



CITY OF RIVERBANK
**REGULAR CITY COUNCIL AND THE
LOCAL REDEVELOPMENT AUTHORITY MEETINGS**
(The City Council also serves as the LRA Board)
City Hall North • Council Chambers
6707 Third Street • Suite B • Riverbank • CA • 95367

AGENDA

TUESDAY, JUNE 9, 2015 – 6:00 P.M.

(THE AGENDA PACKET IS POSTED AT THE CITY CLERK'S OFFICE AND AT WWW.RIVERBANK.ORG)

- CALL TO ORDER:** Mayor/Chair Richard D. O'Brien
- FLAG SALUTE:** Mayor/Chair Richard D. O'Brien
- INVOCATION:** Riverbank Ministerial Association
- ROLL CALL:** Mayor/Chair Richard D. O'Brien
Vice Mayor/Chair Darlene Barber-Martinez
Council/Authority Member Cal Campbell
Council/Authority Member Leanne Jones Cruz
Council/Authority Member Jeanine Tucker

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.
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1. PRESENTATIONS

- Item 1.1:** Proclamation – Declaring June 2015 as Disability Awareness Month.
- Item 1.2:** Stanislaus Regional Transit (StaRT) Proposed Fiscal Year 2015-2016 Service Changes Presentation.

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/LRA Board. 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 during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the City Council/LRA Board.

3. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council/LRA Board unless otherwise requested by an individual Council/Authority Member 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 May 12, 2015, City Council and Local Redevelopment Authority Minutes.

Item 3.C: A **Resolution** of the City Council of the City of Riverbank, California, Appointing Richard Boos and Tom Hollander to the Riverbank Housing Authority Board of Commissioners; Each Appointee to Serve a Four-Year Term Expiring June of 2019.

Item 3.D: **Terminate the Emergency Action on the 7th Street Storm Drain Outfall Line Destabilized Embankment** – In accordance with Public Contract Code § 22050 the City Council has been reviewing and approving the continuance of the 7th Street emergency action, at its regularly scheduled City Council meetings until such time as the emergency action no longer existed. Pursuant to this Code it is recommended that the City Council terminate the emergency action due to the completion of all temporary emergency repairs; thereby, warranting further action of permanent repairs to the embankment, which will be presented to the City Council for consideration at a future date.

Item 3.E: **Advanced Civil Engineering Design for California Ave. Sewer line design** – It is recommended that the City Council commit \$17,250.00 from the Sewer Account of the System Development Fees (AB 1600 Fees) to allow for the advance Civil Engineering design of the California Ave. sewer line from a point 700 feet westerly of the Claus Road intersection easterly to Central Ave.

Item 3.F: **A Resolution of the City Council of the City of Riverbank Implementing Existing Longevity Benefits for Department Directors and Adjusting Certain Benefits for the Director of Parks and Recreation Consistent with those Available to other Department Directors** – It is recommended that the City Council adopt a resolution to:

- 1) Approve the provision of longevity pay and vacation enhancements for Department Directors that are currently available to all other City employees;
- 2) Adjust the salary range for the position of Parks and Recreation Director to be consistent with the salary range for the Director of Finance and the Local Redevelopment Authority (LRA) Executive Director; and
- 3) Revise the employment provisions for the Director of Parks and Recreation relating to severance and executive leave to be consistent with the provisions for the Director of Finance and the Local Redevelopment Authority (LRA) Executive Director.

Item 3.G: **Resolutions** – Consolidated Landscape & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating proceedings for the Annual Levy of Assessments for the Consolidated Landscaping and Lighting District for Fiscal Year 2015/2016.
- 2) Resolution of the City Council of the City of Riverbank, California Declaring its Intention to Levy Annual Assessments for the Consolidated Landscaping and Lighting District for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Consolidated Landscaping and Lighting District for Fiscal Year 2015/2016.

Item 3.H: **Resolutions** – Crossroads Landscape & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating Proceedings for the Annual Levy of Assessments for the Crossroads Landscaping and Lighting District for Fiscal Year 2015/2016.
- 2) Resolution of the City Council of the City of Riverbank, California, Declaring its Intention to Levy Annual Assessments for the Crossroads Landscape and Lighting District for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Crossroads Landscaping and Lighting District for Fiscal Year 2015/2016.

Item 3.I: **Resolutions** – Ridgewood Place Landscape & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating Proceedings for the Annual Levy of Assessments for the Ridgewood Place Landscape and Lighting District for Fiscal Year 2015/2016..
- 2) Resolution of the City Council of the City of Riverbank, California Declaring its Intention to Levy Annual Assessments for the Ridgewood Place Landscape and Lighting District for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Ridgewood Place Landscape and Lighting District for Fiscal Year 2015/2016.

Item 3.J: **Resolutions** – Sierra Vista Estates Landscaping & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating Proceedings for the Annual Levy of Assessments for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2015/2016.
- 2) Resolution of the City Council of the City of Riverbank, California Declaring its Intention to Levy Annual Assessments for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2015/2016.

Item 3.K: **Resolutions** – River Cove Landscape & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating Proceedings for the Annual Levy of Assessments for the Landscape and Lighting District No. 1 River Cove Subdivision for Fiscal Year 2015/2016.
- 2) Resolution of the City Council of the City of Riverbank Declaring its Intention to Levy Annual Assessments for Landscape and Lighting District No. 1 River Cove Subdivision for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Landscape and Lighting District No. 1 River Cove Subdivision for Fiscal Year 2015/2016.

Item 3.L: **Resolution** – Riverbank Storm Drain Maintenance District No. 2006-01 (Heartlands)

- 1) Resolution of the City Council of the City of Riverbank, County of Stanislaus, State of California, Declaring its Intention to Levy and Collect Annual Assessments within the Riverbank Storm Drain Maintenance District No. 2006-01 (Heartlands) for Fiscal Year 2015/2016.

Item 3.M: **Resolution** – Riverbank Storm Drain Maintenance District No. 05-01 (Sterling Ridge)

- 1) A Resolution of the City Council of the City of Riverbank, California, Ordering the Levy and Collection of Assessments within the Riverbank Storm Drain District No. 05-01 (Sterling Ridge) For Fiscal Year 2015/2016

LRA Item 3.N: **Out of State Travel Request to Attend an ADC 2015 Defense Communities National Summit June 22-24, 2015 in Washington DC** – It is recommended that the Local Redevelopment Authority

Board approve the out-of-state travel request for the Executive Director of the LRA to attend a Defense Communities National Summit in Washington, D.C.

Recommendation:

It is recommended that City Council/LRA Board approve the Consent Calendar items by roll call vote.

4. UNFINISHED BUSINESS

There are no items to consider.

5. PUBLIC HEARINGS

The Public Hearing Notices for the following public hearing items 5.1 – 5.2, to be considered by the City Council were published in the local newspaper of general circulation on May 27, 2015.

Item 5.1: First reading and Introduction by Title Only of an Ordinance of the City Council of the City of Riverbank, California, Title IX: General Regulations; Amending Sections Chapter 91: Animals, and Chapter 94: Park Regulations, of the City of Riverbank Code of Ordinances – It is recommended that the City Council conduct the first reading and introduction by title only of the proposed ordinance and consider its approval as presented, which will then be scheduled for its seconding reading to consider its adoption at the June 23, 2015, regular City Council meeting.

Item 5.2: First Reading and Introduction by Title Only of an Ordinance of the City Council of the City of Riverbank, California, to Amend Title V: Public Works, by repealing in its entirety Chapter 53: Stormwater Management and Discharge Control and Substituting in its place a new Chapter 53 of the City of Riverbank Municipal Code of Ordinances – Approve the Ordinance of the City Council of the City of Riverbank, California, to Amend Title V: Public Works, by repealing in its entirety Chapter 53: Stormwater Management and Discharge Control and Substituting in its place a new Chapter 53 of the City of Riverbank Municipal Code of Ordinances. The revisions to the Ordinance incorporate the requirements of the Small MS4 General Permit to ensure the City has the legal authority to implement the permit requirements to reduce storm water discharges and urban run-off pollution to the maximum extent practicable.

6. NEW BUSINESS

Item 6.1: Presentation of Revised Sewer and Water Rate Increase Proposals and Establish Proposition 218 Public Hearing Date for August 11, 2015 – It is recommended that the City Council:

1. Receive a presentation regarding the revised Sewer and Water Rate Increase proposal,
2. Provide feedback to staff regarding preferred rate proposal, and
3. Establish a Proposition 218 Public Hearing date for August 11, 2015.

Item 6.2: **A Resolution of the City Council of the City of Riverbank, California, Approving a Law Enforcement Services Agreement with Stanislaus County for July 1, 2015 – June 30, 2020** – It is recommended that the City Council adopt a Resolution approving a Law Enforcement Services Agreement with Stanislaus County for July 1, 2015 – June 30, 2020.

Item 6.3: **A Resolution of the City Council of the City of Riverbank, California, Approving a Memorandum of Understanding with the Riverbank Miscellaneous Employees Bargaining Unit for the Term of January 3, 2015 to June 30, 2017, Regarding the Salaries, Benefits, Hours, and Other Terms and Conditions of Employment** – It is recommended that the City Council adopt a Resolution approving the Memorandum of Understanding between the City of Riverbank and the Riverbank Miscellaneous Employees Bargaining Unit.

LRA Item 6.4: **Workshop on Fiscal Year 2015-2016 Local Redevelopment Authority (LRA) Budget** – It is recommended that the Local Redevelopment Authority (LRA) Board of Directors (Board) receive a presentation on the proposed Fiscal Year 2015-2016 LRA Budget.

Item 6.5: **Adopt the Post-Construction Standards Plan for the City of Riverbank** – It is recommended that the City Council of the City of Riverbank Adopt the Post-Construction Standards Plan as a guidance document on storm water post-construction design measures for developers and plan checkers.

Item 6.6: **Adoption of a Comprehensive Storm Water Education & Outreach Plan for the City of Riverbank** – It is recommended that the City Council of the City of Riverbank Adopt the Comprehensive Storm Water Education & Outreach Plan (E & O) to educate the public and the City of Riverbank's internal staff on storm water pollution prevention and community involvement opportunities.

Item 6.7: **Consider Request from Galaxy Theatre LLC to Waive Water, Waste Water, Storm Drain, and Traffic System Development Fees** – It is recommended that the City Council consider the request from Galaxy Theatre LLC ("Galaxy") to waive certain System Development Fees assessed on the construction of a three-story 14,141 square foot ("sq. ft.") addition to an existing 56,840 sq. ft. building and waive the Traffic System Development Fee and continue to require the payment of the Water, Waste Water, and Storm Drain System Development Fees.

7. COMMENTS (Information only – No action)

Item 7.1: Staff Comments

Item 7.2: Council/Authority Member Comments

Item 7.3: Mayor/Chair Comments

8. CLOSED SESSION

The public will have a limit of 5 minutes to comment on Closed Session item(s) as set forth on the agenda prior to the City Council/LRA Board recessing into Closed Session.

Item 8.1: **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to Government Code § 54957.6
Agency representative: Jill Anderson, City Manager
Employee organizations: Riverbank Executive Management

Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code § 54956.9(a)
Name of Case: City of Riverbank v. Riverbank Oil Transfer, LLC
Stanislaus County Superior Court Case No. 2012779

Item 8.3: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Government Code Section 54956.8
Property: 2372 Patterson Road, Riverbank, California
Agency Negotiator: Jill Anderson, City Manager
Property Negotiator: Tom Ward
Under Negotiation: Price, terms of payment, or both

LRA Item 8.4: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: 1 potential case

LRA Item 8.5: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Government Code Section 54956.8
Property: APN #062-008-009; #062-031-005; #062-031-006; #062-031-007; and #062-031-009
Agency Negotiator: Jill Anderson, City Manager
Property Negotiator: U.S. Army
Under Negotiation: Price, terms of payment, or both

Recommendation: It is recommended that City Council /LRA Board provide direction to Staff on the Closed Session item(s).

