CITY OF RIVERBANK

CITY COUNCIL MEETING

City Hall Council Chambers

6707 Third Street • Riverbank • CA 95367

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AGENDA

MONDAY, OCTOBER 8, 2012 – 12:00 P.M.

CALL TO ORDER: Mayor Virginia Madueño

FLAG SALUTE: Mayor Virginia Madueño

INVOCATION: Riverbank Ministerial Association

ROLL CALL: Mayor Virginia Madueño
Vice Mayor Dotty Nygard
Councilmember Richard O'Brien
Councilmember Jeanine Tucker
Councilmember Jesse James White

CONFLICT OF INTEREST
Declaration by Council Members and Staff who would have a direct Conflict of Interest on any scheduled agenda item to be considered.

1. PRESENTATIONS

There are no presentations.

2. 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. Individual comments will be 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. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the City Council. The public will be invited to make comments on agenda items when the item comes up for Council consideration. For Closed Session items, the public will be invited to make comments before the meeting is recessed to Closed Session. For record purposes, you must step up to the podium, state your name, and speak into the microphone when addressing the City Council.

3. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

Item 3.A: Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.

Item 3.B: Approval of the September 24, 2012, Regular City Council Meeting Minutes.

Item 3.C: Approval of Warrant Registers for 09/20/2012 and 09/27/2012.

Item 3.D: Resolution Authorizing the Disposition of Surplus Property.

Recommendation: It is recommended that City Council approve the Consent Calendar items by roll call vote.

4. UNFINISHED BUSINESS

There are no items for consideration.

5. PUBLIC HEARINGS

Item 5.1: **Expenditure of Supplemental Law Enforcement Services Fund** – It is recommended that the City Council approve the expenditure of the Supplemental Law Enforcement Services Funds (SLESF) to offset the cost of a sworn Deputy position. (Legal Public Hearing Notice published in local newspaper on 09/19/2012)

6. NEW BUSINESS

Item 6.1: **Consider the Allocation of Funds for a Development Impact Fee Nexus Study and Approve the Firm of AeCom to Conduct the Study** – It is recommended that the City Council find AeCom uniquely qualified to perform and complete a General Plan Amendment to the Implementation Element that meets the requirements of development impact fee nexus study and allocate $64,224 from the Systems Development Police and General Government account (Fund 210) towards this study.

7. COMMENTS

Item 7.1: Staff Comments: (Information Only – No Action)

Item 7.2: Council Comments: (Information Only – No Action)

Item 7.3: Mayor’s Comments: (Information Only – No Action)

*****RECESS THE CITY COUNCIL MEETING TO THE LOCAL REDEVELOPMENT AUTHORITY MEETING*****

*****RECONVENE THE CITY COUNCIL MEETING*****

ADJOURNMENT

UPCOMING EVENTS:

October	▪ **Parks and Recreation Fall Programs: Various classes and events are scheduled for the fall season. Call 863-7150 or visit www.riverbank.org.**
October 11 (Thursday)	▪ **Riverbank Community Candidates' Forum: Candidates for office will present themselves and answer questions at the Riverbank Community Center from 6:00 – 8:00 pm.**
October 22 (Monday)	▪ **Last day to register to vote: Visit www.stanvote.com for more information or obtain a registration form from the City Clerk's Office.**
Open until filled	▪ **Budget Advisory Committee Vacancy – Interested in serving on the Committee, obtain an application at City Hall South, at www.riverbank.org, or contact Marisela Hernandez, Finance Director, at 863-7110.**
November 6 (Tuesday)	▪ **Consolidated General Municipal Election Day: Polling sites are open from 7:00 a.m. to 8:00 p.m. Visit www.stanvote.com to find your polling place or contact the City Clerk's office.** *Your vote decides Riverbank's future!*

AFFIDAVIT OF POSTING
I hereby certify under penalty of perjury, under the laws of the State of California, that the foregoing agenda was posted on the City Hall bulletin board 72 hours prior to the meeting. Dated this 4th day of October, 2012 Annabelle Aguilar, CMC, Acting City Clerk

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. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [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 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.

General Information: The Riverbank City Council meets in the Council Chambers on the second and fourth Mondays of each month at 6:00 p.m., and at 12:00 Noon for every first meeting of the month of each quarter (January, April, July, and October); unless otherwise noticed.

Council Agendas: The City Council agenda is now available for public review at the City's website at www.riverbank.org and City Clerk's Office, 6707 Third Street, Riverbank, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Public Hearings: In general, a public hearing is an open consideration within a regular meeting of the City Council, for which special notice has been given and may be required. During a specified portion of the hearing, any resident or concerned individual is invited to present protests or offer support for the subject under consideration.

Questions: Contact the City Clerk at (209) 863-7122 or aaguilar@riverbank.org

Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available at the City Clerk's counter at City Hall located at 6707 Third Street, Riverbank, CA

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.A

SECTION 3: CONSENT CALENDAR

Meeting Date:	October 8, 2012
Subject/ Title:	Waiver of Readings
From:	Marisela Hernandez, Finance Director (Acting City Manager)
Submitted by:	Annabelle Aguilar, CMC, Acting City Clerk

RECOMMENDATION:

It is recommended that the City Council approve the waiver of readings of Ordinances and Resolutions, except by title.

SUMMARY:

The approval of the waiver of readings will allow Ordinances and Resolutions to be introduced by title only and acted upon without the need to read the entire text of the item into the public record. The documents related to proposed Ordinances and Resolutions are available for review by the public on the City's website and in the City Clerk's office at City Hall (North).

FINANCIAL IMPACT:

There is no financial impact.

ATTACHMENTS:

There are no attachments to this report.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.B

SECTION 3: CONSENT CALENDAR

Meeting Date:	October 8, 2012
Subject/ Title:	Approval of the September 24, 2012, Regular City Council Minutes
From:	Marisela Hernandez, Finance Director (Acting City Manager)
Submitted by:	Annabelle Aguilar, CMC, Acting City Clerk

RECOMMENDATION:

It is recommended that the City Council approve the Regular City Council Meeting Minutes as presented.

SUMMARY:

The Draft Minutes of the September 24, 2012, regular City Council meeting have been prepared for the City Council's review and approval.

FINANCIAL IMPACT:

There is no financial impact.

ATTACHMENT:

1. September 24, 2012, Minutes

CITY OF RIVERBANK
CITY COUNCIL
MINUTES
MONDAY, SEPTEMBER 24, 2012

choose civility

<u>CALL TO ORDER:</u>

The City Council of the City of Riverbank met this date in a regular session at 6:00 p.m. at the Riverbank City Council Chamber, 6707 Third Street, Riverbank, California with Mayor Madueño presiding.

<u>FLAG SALUTE:</u> **Mayor Virginia Madueño**

<u>ROLL CALL:</u>

Present:
Mayor Virginia Madueño
Vice Mayor Dotty Nygard
Councilmember Richard O'Brien
Councilmember Jeanine Tucker

Absent: **Councilmember Jesse James White**

CONFLICT OF INTEREST
Declaration by Council Members and Staff who would have a direct Conflict of Interest on any scheduled agenda item to be considered.

Mayor Madueño stated that she would recuse herself from Closed Session Item 8.2.

<u>1. PRESENTATIONS</u>

<u>Item 1.1:</u> Proclamation Declaring October 1 – 5, 2012 as Rideshare Week.

Mayor Madueño presented the proclamation to Mr. Mike Swearingen Commute Connection.

<u>Item 1.2:</u> Introduction of Debbie Johnson, Founder of Without Permission.

Ms. Debbie Johnson, founder of Without Permission, gave a brief presentation on human trafficking and the mission of her organization.

2. PUBLIC BUSINESS FROM THE FLOOR (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. Individual comments will be 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. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the City Council. The public will be invited to make comments on agenda items when the item comes up for Council consideration. For Closed Session items, the public will be invited to make comments before the meeting is recessed to Closed Session. For record purposes, you must step up to the podium, state your name, and speak into the microphone when addressing the City Council.

Several Project Action Committee students from Cardozo and Mesa Verde Middle Schools spoke in favor of the "Lights On After School" program.

Darlene Barber-Martinez thanked city departments for the quick response to fixing a burnt out street light.

Ramon Bermudez spoke in regards to street lights out on Sierra Street, the lack of City Council members attending the weekly luncheons at the community center, the need of street sign repairs, and spoke in favor of the Sister City event (09/16/12).

Mayor Madueño asked staff to look into the street light issue.

Pamela Floyd, Sister City Committee member, thanked staff for their assistance in making the Sister City Event (on 09/16/12) a success and enjoyable.

Ric McGinnis, Historical Society member, announced the exhibit of pictures was still on display.

3. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

Item 3.A: Waive Readings. All Readings of ordinances and resolutions, except by title, are waived.

Item 3.B: Approval of the September 10, 2012, Regular City Council Meeting Minutes.

Item 3.C: Approval of Warrant Registers for 07/20/2012, 09/06/2012 and 09/13/2012 and Credit Card Statement 08/22/2012.

Recommendation: It is recommended that City Council approve the Consent Calendar items by roll call vote.

ACTION: *By motion (Tucker / Nygard / passed 4-0) to approve Consent Calendar Items 3.A through 3.C as presented; motion carried by unanimous roll call vote.*
ABSENT: Councilmember White

4. UNFINISHED BUSINESS

Item 4.1: **Response to the Findings of the 2012 Stanislaus County Civil Grand Jury** – It is recommended that the City Council review and comment on the attached responses to the 2011-2012 Stanislaus County Civil Grand Jury Report, and authorize approval of the letters, which will be revised as needed to reflect the City Council's direction.

