR (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 notice. Individual comments are limited to a **maximum of 5 minutes** per person and each person may speak once during this time. Time cannot be yielded to another person.

Written public comments will be received via email before and during the time the item being considered is open for comments by the Mayor.

Email cityclerk@riverbank.org and indicate Item Number in the subject line.

Public comment via phone call will be received only during the time the Mayor opens the hearing or opens the item for comments.

You may call (209) 863-7172. (One call at a time may be received).

If you are unable to get through via phone, please email.

2. BUSINESS

Item 2.1: **Adoption of Resolution No. 2020-009 of the City Council of the City of Riverbank, California, Ratifying the Assistant Director of Emergency Services Proclamation of Existence of a Local Emergency** – It is recommended that the City Council adopt a resolution ratifying the Assistant Director of Emergency Services proclamation of Existence of a Local Emergency signed on March 16, 2020.

Item 2.2: **General Local Public Health COVID-19 Update** – It is recommended that the City Council receive an update, discuss the matter, and provide any direction to staff as deemed necessary.

ADJOURNMENT

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 least 24 hours prior to the meeting in accordance to the Brown Act.

Posted this 17th day of March, 2020

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

Notice Regarding Americans with Disabilities Act: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (209) 863-7122 or cityclerk@riverbank.org. Notification of (72) hours before the meeting will enable the City to make reasonable arrangements to ensure any special needs are met. [28 CFR 35.102-35.104 ADA Title II].

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.

Meeting Schedule	<p><u>Regular City Council Meetings:</u> 6:00 p.m. on the 2nd and 4th Tuesday of every month, unless otherwise noticed.</p> <p><u>Local Redevelopment Authority Board:</u> (The City Council also serves as the LRA Board.) Meets on an "as needed" basis. The City Council also serves as the LRA Board.</p>
City Council / LRA Agenda & Reports	<p>The City Council/LRA Board agenda is posted pursuant to the California Brown Act, which only requires these agenda title pages to be posted near the entrance of the location where the meeting is to be held and, when available, on the City's website. Additional documents may be provided by the City in its efforts of transparency to keep the public well informed. The agenda packet (agenda plus supporting documents) are posted for public review at the City Clerk's Office, 6707 Third Street, Riverbank, CA and at www.riverbank.org upon distribution to a majority of the City Council/LRA Board. A subscription to receive the agenda can be purchased for a nominal fee through the City Clerk's Office.</p>
Public Hearings	<p>In general, a public hearing is an open consideration within a regular meeting of the City Council/LRA Board, for which special notice has been given. During a specified portion of the hearing, any interested party is invited to present written or oral protests or support for the subject matter under consideration. Written testimony sent or delivered to the City Clerk must be received no later than <u>5:00 p.m. on the day of the meeting</u> to allow for their distribution to the City Council/LRA Board. Preparations for the meeting are conducted between 5:00 p.m. and 6:00 p.m. and therefore the City Clerk is not available during this time.</p>
Written Public Comments	<p>Anyone wishing to provide written public comments may do so prior to 5:00 p.m. of the day of the meeting to allow for distribution to the City Council. Comments must specify what agenda item they are referring to. Comments will become part of the record, however, they will not be read aloud at the meeting. (Subject to change due to COVID-19 Measures.)</p>
Televised / Video of Meetings	<ul style="list-style-type: none"> • Charter – Channel 2 • AT&T Uverse – Channel 99 • www.riverbank.org – video icon – under Agendas and Minutes link
City Hall Hours	<p>City Hall is open Monday – Thursday; 7:30 am – 5:30 pm and Fridays: 8:00 am – 5:00 pm; CLOSED alternating Fridays</p>
Questions	<p>Contact the City Clerk at (209) 863-7122 or aguilar@riverbank.org</p>

SPECIAL RIVERBANK CITY COUNCIL AGENDA ITEM NO. 2.1

SECTION 2: BUSINESS

Meeting Date:	March 18, 2020
Subject:	Adoption of Resolution No. 2020-009 of the City Council of the City of Riverbank, California, Ratifying the Assistant Director of Emergency Services Proclamation of Existence of a Local Emergency
From:	Sean Scully, City Manager
Submitted by:	Marisela H. Garcia, Assistant City Manager/Director of Finance

RECOMMENDATION

It is recommended that the City Council adopt a resolution ratifying the Assistant Director of Emergency Services proclamation of Existence of a Local Emergency signed on March 16, 2020.