9. REPORT FROM CLOSED SESSION

Item 9.1: Report on Closed Session on Item 8.1: **CONFERENCE WITH LABOR NEGOTIATORS**

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

Item 9.3: Report on Closed Session Item 8.3: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

LRA Item 9.4: Report on Closed Session LRA Item 8.4: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

LRA Item 9.5: Report on Closed Session LRA Item 8.5: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

ADJOURNMENT (The next regular City Council meeting – **Tuesday, June 23 @ 6:00 pm**)

UPCOMING EVENTS:

Open Until Filled	▪ <u>Budget Advisory Committee:</u> Applications are currently being accepted. Visit www.riverbank.org or Contact Marisela Garcia at 863-7110.
Friday Closures	▪ <u>City Offices are Closed Alternating Fridays:</u> - o Friday, June 5 and June 19: CLOSED - o Friday, June 12 and June 26: Hours 8:00 am – 5:00 pm
Cancelled 2015 Regular City Council Meetings	▪ Tuesday, May 26, 2015; Tuesday, July 14, 2015; Tuesday, September 8, 2015; and Tuesday, December 22, 2015.

AFFIDAVIT OF POSTING

I, Annabelle Aguilar, do hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted 72 hours prior to the meeting in accordance to the Brown Act.

Posted this 4th day of June, 2015

/s/Annabelle H. Aguilar, CMC, City Clerk /LRA Recorder

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 72-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/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.

GENERAL INFORMATION

Meeting Schedule	The City Council Members also serve as the LRA Board Members. The Riverbank City Council/LRA Board meets in the City Hall North Council Chambers. Regular City Council meetings are held on the 2nd and 4th Tuesdays of each month at 6:00 p.m. The Local Redevelopment Authority Board meets on an "as needed" basis. Meetings are held as indicated, unless otherwise noticed.
City Council / LRA Agenda & Reports	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, if 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.
Public Hearings	In general, a public hearing is an open consideration within a regular meeting of the City Council or a meeting of the LRA, 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.
Televised / Video of Meetings	City Council/LRA meetings are televised on Charter Channel 2 and AT&T Uverse Channel 99. Video of the meeting and the schedule of replays may be seen on the City's website, under the "Action 2" Icon. (Note: Technical difficulty occurs on occasion preventing the televising or recording of the meeting.)
Questions	Contact the City Clerk at (209) 863-7122 or aaguilar@riverbank.org

Any documents that are not privileged or part of a Closed Session provided to a majority of the City Council/LRA Board after distribution of the agenda packet, regarding any item on this agenda, will be made available for public inspection at North City Hall, 6707 Third Street, Riverbank, CA, during normal business hours.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 1.1

SECTION 1: PRESENTATIONS

Meeting Date:	June 9, 2015
Subject:	Proclamation – Declaring June 2015 as Disability Awareness Month
From:	Jill Anderson, City Manager
Submitted by:	Judy Castanon, Finance Clerk

RECOMMENDATION:

It is recommended that the City Council present a proclamation to Marci Boucher, Executive Director, and Matt Tilford, Program Director, of the Society for Disabilities or designee to proclaim June 2015 as Disability Awareness month in the City of Riverbank.

SUMMARY:

On behalf of the residents of Riverbank and of Americans across the Country, the City of Riverbank would like to declare the month of June 2015, as Disability Awareness Month.

FINANCIAL IMPACT:

There is no financial impact to the City.

ATTACHMENTS:

1. Proclamation

CITY OF RIVERBANK

PROCLAMATION

**A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
PROCLAIMING JUNE 2015 AS DISABILITY AWARENESS MONTH**

WHEREAS, freedom and opportunity are the promise to all people of the United States; and

WHEREAS, children and adults with disabilities are participating as full members of their communities in greater and greater numbers; and

WHEREAS, more and more children with disabilities are successfully integrated into their neighborhood schools; and

WHEREAS, the essence of life is not embodied by physical or mental perfection, but it is an integral part of the human spirit; and

WHEREAS, the development of human potential is the commitment we must make to guarantee the brightest possible tomorrow for our future generations; and

WHEREAS, when special assistance is needed, we must take those steps necessary for the full integration of people with disabilities into society; and

WHEREAS, the right to education, to meaningful employment, to make personal choices, and to experience love and friendship with dignity are also among those most basic rights.

NOW, THEREFORE, LET IT BE PROCLAIMED by the City Council of the City of Riverbank that June 2015 is Disability Awareness Month within the City of Riverbank and we urge all our citizens to become aware of the needs and capabilities of persons with disabilities.

June 9, 2015



Richard D. O'Brien, Mayor

Darlene Barber-Martinez, Vice Mayor

Cal Campbell, Councilmember

Leanne Jones Cruz, Councilmember

Jeanine Tucker, Councilmember

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 1.2

SECTION 1: PRESENTATION

Meeting Date:	June 9, 2015
Subject:	Stanislaus Regional Transit (StaRT) Proposed Fiscal Year 2015-2016 Service Changes Presentation
From:	Jill Anderson, City Manager
Submitted By:	Marisela Garcia, Director of Finance Kathleen Cleek, Development Services Admin. Manager

RECOMMENDATION

It is recommended that the City Council hear the Stanislaus Regional Transit's presentation on the proposed fiscal year 2015-2016 service changes and provide any feedback or comments after the presentation.

SUMMARY

On October 15, 2012, the City of Riverbank entered into a Memorandum of Understanding with Stanislaus County to provide the residents of Riverbank with public transportation services. On January 1, 2013, the County's public transportation service, Stanislaus Regional Transit (StaRT) began providing transportation services to the City's residents.

Tonight Eunice Lovi, Stanislaus County Transit Manager, will provide an overview of the service and the proposed service changes for fiscal year 2015-2016.

FISCAL IMPACTS

None at this time.

ATTACHMENTS

Presentation

RIVERBANK CITY COUNCIL / LRA AGENDA ITEM NO. 3.A

SECTION 3: CONSENT CALENDAR

Meeting Date:	June 9, 2015
Subject:	Waiver of Readings
From:	Jill Anderson, City Manager
Submitted by:	Annabelle Aguilar, CMC, City Clerk / LRA Recorder

RECOMMENDATION

It is recommended that the City Council / LRA Board 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 to this item.

ATTACHMENTS

There are no attachments to this report.

**RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 3.B**

SECTION 3: CONSENT CALENDAR

Meeting Date:	June 9, 2015
Subject:	Approval of the May 12, 2015, City Council and Local Redevelopment Authority Minutes
From:	Jill Anderson, City Manager
Submitted by:	Annabelle Aguilar, CMC, City Clerk / LRA Recorder

RECOMMENDATION

It is recommended that the City Council / Local Redevelopment Authority Board approve the City Council /LRA Meeting Minutes as presented.

SUMMARY

The Draft Minutes of the May 12, 2015, regular City Council and the Local Redevelopment Authority Board meetings have been prepared for review and approval.

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENT

1. May 12, 2015, City Council and LRA Board Minutes



City of Riverbank
REGULAR CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY MEETINGS
(The City Council also serves as the LRA Board)

MINUTES
TUESDAY, MAY 12, 2015

The following minutes reflect action minutes, which may contain added clarification for the record. A copy of the verbatim recording may be obtained for a fee, by contacting the Administration Department at (209) 863-7122.

CALL TO ORDER:

The City Council and Local Redevelopment Authority Board of the City of Riverbank met at 6:01 p.m. on this date at the Riverbank City Council Chambers, 6707 Third Street, Suite B, Riverbank, California, with Mayor/Chair Richard D. O'Brien presiding.

FLAG SALUTE: Mayor Richard D. O'Brien

INVOCATION: Reverend Charles Neal

ROLL CALL:

Present Mayor/Chair Richard D. O'Brien
Vice Mayor/Chair Darlene Barber-Martinez
Council/Authority Members: Cal Campbell, Leanne Jones Cruz,
and Jeanine Tucker

CONFLICT OF INTEREST

Any Council/Authority Member and Staff who would have a direct Conflict of Interest on any scheduled agenda item to be considered are to declare their conflict.

Councilmember Barber-Martinez declared a conflict with Item 4.1 due to her business location.

Council/Authority Member Campbell declared he would abstain from voting on Item 3.B [March 24, 2015 meeting minutes] due to his absence from the meeting.

Mayor/Chair O'Brien declared he would abstain from voting on Item 3.B-2 [Minutes of April 28, 2015] due to his absence from the meeting.

1. PRESENTATIONS

There were no items to consider.

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/LRA Board. 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 during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the City Council/LRA Board.

Ramon Bermudez spoke in regards to his success in receiving a response from Gilton Waste Management to have bulk items picked up, and the need for lighting in areas of Riverbank,

3. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council/LRA Board unless otherwise requested by an individual Council/Authority Member 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 March 24, 2015, Regular City Council and Local Redevelopment Authority Minutes.

Item 3.B-1: Approval of the April 14, 2015, Regular City Council and Local Redevelopment Authority Minutes.

Item 3.B-2: Approval of the April 28, 2015, Regular City Council and Local Redevelopment Authority Minutes.

Item 3.C: Consideration of Approval to Continue the Declared Emergency for the 7th Street Storm Drain Outfall Line Destabilized Embankment.

Item 3.D: A **Resolution (No. 2015-030)** of the City Council of the City of Riverbank Authorizing the Submittal of a Grant Application to the San Joaquin Valley Air Pollution Control District for New Alternative Fuel Purchase.

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

ACTION: *By motion moved/seconded (Tucker /Jones Cruz / passed 5-0) to approve Consent Calendar Items 3.A, 3.B-1, 3.C, and 3.D; and (passed 4-0; abstained – Campbell) to approve Item 3.B; and (passed 4-0; abstained – O’Brien) to approve Item 3.B-2, as presented.*

Motion carried by City Council and LRA Board roll call vote.

AYES: *Campbell, Jones Cruz, Tucker, Barber-Martinez, and Mayor/Chair O’Brien*

NAYS: *None*

ABSENT: *None*

ABSTAINED: *Campbell (on Item 3.B) and O’Brien (on Item 3.B-2)*

4. UNFINISHED BUSINESS

- Item 4.1:** 1) A Resolution (No. 2015-031) of the City Council of the City of Riverbank, California, Approving (1) the General Plan Amendment to modify the Land Use Designation of eighty-three (83) properties to match the Goals and Objectives of the DTSP, (2) to modify the General Plan Circulation Diagram to be consistent with the recommendation of the Planning Commission for a PED Overpass as the connection between the Downtown Area and the Cannery Site and (3) approval the Downtown Specific Plan. – It is recommended that the City Council approve the proposed project based on the previously certified EIR and the Findings of Fact, the years of public involvement, workshops, public testimony and the analysis presented below.
- 2) Second Reading by Title Only and Adoption of Ordinance No. 2015-010 of the City Council of the City of Riverbank, California Approving Rezoning of the Downtown Specific Plan Area to Sp-3 (Specific Plan No. 3), Located in the Downtown Area of Riverbank Easterly of Callander Avenue, South of Atchison Street, Westerly of Fourth Street and North of Patterson Road – A Project known as Riverbank Downtown Specific Plan – It is recommended that the City Council conduct the second reading by title only of Ordinance No. 2015-010 and consider its adoption as presented.

Vice Mayor Barber-Martinez left the Chambers at 6:12 p.m.

City Manager Jill Anderson introduced the item.

John Anderson, Contract Development Services Director, presented the resolution and ordinance.

Mr. Anderson stated that written comments were received by Mrs. Halbert just prior to the meeting, which he had not had an opportunity to thoroughly review and consider.

Mayor O'Brien inquired about the laws on storm water requirements; Mr. Anderson responded.

There were no other public comments.

ACTION: *By motion moved/seconded (Tucker / Campbell / passed 40) to approve (1) the General Plan Amendment to modify the Land Use Designation of eighty-three (83) properties to match the Goals and Objectives of the DTSP, (2) to modify the General Plan Circulation Diagram to be consistent with the recommendation of the Planning Commission for a PED Overpass as the connection between the Downtown Area and the Cannery Site and (3) approval the Downtown Specific*

Plan by adoption of Resolution No. 2015-031; and to Adopt Ordinance No. 2015-010, Approving Rezoning of the Downtown Specific Plan Area to Sp-3 (Specific Plan No. 3), Located in the Downtown Area of Riverbank Easterly of Callander Avenue, South of Atchison Street, Westerly of Fourth Street and North of Patterson Road – A Project known as Riverbank Downtown Specific Plan, as presented.