Marisela Hernandez, Director of Finance (Acting City Manager), presented the staff report and PowerPoint presentation; City Council agreed with the responses presented, including the changes as per their requests made on September 10, 2012.

Mayor Madueño requested that the response clearly indicate: 1) in regards to the Grand Jury's indication of "misappropriation" [of funds], that the response clearly defend that no misappropriation occurred due to the funds being used to achieve the same goal as was directed by the original intent; 2) to clarify that the city Finance Director's job description clearly meets and reflects the duties and responsibilities of a Treasurer, which is representative of what the electors of Riverbank voted to have when the Treasurer position became appointive in 1978; and 3) that the City also took extra steps by appointing a city Budget Advisory Committee as another fiscal agent; the City Council members concurred.

ACTION: *By motion (O'Brien / Tucker / passed 4-0;) to approve the City's response to the Stanislaus County Grand Jury as presented, including Mayor Madueño's clarifications; motion carried by unanimous roll call vote.*
ABSENT: Councilmember White

5. PUBLIC HEARINGS

There were items to consider.

6. NEW BUSINESS

Item 6.1: **Award Bid for the Vactor Dump Station and Head Works Changes Project, Authorize to Execute Change Orders and Appropriate Additional Funds** – It is recommended that City Council approve three (3) actions by a summary roll call vote: 1) Award bid to the lowest responsible bidder, Conco West Inc.; 2) Authorize the City Manager to execute Change Orders within total project budget, project and change orders not to exceed $224,539.86; and 3) Appropriate additional funds from the Southwest Sewer Account, Fund #124, in the amount of $66,000.

J.D. Hightower, Director of Development Services, presented the staff report; City Council and Staff discussed the item.

ACTION: *By motion (Nygard / O'Brien / passed 4-0) to approve: 1) Awarding the bid to the lowest responsible bidder, Conco West Inc.; 2) Authorizing the City Manager to execute Change Orders within total project budget, project and change orders not to exceed $224,539.86; and 3) Appropriating additional funds from the Southwest Sewer Account, Fund #124, in the amount of $66,000 as presented; motion carried by roll call vote.*
ABSENT: Councilmember White

Item 6.2: **FY 2011-12 Annual AB 1600 Report of System Development Fee Activity** – It is recommended that the City Council adopt a resolution accepting the fiscal year 2011-12 Annual AB 1600 Report of System Development Fee Activity.

Marisela Hernandez, Director of Finance, presented the staff report and PowerPoint presentation.

The City Council and Staff discussed the item in reference to this report satisfying the Grand Jury's report, Fund 219 for Crossroads homeowner's assessments to build another Police/ Fire Station, and prioritization of projects.

Public Comment:

- *Ms. Leanne Jones Cruz spoke in regards to her understanding of collecting funds for a second fire department [in Crossroads development].*
- *Mr. Ric McGinnis spoke in regards to his understanding of building a second fire station.*

Ms. Hernandez responded that no indication of their understandings was found, but would continue to research it.

7. COMMENTS

Item 7.1: Staff Comments: (Information Only – No Action)

Marisela Hernandez, Director of Finance (Acting City Manager), announced: 1) the nomination period for Man of the Year/Citizen of the year is open until October 26; 2) applications were available to be part of the Christmas parade and craft fair; and 3) the Candidates' Forum is scheduled for Thursday, October 11, from 6:00 - 8:00 at the Community Center.

<u>Item 7.2:</u> Council Comments: (Information Only – No Action)

Councilmember Tucker agreed with Mr. Bermudez in that the Sister City event was a great event, and also as a resident of the Crossroads development, she was not aware of building another fire station.

Councilmember O'Brien, thanked staff for their assistance in having a successful September 11th event honoring Veterans, and stated he enjoyed the Mexican Independence Day event, but was concerned with rogue vendors at the events.

Vice Mayor Nygard spoke in regards to attending the September 11th event, a very memorial day and great tribute to local Veterans; and encouraged everyone to support the "Lights On After School" Program by attending the recognition event.

<u>Item 7.3:</u> Mayor's Comments: (Information Only – No Action)

Mayor Madueño spoke in regards to: 1) the understanding of City Manager Jill Anderson's absence due to a family illness; 2) thanking Staff for coordinating a successful September 11th event; particularly Pam Carder [Interim City Manager] for the arrangement of the plaques, and also Council members for their participation; and 3) in reference to the Sunday event [September 16, Multicultural Event] contrary to what was said, the Downtown businesses thrived because of the event.

MAYOR MADUEÑO ANNOUNCED THE CLOSED SESSION ITEM, STATING SHE WOULD RECUSE HERSELF FROM ITEM 8.2,AND RECESSED TO CLOSED SESSION AT 7:23 P.M.

<u>8. CLOSED SESSION</u>

<u>Item 8.1:</u> **LIABILITY CLAIMS**
Pursuant to Government Code § 54956.95
Claimant: Law Office of Mina L. Ramirez on behalf of Jan Pritchard and Gisele Johnson
Agency claimed against: City of Riverbank

Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code § 54956.9(a)
Name of Case: Andria Allen and Frances Allen v. City of Riverbank
Stanislaus Court Case No. 670739

Recommendation: It is recommended that City Council give direction to Staff on the Closed Session items.

MAYOR MADUEÑO RECOVENED THE CITY COUNCIL MEETING AT 7:39 P.M. AND REPORTED OUT ON ITEM 8.1; VICE MAYOR NYGARD RESPORTED OUT ON ITEM 8.2.

Item 9.1: Report from Closed Session Item 8.1**: LIBILITY CLAIMS**

ACTION: ***Direction was given to deny the claim.***

Item 9.2: Report from Closed Session Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

ACTION: ***Direction was given to Staff.***

ADJOURNMENT

There being no further business, Mayor Madueño adjourned the meeting at 7:40 p.m.

ATTEST:	**APPROVED:**
___________________________	___________________________
Annabelle Aguilar, CMC **Acting City Clerk**	**Virginia Madueño** **Mayor**

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.C

SECTION 3: CONSENT CALENDAR

Meeting Date:	October 8, 2012
Subject/ Title:	Approval of Warrant Registers for 09/20/2012 and 09/27/2012
From:	Marisela Hernandez, Finance Director (Acting City Manager)

RECOMMENDATION

It is recommended that the City Council approve the warrant registers by roll call vote.

SUMMARY

The warrant registers presented to the City Council are a listing of all expenditures paid. Major expenditures presented on the warrant registers include the following:

09/20/2012 Warrant

Vendor	Funding Source	Amount
Best Best & Krieger: Legal Services RE: RDA Successor Agency	General Fund	$92.04
DL White Law Group: Legal Services for Continuing Matters	General Fund	$30,376.06
Richard O'Brien: League Conference Meal Reimbursement	General Fund	$30.00
Sergio Rodriquez: Teen Fest Music	Teen Center Donation Fund	$300.00

09/27/2012 Warrant

Vendor	Funding Source	Amount
Clendenin Bird & Company: Audit Fees for Housing Audit	General Fund	$1,500.00
Dept. of Public Health: Annual Water System Fees	Water Fund	$10,689.71
Gordon B. Ford: FY 2012-13 Housing Authority Property Assessments	General Fund	$21,898.54
Daniel Ramirez: Sister City Event	Sister City Donations	$250.00

FINANCIAL IMPACT

There are reductions in various funds for payments of expenses.

ATTACHMENTS

1. Warrant Registers: 09/20/2012 and 09/27/2012

VENDOR APPROVAL SUMMARY REPORT

Date: 9/20/2012
3:06:33PM

Page: 1

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	Time:	AMOUNT
38207	101-401.000-702.032	101054	ADVANCED INFO SYSTEM	POSTAGE		1,852.90
38207	101-403.000-702.032	101054	ADVANCED INFO SYSTEM	POSTAGE		1,395.22
38207	101-412.000-709.001	101054	ADVANCED INFO SYSTEM	POSTAGE		926.45
38207	102-418.000-702.032	101054	ADVANCED INFO SYSTEM	POSTAGE		926.45
						5,101.02
38208	101-412.000-703.063	22050	ARC	PLANS & SPECS		157.24
						157.24
38209	101-412.000-706.026	99450	ARROWHEAD	BOTTLED WATER		51.25
						51.25
38210	101-404.000-702.033	104568	BEST BEST & KRIEGER LLP	LEGAL SERVICES-RDA		92.04
						92.04
38211	114-000.000-200.171	105047	BICKNELL/KONI MARIE//	DEPOSIT REFUND ALAROSE 2		32.10
						32.10
38212	201-000.000-200.080	100550	BLUE SHIELD OF CALIFORNI	HEALTH INSURANCE		36,075.00
						36,075.00
38213	114-433.000-706.038	103056	CA-NV SECTION AWWA	BACKFLOW CERTIFICATE		200.00
						200.00
38214	137-460.000-706.035	05700	CENTRAL SAN JOAQUIN VAL	WORKER'S COMP. AND LIA		45,416.00
38214	138-461.000-706.035	05700	CENTRAL SAN JOAQUIN VAL	WORKER'S COMP. AND LIA		22,897.00
						68,313.00
38215	114-000.000-200.171	105048	CROSSWHITE/CANDICE//	DEPOSIT REFUND 2712 COAD		46.50
						46.50
38216	101-401.000-702.031	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		212.04
38216	101-402.000-702.031	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		85.30
38216	101-403.000-702.031	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		250.60
38216	101-405.000-702.031	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		7.39
38216	125-448.000-703.025	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		14.00
38216	101-408.000-702.031	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		137.09
38216	101-412.000-702.031	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		0.33
38216	134-459.000-702.031	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		0.04