SUMMARY

A novel coronavirus ("COVID-19") was first detected in Wuhan City, Hubei Province, China in December 2019. Symptoms of COVID-19, an infectious disease caused by the novel coronavirus, include fever, cough, and shortness of breath; outcomes have ranged from mild to severe illness, and in some cases, death. On March 11, 2020, the World Health Organization ("WHO") officially classified COVID-19 as a pandemic.

On January 31, 2020, the United States Health and Human Services Secretary Alex Azar declared a public emergency for COVID-19 beginning on January 27, 2020. On March 4, 2020, the Governor of the State of California, declared a state of emergency in the State of California (the "State") due to the number of confirmed cases of COVID-19 in the State. On March 13, 2020, the President of the United States, declared a national emergency in response to the rapid spread of COVID-19 across the Country.

BACKGROUND

The transmission of COVID-19 has occurred at an accelerated pace since its introduction into the United States just weeks ago. With the rate of transmission only increasing, it is imperative that local jurisdictions do everything in their power to prepare for, respond to, mitigate, and recover from COVID-19.

Section 37.13 of the Riverbank Municipal Code empowers the Assistant Director of Emergency Services [the “Assistant Director”] to proclaim the existence or threatened existence of a local emergency in the City of Riverbank (the “City”) if the City Council is not in session, subject to ratification by the City Council within seven (7) days.

On March 16, 2020, the Assistant Director issued a Proclamation of Existence of a Local Emergency. Proclaiming a local emergency is a prerequisite for requesting and receiving any available federal or state funding. By declaring a local emergency, the City can obtain additional resources, establish an immediate plan, and respond quickly to urgent situations. This will minimize disruptions and allow the City to focus on day-to-day operations while addressing the spread of CODIV-19 as effectively and efficiently as possible.

The local emergency declaration will enable the City to request any available funding from the California Disaster Assistance Act, the Small Business Administration, or any other funding available as a result of this proclamation of local emergency.

Based on the information contained herein, staff recommends that the City Council adopt the Resolution.

STRATEGIC PLAN

This report is directly related to the City Council’s Strategic Plan Goals to:

1. Ensure Financial Stability, and
2. Improve Public Safety

FINANCIAL IMPACT

Adoption of the Resolution ratifying the Proclamation of the Existence of a Local Emergency will allow the City to be eligible for State and federal funds. Both the State and federal government set aside money specifically for local emergencies. Under section 8685 of the Government Code, a local emergency must be declared in order to obtain monetary relief from both State and federal agencies.

ATTACHMENT

1. Resolution No. 2020-009
2. Proclamation

CITY OF RIVERBANK

RESOLUTION NO. 2020-009

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, RATIFYING THE ASSISTANT DIRECTOR OF EMERGENCY
SERVICES PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, Section 37.13 Powers and Duties of Director and Assistant Director of Emergency Services of the Riverbank Municipal Code empowers the City of Riverbank (the “City”) Director and Assistant Director of Emergency to proclaim a local emergency if the City Council is not in session, subject to ratification by the City Council within seven (7) days; and

WHEREAS, conditions or threatened conditions caused by the novel coronavirus (“COVID-19”) including, but not limited to, potential isolation and quarantines of residents, employees, businesses, and public safety workers, give rise to conditions of extreme peril to the safety of persons and property within the City; and

WHEREAS, on March 16, 2020 the Assistant Director of Emergency Services proclaimed the existence of a local emergency in the City based on conditions or threatened conditions caused by COVID-19; and

WHEREAS, Government Code section 8630 generally requires the City Council to review the need for continuing the local emergency at least once every sixty (60) days, but as part of Governor Gavin Newsom’s March 4, 2020 Declaration of a State of Emergency in California due to COVID-19, this provision has been waived for the duration of the statewide emergency, allowing the City to maintain the local health emergency until terminated by the City Council; and

WHEREAS, the City Council does hereby find that conditions or threatened conditions caused by COVID-19 did warrant and necessitate the proclamation of the existence of a local emergency in the City, and that COVID-19 continues to present conditions of extreme peril to the safety of persons and property within the City.

NOW, THEREFORE, BE IT RESOLVED, that the City of Riverbank City Council does hereby declare as follows:

1. Pursuant to Government Code section 8630, the Proclamation of Existence of a Local Emergency issued by the Assistant Director of Emergency Services on March 16, 2020, is hereby ratified.