Motion carried by unanimous City Council roll call vote.

AYES: Campbell, Jones Cruz, Tucker, and Mayor O'Brien

NAYS: None

ABSENT: None

ABSTAINED: None

Vice Mayor Barber-Martinez returned to the dais at 6:23 p.m.

5. PUBLIC HEARINGS

There were no Items to consider.

6. NEW BUSINESS

Item 6.1: **Sewer and Water Rate Study** – It is recommended that the City Council:

1. Receive a presentation from Bartle Wells Associates regarding the Draft Sewer and Water Rate Studies;
2. Provide feedback regarding the potential rate structures; and
3. Direct staff to initiate preparations for the public hearing required by Proposition 218.

Marisela Garcia, Director of Finance, introduced Mr. Doug Dove of Bartle Wells Associates, who presented the Water and Sewer Rate Study.

City Council and Staff discussed the information provided and the financial cash flow options recommended.

Public Comment

- *Mr. Charles Neal, Riverbank, commented on concerns with the low sewer connection fee, comparison of Riverbank's water and sewer rates with other surrounding cities, the low flat rate for water; having one water meter allocated to an apartment complex with several apartment units in comparison to PG&E's meter per unit; floating additional bonds and more debt, and agreed everyone should pay their fair share, asking the City Council to thoroughly look into these matters and have the citizens interests into consideration when making decisions.*
- *Mr. Haskell Moore, Riverbank, commented on his concern with the titles of the agenda items not adequately describing what is actually going to be discussed and considered, providing an example of how the Modesto Bee described the water and sewer rate item. He also commented on missing the opportunity to speak on Item 4.1*

Mayor O'Brien responded to comments made by Mr. Neal.

Staff received direction to return on June 9th with an update and a schedule of events in completing the Proposition 218 process.

ACTION: *By motion moved/seconded (Tucker / Barber-Martinez / passed 5-0) to approve the direction to Staff to pursue Water Rate Scenario #3 [Drought – High Priority CIP Only: Funds the Fund 116 and 157 projects with rate increases, a loan and a bond issuance. A drought surcharge is initiated to recoup lost revenue due to Governor's conservation mandate, and to pursue Sewer Rate Scenario #4 [Full CIP with Bond Financing – Funds all capital projects for the next five years. Funds Sewer Enterprise costs from a combination of bond issues and rate increases, as presented.*

Motion carried by unanimous City Council roll call vote.

AYES: *Campbell, Jones Cruz, Tucker, Barber-Martinez, and Mayor O'Brien*

NAYS: *None*

ABSENT: *None*

ABSTAINED: *None*

ACTION: *By motion moved/seconded (Jones Cruz / Campbell / passed 5-0), to approve the direction to Staff to initiate the preparations for the public hearing required under Proposition 218, as presented.*

Motion carried by unanimous City Council roll call vote.

AYES: *Campbell, Jones Cruz, Tucker, Barber-Martinez, and Mayor O'Brien*

NAYS: *None*

ABSENT: *None*

ABSTAINED: *None*

Item 6.2: **Authorize Staff to submit the Draft 2014-2023 Housing Element to the California Department of Housing and Community Development (HCD) for a mandated sixty (60) day review period, and to release the Draft 2014-2023 Housing Element for public review - Planning Staff recommends the City Council vote to authorize Staff to submit the Draft 2014-2023 Housing Element to HCD for a mandated sixty (60) day review period, and to release the Draft 2014-2023 Housing Element for public review.**

David Niskanen, Contract Planner, presented the staff report; City Council and Staff discussed the item.

ACTION: *By motion moved/seconded (Barber-Martinez / Tucker / passed 5-0), to authorize Staff to submit the Draft 2014-2023 Housing Element to HCD for a mandated sixty (60) day review period, and to release the Draft 2014-2023 Housing Element for public review, as presented.*

Motion carried by unanimous City Council roll call vote.

AYES: Campbell, Jones Cruz, Tucker, Barber-Martinez, and Mayor O'Brien

NAYS: None

ABSENT: None

ABSTAINED: None

Item 6.3: **Selection of a Preferred Design Alternative for the Claribel Avenue/Roselle Avenue Intersection Improvement Project** - It is recommended that the City Council adopt a preferred design alternative for the design of a signal at the intersection of Claribel Road/Roselle Avenue Intersection Improvement and authorize the City Manager to complete a Memorandum of Agreement with the County to set forth the project scope and financial responsibilities, which would be presented for action by the City Council at a future date.

Mayor O'Brien took a brief break and exited the Chambers at 7:39 p.m.; Vice Mayor Barber-Martinez presided.

Kathleen Cleek presented the Item. Contracted City Engineer, Bill Kull, Contracted Development Services Director, John Anderson, and Stanislaus County Engineer, Andrew Malizia, were present to respond to questions.

Mayor O'Brien returned to the dais at 7:55 p.m. and continued to preside over the meeting.

City Council, Staff, and Mr. Malizia responded to questions.

City Council, with the exception of Councilmember Jones Cruz, spoke in favor of a signal light at the intersection. Councilmember Jones Cruz stated that people had the ability to learn how to use a roundabout and roundabouts could be built for traffic; therefore, favored the roundabout option.

Public Comment:

- *Mr. Charles Neal spoke in favor of a signal light at the intersection, which would take into consideration a railroad track.*
- *Mr. Edward Jones spoke in regards to his 40 years of experience as a big rig driver and the difficulties of maneuvering a roundabout; he favored a signal light at the intersection.*

ACTION: *A motion was moved/seconded (Barber-Martinez / Campbell) and was rescinded by Vice Mayor Barber-Martinez to consider staff's recommended action as two separate actions per the request of Councilmember Jones Cruz.*

By motion moved/seconded (Barber-Martinez / Campbell / passed 4-1) to adopt a preferred design alternative for the design of a signal at the intersection of Claribel Road/Roselle Avenue intersection.

Motion carried by City Council roll call vote.

AYES: Campbell, Tucker, Barber-Martinez, and Mayor O'Brien

NAYS: Jones Cruz

ABSENT: None

ABSTAINED: None

ACTION: *By motion moved/seconded (Barber-Martinez / Campbell / passed 4-1) to authorize the City Manager to complete a Memorandum of Agreement with the County to set forth the project scope and financial responsibilities, which would be presented for action by the City Council at a future date.*

Motion carried by unanimous City Council roll call vote.

AYES: Campbell, Jones Cruz, Tucker, Barber-Martinez, and Mayor O'Brien

NAYS: None

ABSENT: None

ABSTAINED: None

7. COMMENTS (Information only – No action)

Item 7.1: Staff Comments

Michael Riddell, Public Works Superintendent, commented on the drought and state mandates.

Marisela Garcia, Director of Finance, announced the Budget Advisory Committee meeting and a current vacancy to be filled.

Sue Fitzpatrick, Director of Parks and Recreation, announced the opening of the City's pool on June 1st, that a record number of people have been attending Jacob Myers Park, and stated that new signs were posted at the River Cove area.

City Manager Jill Anderson announced the cancellation of the regular City Council meeting on May 26th and a scheduled Special Budget Workshop on June 2nd.

Item 7.2: Council/Authority Member Comments

Council/Authority Member Jones Cruz reported on her attendance of the Legislative Action Day Conference.

Council/Authority Member Cal Campbell commented on his participation as a judge for the Riverbank High School Senior Projects, and announced that the Riverbank High School received an award as one of the top 10% of High Schools in the Nation.

Council/Authority Member Tucker, announced the Historical Society's Omelet Breakfast fundraiser at the Community Center on Sunday, and thanked City Staff for their work and efforts.

Vice Mayor/Chair Barber-Martinez: 1) announced she attended an awards ceremony at the Riverbank High School and wished the best to the Class of 2015, 2) announced that it was the 50th anniversary of Older Americans Act and the Month of May is Older Americans Month in recognition of their many contributions to society; encouraging everyone to visit with an older American.

Item 7.3: Mayor/Chair Comments

Mayor O'Brien announced that on May 19th a Riverbank citizen would be recognized by Stanislaus County as Senior of the Year.

8. INFORMATIONAL ITEMS (Information Only – No Action)

MAYOR/CHAIR O'BRIEN ANNOUNCED THE CLOSED SESSION ITEMS, THERE WERE NO COMMENTS. THE CITY COUNCIL AND LRA BOARD RECESSED TO CLOSED SESSION AT 8:30 P.M.

LRA Item 8.1: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code § 54956.9(a)
Name of Case: Riverbank Local Redevelopment Authority v. Dayton Superior Corporation; Marten Transport LTD; Robert Young; Marten Transport Services LTD
Stanislaus County Superior Court Case No. 684358

Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code § 54956.9(a)
Name of Case: City of Riverbank v. Riverbank Oil Transfer, LLC
Stanislaus County Superior Court Case No. 2012779

Recommendation:

It is recommended that City Council /LRA Board provide direction to Staff on the Closed Session item(s).

9. REPORT FROM CLOSED SESSION

MAYOR/CHAIR O'BRIEN RECONVENED THE MEETINGS AT 8:55 P.M.

LRA Item 9.1: Report from Closed Session LRA Item 8.1: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Chair O'Brien reported that direction was provided to Staff.

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

Mayor O'Brien reported that direction was provided to Staff.

ADJOURNMENT

There being no further business, Mayor/Chair O'Brien adjourned the meetings at 8:56 p.m.

ATTEST:

Annabelle H. Aguilar, CMC
City Clerk / LRA Recorder

APPROVED:

Richard D. O'Brien
Mayor / Chair

DRAFT

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.C

SECTION 3: CONSENT CALENDAR

Meeting Date: June 9, 2015

Subject: A **Resolution** of the City Council of the City of Riverbank, California, Appointing Richard Boos and Tom Hollander to the Riverbank Housing Authority Board of Commissioners; Each Appointee to Serve a Four-Year Term Expiring June of 2019

From: Jill Anderson, City Manager

Prepared by: Annabelle Aguilar, CMC, City Clerk

RECOMMENDATION

It is recommended that the City Council consider adopting the resolution appointing Mr. Richard Boos and Mr. Tom Hollander to the Riverbank Housing Authority (HA) Board of Commissioners.

SUMMARY

Former Commissioner John Degele resigned from his seat in April of 2014 and Former Commissioner Linda Herron resigned from her seat in October of 2014. As a result, both seats have been vacant since their time of resignation.

The Riverbank Housing Authority Board of Commissioners received applications from Mr. Richard Boos and Mr. Tom Hollander who expressed interest in serving on the Commission. The Board of Commissioners has considered their applications and has provided a letter to the City Clerk requesting that the City Council appoint both gentlemen to the Riverbank Housing Authority Board of Commissioners.

BACKGROUND

The Commission consists of seven seats, five Commissioner seats are for four-year terms, and two of the seats are specifically housing tenant seats, with two-year terms, of which one of those seats requires a person to be at least the age of 62. The two current vacant seats are non-tenant seats previously held by former Commissioner John Degele and former Commissioner Linda Herron.

A recruitment process is conducted and upon receipt of qualified applicants, the HA Board of Commissioners sends a letter of request to the City of Riverbank requesting City Council's consideration to appoint the applicant(s). The letter from the HA Board of Commissioners, along with a copy of each application, is attached for City Council's review and consideration.

FINANCIAL IMPACT

There is no financial impact to this report.

ATTACHMENT

1. Application of Richard Boos
2. Application of Tom Hollander
3. Letter of Request from the Riverbank Housing Authority
4. Resolution

(EXHIBIT A)

APR 28 2015



APPLICATION

Appointment to the Housing Authority Commission
City of Riverbank

RECEIVED *lbain*
BY: _____

ELIGIBILITY TO APPLY: APPLICANT MUST BE A RIVERBANK RESIDENT

Please type or print

Name ☐ Mr. ☐ Ms. Richard W. Boos
First M.I. Last

Home Address Riverbank CA 95367
Address City Zip

Contact Phone Number(s): _____

E-mail: _____ (most communication will be via email, if available).