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	Time:	AMOUNT
38216	197-439.000-702.053	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		1.41
38216	101-403.000-703.025	95220	DE LAGE LANDEN FINANCIA	COPIER LEASE		1.48
						709.68
38217	101-412.000-706.026	22045	DEPARTMENT OF JUSTICE	FINGERPRINT APPS		32.00
38217	101-408.000-706.014	22045	DEPARTMENT OF JUSTICE	FINGERPRINT APPS		32.00
38217	118-441.000-702.032	22045	DEPARTMENT OF JUSTICE	FINGERPRINT APPS		32.00
						96.00
38218	101-404.000-702.033	104609	DL WHITE LAW GROUP	LEGAL SERVICES		30,376.06
						30,376.06
38219	118-441.000-703.030	103578	GALLEGOS/AMY//	BALLET TAP-AUG. SEPT.		438.90
						438.90
38220	175-590.000-706.029	99588	GROVER LANDSCAPE SERV	BUILDING MAINTENANCE		1,000.00
						1,000.00
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		14.47
38221	102-418.000-702.037	100262	HOME DEPOT	BUILDING MAINTENANCE		49.39
38221	114-433.000-702.030	100262	HOME DEPOT	BUILDING MAINTENANCE		22.50
38221	102-418.000-702.037	100262	HOME DEPOT	BUILDING MAINTENANCE		25.42
38221	101-412.000-709.001	100262	HOME DEPOT	BUILDING MAINTENANCE		255.55
38221	101-412.000-709.001	100262	HOME DEPOT	BUILDING MAINTENANCE		386.36
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		30.58
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		98.90
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		17.16
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		84.14
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		21.41
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		62.06
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		169.95
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		20.94
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		170.73
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		763.82
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		366.03
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE		12.85

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	Time: AMOUNT
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE	200.98
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE	236.45
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE	76.46
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE	11.71
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE	241.19
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE	180.33
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE	34.95
38221	106-424.000-706.029	100262	HOME DEPOT	BUILDING MAINTENANCE	104.79
38221	114-433.000-702.030	100262	HOME DEPOT	BUILDING MAINTENANCE	33.77
38221	114-433.000-702.030	100262	HOME DEPOT	BUILDING MAINTENANCE	8.03
					3,700.92
38222	114-000.000-200.171	105049	MASON/GINA//	DEPOSIT REFUND 2230 ALAR	1.28
					1.28
38223	220-590.000-704.021	32627	MID	UTILITIES	159.31
38223	114-433.000-704.021	32627	MID	UTILITIES	3,803.57
38223	220-590.000-704.021	32627	MID	UTILITIES	48.53
38223	114-433.000-704.021	32627	MID	UTILITIES	4,289.44
38223	173-590.000-704.021	32627	MID	UTILITIES	105.17
38223	101-413.000-704.021	32627	MID	UTILITIES	737.93
38223	173-590.000-704.021	32627	MID	UTILITIES	17.11
38223	220-590.000-704.021	32627	MID	UTILITIES	31.76
					9,192.82
38224	134-459.000-703.027	34300	NASCO	RECREATION SUPPLIES	69.43
					69.43
38225	101-401.000-706.037	104106	O'BRIEN/RICHARD//	LCC CONFERENCE REFUND	30.00
					30.00
38226	102-418.000-704.021	100209	PG & E	UTILITIES	77.61
38226	106-424.000-704.021	100209	PG & E	UTILITIES	193.55
38226	101-414.000-704.021	100209	PG & E	UTILITIES	4.43
38226	118-441.000-704.021	100209	PG & E	UTILITIES	340.01
38226	119-442.000-705.041	100209	PG & E	UTILITIES	381.17

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	Time:	AMOUNT
38226	102-418.000-704.021	100209	PG & E	UTILITIES		324.58
38226	114-433.000-704.021	100209	PG & E	UTILITIES		12,514.01
						13,835.36
38227	114-000.000-200.171	105050	REYES/JEREMY//	DEPOSIT REFUND 5707 ROSE		20.02
						20.02
38228	114-000.000-200.171	105051	RICHARDS/DANIELLE//	DEPOSIT REFUND 5318 PERR		13.76
						13.76
38229	196-496.000-707.003	105052	RODREQUEZ/SERGIO//	DJ FOR TEEN FEST EVENT		300.00
						300.00
38230	201-000.000-200.082	1000039	STANISLAUS FOUNDATION	DENTAL LIABILITY		2,095.32
						2,095.32
38231	114-433.000-703.064	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		12.52
38231	106-423.000-706.029	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		12.52
38231	106-423.000-706.029	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		12.53
38231	101-405.000-703.025	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		5.36
38231	101-403.000-703.025	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		8.58
38231	101-401.000-703.025	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		135.78
38231	101-402.000-703.025	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		69.72
38231	101-408.000-703.025	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		64.43
38231	101-402.000-703.025	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		60.35
38231	101-408.000-703.025	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		8.66
38231	197-439.000-702.053	12015	STAPLES CREDIT PLAN	OFFICE SUPPLIES		51.51
						441.96
38232	106-424.000-702.030	58050	WILLE ELECTRIC	EQUIPMENT MAINTENANCE		21.24
38232	106-424.000-702.030	58050	WILLE ELECTRIC	EQUIPMENT MAINTENANCE		6.96
						28.20
				CHECK RUN TOTAL		**172,417.86**

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	Time: AMOUNT
38234	119-442.000-705.040	101007	A-1 AUTO ELECTRIC	VEHICLE MAINTENANCE	70.63
					70.63
38235	101-401.000-703.025	01115	ALPHA NUMERIC	COPY COUNT	16.60
38235	101-402.000-703.025	01115	ALPHA NUMERIC	COPY COUNT	6.68
38235	101-403.000-703.025	01115	ALPHA NUMERIC	COPY COUNT	32.51
38235	101-405.000-703.025	01115	ALPHA NUMERIC	COPY COUNT	0.75
38235	125-448.000-703.025	01115	ALPHA NUMERIC	COPY COUNT	1.83
38235	101-408.000-703.025	01115	ALPHA NUMERIC	COPY COUNT	10.74
38235	101-412.000-703.025	01115	ALPHA NUMERIC	COPY COUNT	0.04
38235	101-403.000-703.025	01115	ALPHA NUMERIC	COPY COUNT	0.12
38235	197-439.000-702.053	01115	ALPHA NUMERIC	COPY COUNT	0.18
					69.45
38236	197-439.000-706.029	104510	AMERICAN SYSTEM CONTRO	METER INSTALLATION	3,221.03
					3,221.03
38237	197-439.000-704.021	99450	ARROWHEAD	BOTTLED WATER	114.20
38237	106-424.000-706.026	99450	ARROWHEAD	BOTTLED WATER	100.19
					214.39
38238	101-407.000-704.022	99815	AT&T-CALNET 2	COMMUNICATIONS	76.23
38238	101-409.000-704.022	99815	AT&T-CALNET 2	COMMUNICATIONS	21.02
38238	198-439.500-702.053	99815	AT&T-CALNET 2	COMMUNICATIONS-LRA	345.34
					442.59
38239	101-407.000-706.029	103079	BAY ALARM COMPANY	ALARM SERVICES	580.35
38239	102-418.000-706.029	103079	BAY ALARM COMPANY	ALARM SERVICES	106.67
38239	106-423.000-706.029	103079	BAY ALARM COMPANY	ALARM SERVICES	106.67
38239	114-433.000-706.029	103079	BAY ALARM COMPANY	ALARM SERVICES	106.66
					900.35
38240	118-000.000-672.005	105056	CASTRO/HUMBERTO//	DEPOSIT REFUND JMP	100.00
					100.00
38241	101-402.000-703.025	102990	CHARTER COMMUNICATION	COMMUNICATION - NORTH	49.33
38241	101-408.000-706.026	102990	CHARTER COMMUNICATION	COMMUNICATION - NORTH	49.33

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	Time: AMOUNT
38241	101-403.000-702.032	102990	CHARTER COMMUNICATION	COMMUNICATION - NORTH	49.33
38241	101-412.000-704.021	102990	CHARTER COMMUNICATION	COMMUNICATIONS- PW	12.48
38241	101-407.000-706.029	102990	CHARTER COMMUNICATION	COMMUNICATIONS - TEEN C	79.99
					240.46
38242	101-411.000-702.034	36200	CITY OF OAKDALE	ANIMAL CONTROL SERVICE	12,647.87
					12,647.87
38243	101-403.000-702.032	95279	CLENDENIN BIRD & COMPAN	AUDIT SERVICES	1,500.00
					1,500.00
38244	114-433.000-706.073	99572	CONLIN SUPPLY CO.	UNIFORMS	61.87
38244	114-433.000-706.073	99572	CONLIN SUPPLY CO.	BUILDING MAINTENANCE	85.83
					147.70
38245	101-414.000-703.050	06990	CRYSTAL POOL SERVICE, IN	POOL EXPENSE	124.45
					124.45
38246	101-407.000-706.029	02002	DENAIR LUMBER COMPANY,	BUILDING MAINTENANCE	4.83
38246	106-424.000-706.029	02002	DENAIR LUMBER COMPANY,	BUILDING MAINTENANCE	40.99
					45.82
38247	114-433.000-706.056	99422	DEPT. OF PUBLIC HEALTH	WATER SYSTEM FEES	10,689.71
					10,689.71
38248	197-439.000-702.032	104609	DL WHITE LAW GROUP	LEGAL SERVICES - LRA	478.97
					478.97
38249	119-442.000-705.041	104435	E.R. VINE & SONS, INC.	VEHICLE MAINTENANCE	598.61
38249	119-442.000-705.041	104435	E.R. VINE & SONS, INC.	VEHICLE FUEL	2,673.25
					3,271.86
38250	118-000.000-672.005	105053	ESCALON COVENANT CHURC	DEPOSIT REFUND JMP	100.00
					100.00
38251	114-433.000-702.032	13010	FAR WEST	WATER SAMPLES	950.00
38251	197-439.000-706.029	13010	FAR WEST	WATER SAMPLES - LRA	90.00
					1,040.00
38252	114-433.000-702.030	103284	FASTENAL COMPANY	SAFETY SUPPLIES	30.53
38252	119-442.000-705.040	103284	FASTENAL COMPANY	SAFETY SUPPLIES	54.86