2. The City may request any available funding from the California Disaster Assistance Act, the Small Business Administration, or any other funding available as a result of this proclamation of a local emergency.
3. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a special meeting held on the 18th day of March, 2020; 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

Attachment: Copy of Proclamation

Proclamation of the Existence of a Local Emergency

By the Assistant Director of Emergency Services

WHEREAS, Section 37.13 *Powers and Duties of Director and Assistant Director of Emergency Services* of the Riverbank Municipal Code empowers the Assistant Director of Emergency Services to proclaim the existence or threatened existence of a local emergency in the City of Riverbank (the "City") if the City Council is not in session, subject to ratification by the City Council within seven (7) days.

WHEREAS, the Centers for Disease Control and Prevention (the "C.D.C.") considers the novel coronavirus ("COVID-19") to be a very serious public health threat with outcomes ranging from mild sickness to severe illness and death; and

WHEREAS, COVID-19 is easily transmissible from person to person and has spread globally to approximately one hundred eighteen (118) countries infected more than one hundred twenty-five thousand (125,000) people, and killed more than four thousand (4,000) people as of March 12, 2020, according to the World Health Organization (the "WHO"); and

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services Secretary declared a public emergency for COVID-19 beginning on January 27, 2020; and

WHEREAS, on March 4, 2020, the Governor of the State of California (the "Governor"), declared a state of emergency in the State of California (the "State") due to the number of confirmed cases of COVID-19 in the State; and

WHEREAS, on March 11, 2020, the WHO characterized COVID-19 as a pandemic; and

WHEREAS, on March 11, 2020, the Governor announced that State public health officials have determined that gatherings of more than two hundred fifty (250) people should be postponed or canceled across the State until at least the end of March; and

WHEREAS, as of March 12, 2020, there are two (2) cases of COVID-19 in the County of Stanislaus (the "County"), including an assumed case of community transmission; and

WHEREAS, on March 12, 2020, the County Health Officer issued a Countywide moratorium on mass gatherings of one thousand (1,000) or more persons until March 31, 2020 to mitigate the spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency due to COVID-19; and

WHEREAS, the health, safety, and welfare of City residents, businesses, visitors, and staff are of utmost importance to the City, and additional future measures may be needed to protect the community; and

WHEREAS, declaring a local emergency allows additional resources to flow into the City in a timely fashion; and

WHEREAS, existing conditions related to COVID-19 constitute an emergency as defined in Riverbank Municipal Code Section 37.02; and


WHEREAS, The Assistant Director of Emergency Services of the City of Riverbank hereby finds that:

- The efforts required to prepare for, respond to, mitigate, and recover from the increasing spread of COVID-19 have imposed, and will continue to impose, extraordinary requirements and expenses on the City, requiring diversion from day-to-day operations;
- In addition to the above facts, conditions or threatened conditions caused by COVID-19 including, but not limited to, potential isolation and quarantines of residents, employees, businesses, and public safety workers, give rise to conditions of extreme peril to the safety of persons and property within the City;
- These conditions are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City; and
- At the time of this proclamation, the City Council is not in session, and cannot be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City due to COVID-19.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of the local emergency, the powers functions and duties of the Assistant Director of Emergency Services and the emergency organization of the City shall be those prescribed by State law, the ordinances and resolutions of the City, and the City of Riverbank Emergency Plan.

IT IS FURTHER PROCLAIMED AND ORDERED that the local emergency shall expire unless ratified by the City Council within 7 days of this proclamation.



Marisela H. Garcia,
Assistant Director of Emergency Services

Dated: 03/16/2020

SPECIAL RIVERBANK CITY COUNCIL AGENDA ITEM NO. 2.2

SECTION 2: BUSINESS

Meeting Date:	March 18, 2020
Subject:	General Local Public Health COVID-19 Update
Submitted by:	Sean Scully, City Manager

RECOMMENDATION

It is recommended that the City Council receive an update, discuss the matter, and provide any direction to staff as deemed necessary.

SUMMARY

As Council is aware, the spread of the COVID-19 virus has reached Stanislaus County. At the time this staff report was published there were three (3) confirmed cases within Stanislaus County. The local Emergency Operations Center (EOC) has been activated and moved to level 1 response (7 day a week coverage). Staff has participated in updates and information sharing with the EOC, Stanislaus County and all 9 Stanislaus Cities. Staff have worked to create a response plan to limit public access to City offices as well as cancelling many different routine classes and events. On Monday March 16th Management authorized closure of City offices to the public effective 12:00 Noon, that order will remain in place through Friday the 20th. Management will reevaluate ongoing closure after discussion at the Special City Council meeting. Staff will provide a more comprehensive update at the time of the meeting regarding city services, utility billing, public safety and operational schedules moving forward.

FINANCIAL IMPACT

Unknown at this time.