Are you currently a tenant of the Riverbank Housing Authority? ☐ Yes ☐ No

Have you ever been convicted of any crime or violation of any law or statute other than minor traffic violations? ☒ No ☐ Yes (If yes, please attach a separate sheet with your explanation.)

Current/Last Employment Information

Employer Retired
Address _____
Position _____ Dates of Employment _____
Responsibilities _____

Questionnaire (A separate sheet may be attached)

Please explain why you want to be appointed to the Housing Authority Commission.

I feel a need for people in the City to
help with duties at no. charge
and being retired have the time.

Describe your qualifications, education, training, and/or any special certifications or experience applicable to serve as a Commissioner (i.e. military, volunteerism, serving on Boards, etc.).

4 Years Navy, 9/3/63 - 9/4/67,

Worked in Civil Service 34 years, from Gardening Supervisor, to Pump Operations Supervisor for the City of Alhambra, CA. 17 years.

What specific issue(s) do you believe face the Housing Authority Commission and how do you suggest they be addressed?

Don't know.

Please provide any additional information you would like that pertains to your qualifications, interests, or training related to this appointment.

I have sufficient time to devote to this responsibility and will attend the required meeting(s) if I am appointed. I will file the necessary disclosure documents as required under the Political Reform Act. I am also aware that this application is a public document (excluding my personal contact information and signature).

I declare under penalty or perjury that all statements in this application and any attached responses are true and complete to the best of my knowledge and belief.

Signature
(Required)-

Date

4/28/15

Vacancy is "Open until filled".

Mail or deliver the application to: Office of the City Clerk, City of Riverbank, 6707 Third Street, Riverbank, CA 95367

E-mail (aaguilar@riverbank.org) or fax (209-863-7100, are accepted only if it contains the required signature.

For questions: Riverbank City Clerk's Office (209) 863-7189 or Administration Dept. (209) 863-7122



APPLICATION

Appointment to the Housing Authority Commission
City of Riverbank

RIVERBANK
EST. 1922
HOUSING AUTHORITY

ELIGIBILITY TO APPLY: APPLICANT MUST BE A RIVERBANK RESIDENT

Please type or print

Name ☒ Mr. ☐ Ms.

Tom

C

Hollander

First

M.I.

Last

Home Address

Address

Riverbank

95367

City

Zip

Contact Phone Number(s):

E-mail:

(most communication will be via email, if available).

Are you currently a tenant of the Riverbank Housing Authority? ☐ Yes ☐ No

Have you ever been convicted of any crime or violation of any law or statute other than minor traffic violations? ☒ No ☐ Yes (If yes, please attach a separate sheet with your explanation.)

Current/Last Employment Information

Employer

E & J Gello Winery

Address

600 Yosemite Blvd

Modesto, Ca 95354

Position

SR Purchasing Agent

Dates of Employment

11/81

Responsibilities

MRG - Purchasing materials for Winery/
Brandy Plant -

Questionnaire (A separate sheet may be attached)

Please explain why you want to be appointed to the Housing Authority Commission.

Recently retired & feel that I have time
and expertise that would be of value to the
Organization

Describe your qualifications, education, training, and/or any special certifications or experience applicable to serve as a Commissioner (i.e. military, volunteerism, serving on Boards, etc.).

SE Punchy agent for E+J Galle Wing for
33 1/2 years - AA Degree in Business adm.

What specific issue(s) do you believe face the Housing Authority Commission and how do you suggest they be addressed?

upkeep - Need to continue to upgrade & provide
for the safety & comfort for seniors and disabled

Accountability assure residents that the HA is
listening to and acting on the concerns of the
tenants.

Please provide any additional information you would like that pertains to your qualifications, interests, or training related to this appointment.

I have sufficient time to devote to this responsibility and will attend the required meeting(s) if I am appointed. I will file the necessary disclosure documents as required under the Political Reform Act. I am also aware that this application is a public document (excluding my personal contact information and signature).

I declare under penalty or perjury that all statements in this application and any attached responses are true and complete to the best of my knowledge and belief.

Signature
(Required)

Date

4-5-15

Vacancy is "Open until filled".

Mail or deliver the application to: Office of the City Clerk, City of Riverbank, 6707 Third Street, Riverbank, CA 95367

E-mail (aaguilar@riverbank.org) or fax (209-863-7100, are accepted only if it contains the required signature.

For questions: Riverbank City Clerk's Office (209) 863-7189 or Administration Dept. (209) 863-7122

(EXHIBIT B)
HOUSING AUTHORITY OF THE CITY OF RIVERBANK

3309 Stanislaus Street

Burney Villa Homes

Established 1941

P.O. Box 695
Riverbank, California 95367

Henrietta F. Rossi Apts.

Phone: (209) 869-4501

Fax: (209) 869-6814

Fred W. Scheela Apts.

May 7, 2015

Office of the City Clerk
City of Riverbank
6707 Third Street
Riverbank, CA 95367

RE: Appointment to the Housing Authority of the City of Riverbank Commission

Dear City Clerk,

The Housing Authority has received two (2) applications for the two (2) vacant positions on the Housing Authority of the City of Riverbank's Board of Commissioners.

We are forwarding both applications to you for approval by the Riverbank City Council to appoint Richard Boos and Tom Hollander to the Board of Commissioners of the Housing Authority of the City of Riverbank.

Your assistance in expediting this request will be greatly appreciated.

Please contact us if you have any questions or need further assistance from us.

Sincerely,



CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, APPOINTING RICHARD BOOS AND TOM HOLLANDER TO THE RIVERBANK HOUSING AUTHORITY BOARD OF COMMISSIONERS; EACH APPOINTEE TO SERVE A FOUR-YEAR TERM EXPIRING JUNE OF 2019

WHEREAS, pursuant to Health and Safety Code Section 34270, the City Council of the City of Riverbank adopted a resolution declaring the need for a Housing Authority (HA); and

WHEREAS, pursuant to the Health and Safety Code, the governing body of the Riverbank Housing Authority shall be a Commission that will consist of seven Commissioners, two of which shall be tenants of the Housing Authority, with one such Tenant Commissioner who shall be over the age of 62; and

WHEREAS, a non-tenant Commissioner shall serve a four-year term from the date of appointment and shall be disqualified upon ceasing to be a qualified Commissioner; and

WHEREAS, the resignations of former Commissioner John Degele in April of 2014 and former Commissioner Linda Herron in October of 2014, left two seats vacant; and

WHEREAS, applications from Richard Boos and Tom Hollander were received and reviewed by the Riverbank Housing Authority Board of Commissioners, attached hereto as **Exhibit A**; and

WHEREAS, a letter from the Board of Commissioners, attached hereto as **Exhibit B**, requests that the City Council appoint Richard Boos and Tom Hollander to the Commission.

NOW, THEREFORE BE IT RESOLVED that the City Council, of the City of Riverbank, as the Appointing Body for the Riverbank Housing Authority, does hereby appoint Richard Boos and Tom Hollander to the Riverbank Housing Authority Board of Commissioners; each to serve a four-year term expiring June of 2019.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 9th day of June, 2015; motioned by Councilmember _____, seconded by _____, 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: Exhibit A – Application copies

Exhibit B – Letter of Request from the Riverbank Housing Authority Board.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.D

SECTION 3: CONSENT CALENDAR

Meeting Date:	June 9, 2015
Subject:	Terminate the Emergency Action on the 7 th Street Storm Drain Outfall Line Destabilized Embankment
From:	Jill Anderson, City Manager
Submitted by:	Michael Riddell, Public Works Superintendent Annabelle Aguilar, CMC, City Clerk

RECOMMENDATION

In accordance with Public Contract Code § 22050 the City Council has been reviewing and approving the continuance of the 7th Street emergency action, at its regularly scheduled City Council meetings until such time as the emergency action no longer existed. Pursuant to this Code it is recommended that the City Council terminate the emergency action due to the completion of all temporary emergency repairs; thereby, warranting further action of permanent repairs to the embankment, which will be presented to the City Council for consideration at a future date.

SUMMARY

Upon discovery of an emergency situation of a destabilized embankment to the 7th Street storm drain outfall line, staff immediately brought it to the attention of the City Council and, accordingly, received approval to conduct the necessary temporary emergency repairs to the embankment, which was stabilized. In addition, staff procured the services of Crawford and Associates, Inc. to provide specialized geotechnical engineering analysis of the level of erosion and slope stability issues to determine design alternatives to conduct the permanent repairs to the outfall line embankment.

The Geotechnical Report from Crawford and Associates has been received. The weather is moving into the dry season, which provides staff the opportunity to thoroughly evaluate the information provided in the report and determine the best, cost-effective design alternative to permanently repair the outfall line embankment. Presentation of the proposed design to the City Council will be scheduled at a future date for approval, which will eventually lead to the process of noticing for bids to permanently repair the embankment.

BACKGROUND

During a site visit of the storm drain outfall lines to the river, it was noticed that the embankment above the 7th Street storm drain outfall line had collapsed. Upon closer investigation it was clear that a good portion of the embankment above the river was destabilized. The slide was approximately 30 feet wide by 60 feet long and ran from top to bottom. The slide deteriorated the asphalt roadway, roadway shoulder, and caused a concrete retaining wall to fail.

On December 9th, 2014, staff presented an emergency item to the City Council receiving approval of \$35,000 for emergency temporary repairs. On December 10th, 2014 staff contracted with Cunningham & Sons, Inc. and had the temporary repairs conducted, which was completed by December 13th, 2014. Total cost for the repair work was \$14,810.54. Cunningham & Sons, Inc. was very responsive to the City's needs and accomplished an excellent and timely job.

On March 10, 2015, the City Council approved an additional appropriation of \$6000 from the General Fund Reserves to hire Crawford & Associates, Inc. to conduct an engineering analysis of the erosion and slope stability issues of the project area and provide a Geotechnical Engineering report to enable staff to consider alternative designs and propose a cost-effective permanent solution to stabilize the outfall line embankment.

As a result of all the aforementioned action completed, the emergency action no longer exists and therefore in accordance with the Public Contract Code Section 22050, the City Council must terminate the emergency action at the earliest possible date that conditions warrant so that the remainder of the action may be completed by giving notice for bids to conduct the permanent repairs to the embankment.

FINANCIAL IMPACT

\$35,000 had been appropriated from the General Fund Reserves for emergency repairs and an additional \$6,000 was appropriated to conduct a Geotechnical Report. All funds have been expended to-date.

STRATEGIC PLAN

This report has been prepared to achieve the City of Riverbank's Three-Year Goal to Improve and Maintain Infrastructure and Facilities.

ATTACHMENT

There are no attachments to this report.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.E

SECTION 3: CONSENT CALENDAR

Meeting Date:	June 9, 2015
Subject:	Advanced Civil Engineering Design for California Ave. Sewer line design
From:	Jill Anderson, City Manager
Submitted by:	John B. Anderson, Consulting Community Development Director Kathleen Cleek, Development Services Administrative Manager

RECOMMENDATION

It is recommended that the City Council commit \$17,250.00 from the Sewer Account of the System Development Fees (AB 1600 Fees) to allow for the advance Civil Engineering design of the California Ave. sewer line from a point 700 feet westerly of the Claus Road intersection easterly to Central Ave.

SUMMARY

The City has a number of approved development projects easterly of Claus Road off of California Ave. easterly of Claus Road which will depend on the extension of a sewer line westerly from a point in California Ave. around California Ave. School. This sewer line needs to extend easterly across Claus Road towards Central Ave. Approved projects in the vicinity includes the Claus Road Apartments south of California Ave. located on Claus Road as well as approved residential projects of Hayes I, Hayes II, and White totaling some 160 potential residential lots. The subject sewer line is an identified Capital Improvement as part of the System Development Fees.

BACKGROUND

The California Ave sewer line is a major infrastructure item which must be built in order to provide public sewer services to a number of approved development projects easterly of Claus Road. The estimated cost of this sewer line extension is unknown at this time. City Staff has been asked by the developers of these key projects, if the City would be willing to advance dollars necessary to allow for the design of this sewer line to be advanced as a capital design project. This will allow the development community to

solicit bids for the sewer line project based on a fully designed sewer project. Actual construction of the sewer line will be funded by developers with sewer fee credit being applied for on a case by case basis. The City Finance Director has confirmed that there are sufficient funds in the Sewer Account of the System Development Fees to allow for this unplanned expenditure associated with the design of the California Ave. sewer line.