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	AMOUNT
38252	106-424.000-706.050	103284	FASTENAL COMPANY	SAFETY SUPPLIES	93.38
					178.77
38253	102-418.000-706.026	13300	FEDEX	POSTAGE	14.72
38253	101-000.000-600.090	13300	FEDEX	POSTAGE	31.24
38253	101-000.000-600.090	13300	FEDEX	POSTAGE	23.75
					69.71
38254	119-442.000-705.040	103365	FLORY INDUSTRIES, INC.	VEHICLE MAINTENANCE	12.73
					12.73
38255	118-441.000-706.026	105055	GARBEZ/DANIEL//	SKATEBOARD SUPPLIES - EV	87.68
					87.68
38256	106-424.000-702.030	104676	GHX INDUSTRIAL, LLC	EQUIPMENT MAINTENANCE	109.23
					109.23
38257	101-401.000-706.056	102788	GORDON B. FORD	PROPERTY TAXES 2012-2013	21,898.54
					21,898.54
38258	106-424.000-706.029	100164	GRAINGER	BUILDING MAINTENANCE	165.25
38258	106-424.000-706.050	100164	GRAINGER	BUILDING MAINTENANCE	233.65
38258	114-433.000-702.030	100164	GRAINGER	EQUIPMENT MAINTENANCE	208.98
38258	106-424.000-706.050	100164	GRAINGER	BUILDING MAINTENANCE	594.51
38258	106-424.000-702.030	100164	GRAINGER	BUILDING MAINTENANCE	63.54
38258	106-424.000-706.050	100164	GRAINGER	BUILDING MAINTENANCE	265.43
38258	101-414.000-706.029	100164	GRAINGER	BUILDING MAINTENANCE	20.06
38258	106-424.000-706.050	100164	GRAINGER		-215.01
					1,336.41
38259	114-433.000-702.030	17950	GROENIGER #1423	EQUIPMENT MAINTENANCE	94.49
38259	106-423.000-706.029	17950	GROENIGER #1423	BUILDING MAINTENANCE	128.85
					223.34
38260	177-590.000-706.029	99588	GROVER LANDSCAPE SERV	LANDSCAPE MAINTENANCE	32.56
					32.56
38261	114-433.000-702.030	19690	HOWK SYSTEMS	EQUIPMENT MAINTENANCE	85.00
38261	114-433.000-702.030	19690	HOWK SYSTEMS	EQUIPMENT MAINTENANCE	127.50

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	Time: AMOUNT
					212.50
38262	106-424.000-702.030	95225	INDUSTRIAL ELECTRICAL CO	EQUIPMENT MAINTENANCE	1,522.96
					1,522.96
38263	106-424.000-706.029	81036	J L ANALYTICAL SERVICES, I	LAB SAMPLES	1,441.00
					1,441.00
38264	134-459.000-703.027	100697	KEITH'S TROPHY SUPPLY, IN	MEDALS	33.05
					33.05
38265	101-414.000-703.050	99361	KNORR SYSTEMS, INC.	POOL EXPENSE	250.89
					250.89
38266	197-439.000-702.032	105054	LAW OFFICE OF SUSAN COCH	LEGAL SERVICES - LRA	620.00
					620.00
38267	119-442.000-705.040	102580	LES SCHWAB TIRES	VEHICLE MAINTENANCE	240.51
					240.51
38268	114-433.000-702.032	104401	MCC CONTROL SYSTEMS	PROFESSIONAL SERVICES	920.00
					920.00
38269	114-433.000-704.021	32627	MID	UTILITIES	4,344.23
38269	173-590.000-704.021	32627	MID	UTILITIES	24.27
38269	101-414.000-704.021	32627	MID	UTILITIES	1,183.40
38269	220-590.000-704.021	32627	MID	UTILITIES	29.82
38269	101-412.000-704.021	32627	MID	UTILITIES	283.24
38269	101-407.000-704.021	32627	MID	UTILITIES	724.04
38269	102-418.000-704.021	32627	MID	UTILITIES	44.48
38269	119-442.000-704.021	32627	MID	UTILITIES	1,600.84
38269	171-590.000-704.021	32627	MID	UTILITIES	15.88
38269	173-590.000-704.021	32627	MID	UTILITIES	169.90
38269	220-590.000-704.021	32627	MID	UTILITIES	3,565.51
38269	223-590.000-704.021	32627	MID	UTILITIES	24.28
38269	173-590.000-704.021	32627	MID	UTILITIES	80.90
					12,090.79
38270	101-407.000-706.073	104633	MISSION UNIFORM SERVICE	UNIFORMS & RAGS	25.00

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	Time:	AMOUNT
38270	101-407.000-706.073	104633	MISSION UNIFORM SERVICE	UNIFORMS & RAGS		25.00
						50.00
38271	101-412.000-702.031	32615	MO - CAL	COPY COUNT		131.25
38271	114-433.000-702.031	32615	MO - CAL	COPY COUNT		131.25
38271	106-424.000-702.031	32615	MO - CAL	COPY COUNT		131.24
						393.74
38272	101-407.000-702.032	88042	NORQUIST	PROFESSIONAL SERVICES		1,401.00
						1,401.00
38273	198-439.500-706.037	103187	OLSON/DEBBIE//	TRAVEL REIMBURSEMENT		113.80
						113.80
38274	118-441.000-703.066	101123	ONTEL SECURITY SERVICES,	SECURITY SERVICES		876.00
38274	118-441.000-703.066	101123	ONTEL SECURITY SERVICES,	SECURITY SERVICES		1,095.00
						1,971.00
38275	106-424.000-702.030	95040	PACIFIC BOLT CO.	EQUIPMENT MAINTENANCE		6.96
						6.96
38276	197-439.000-704.021	39021	PACIFIC GAS & ELECTRIC	UTILITIES		8.12
						8.12
38277	134-459.000-703.027	45073	PETTY CASH	PARKS & REC CASH REIMBUR		8.38
38277	118-441.000-702.032	45073	PETTY CASH	PARKS & REC CASH REIMBUR		10.00
38277	134-459.000-703.027	45073	PETTY CASH	PARKS & REC CASH REIMBUR		2.00
38277	118-441.000-702.032	45073	PETTY CASH	PARKS & REC CASH REIMBUR		10.00
38277	134-459.000-703.027	45073	PETTY CASH	PARKS & REC CASH REIMBUR		25.03
38277	134-459.000-703.027	45073	PETTY CASH	PARKS & REC CASH REIMBUR		2.15
38277	134-459.000-703.027	45073	PETTY CASH	PARKS & REC CASH REIMBUR		7.52
38277	134-459.000-703.027	45073	PETTY CASH	PARKS & REC CASH REIMBUR		23.46
38277	134-459.000-703.027	45073	PETTY CASH	PARKS & REC CASH REIMBUR		25.99
38277	134-459.000-703.027	45073	PETTY CASH	PARKS & REC CASH REIMBUR		15.40
						129.93
38278	101-403.000-709.001	105057	RAMIREZ/DANIEL//	SISTER CITY EVENT		250.00
						250.00

CHECK #	GL NUMBER	VENDOR #	VENDOR NAME	DESCRIPTION	Time: AMOUNT
38279	118-441.000-703.030	103555	SHEWMAKER/RON//	SEPTEMBER TAI CHI	58.80
					58.80
38280	201-000.000-200.082	1000039	STANISLAUS FOUNDATION	DENTAL LIABILITY	1,520.80
					1,520.80
38281	106-424.000-702.030	104225	STRAND ACE HARDWARE IN	EQUIPMENT MAINTENANCE	19.68
					19.68
38282	106-000.000-300.010	11068	SWRCB ACCOUNTING OFFI	ANNUAL SRF LOAN REPAYM	38,564.89
38282	106-000.000-200.185	11068	SWRCB ACCOUNTING OFFI	ANNUAL SRF LOAN REPAYM	7,561.06
38282	106-424.000-706.076	11068	SWRCB ACCOUNTING OFFI	ANNUAL SRF LOAN REPAYM	3,724.11
38282	106-000.000-300.010	11068	SWRCB ACCOUNTING OFFI	ANNUAL SRF LOAN REPAYM	12,038.05
38282	106-000.000-200.185	11068	SWRCB ACCOUNTING OFFI	ANNUAL SRF LOAN REPAYM	2,462.25
38282	106-424.000-706.076	11068	SWRCB ACCOUNTING OFFI	ANNUAL SRF LOAN REPAYM	1,212.75
					65,563.11
38283	101-412.000-709.001	10172	THE BENCH FACTORY	RECYCLE PARK BENCH	1,099.56
					1,099.56
38284	114-433.000-702.030	100120	TILBURY AUTO PARTS	EQUIPMENT MAINTENANCE	18.03
					18.03
38285	201-000.000-200.084	56390	VISION SERVICE PLAN	VISION PREMIUM	826.50
					826.50
38286	106-424.000-702.030	100876	WILLIE ELECTRIC SUPPLY C	EQUIPMENT MAINTENANCE	-23.70
38286	106-424.000-702.030	100876	WILLIE ELECTRIC SUPPLY C	EQUIPMENT MAINTENANCE	159.84
					136.14
				CHECK RUN TOTAL	**150,153.12**

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.D

SECTION 3: CONSENT CALENDAR

Meeting Date:	October 8, 2012
Subject/ Title:	Resolution Authorizing the Disposition of Surplus Property
From:	Marisela Hernandez, Finance Director (Acting City Manager)

RECOMMENDATION

It is recommended that the City Council approve a Resolution declaring the property listed in Exhibit A as surplus property and authorize its disposal as stated in §36.03 of the Riverbank Code of Ordinances.