FINANCIAL IMPACT

The sewer line project in question is part of the CAPITAL facilities identified in the System Development Fees recently updated by the City Council. Our City Engineer, William Kull, has presented the City with a proposal to perform the Civil Engineering requested and has estimated the engineering cost at \$17,250. The engineering proposal dated May 6, 2015 is attachment 1 to this Staff Report.

STRATEGIC PLAN

This proposal is part of the Council's stated three (3) year goals to "Improve and maintain infrastructure and facilities".

ATTACHMENTS

1. Engineering Proposal by Giuliani & Kull, Inc. dated May 6, 2015.



May 6, 2015

Mrs. Kathleen Cleek
City of Riverbank
6707 3rd Street
Riverbank, CA 95367

Subject: Proposal for Engineering Services, California Avenue Sanitary Sewer Extension

Dear Mrs. Cleek:

We are pleased to offer the attached proposal for engineering and surveying services associated with the preparation of engineering drawing and bid documents for the extension of the 18 inch sanitary sewer trunk main in California Avenue from a point 700 feet westerly of Claus Road to Central Avenue. The construction of this major trunk line is important to the future development of the South Bruinville area.

If this proposal is acceptable, please sign in the space provided and initial the attached Standard Provisions. A returned copy will be our authorization to proceed.

We look forward to working with you on this project.

Sincerely,

Giuliani & Kull, Inc.

William F. Kull, P.E., P.L.S.

RCE 34935, LS 5792

AGREEMENT

PROPOSAL FOR ENGINEERING & SURVEYING SERVICES

PROJECT AREA

California Avenue Sewer Trunk Extension
700 Feet westerly of Claus Road to Central Avenue

CLIENT

Mrs. Kathleen Cleek
City of Riverbank
6707 3rd Street
Riverbank, CA 95367

CONSULTANT

Giuliani & Kull, Inc.
440 S. Yosemite Avenue, Suite A
Oakdale, CA 95361
(209) 847-8726

This agreement entered into in Oakdale, California hereby binds the Client and Consultant to the following Scope of Services and Compensation:

SCOPE OF SERVICES

The following scope of services is offered for the preparation of surveys and engineering design for the sidewalk improvement project.

Task 1 - Topographic Survey

The consultant will prepare a topographic survey of the limits of the construction along California Avenue from the sanitary sewer manhole located 700 feet westerly of Claus Road to Central Avenue. The survey will be used for the design of the sanitary sewer line. We will locate all buildings, paved areas, structures, trees, fences, grades, driveways, parking areas, and visible utility systems within the existing roadway area.

Task 2 – Sanitary Sewer Extension Plan

We will prepare plans for the installation of an 18 inch sanitary sewer trunk main. This plan will include plan/profile drawings for the deep main line as well as a more shallow fly line for connections to the existing parcels.

Task 3- Bid Documents

Giuliani & Kull, Inc. will prepare bid documents that include special provisions, bid sheets and engineers estimates to be added to the City's standard bid documents. This task item includes bid coordination with contractors and responses to requests for information during the bid period.

SERVICES NOT INCLUDED

The following services are specifically not included as a part of the consultants work effort under this contract:

- (a) Soils or geotechnical engineering services
- (b) Architectural, landscape architecture or structural services
- (c) Blue printing or reproduction costs
- (d) Record of survey, subdivision mapping or setting of boundary corners
- (e) Construction staking, management or inspections
- (f) Utility design for gas, electric, cable, telephone
- (g) Environmental documents, reports or studies

The above listing is not intended to be exhaustive and shall not be construed to include any work as offered under this proposal except as specifically identified in the Scope of Services.

CLIENT PROVIDED DATA

The following data information and materials are to be provided by the Client:

- (a) Conduct USA utility location
- (b) Access to the site for survey work

COST OF SERVICES

The professional services described in the Scope of Services are offered for the following fees:

Task 1 - Topographic Survey	\$6,500
Task 2 – Sanitary Sewer Plan	\$9,000
Task 3 - Bid Documents	<u>\$1,750</u>

Total Fixed Fee Contract Amount	17,250
--	---------------

TERMS

The services described herein will be provided in accordance with the attached Standard Provisions of Agreement. Compensation shall be payable monthly as the work is performed. Invoices shall be payable within 30 days of the date of invoice. Extra work items or other additional services (beyond those described herein) will be provided in accordance with our standard schedule of hourly rates in effect at the time the work is performed.

If this proposal is acceptable, please sign one copy and initial the standard provisions attached hereto. A returned copy of the contract agreement will be our authorization to proceed.

Respectfully submitted,
Giuliani & Kull, Inc.

Accepted,

William F. Kull, PE, PLS

City of Riverbank

Date: _____

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.F

SECTION 3: CONSENT CALENDAR

Meeting Date: June 9, 2015

Subject: A **Resolution** of the City Council of the City of Riverbank Implementing Existing Longevity Benefits for Department Directors and Adjusting Certain Benefits for the Director of Parks and Recreation Consistent with those Available to other Department Directors

From: Jill Anderson, City Manager

Submitted by: Alvaro Zamora, Human Resource Analyst

RECOMMENDATION

It is recommended that the City Council adopt a resolution to: 1) Approve the provision of longevity pay and vacation enhancements for Department Directors that are currently available to all other City employees; 2) Adjust the salary range for the position of Parks and Recreation Director to be consistent with the salary range for the Director of Finance and the Local Redevelopment Authority (LRA) Executive Director; and 3) Revise the employment provisions for the Director of Parks and Recreation relating to severance and executive leave to be consistent with the provisions for the Director of Finance and the Local Redevelopment Authority (LRA) Executive Director.

Longevity Benefits

The City currently has 24 employees with 10 or more years of service with the City. Typically, there are no merit increases provided after five years which creates a disincentive for employees to remain with the City of Riverbank. To address this issue, the City created longevity benefits to add pay and vacation hours when employment milestones are met. Longevity Pay is available at the 10th year anniversary, at which time an employee receives a 2.5% salary increase if performance is satisfactory. At the 13th year anniversary an employee receives an additional 2.5% salary increase. At the current time the longevity benefits are offered to all full-time employee, except Department Directors.

It is important to recognize and compensate long-term Department Directors consistent with other members of the staff. The City currently has two directors, the Director of Finance and the Director of Parks & Recreation, who have 10 or more years of service with the City. In order to acknowledge this service and commitment to the City, as well

as Directors that may meet the longevity milestones in the future, it is recommended that the City provide longevity benefits to all employees, including Department Directors.

The longevity benefits also include an increase in vacation from four weeks to 5 weeks after sixteen (16) years of service. To date, this vacation increase has not been provided to the City's Department Directors. Therefore it is recommended that the City make this benefit available to all City employees including Department Directors. The Director of Recreation and Parks will become eligible for this benefit in 2017.

Employment Provisions for the Director of Parks & Recreation

Salary Range

The salary range for the position of Director of Parks & Recreation is significantly lower than the salary range for the Director of Finance and Executive Director of the LRA. The Director of Parks & Recreation position is responsible for the overall management of the City's Parks & Recreation Department, including recreation, aquatics, and community events. In addition the position is responsible for the planning, construction, maintenance and rental of City parks and facilities. She also exercises direct and indirect supervision of assigned staff.

The Director of Parks & Recreation has similar levels of management duties and high level of responsibility as that of the Director of Finance and the LRA Executive Director. Therefore it is recommended that the salary for the Director of Parks and Recreation be that same as that of the Director of Finance and the LRA Executive Director.

	Range	Monthly Salary
Current Salary	218	\$7,196 - \$8,747
Proposed Salary	226	\$7,909.39 - 9,613.89

Severance Pay and Executive Leave

As a member of the Executive Management Team, the Director of Parks & Recreation serves as an at-will employee, meaning that her employment can be terminated at any time without cause. In recognition of that uncertainty, at-will employees are typically provided severance pay if employment is ended by the employer, in this case the City, without cause.

It is also customary for employees that are exempt from receiving overtime pay to have provisions for Executive Leave. It is recommended that position of Director of Parks and Recreation be assigned the same amount of Severance Pay and Executive Leave that is set forth for the Director of Finance and the Executive Director of the LRA.

Therefore, it is recommended that Director of Parks & Recreation employment provisions include an increase in Severance Pay from 3 months to 4 months and an increase in Executive Leave from 80 hours to 96 hours. These changes do not have a direct impact on the budget unless the services of the Director are no longer needed and employment is terminated by the City without cause, which is not anticipated and highly unlikely.

FINANCIAL IMPACT

The primary financial impact associated with these adjustments will be in the FY 2015-2016 Budget and is approximately \$21,900. It is recommended that the longevity pay be provided retroactive to April 1, so the impact to the FY 2014-2015 budget is approximately \$5,700 and can be absorbed without an additional appropriation at this time. The majority of the proposed cost will be General Fund expense.

ATTACHMENTS

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK IMPLEMENTING EXISTING LONGEVITY BENEFITS FOR DEPARTMENT DIRECTORS AND ADJUSTING CERTAIN BENEFITS FOR THE DIRECTOR OF PARKS AND RECREATION CONSISTENT WITH THOSE AVAILABLE TO OTHER DEPARTMENT DIRECTORS

WHEREAS, the provisions of Title 4, Section 36506 of the Government Code of the State of California provide that the salaries of employees of General Law cities may be fixed or increased by resolution; and

WHEREAS, Title I, Chapter 35 of the Riverbank City Code provides that the City Council may from time to time by resolution, change the compensation of employees of the City and may by resolution adopt salary and wage scales; and

WHEREAS, the City of Riverbank values the work of its staff, including its Department Directors; and

WHEREAS, the City of Riverbank desires to implement Longevity Pay Benefits to all City employees, including Department Directors; and

WHEREAS, the current salary schedule sets forth a different salary range for the Director of Parks and Recreation and needs to be adjusted to be consistent with the salary range established than the City's other Department Directors; and

WHEREAS, the severance pay and executive leave provision of the Director of Parks and Recreation need to be revised to be consistent with those available to the Director of Finance and the LRA Executive Director.

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

- 1) Approve the provision of longevity pay and vacation enhancements for Department Directors that are made available to all other City employees;
- 2) Adjust the salary range for the position of Parks and Recreation Director to be consistent with the salary range for the Director of Finance and the Local Redevelopment Authority (LRA) Executive Director; and
- 3) Revise the employment provisions for the Director of Parks and Recreation relating to severance and executive leave to be consistent with the provisions for the Director of Finance and the Local Redevelopment Authority (LRA) Executive Director.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 9TH day of June, 2015; motioned by Councilmember _____, seconded by Councilmember _____, and upon City Council roll call was carried by the following vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

Annabelle H. Aguilar, CMC
City Clerk

APPROVED:

Richard D. O'Brien
Mayor

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.G

SECTION 3: CONSENT CALENDAR

Meeting Date: June 9, 2015

Subject/ Title: **Resolutions** – Consolidated Landscape & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating proceedings for the Annual Levy of Assessments for the Consolidated Landscaping and Lighting District for Fiscal Year 2015/2016.
- 2) Resolution of the City Council of the City of Riverbank, California Declaring its Intention to Levy Annual Assessments for the Consolidated Landscaping and Lighting District for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Consolidated Landscaping and Lighting District for Fiscal Year 2015/2016.

From: Jill Anderson, City Manager

Submitted by: Marisela Garcia, Director of Finance
Kathleen Cleek, Development Services Admin. Manager

RECOMMENDATION:

It is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Consolidated Landscaping and Lighting District for Fiscal Year 2015/2016.

STAFF SUMMARY:

The City of Riverbank annually levies and collects special assessments for landscape maintenance, capital improvements, and street lighting. The District is a consolidation of several landscape and lighting districts formed pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). Each of the original districts are identified as benefit zones within the Consolidated District. The various improvements and the expenses associated with each Zone are identified and budgeted independently and are levied annually pursuant to the 1972 Act.