SUMMARY

The property identified as Surplus Property on the Surplus Property Listing [Exhibit A] has been deemed inoperable, obsolete, or no longer functional for the City of Riverbank's use. It is therefore appropriate to surplus the property. The City will follow the procedures stated in Section 36.03 Disposition of Unclaimed and Surplus Property of the Riverbank Code of Ordinance to properly dispose of the items.

FINANCIAL IMPACT

There is no financial impact.

ATTACHMENTS

1. Resolution
2. Exhibit A

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK DECLARING CERTAIN PROPERTY SURPLUS AND AUTHORIZING ITS DISPOSITION

WHEREAS, the City of Riverbank Finance Department has determined that the surplus property presented is obsolete and no longer serves a City need; and,

WHEREAS, the City desires to dispose of this property; and,

WHEREAS, the property will be appropriately disposed of pursuant to the City of Riverbank Code of Ordinance Section 36.03.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby recognizes and declares the property identified in Exhibit A as obsolete surplus property and authorizes its disposition.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 8th day of October, 2012; motioned by Councilmember ______, seconded by Councilmember ______, and upon roll call was carried by the following vote of ___:

AYES:
NAYS:
ABSENT:
ABSTAIN:

ATTEST:	**APPROVED:**
____________________________	____________________________
Annabelle Aguilar, MMC	**Virginia Madueño**
Acting City Clerk	**Mayor**

Attachments: Exhibit A: Surplus Property

Exhibit A

Surplus Property

Equipment

1 – Snap-On Tire Machine
1 - Aamco Brake Drum Lathe Serial #03078
1 – Smithco Lawn Sweeper D1490
1 – 7500 Watt Portable Generator
1 – 185 CFM Ingersoll Rand Air Compressor
1 – Konica Copier
1 – Maroon Chair
1 – 10' Table
5 – 6' Tables
8 – Brown Tweed Roller Chairs
7 – Brown Vinyl Chairs
4 – Burnt Orange Chairs
2 – Orange Desk Chairs
1 – Orange Chairs (No Arms)
1 – Blue Desk Chair
2 – Blue Grey Chairs
4 – Black Desk Chairs
1 – Blue Desk with Wheels
1 – Beige Desk
2 – CD Trays
8 – Beige Chairs
4 – 12' Tables
1 – Employee Board
4 – Rose Print Chairs
1 – Blue Chair
2 – Green Chairs
8 – Brown Vinyl Chairs
2 – Maroon Print Chairs
1 – 12' Oak Conference Table
1 – Cabinet
2 – Plastic Garbage Cans
2 – Black Shelves
1 – Black Wire
18 – Arm Chairs
1 – 20 oz. Frothing Machine
3 – Pitchers
1 – Rack
1 – Desk
1 – Fan
1 – Gray Chair
10 – Desk Trays

Vehicles

1 – 2001 Dodge CNG Van #138 VIN 2B4JB25T81K556356

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.1

SECTION 5: PUBLIC HEARING

Meeting Date:	October 8, 2012
Subject/ Title:	Expenditure of Supplemental Law Enforcement Services Fund
From:	Marisela Hernandez, Finance Director (Acting City Manager)
Submitted by:	Bill Pooley, Chief of Police Annabelle Aguilar, CMC, Acting City Clerk

RECOMMENDATION

It is recommended that the City Council approve the expenditure of the Supplemental Law Enforcement Services Funds (SLESF) to offset the cost of a sworn Deputy position.

SUMMARY

Legislation requires that the City Council hold a public hearing on the expenditure of the SLESF and act upon the request of the Police Chief to authorize the expenditure of these funds. In addition, the public hearing is to be held "separate and apart from the process applicable to the proposed allocations of the City's General Fund." A legal public hearing notice was published in the local newspaper on September 19, 2012.

Riverbank Police Services began this current fiscal year with a fund balance of $100,030.23 in the SLESF account. Staff is requesting that the City Council authorize the expenditure of the entire funds indicated to offset the cost of $111,076.00 for one Deputy position.

For the last several years, the City has committed the funds from the SLESF account to cover the cost of personnel expenses; specifically, the continuation of traffic enforcement, traffic safety programs, additional patrol services, patrol equipment, and support personnel. This year, however, Staff believes use of these funds to offset the cost of a Deputy position will be more beneficial to the City of Riverbank.

BACKGROUND

The Supplemental Law Enforcement Services Fund is a grant the State awards to all Police and Sheriff's departments. These funds are generated from statewide sales and use tax and distributed by the State Controller. The minimum amount awarded to a jurisdiction is $100,000.00. Pursuant to legislation, the condition placed on the expenditure of these funds is that the jurisdictions "shall appropriate the monies exclusively to fund front line municipal police services, in accordance with written requests submitted by the Chief of Police"; thus, allocating these funds to offset the cost of a Deputy position meets this condition.

FINANCIAL IMPACT

The addition of $100,000.00 of state grant funds will be placed into the SLESF Account # 101-000.000-501.001.

ATTACHMENT

1. Copy of the expenditure form.

Supplemental Law Enforcement Services

AGENCY: **City Of Riverbank**

NAME: **Chief Bill Pooley**

Expenditure Detail

		AMOUNT EXPENDED 2011 - 2012
SALARIES & BENEFITS		
STAFF		
Number (FTE paid by these funds)	Job Class	
1	Deputy Sheriff	$111,076.00
Extra Help Hours		
Overtime Hours		$11,991.93
Grant match (SLESF funds used for match)		
	Sub-total Salaries	$123,067.93
SERVICES & SUPPLIES		
Services or supplies purchases		
Training expense		
Other		
	Sub-total Services & Supplies	$0.00
EQUIPMENT		
Vehicles		
Other equipment (specify type)		
	Sub-total equipment	$0.00
	TOTAL EXPENSE	**$123,067.93**

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date:	October 8, 2012
Subject/ Title:	Consider the Allocation of Funds for a Development Impact Fee Nexus Study and Approve the Firm of AeCom to Conduct the Study
From:	Marisela Hernandez, Finance Director (Acting City Manager)
Submitted by:	J. D. Hightower, Director of Development Services

RECOMMENDATION

It is recommended that the City Council find AeCom uniquely qualified to perform and complete a General Plan Amendment to the Implementation Element that meets the requirements of development impact fee nexus study and allocate $64,224 from the Systems Development Police and General Government account (Fund 210) towards this study.

BACKGROUND

Pursuant to direction given at the May 14, 2012 City Council meeting (see Attachment "A"), staff has reviewed the current development impact fee nexus study with regards on how to make the program not burdensome on existing businesses by not assessing advance growth impact fees of new areas. Staff has investigated this and the complexity of the study requires assistance.

Good planning practice and for ease of use, the final product of this effort should be incorporated into the General Plan, Implementation Element. Incorporating this effort into the Implementation Element is fitting and proper because of it's purpose:

The real measure of a general plan is how well its policies are carried out once the plan has been adopted. The General Plan will be implemented through a combination of private and public actions. The City will consider specific plans to implement General Plan policy in new growth areas. The City will consider development proposals and will make investments in existing developed portions of Riverbank. City decision makers will use the policies included throughout this General Plan as a decision making guide for a wide range discretionary actions.

In seeking assistance, staff contacted AeCom. AeCom is the firm that completed the General Plan Update and EIR. AeCom is also completing the Downtown Specific Plan Draft Environmental Impact Report. In addition to both General Plan and Specific Plan work, this firm has also worked with staff in obtaining grants that directly implement the goals and policies of the General Plan. These grants include two Strategic Growth Council Proposition 84 grants: 1) Low Impact Development Guide for the Regional Smart Growth Tool-box and; 2) the SR 108 Relinquishment and Reinvestment Plan. The firm has also obtained a State Water Resources Control Board grant for the Lower Stanislaus Low Impact Development Plan in partnership with the Local Government Commission and the City. Given the firm's background and commitment towards implementing the General Plan, finding the firm uniquely qualified makes sense. AeCom has already read and understands all of the technical documents pertaining to the fees collected under the System Development Fee program. Because of the background and success that this firm has brought to the City, staff is recommending that AeCom be found uniquely qualified to perform the fee nexus study. Their attached memo regarding their understanding of the project and necessary scope of work is included in this report.

CURRENT SYSTEM DEVELOPMENT FEE ASSUMPTIONS

The main policy question for the City Council is how to capture the cumulative impacts of individually small projects. Addressing cumulative impacts of projects is the foundation of a successful fee program. How to fund solutions to cumulative impacts, given the City Council direction is difficult without re-evaluating and writing a new study. Finding the appropriate level of demand created by the cumulative impact of individually small projects is made more complex by the underlying assumptions. These assumptions were made and subsequently imbedded into the numerous spreadsheets for the current fee nexus study, namely that:

1. Socioeconomic and land use forecasts based on the projected 2020 population of 33,507 are presented in Table 2.2 (See Attachment "B"), along with various land use planning factors used to convert population to employment and units of development.

2. The land use and employment projections shown in Table 2.2 are based on a mix of current and projected household size and land use ratios. In particular:

    a. Certain dwelling unit figures have been adjusted slightly to accommodate projected changes in average household size and single-family/multi-family mix.

    b. The amount of commercial and industrial growth has been restricted to less than the amount of land actually available in order to remain consistent with the projected employment/population ratio of 0.43.

3. The basis for all fee calculations in this analysis is the principle of “average cost: or the total cost of new, growth-related facilities divided by the appropriate unit of demand (household, employees, residents, etc., translated to dwelling units, square feet, and acres). While marginal cost is conceptually more precise, it is a practical impossibility to separately estimate the cost of individual facility at the time of its construction. For large, multi-year fee programs, average cost calculations are accepted as the standard methodology.

4. Costs “allocable to development” are all growth-related costs. Deficiency and enhancement cost are excluded, as is the share of “regional” highways allocated to other parties (governments).

5. All included cost, and resulting fees, are apportioned on a citywide basis. No subarea or district-level fees were calculated.

6. All figures are presented in terms of “Cost Per Unit” and “Cost Per Building Square Foot.” “Units” are dwelling units in the case of residential land use (single family and multifamily) and acres in the case of commercial and industrial land use.

7. All costs allocated to new development are used to calculate the fees. As mentioned previously, it is likely that some portion of the fee will be met using other mechanisms such as special districts, dedications, in-kind construction, etc. A fee credit or rebate program can be established to address these situations.

8. All cost allocations are based on the population forecast of 33,507 for the year 2020, with residential acreage and dwelling unit counts prorated accordingly. All 2020 build out distributions by residential equally using the 40,000 figure. Year 2015 employment is calculated using an employment/population ratio of 0.43. Employment (and, consequently, land use acres) are allocated by type (general commercial, etc.) according to the 2020 build-out distribution.

9. Two percent (2%) of all improvements proposed by the fee program will be directed towards enhancement of the public realm. Enhancement activities are defined as improvements that increase the visual appearance of Riverbank and/or allow for social contact and/or facilitate the exchange of ideas.

10. Key demand and sizing assumptions used in the fee calculations are presented in Table 5.2. (see Attachment “C”). These factors were drawn from experience at the following levels, in order of preference and availability: City of Riverbank, Stanislaus County, California, and U.S./industry-wide.

ANALYSIS OF MODEL ASSUMPTIONS

Although all assumptions are inter-related to each other, some of the key assumptions that make the Council direction difficult to carry-out are highlighted below.

Assumptions 1 and 2

The expected growth rate resulting in a population of 35,507 by 2020 is referenced in other assumptions of the study. Assumptions 1 and 2 are probably not realistic. Riverbank's population has remained more or less stable for the past five years, with a reported 2012 population of 22,924. The University of the Pacific Business Forecast Center expects an average growth rate of less than one percent through 2016. Using this data, a more reasonable forecast of Riverbank's 2016 population is 23,808. To reach the projected 35,507 by 20120, Riverbank's rate of population growth would have to achieve ten percent (10%) a year between 2017 and 2020. That is a rate of growth that is clearly not sustainable.

This expected population growth rate of the current fee program drives the expected demand for many facilities listed in the current report. This in turn has the tendency to overstate the actual facilities needed to accommodate a much lower rate of population growth. The end result is that the current fee program vastly inflates the fees paid by new development.

Setting an appropriate population forecast with the ability to adjust the model as new information becomes available is the foundation for a successful fee program. It is staff's intention to develop a fee model that has the ability to change the rate of growth as new forecasts are developed. Riverbank currently relies on StanCOG population forecast by the Planning Center and the University of the Pacific Business Forecasting Center, both of these sources project a lower population forecast than the State Department of Finance. Staff recommends continued use of either the Planning Center or University of the Pacific forecasts for a new fee program.

Assumption 3

The current System Development Fee is intended to be applied to all types of development as reflected in Assumption 3. This is the current fee program's methodology for addressing cumulative impacts. The assessment of all types of development is an integral part of the current overall study as it is intended to treat all building permit applications equally. It is important that the process is neutral, it is not intended to favor one type of development over another, rather all developments are expected to pay their fair share of improvements.

If a project is considered desirable by the community, the proper planning tool is a development agreement. Development agreements are contractual agreements that cities can enter into with a property owner that involves a willing exchange. Instead of paying and collecting fees, a city and property owner may mutually agree to land dedications or other civic improvement. The problem with development agreements is that in being a contract, CEQA is analysis and certification is needed for each individual contract before it can be entered into by either party.

A new fee program can be developed that attempts to encourage a Jobs/Housing balance. The University of the Pacific Business Forecasting Center, Short Term Outlook for the Modesto MSA, forecasts that the unemployment rate will be 14.4% in 2013 and will continue to fall to 11.9% in 2016. Formulas for empirically measuring regional Jobs/Housing balance are available to the City. By selecting, performing and monitoring a selected formula on an annual basis, a fee program model could be used to encourage an improved Jobs/Housing balance. Staff's perception of the direction given is to attempt to have such a model. It is foreseeable that such a program would back land efficient land uses and lead to healthy and vibrant communities as envisioned by the Sustainable Communities Strategy currently underway.

Assumption 5

The current System Development Fee under Assumption 5 makes it impossible to designate an area that has less of a fee burden. This is contradictory to the direction given to staff at the May 14, 2012 meeting in that it was expressed that the fee should be less for existing businesses. It is this assumption, that fees will be assessed on a citywide scale and specifically not on a sub-area scale this is the crux of the problem associated with any attempts to use fees to direct growth to certain areas or encourage infill development.

There are cities that have developed impact fee models that increase with the distance from their respective downtown areas. Under such models the downtown areas have the least or no fees while outlaying areas pay higher fees. Utilizing such an approach would have the advantage of lessening fees for properties closer to downtown compared to properties on Riverbank's urban fringe. Other cities, notably Escalon nearby, that exclude storm water fees from their downtown areas with the assumption that drainage improvements have been made in this area.

Assumption 6

Assumption 6 mandates that a cost per square foot be assessed for commercial and industrial buildings. This was done to insure that cumulative impacts are addressed. The overall System Development Fee program attempts to balance the demand for new facilities between residential development on a per unit basis and commercial and industrial fees on a per square foot basis. The assessment of fees in this method required the City to predict the amount of each different development type (residential, commercial and industrial) the inter-relationship and then come out with an overall build-out scenario. The total cost of improvements needed by the expected growth was divided proportional to the demand created by the development types.

Another method to ensure that cumulative impacts are addressed with the benefit of supporting land efficient growth consistent with the General Plan policies would be assess impact fees on a per acre basis rather than a per dwelling unit basis. As envisioned by staff, the mechanics would be worked out within Specific Plans and development would pay System Development Fees at the time of annexation to Riverbank on a per acre basis rather than a per unit basis.

Such a method would accomplish three critical components of a successful fee program:

1) Encourage development at the highest density allowable while providing developers flexibility to develop at their comfort level of density. Such a fee program is not forcing high density, rather providing flexibility to developers meet their target market by removing a government constraint on the margin of home production. By basing fees on the acre, a developer has a strong incentive to be as efficient as possible on a given acre of land. Fees are perceived as a government constraint by the State and removing constraints is consistent with Riverbank's Housing Element.
2) Provide surety that annexed agricultural lands to Riverbank and detaching from irrigation districts have the necessary urban services. This is hard learned lesson that avoids the pitfalls encountered in the Bruinville area where land can be neither agricultural, due to the lack of irrigation services, nor urban, due to the lack of any other type of service. By having System Development Fees up front, the capital is available to make system improvements. This is critical as Riverbank will be able to provide services at the time that LAFCo makes a determination that services can be logically and efficiently provided
3) Requiring System Development Fees due at annexation via specific plans, is expected to have the effect of stabilizing agricultural land prices. The stability of land prices market encourage property owners to allow land to remain in agricultural production that might otherwise be converted. Such a fee method would be a key component to Riverbank's agricultural conservation policy necessary for annexation.

NEXT STEPS

It became apparent to staff that to carry out the direction given to make the fee system less of a burden to existing businesses, a new study is required that lays this direction as a foundation. Staff contacted AeCom, the firm that prepared the General Plan Update and EIR as well as the Downtown Specific Plan EIR and other planning documents, to get a sense of the magnitude cost wise for the work required to carry out Council direction. AeCom has worked cooperatively with staff to ensure that the scope of work reflects the Council direction (see Attachment "D").

The cost given for a scope of work reflecting the Council direction is $64,224. The Police and General Government System Development Fee account has two projects that in the foreseeable future will not be needed nor completed – 1) Training Facility; and 2) City Hall. Between these two projects, there is $198,000 collected and allocated, far short of completing either facility.

The same System Development Account also listed three (3) General Plan Updates totaling $1,500,000. These funds were subsequently decided to be utilized for constructing the fence around the Waste Water Treatment Plant. In so much as the scope of work to carry out Council direction is a General Plan Amendment, staff recommends taking the Training Facility and City Hall expansion off of the System Development Fee project list and transferring the fees collected to the General Plan Update project line item. With this transfer of funds and completion of this General Plan Amendment there will be a remaining balance of $133,776 for future General Plan Updates. This is important as another General Plan Amendment, the Housing Element Update, will need to be started in 2013.

FINANCIAL IMPACT

The allocation of funds, not to exceed $64,224, from the System Development Police and General Government, Fund 210.

ATTACHMENT

A. Minutes of May 14, 2012 City Council Meeting – Item 6.1
B. Table 2.2 Growth Related Public Facilities Needs 2005 – 2020
C. Table 5.2 Growth Related Public Facilities Needs 2005 – 2020
D. AeCom Proposal for Implementation Element General Plan Amendment

5.