The Engineer's Annual Levy Report for Fiscal Year 2015/2016 has been prepared in accordance with the provisions of Chapter 3, Section 22622 of the 1972 Act. The report details the improvements and financial information including the district budgets and proposed annual assessments. The costs of improvements and the annual levy including all expenditures, deficits, surpluses, revenues, and reserves are assessed to each parcel within the District proportionate to the parcel's special benefit zones. The attached resolutions represent the first of two steps in the annual levy of assessments on the district for fiscal year 2015/2016. A Public Hearing to consider adoption of the report and annual levy of assessments is scheduled for June 23, 2015.

Therefore, it is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Consolidated Landscaping and Lighting District for Fiscal Year 2015/2016.

The attached resolutions represent the first of two steps in the annual levy of assessments on the district for fiscal year 2015/2016. A Public Hearing to consider adoption of the report and annual levy of assessments is scheduled for June 23, 2015.

FISCAL IMPACT:

	<u>FY 14/15</u>	<u>FY 15/16</u>	<u>Change in Assessment</u>
Courtney Estates	\$ 25.50	\$ 25.50	\$0.00
South Bend Estates	\$ 74.52	\$ 74.52	\$0.00
Elmwood Estates	\$ 24.72	\$ 24.72	\$0.00
Chianti	\$ 57.54	\$ 57.54	\$0.00
Sterling Ridge	\$129.92	\$129.92	\$0.00
Eastwood Estates	\$ 88.00	\$ 88.00	\$0.00

Costs for the district are paid through assessments upon property owners within the District; hence, there is no fiscal impact to the City.

ATTACHMENTS:

1. Resolutions
2. Engineer's Annual Levy Report Consolidated Landscaping and Lighting District Fiscal Year 2015/2016

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR THE CONSOLIDATED LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Consolidated Landscaping and Lighting District (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of street lighting, landscaping, and all appurtenant facilities and operations related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CONSOLIDATED LANDSCAPING AND LIGHTING DISTRICT AS FOLLOWS:

Section 1 Engineer's Annual Levy Report: The City Council hereby orders Willdan Financial Services to prepare the Engineer's Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622* of the Act.

Section 2 Proposed Improvements and Any Substantial Changes in Existing Improvements: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Engineer's Annual Levy Report describes all new improvements or substantial changes in existing improvements.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE CONSOLIDATED LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Consolidated Landscaping and Lighting District (hereafter referred to as the "District") and initiated proceedings for Fiscal Year 2015/2016 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CONSOLIDATED LANDSCAPING AND LIGHTING DISTRICT PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT AS FOLLOWS:

Section 1 Intention: The City Council hereby declares its intention to seek the annual levy of the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs of the improvements for Fiscal Year 2015/2016.

Section 2 Description of Improvements and Any Substantial Changes Proposed: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances, and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Annual Levy Report, as ordered by previous Resolution, provides a full and complete description of all improvements and any or all substantial changes to the District or improvements within the District.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District. The District contains six (6) Benefit Zones known as Zone No. 2 Courtney Estates; Zone No. 3 South Bend Estates Units 1 and 2; and Zone No. 5 Elmwood Estates Unit 1; Zone 6 Chianti Unit 1, Zone 7 Sterling Ridge Unit 1; and Zone 8 Eastwood Estates Unit 1. The District is known and designated as

“Consolidated Landscaping and Lighting District”

Section 4 Proposed Assessment Amounts: For Fiscal Year 2015/2016, the proposed assessments for all Zones are outlined in the Engineer's Annual Levy Report.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act.

Section 6 Notice: The City Clerk shall give notice of the time and place of the Public Hearing by causing the publishing of this Resolution, once in the local paper, not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Time of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 23, 2015 at 6:00 p.m.** or as soon thereafter as feasible in the regular meeting chambers located at 6707 Third Street, Riverbank, California.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the City Council of said City of Riverbank at a regular meeting of said City Council held on the ____ day of ____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Richard D. O'Brien, Mayor
City of Riverbank

Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA FOR PRELIMINARY APPROVAL OF THE ANNUAL LEVY REPORT FOR THE CONSOLIDATED LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, ordered the preparation of an Engineer's Annual Levy Report (hereafter referred to as the "Report") for the district known and designated as the Consolidated Landscaping and Lighting District (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereinafter referred to as the "Act"); and,

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied on a preliminary basis that the assessments have been spread in accordance with the benefits received from the improvements, maintenance, operation, and services to be performed within each Zone as set forth in said Report;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CONSOLIDATED LANDSCAPING AND LIGHTING DISTRICT AS FOLLOWS:

Section 1 That the above recitals are all true and correct.

Section 2 That the Report as presented consists of the following:

- a. A Description of Improvements
- b. The Annual Budget (Costs and Expenses of Maintenance, Operations, and Services)
- c. A Description of the Method of Apportionment resulting in an Assessment Rate per Equivalent Dwelling Unit

Section 3 The Report is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 4 That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the City Council of said City of Riverbank at a regular meeting of said City Council held on the ____ day of ____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank



City of Riverbank

Consolidated Landscaping and Lighting District

2015/2016 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: June 9, 2015
Public Hearing: June 23, 2015

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ENGINEER'S REPORT AFFIDAVIT

City of Riverbank
Stanislaus County, State of California

Consolidated Landscaping and Lighting District

This Report describes the District and all relevant zones therein including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District.

The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 27 day of May, 2015.

Willdan Financial Services
Assessment Engineer

By: Zaskia Ruiz-Jones
Zaskia Ruiz-Jones, Project Manager
District Administration Services

By: Richard Kopecky
Richard Kopecky
R.C.E. # 16742



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PART I - OVERVIEW

A. INTRODUCTION

The City of Riverbank ("City") annually levies and collects special assessments in order to maintain the improvements within the Consolidated Landscaping and Lighting District ("District"). The District is a consolidation of several landscape and lighting districts formed pursuant to the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code* (the "1972 Act"). Each of the original districts is identified as benefit zones ("Zones") within the Consolidated District. The various improvements and the expenses associated with each Zone are identified and budgeted independently and are levied annually pursuant to the 1972 Act.

This Engineer's Annual Levy Report ("Report") has been prepared in accordance with the provisions of Chapter 3, Section 22622 of the 1972 Act. This Report describes the District, all Zones and improvements therein, any annexations or other modifications to the District including any substantial changes to the improvements, the method of apportionment, the boundaries of the District, and financial information including the district budgets and proposed annual assessments for Fiscal Year 2015/2016. The proposed assessments are based on the historic and estimated costs to maintain the improvements that provide a direct and special benefit to properties within the District. The costs of improvements and the annual levy for each Zone include all expenditures, deficits, surpluses, revenues, and reserves. Each parcel is assessed proportionately for only those improvements provided and for which the parcel receives special benefits.

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessment Number by the County of Stanislaus Assessor's Office. The County of Stanislaus Auditor/Controller uses Assessment Numbers and specific fund numbers to identify properties assessed for special district benefit assessments on the tax roll.

Pursuant to Chapter 3, beginning with Section 22620 of the 1972 Act the City Council shall conduct a noticed annual public hearing to consider all public comments and written protests regarding the District. Following the annual public hearing and review of the Engineer's Annual Levy Report, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments contained therein, the City Council will by resolution: order the improvements to be made and confirm the levy and collection of assessments pursuant to *Chapter 4, Article 1, beginning with Section 22640* of the 1972 Act. The assessment rates and method of apportionment described in this Report as approved or modified by the City Council defines the assessments to be applied to each parcel within the District for Fiscal Year 2015/2016.

The assessments as approved will be submitted to the County Auditor/Controller to be included on the property tax roll for each parcel within the District and respective Zones. If any parcel submitted for collection is identified by the County

Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rates contained in this Report as approved by the City Council.

B. APPLICABLE LEGISLATION

The District and the Zones therein have been formed and are annually levied pursuant to the 1972 Act, beginning with Section 22500. The assessments and methods of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received.

Compliance with the California Constitution

All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are in compliance with the provisions of the *California Constitution Article XIID* (enacted by the passage of Proposition 218 in November 1996).

Pursuant to the *California Constitution Article XIID Section 5*, certain assessments that were existing on July 1, 1997, the effective date of *Article XIID*, are exempt from the substantive and procedural requirements of *Article XIID Section 4* and property owner balloting for the assessments is not required until such time that the assessments are increased. Specifically, the City determined that the improvements and the annual assessment for each of the Zones within the Consolidated District were part of the conditions of property development and approved by the original property owner (developer). As such, pursuant to *Article XIID Section 5(b)*, all the property owners approved the existing District assessments at the time the assessments were created (originally imposed pursuant to a 100% landowner petition). Therefore, the pre-existing assessment amounts (the maximum assessments identified in this Report) are exempt from the procedural requirements *Article XIID Section 4*.

The proposed assessment for the current fiscal year may be less than or equal to the maximum assessment rate previously approved and adopted for the District. Any proposed assessment that exceeds the adjusted maximum assessment rate is considered an increased assessment. Although the current maximum assessment for each Zone within the District is identified as an exempt assessment pursuant to *Article XIID Section 5(b)*, it is recognized that these assessments may not be sufficient to cover the annual cost of providing the improvements in the future. In such cases, the revenue shortfall maybe funded by other revenue sources or an assessment increase may be proposed. Pursuant to the provisions of the California Constitution Article XIID, all new or increased assessments (the incremental increase) are subject to both the substantive and procedural requirements of Article XIID Section 4, including a property owner protest proceeding (property owner assessment balloting).

C. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

PART II - PLANS AND SPECIFICATIONS

The District provides for the continued maintenance and operation of landscaping and/or street lighting, and related services within the public right-of-ways for specific developments within the City.

The District is comprised of specific developments (residential tracts) that were originally formed as separate 1972 Act districts. The districts were formed to ensure the ongoing maintenance of local landscaping and lighting improvements associated with the residential subdivisions and installed as part of the development of properties within those subdivisions. These districts were later consolidated into this single District pursuant to *Chapter 2 Article 2 Section 22605 (d)* of the 1972 Act, with each of the original districts being identified as a Zone. Each of the Zones includes parcels that are associated with specific improvements and services that provide a special benefit to the properties. The total cost of providing the improvements within each Zone are equitably spread among only the benefiting parcels.

A. CHANGES OR MODIFICATIONS TO THE DISTRICT

Modifications to the District structure could include but are not limited to:

- Substantial changes or expansion of the improvements provided;
- Substantial changes in the service provided;
- Modifications or restructuring of the District or Zones including annexation or detachment of Zones or specific parcels;
- Revisions in the method of apportionment;
- Proposed new or increased assessments.

In Fiscal Year 2000/01, Zone 1 (Avery Estates) and Zone 4 (Sierra Vista Estates Unit 2) were detached from the Consolidated District.

- Zone 1 was initially established within the District to provide landscaping and lighting improvements within a planned residential development known as Avery

Estates. This development was to include a small eleven unit residential subdivision generally located south of Townsend Avenue and east of Terminal Avenue, directly south and adjacent to Reich Lane. This residential subdivision was not developed and the proposed improvements to be installed never materialized. The tentative tract map for this subdivision has expired and therefore the Zone was detached from the District.

- Zone 4 was initially established within the District to provide landscaping and lighting improvements including street lighting, a drainage pond, and fencing within the development known as Sierra Vista Estates Unit 2. This development was to include a small ten unit residential subdivision generally located south of Reich Lane, east of Terminal Avenue, north of Van Dusen Avenue, and west of Claus Road. This original residential subdivision was not completed as planned and only the street lighting improvements had been installed. On February 14, 2000, the City formed Landscaping and Lighting District No. 2000-01 (Sierra Vista Estates) that incorporated the original Sierra Vista Estates Unit 2 (Zone 4) as well as other properties. Concurrently with the formation of this new 1972 Act district, Zone 4 was detached from the Consolidated District.

In Fiscal Year 2005/06, three zones were added, Zone 6 (Chianti), Zone 7 (Sterling Ridge) and Zone 8 (Eastwood Estates).