ATTACHMENT A

6. NEW BUSINESS:

Item 6.1: Appeal Hearing for the Payment of Systems Development Fees by Leonard Lovalo, d.b.a. Thunderbolt Lumber Treatment, for a 4,950 Square Foot Industrial Building.

Recommendation: Deny the appeal of Leonard Lovalvo, d.b.a Thunderbolt Lumber Treatment concerning the payment of Systems Development Fees.

J.D. Hightower, Development Services Director, opened the appeal hearing. Mr. Larry Wade, General Manager of Thunderbolt Lumber Treatment, and Mr. Leonard Lovalvo presented their case.

Discussion between all parties ensued.

Public Comment:

- *Mr. Scott McRitchie stated he was opposed to spending money on a whole new study to determine fees (Nexus Fee Study).*
- *Mr. Ramon Bermudez inquired about the Company's use of the rail system.*

Discussion about the lien placed on the property ensued between all parties. Attorney Doug White clarified that the lien on the property secured the fees payable to the City and did not affect the Company's credit rating.

ACTION: *Council gave direction to: 1) have Staff review the Nexus Fee Study; 2) have Staff make appropriate recommendations for revisions to enhance current business and not burden them with advanced growth impact fees of new areas; and 3) suspend the hearing for two months to allow Staff to carry out the directions given. All parties were in agreement to continue the item for two months and Thunderbolt Lumber Treatment would receive the final permit upon meeting all required Building Codes.*

Item 6.2: Presentation of the Central Avenue Rehabilitation Project and Authorization to File Notice of Completion.

Recommendation: Receive presentation of the construction project and authorize the filing of a Notice of Completion.

ATTACHMENT B

TABLE 2.2

CITY OF RIVERBANK
PROJECTED GROWTH: 2005-2020

	Change: 2000-2015					Planning Ratios			
	People/ Jobs	**Dwell. Units**	**Land (Acres)**	**Bldg Area (000 s.f.)**	**Bldg Value ($Mil)**	**HH Size**	**Sq. Ft./ Empl.**	**FAR**	**Acres Per Cap.**
Residential	13507	3960			$575.8				
Single Family DU	11999	**3529**			$529.6	3.4			
Multifamily DU	1508	**431**			$46.2	3.5			
Non-Residential	5774		368	3020	194		--	--	--
Retail	2021		111	1058	$77.0		524	0.22	0.01
Other Commercial	2194		135	1319	$88.5		601	0.22	0.01
Industrial	1559		122	643	$28.5		412	0.12	0.01

ATTACHMENT C

TABLE 5.2

GENERAL BURDEN ALLOCATION FACTORS USED IN IMPACT FEE CALCULATIONS

Land Use Type	Average Size	Trip Gen Rates Pk Hr	Trip Gen Rates Daily	Market Value	Household Size	Bldg. Area/ Employee	Density	Sewage Gen	Water Gen
DWELLING UNITS	(s.f)	(/du)	(/du)	(/du)	(Prs/DU)	--	(du/ac)	(Gpcd)	(Gpcd)
Single Family	2100	0.9	9.6	$213,000	3.4	N.A.	6.5	106	225
High Density	800	0.5	6.6	$110,000	3.5	N.A.	12.7	85	113
OTHER LAND USE (Acres	--	(/ac)	(/ac)	(/s.f.)	--	(s.f)	(F.A.R.)	(Gpcd)	(Gpcd)
General Commercial	N.A	35	595	$80	N.A	400	0.22	40	60
Other Commercial	N.A	27	195	$80	N.A	300	0.22	16	25
Industrial	N.A	9	52	$50	N.A	700	0.12	22	33

A=COM

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Attachment D

September 27, 2012

J.D. Hightower
Development Services Director
6707 Third Street
Riverbank, CA 95367

Subject: Proposal to Amend General Plan Implementation Element

Dear Mr. Hightower:

As we have discussed, one critical part of General Plan implementation – and the Implementation Element in particular – is a comprehensive update to the nexus fee study to support the adoption of new development impact fees. The City's impact fees will be developed on the basis of the land use change and public facilities described in the City's recently updated General Plan, as well as the transportation improvements outlined in the draft Downtown Specific Plan Environmental Impact Report (EIR). Various policies and programs in the General Plan provide explicit direction regarding the format and focus of a new set of development impact fees.

As you recall, our General Plan Update work program included preparation of a draft nexus fee study. Our team prepared for your review an administrative draft nexus fee study that was prepared by Applied Development Economics (ADE) in August of 2010. We understand that you have had discussions with your City Council regarding the structure and level of development impact fees. There are a few key issues that need to be explored as a part of a revised nexus fee study. In addition, there are a few types of fees that were not included in the first study that now need to be addressed.

This letter proposal was drafted to respond to your needs to finish off this work. We propose to involve the same team that prepared the original draft nexus fee study. The material below incorporates material provided by AECOM, ADE, and KDAnderson Transportation Engineers (KDA).

SCOPE OF WORK

ADE will prepare a new set of fees and a revised draft nexus fee study for presentation to the City.

Task 1 - Land Costs

It is possible that land costs, as they are currently factored into the development impact fees, could be high. ADE will estimate current land costs based on property transaction records obtained from Dataquick for the recent period in Riverbank and surrounding areas. ADE will review the facilities estimates prepared by Nolte to determine what assumptions were made about right of way (ROW) costs or other site costs associated with major infrastructure improvements. Based on the new analysis of current property values, ADE will estimate any changes that may be warranted in the facilities costs used for calculation of the impact fees.

Task 2 – Per-Acre Approach

The City was originally interested in examining a per-acre approach to development impact fees (as opposed to per unit or per square foot). If structured in a certain way, the thought was that this could encourage developers to increase density/intensity of development, consistent with General Plan policy. ADE will prepare a discussion of the potential implication of levying fees on a per-acre basis. The discussion will address whether incentives for compact development can be built into fees on a per-acre basis as opposed to the normal per-unit basis. The analysis will also address the practical implications given legal constraints regarding the point at which fee revenues can be collected in the development process.

Task 3 - Review Infrastructure Cost Estimates
For the draft nexus fee study, costs for water supply, sewer collection, and drainage were provided by Nolte Associates. The City may wish to review cost estimates to ensure they are current.

AECOM will review the following master plans and supporting technical memoranda and compile, in tabular format, a listing of key design criteria and assumptions:

- City of Riverbank Water Supply Study and Water Master Plan
- City of Riverbank Sewer Collection System Master Plan
- City of Riverbank Storm Drain System Master Plan

Key design criteria will be compared to both typical and current area-specific parameters obtained from surrounding communities. In addition, the manner in which available capacity and/or deficiencies (if any) of the existing utility systems were addressed in the master plan and nexus fee study will be reviewed by AECOM, along with the methodologies used to develop recommended capital improvements and assign these improvements, and their associated costs, to fee areas. AECOM will provide recommendations as to whether these design criteria, methodologies, and costs appear to be appropriate or whether adjustments would be appropriate. The ramifications of AECOM recommendations with respect to impact fee will be described. It is assumed that key design criteria and assumptions shall, in general, be limited to the following:

- Water System: water demand factors; peaking factors; storage requirements; and distribution system operational performance requirements; and infrastructure unit costs.
- Sewer System: Wastewater generation factors; peaking factors; inflow/infiltration allowances; gravity pipeline, force main and pump station criteria, and infrastructure unit costs.
- Storm Drain System: runoff coefficient; design storm; pipe velocity, and infrastructure unit costs.

No hydraulic modeling will be conducted by AECOM. We access to the detailed cost estimate breakdowns of the recommended utility improvements and supporting water, sewer, and storm drain system master plan technical memoranda. AECOM will provide a table comparing of typical and current area-specific parameters along with a summary of recommendations and impact fee ramifications.

Task 4 - Vehicular Transportation Fees
In the current draft nexus fee study, there is no analysis of the facilities needed to serve the City. The City's existing fees are simply escalated to provide the new draft fees. We recommend that that City consider what new vehicular transportation facilities would be required to serve new development as a basis of deriving revised fees. The Scope of Work below outlines our work if the City would like for us to update impact fees based on required facilities.

Typical steps in creating a traffic impacts fee involve creation of the circulation system (i.e., General Plan Circulation Element and DEIR), identification of those improvements needed in the foreseeable future and their costs (i.e., Streets Master Plan), and creation of a methodology for assigning costs to anticipated development (nexus fee study). To meet the City's schedule requirements, our approach is to make use of the information that has been assembled for the Riverbank GPU EIR and Downtown Specific Plan EIR as the basis for an improvement list for which costs can be identified. KDA would then assign those costs to new development in specific areas of the city based on roadway utilization. A Streets Master Plan will not be prepared.

Task 4.1 – Study Initiation
KDA and AECOM will participate in a teleconference meeting with the City to discuss the fee update process, the technical approach, and input from the City. KDA will obtain from the City available information relating to the current fee program, status of funding sources, land use and traffic studies, etc. KDA will obtain current CIP improvement project list, any costs estimated for anticipated improvements, etc. KDA will review this information to gain an understanding of the breadth of the fee program.

Task 4.2 – Identify Current Deficiencies
KDA expects that deficiencies will be described in terms of operating Level of Service (LOS) and that information regarding current LOS is available from other recent traffic studies. KDA assumes that new traffic volume counts and / or new LOS analysis is not needed, and that KDA will be able to summarize information from the GPU EIR or Downtown Specific Plan EIR in the nexus fee study. KDA will identify those locations in Riverbank where current traffic operating conditions do not satisfy the City's minimum standards through review of available studies. A summary list of locations and LOS will be created.

Task 4.3 – Identify Improvement List
Identification of the circulation system improvements needed to address the effects of growth in the community. KDA will review the General Plan Circulation Diagram, GPU EIR, results of other recent traffic studies and City traffic model to identify the roadway segment and intersection improvements that will be needed to accommodate future development. Because the GPU EIR traffic model does not include the North County Corridor, the option of revising the model to include that project and its effects in Riverbank has been included. KDA will conceptually identify the extent of improvements needed for the major intersections addressed by recent traffic studies, and quantify roadway segment improvement requirements. KDA will review the overall improvement list with City staff, consider any "loose ends," and include the final list in the Fee Update Report.

KDA will review available studies to identify the breadth of improvements identified to address long-term improvements. Data sources will include the GPU Circulation Diagram, GPU EIR, Downtown Specific Plan EIR, and City traffic model results. KDA will identify the locations where intersection roadway segment improvements are needed to accommodate future growth. KDA will identify general construction quantities based on review of available mapping, but no surveying is proposed. A list of improvement locations will be created.

KDA will review these improvements and identify the breadth of the improvements needed to deliver adequate operating LOS in the future. KDA's generalized description will include auxiliary lanes, additional through lanes, traffic signal, roundabouts, etc. KDA will meet with City staff to review the list.

Task 4.4 –Improvement Costs
KDA will describe the limits of work (i.e., lineal feet of improvements, length of auxiliary lanes, general costs for traffic signals, etc) for required improvements. KDA will develop applicable unit costs based on a "per mile" or "per lineal foot" of roadway basis for segment improvements or auxiliary lanes. These will be generalized costs that assume public works construction. If needed, KDA will help identify a "per intersection" improvement cost for major modifications. Applicable assumptions for general ROW, utility relocation, dry and wet utilities, street lighting and landscaping will be determined in consultation with AECOM.

KDA will review the StanCOG's current Stanislaus County RTP and other applicable County and Caltrans resources to identify defensible assumptions for public sector funding of circulation system improvements over the next 20 years. KDA will review this information with AECOM and City staff to identify applicable assumptions for available funding for projects in Riverbank. KDA will note current City policies regarding the types of facilities that are to be included in the fee program (i.e., Arterials vs. Collectors), as well as expectations for improvements to be installed by fronting developers. KDA will identify the share of total improvement costs that will need to be borne by the fee program versus the share of total costs that can reasonably be assumed to come from other sources (i.e., fronting developers, other public sources, etc).

AECOM will review new transportation facilities and details (provided by others), calculate and prepare cost estimates associated with these facilities in a Microsoft Excel spreadsheet. AECOM will provide total cost and per unit costs of the facilities in order to determine vehicular transportation fees to different development zones.

Task 4.5 – Identify Draft Roads / Circulation Fee
KDA will identify the various utilization parameters that can be used to more fairly spread the benefits of circulation system improvements. These factors may include but are not limited to daily or peak hour trip generation rates, trip length, and "pass-by" trip percentage. KDA will review these parameters with City staff and select those that will be employed for the update.

We understand that the City is interested in differentiating the fees to be paid by development in up to five (5) discrete areas of the community. Different fees can be applicable when the benefits to be derived by development in some portions of the community are very different. Using the citywide traffic model, KDA will identify the relative use of a sample of improvements in various areas by trips generated in each of the four areas as a percentage of total traffic and apply that percentage to each identified cost.

Calculation of resulting unit fee and creation of an applicable fee schedule for specific land uses that can be applied by the building department as development applications are received. KDA will employ the utilization parameters, identified costs assigned to each development area, and each area's land use to develop a draft unit fee and resulting example fees for specific uses. KDA will then identify possible approaches to adjusting the fee to respond to development that could result in alternative trip generation in response to features that address density and goals relating to accessibility to jobs, services, schools, shopping, etc. and possibly affordability. The draft fee will be reviewed by staff and finalized for inclusion in the Fee Update Report.

KDA will identify up to five (5) areas of benefit within the community where the use of city-wide roads and relative improvement responsibilities would be similar. KDA will make use of available information, approved initial assumptions, select link analysis using traffic model, and identified costs to calculate a preliminary unit traffic impact fee for each of four areas of benefit in of Riverbank. The fee derivation will be provided in an excel spreadsheet format. The fee will generally account for the use of each facility by new development within each of the development areas. The unit fee may be identified in terms of a cost per peak hour trip, or may be identified in terms of a cost per Dwelling Unit Equivalent (DUE) or per square footage by non-residential land use. The fee will then be applied to a sample of typical land uses to provide an indication of the ramifications of the updated fee.

Task 4.6 – Finalize Updated Roads / Circulation Fee
KDA will review the initial fee with City staff and AECOM. KDA will incorporate any comments from City staff into a final traffic fee. KDA include a "look up table" that identifies the fees charged to common land uses and the application of development variables such as density and proximity to complimentary land uses.

Task 4.7 –Draft Report
KDA will summarize the results of our work in a written report for inclusion into the City's nexus fee study.

Task 4.8 – Assist in Fee Review / Adoption
KDA will be available to participate with staff in the review and adoption of an updated fee. This work may include participation at working meetings with staff, attendance at public meetings, etc. However, as the need for our services and the number of meetings, etc is unknown, this work is an extra service outside of KDA'S base budget cost.

Task 4.9 – Finalize Updated Traffic Impact Fee Report
KDA will finalize the report based on City direction to include final comments from Council or Commission. However, as the extent of final revisions is unknown, this cost is outside of KDA's base budget.

Task 5 - Comparison with Other Cities' Fees
AECOM will prepare comparable estimates of fees for other cities to indicate how the proposed Riverbank fees fit within normal market parameters. AECOM will consult with City staff in selecting the comparison cities, but generally we would look for cities in the regional market area that offer similar development opportunities as Riverbank.

Task 6 - Revised Nexus Study
ADE will prepare a new set of fees and a revised nexus fee study for presentation to the City.

Task 7 - City Walk-Through
ADE will meet with City staff in Riverbank to present the revised calculations and demonstrate the spreadsheet model so that City staff can not only answer questions from the Council and the public but also make new calculations as changes occur in the infrastructure costs or growth projections.

BUDGET ESTIMATE

We have prepared a line-item cost estimate so that you may select exactly the tasks you require and understand the associated budget estimate.

Task 1	Land Costs	$ 2,300
Task 2	Per-Acre Approach	$ 1,610
Task 3	Review Infrastructure Cost Estimates	$ 18,435
Task 4	Vehicular Transportation Fees	$ 34,359

Task 5	Comparison with Other Cities' Fees	$ 3,437
Task 6	Revise Nexus Fee Study	$ 2,760
Task 7	City Walk-Through	$ 1,323

IMPORTANT ISSUES

We have provided a fixed budget of $11,454, included under Task 3, to investigate and provide suggested revisions to fee levels based on the items outlined under the heading "Important Issues."

We understand that there was some concern that fees are too high due to the fact that they are based on high growth rates that are no longer occurring. However, with a reduction in growth rates, we also have fewer residential units and a reduced amount of nonresidential square footage to "spread costs" onto. If the reduction in units/square footage is proportional to the reduction in infrastructure needs, the reduced growth rates would not change the fees. However, it is also possible that the large amount of new growth included in the General Plan could include a relatively high proportion of new facilities that may be relatively more expensive compared to the selective upgrading of facilities needed to serve land use change in the existing developed portions of the City.

The City may wish to ensure that the allocation of infrastructure costs per zone properly takes into account the difference between distribution infrastructure that is required to serve development in already developed areas and the major trunk or transmission pipelines, which may only be required to serve new growth areas. The City may be interested in exploring whether the draft Fee Study assumes too much in the way of major trunk or transmission line construction based on more up-to-date growth assumptions, and whether these assumptions are resulting in estimated fees that are too high. It is possible that more updated growth rates may show the need for fewer or smaller transmission pipelines, pumps, interceptors, treatment facilities, storage facilities, etc.

However, the information for the water, sewer, and drainage fees was provided by Nolte, including the suggested allocation of fees to the different zone districts. We could have engineers with AECOM look at restructuring/reallocating the fees, at your direction. The City may wish to consider altering the approach to impact fee development. One potential approach is to (1) limit the timeline for consideration to five to ten years, (2) focus on those developments anticipated to be initiated first and within close proximity to the City's existing utility systems, and (3) leverage available capacity associated with existing utilities in order to minimize development impact fees. Once this analysis has been prepared, ADE could include a discussion of the issue in the report and describe how the rate of growth has been accounted for in the structure of the impact fees.

California lawmakers enacted the Water Conservation Act of 2009 (Senate Bill SBx7-7) in November 2009. This law requires water suppliers throughout the state to decrease per capita urban potable water use by 10 percent by December 31, 2015 and by 20 percent by December 31, 2020 or risk being ineligible for water grants or loans administrated by the state. The California Department of Water Resources requires that the results of SBx7-7 analysis be included in water agencies' respective urban water management plans (UWMPs). California urban water suppliers are required to develop UWMPs if the water supplier serves over 3,000 connections or delivers over 3,000 acre-feet per year to its customers.

The sewer master plan states that the entire General Plan area is to be served by the existing wastewater treatment plant. The sewer master plan also indicates that the treatment plant can be upgraded to meet future City needs. However, we could find no improvements associated with this upgrade or the inclusion of a specific impact fee associated with the use of the existing wastewater treatment plant to serve future development in the draft nexus fee study. Given that wastewater treatment plant improvement costs can be significant (i.e. can be on the same order of magnitude as sewer collection system costs), it may be prudent for the City to include or consider including a wastewater treatment plant impact fee.

Please do not hesitate to contact me with any questions.

Sincerely,

J. Matthew Gerken
Senior Associate