- Zone 6 - The purpose of the District is to ensure the ongoing maintenance, operation and servicing of median landscaping, certain perimeter landscaping, and street lighting improvements installed in connection with development of properties within the District known as the Chianti Subdivision.
- Zone 7 - The purpose of the District is to ensure the ongoing maintenance, operation and servicing of median landscaping, certain perimeter landscaping, and street lighting improvements installed in connection with development of properties within the District known as Sterling Ridge.
- Zone 8 - The purpose of the District is to ensure the ongoing maintenance, operation and servicing of median landscaping, certain perimeter landscaping, and street lighting improvements installed in connection with development of properties within the District known as Eastwood Estates.

In Fiscal Year 2011/12, 86 parcels in Elmwood Estates Unit 2 were added to Zone 5.

- Elmwood Estates Unit 2 — This residential tract encompasses an area located generally east of Roselle Avenue and north of the M.I.D. Main Canal at Rosebrook Drive and includes eighty-six (86) single-family residential lots. The parcels within this development are identified by the Stanislaus County Assessor's Office as Assessor's Parcel Numbers 075-095-001-000 through 075-095-086-000. This development provides funding for the perimeter parkway landscaping and street lighting associated with the development.

B. GENERAL DESCRIPTION OF THE IMPROVEMENTS AND SERVICES

Each Zone within the District consists of properties, subdivisions and developments that are clearly associated with the improvements maintained by the District. The parcels assessed for special benefits are all part of a development or subdivision that originally installed the improvements or are directly associated with the improvements by proximity and receive special benefits from those improvements.

The improvements within each Zone vary, but include specific street lighting facilities and/or landscaped areas associated with the properties within each Zone. The Improvements may include but are not limited to:

- Landscape improvements within the parkways, entryways and other public right-of-ways or open space areas including street trees, turf, ground cover, shrubs, irrigation and drainage systems, entry monuments, and block walls or other fencing.
- Street lighting improvements within or adjacent to the subdivisions and developments including electrical costs, maintenance, repair and replacement of the poles, lights, wires or other equipment associated with the street lights.
- Any appurtenant facilities, services or improvements directly associated with any of the foregoing improvements including incidental expenses.

All improvements within the District are maintained and serviced on a regular basis. The frequency and specific maintenance operations required within the District and each Zone are determined by City staff. The District assessments fund all necessary utilities, operations, services, administration and maintenance costs associated with the improvements. The annual costs of providing the improvements within each Zone are spread among all benefiting parcels in proportion to the benefits received. Only parcels that receive special benefits from the services and improvements are assessed. The expenditures and assessments set forth in this report are based upon the City's estimate of the costs associated with the improvements in each Zone including all labor, personnel, equipment, materials and administrative expenses.

C. DISTRICT ZONES AND SPECIFIC IMPROVEMENTS

The location, boundaries and specific improvements provided within each Zone are described in this section. The determination and calculation of special benefit is discussed in the Method of Apportionment and the corresponding expenses, revenues and assessments are summarized in the budget for each Zone.

Zone 2 (Courtney Estates) — This Zone is generally located south of Patterson Road and west of Jackson Avenue at Courtney Court. This Zone includes twelve (12) residential parcels within the residential subdivision known as Courtney Estates, identified on Book 75 Page 43 of the Stanislaus County Assessor's Parcel Maps.

The improvements maintained and serviced within Zone 2 include two (2) street lights installed as part of the residential development.

- One (1) street light is located at the west end of Courtney Court (end of the cul-de-sac);
- One (1) street light is located at the entrance to the development on the northwest corner of Courtney Court and Jackson Avenue.

Zone 3 (South Bend Estates Units 1 and 2) — This Zone is generally located south of Patterson Road (State Highway 108) and generally north and east of the M.I.D. Main Canal. This Zone includes seventy-one (71) residential parcels within the subdivision known as South Bend Estates Units 1 and 2; identified on Book 74 Page 22 of the Stanislaus County Assessor's Parcel Maps.

The improvements maintained and serviced within Zone 3 were installed as part of the residential development and include sixteen (16) street lights and approximately 1,310 linear feet of parkway landscaping.

- Five (5) street lights are located on the perimeter of the development on the south side of Patterson Road;
- The remaining eleven (11) street lights are located within the residential subdivision on Hot Springs Lane, Hot Springs Court, Sandy Ridge Drive, Red Rock Lane, Rock Creek Road, Clearwater Way and Rockypoint Way;
- Approximately 1,240 linear feet of parkway landscaping adjacent to the subdivision along the south side of Patterson Road (the entire length of the South Bend Estates Units 1 and 2 subdivisions);
- Approximately 70 linear feet of parkway landscaping at the intersection of Red Rock Lane and Clearwater Way within the subdivision.

Zone 5 (Elmwood Estates Units 1 and 2) — This Zone is located generally east of Roselle Avenue and north of the M.I.D. Main Canal at Rosebrook Drive. This Zone includes one hundred and seventy eight (178) residential parcels within the subdivision known as Elmwood Estates Units 1 and 2, identified on Book 75 Page 49 of the Stanislaus County Assessor's Parcel Maps and Assessor's Parcel Numbers 075-095-001-000 through 075-095-086-000.

The improvements maintained and serviced within Zone 5 were installed as part of the residential development and include ten (10) street lights and approximately 830 linear feet of parkway landscaping associated with the Elmwood Estates Unit 1 development and ten (10) street lights associated with the Elmwood Estates Unit 2 development.

- One (1) street light is located on the perimeter of the development at the northeast corner of Roselle Avenue and Rosebrook Drive;

- The remaining nine (9) street lights are located within the residential subdivision on Greenoaks Court, Aspen Court, Rosebrook Drive, Greenoaks Drive and Aspen Lane;
- Approximately 830 linear feet of parkway landscaping adjacent to the subdivision along the east side of Roselle Avenue (the entire length of the Elmwood Estates Unit 1 subdivision).
- Ten (10) street lights are located within the residential subdivision Unit 2 on South Rosebrook Drive, Pierce Lane, Walnut Lane and Sutton Road;

Zone 6 (Chianti Subdivision Unit 1) – The Tract encompasses the area of land identified by the Stanislaus County Assessor’s Office as Assessor’s Parcel Number 075-031-035 (2.816 acres) located west of Roselle Avenue and south of Morrill Road. It is proposed to include 13 Single-Family Residential lots at full development.

- The Improvements serviced and maintained within Zone 6 consist of 2,205 square feet of landscaping along Roselle Avenue and three (3) 150W street lights on Caviani Court.

Zone 7 (Sterling Ridge Unit 1) – The Tract encompasses the area of land identified by the Stanislaus County Assessor’s Office as Assessor’s Parcel Numbers 075-015-010, 075-015-017, 075-015-021, and 075-020-006 (46.1 acres) located east of Roselle Avenue, between Talbot Avenue and Pocket Avenue. It is proposed to include 182 Single-Family Residential lots at full development.

- The Improvements serviced and maintained within Zone 7 consist of 111,589 square feet of perimeter landscaping along Litt Road south of Pocket Avenue and extending to the southern border of the development. In addition, thirty-three (33) 150W street lights are located throughout the Tract;
- Installation of tables, trees and other park improvements at Harless Park.

Zone 8 (Eastwood Estates Unit 1) – The Tract encompasses the area of land identified by the Stanislaus County Assessor’s Office as Assessor’s Parcel Numbers 074-018-052 and 074-018-055 through 074-018-060, located west of Oakdale Road Street between Candlewood Place and Karen Alane Way. The Assessor Parcel Numbers represent 7 Single Family Residential lots.

- The Improvements serviced and maintained within Zone 8 consist of 800 square feet of landscaping along the west side of Oakdale Road south of Raintree Lane and north of Cherry Tree Lane. In addition, there are two (2) 150W street lights on Leo Court.

The table below lists the various Zones within the District and summarizes the number of parcels, the Equivalent Dwelling Units (EDU) and the improvements within each Zone:

Benefit Zones

Zone	Description	Number of		Improvements	
		Parcels	EDU	Lights	Landscape
2	Courtney Estates	12	12	2	0 LF
3	South Bend Units 1 & 2	71	71	16	1,310 LF
5	Elmwood Estates Units 1 & 2	178	178	20	830 LF
6	Chianti Subdivision	13	13	3	2,205 SF
7	Sterling Ridge	183	183	33	111,589 SF
8	Eastwood Estates	7	7	2	800 SF

PART III - METHOD OF APPORTIONMENT

A. GENERAL

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

The formula used for calculating assessments in each Zone of the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, pursuant to the *California Constitution Article XIID Section 4* (with some exceptions), a parcel’s assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel and provides that only special benefits are assessable and the District must separate the general benefits from the special benefits.

B. BENEFIT ANALYSIS

Each of the improvements and their associated costs have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements. The installation of the improvements and approval of an annual assessment were part of the conditions of property development and approved by the original property owner (developer). As such, pursuant to the *California Constitution Article XIID Section 5(b)*, the maximum assessment amounts identified in this Report were approved by all the property owners at the time the assessments were created (originally imposed pursuant to a 100% landowner petition). Therefore the existing assessment amount for each Zone is not subject to the procedural requirements of *Article XIID Section 4* (property owner ballot proceedings). Although the current assessments do not require additional property owner approval, the improvements within each Zone clearly provide a special benefit to the parcels assessed and therefore, the existing assessments are in compliance with the substantive requirements of *Article XIID Section 4*.

Special Benefits — The method of apportionment (assessment methodology) is based on the premise that each of the assessed parcels within the District and Zones receives benefit from the improvements maintained and financed by annual assessments. Specifically, the assessments associated with each Zone are for the maintenance of local landscaping and/or street lighting within the Zones. The desirability and security of

properties within each Zone are enhanced by the presence of street lighting and well-maintained landscaping in close proximity to those properties.

The special benefits associated with the local landscaping improvements are specifically:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties within the Zones providing a positive representation of the area.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
- Environmental enhancement through improved erosion resistance, and dust and debris control.
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
- Enhanced environmental quality of the parcels within the Zones by moderating temperatures, providing oxygenation and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods. Specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on roads and highways.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to property.
- Reduced vandalism and other criminal acts and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.
- Increased promotion of business during nighttime hours in the case of commercial properties.

All of the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District.

General Benefits – The Zone improvements to be provided and maintained by the District are a direct result of property development within the Zones and would otherwise not be required or necessary. Developers typically install local improvements to enhance the marketability and value of properties within the development and/or as conditions of development. In either case, the improvements are clearly installed for the benefit of the Zone properties being developed and not for the benefit of surrounding properties outside the District boundaries. Although the Zone improvements (by virtue of their location) may be visible to surrounding properties, any benefit to surrounding properties is incidental and cannot be considered a direct and special benefit. Furthermore, most developments within the City typically have various landscaping and lighting improvements specifically associated with their development and these improvements are funded by properties within those developments. Therefore, it has been determined that the Zone improvements and the on-going operation and maintenance of those improvements provide no identifiable or measurable general benefit to properties outside the District Zones or to the public at large.

C. ASSESSMENT METHODOLOGY

Equivalent Dwelling Units: To assess benefits equitably, it is necessary to correlate the different type of parcels within the District to each other as well as their relationship to the improvements. The Equivalent Dwelling Unit method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for districts formed under the 1972 Act, as the benefit to each parcel from the improvements are typically apportioned as a function of land use type, size and development.

The Equivalent Dwelling Unit method of assessment apportionment uses the single family home site as the basic unit of assessment. A single family home site equals one Equivalent Dwelling Unit (EDU). Every other land use is converted to EDU's based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site. Although the EDU method of apportionment is an appropriate method of calculating each parcel's benefit and assessment, it should be noted that all properties within this District are identified as single family home sites and therefore benefit equally from the improvements provided in each respective Zone. Therefore, each parcel is assigned 1.0 EDU and the costs associated with each Zone are actually spread equally among all benefiting parcels within that Zone.

The following formulas are used to calculate the annual assessments for each Zone. The Balance to Levy represents the total amount to be collected through the annual assessments. The Levy Per EDU (Assessment Rate) is the result of dividing the total Balance to Levy by the Total EDU. This Assessment Rate multiplied by each parcel's individual EDU determines each parcel's levy amount. This process and formulas are applied separately to each Zone.

For Zone 6 Chianti, Zone 7 Sterling Ridge, and Zone 8 Eastwood Estates, the Maximum Assessment is equal to the Initial Assessment approved by property owners adjusted annually by the percentage increase of the Local Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area for All Urban Consumers. Beginning in the second fiscal year of the District and each fiscal year thereafter, the Maximum Assessment will be recalculated and a new Maximum Assessment established. The CPI used to calculate the Maximum Assessment for FY 15-16 is 2.5%.

Total Balance to Levy / Total EDU in Zone = Levy per EDU (Assessment Rate)

Assessment Rate x Parcel's EDU = Parcel's Levy Amount

Or more simply stated, since all Zone parcels are 1 EDU:

Total Balance to Levy / Total Assessable Parcels in Zone = Parcel Levy Amount

PART IV - DISTRICT BUDGET FISCAL YEAR 2015/2016

	Zone No. 2	Zone No. 3	Zone No. 5	Zone No. 6	Zone No. 7	Zone No. 8	
	Courtney	South Bend	Elmwood	Chianti	Sterling	Eastwood	
	Estates	Estates	Estates		Ridge	Estates	District
		Units 1 & 2	Units 1 & 2	Unit 1	Unit 1	Unit 1	Totals
DIRECT COSTS							
Landscape Maintenance	\$0	\$2,361	\$2,028	\$356	\$12,300	\$221	\$17,266
Landscape Utilities	0	0	0	110	5,591	155	5,856
Utilities	0	0	0	0	0	0	0
Repairs/Abatement	71	1,064	810	0	1,454	0	3,399
Street Lighting	161	1,144	680	46	504	34	2,569
Street Light Utilities	0	0	0	0	0	0	0
Miscellaneous/Materials/Equipment	0	0	0	0	0	0	0
Direct Costs (Subtotal)	\$232	\$4,569	\$3,518	\$512	\$19,849	\$410	\$29,090
ADMINISTRATION COSTS							
City Administration	\$0	\$0	\$0	\$0	\$2,100	\$0	\$2,100
District Administration	70	698	848	78	1,634	50	3,378
County Administration Fee	4	24	32	158	192	156	566
Administration Costs (Subtotal)	\$74	\$722	\$880	\$236	\$3,926	\$206	\$6,044
LEVY BREAKDOWN							
Total Direct and Admin. Costs	\$306	\$5,291	\$4,398	\$748	\$23,775	\$616	\$35,134
Reserve Collection/ (Transfers)	0	0	0	0	0	0	0
Contribution Replenishment	0	0	0	0	0	0	0
Other Revenues/General Fund Contribution	0	0	0	0	0	0	0
Capital Improvement Project Fund Collection/(Transfer)	0	0	0	0	0	0	0
Balance to Levy	\$306	\$5,291	\$4,398	\$748	\$23,775	\$616	\$35,134
DISTRICT STATISTICS							
Total Parcels	12	71	178	13	188	7	469
Total Parcels Levied	12	71	178	13	183	7	464
Total Equivalent Dwelling Units (EDU)	12.00	71.00	178.00	13.00	183.00	7.00	464.00
Levy Per EDU	\$25.50	\$74.52	\$24.72	\$57.54	\$129.92	\$88.00	
Maximum Levy per EDU	\$42.64	\$95.00	\$59.60	\$150.52	\$275.37	\$214.29	
FUND BALANCE INFORMATION							
Beginning Reserve Fund Balance	\$237	\$4,621	\$3,623	\$2,696	\$129,550	\$2,163	\$142,891
Reserve Fund Activity	0	0	0	0	0	0	0
Ending Reserve Fund Balance (Projected)	\$237	\$4,621	\$3,623	\$2,696	\$129,550	\$2,163	\$142,891
Beginning Capital Improvement Project Fund	\$0	\$0	\$0	\$0	\$41,332	\$0	\$41,332
Capital Improvement Project Fund Activity	0	0	0	0	0	0	0
Ending Capital Improvement Project Fund	\$0	\$0	\$0	\$0	\$41,332	\$0	\$41,332

The Capital Improvement Project (CIP) Fund is used to upgrade certain improvements within the District. These improvements have a useful life of five years or more and include:

- Sidewalk Repairs within Zone No. 3, South Bend Estates Units 1 and 2
- Installation of tables, trees and other park improvements at Harless Park within Sterling Ridge Unit 1.

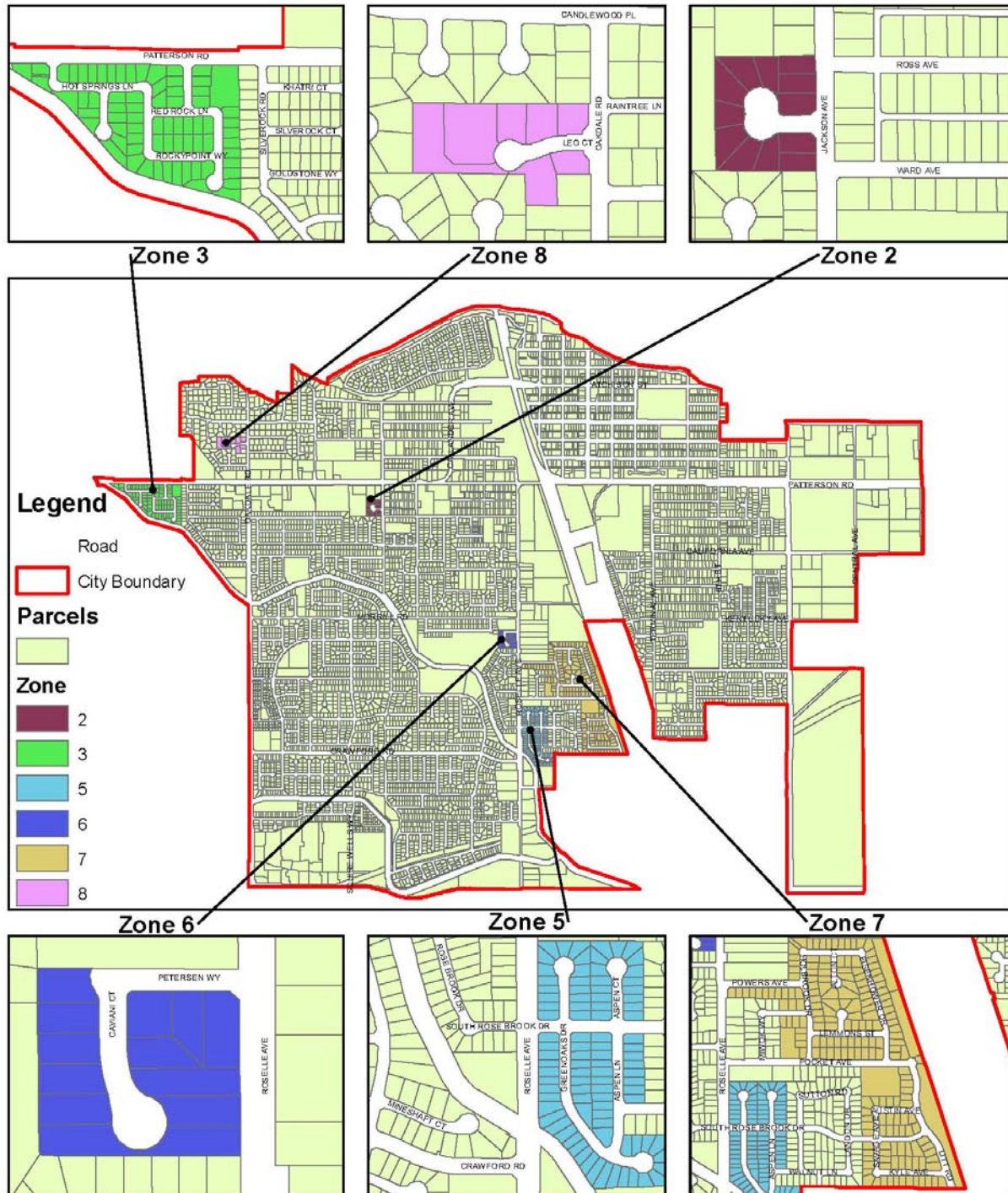
PART V - DISTRICT BOUNDARY MAPS

The original assessment diagrams and tract maps for the District were previously approved and submitted to the City in the format required by the 1972 Act. These diagrams are on file in the Office of the City Clerk and by reference are made part of this Report.

The boundaries for each Zone within the District are identified by the specific development and subdivisions associated with each Zone and defined by the subdivision boundaries shown on the Stanislaus County Assessor's Maps. The parcel identification, lines, and dimensions of each parcel within the District and Zone are those lines and dimensions shown on the Stanislaus County Assessor's Maps of for the year in which this Report was prepared and by reference are incorporated and made part of this Report.

The following pages are reproductions of the County Assessor's Parcel Maps associated with each subdivision and Zone.

Riverbank Consolidated Landscape and Lighting District





Riverbank Elmwood Estate Unit No 2



PART VI — 2015/2016 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Stanislaus County Assessor's map for the year in which this Report is prepared.

A listing of parcels assessed within this District, along with the assessment amounts, is included on the following pages. If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

Non-assessable lots or parcels include areas of public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and rights-of-ways including public greenbelts and parkways; utility right-of-ways; common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has specific development restrictions. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

APN	EBUs	Zone	Charge
075043056000	1.0	2	\$25.50
075043057000	1.0	2	25.50
075043058000	1.0	2	25.50
075043059000	1.0	2	25.50
075043060000	1.0	2	25.50
075043061000	1.0	2	25.50
075043062000	1.0	2	25.50
075043063000	1.0	2	25.50
075043064000	1.0	2	25.50
075043065000	1.0	2	25.50
075043066000	1.0	2	25.50
075043067000	1.0	2	25.50
Total:	12.0		\$306.00
074022001000	1.0	3	\$74.52
074022002000	1.0	3	74.52
074022003000	1.0	3	74.52
074022004000	1.0	3	74.52
074022005000	1.0	3	74.52
074022006000	1.0	3	74.52
074022007000	1.0	3	74.52
074022008000	1.0	3	74.52
074022009000	1.0	3	74.52
074022010000	1.0	3	74.52
074022011000	1.0	3	74.52
074022012000	1.0	3	74.52
074022013000	1.0	3	74.52
074022014000	1.0	3	74.52
074022015000	1.0	3	74.52
074022016000	1.0	3	74.52
074022017000	1.0	3	74.52
074022018000	1.0	3	74.52
074022019000	1.0	3	74.52
074022020000	1.0	3	74.52
074022021000	1.0	3	74.52
074022022000	1.0	3	74.52
074022023000	1.0	3	74.52
074022024000	1.0	3	74.52
074022025000	1.0	3	74.52
074022026000	1.0	3	74.52
074022029000	1.0	3	74.52
074022030000	1.0	3	74.52
074022031000	1.0	3	74.52
074022032000	1.0	3	74.52
074022033000	1.0	3	74.52
074022034000	1.0	3	74.52
074022035000	1.0	3	74.52
074022036000	1.0	3	74.52
074022037000	1.0	3	74.52
074022038000	1.0	3	74.52

APN	EBUs	Zone	Charge
074022039000	1.0	3	74.52
074022040000	1.0	3	74.52
074022041000	1.0	3	74.52
074022042000	1.0	3	74.52
074022043000	1.0	3	74.52
074022044000	1.0	3	74.52
074022045000	1.0	3	74.52
074022046000	1.0	3	74.52
074022047000	1.0	3	74.52
074022048000	1.0	3	74.52
074022049000	1.0	3	74.52
074022050000	1.0	3	74.52
074022051000	1.0	3	74.52
074022052000	1.0	3	74.52
074022053000	1.0	3	74.52
074022054000	1.0	3	74.52
074022055000	1.0	3	74.52
074022056000	1.0	3	74.52
074022057000	1.0	3	74.52
074022058000	1.0	3	74.52
074022059000	1.0	3	74.52
074022060000	1.0	3	74.52
074022061000	1.0	3	74.52
074022062000	1.0	3	74.52
074022063000	1.0	3	74.52
074022064000	1.0	3	74.52
074022065000	1.0	3	74.52
074022066000	1.0	3	74.52
074022067000	1.0	3	74.52
074022068000	1.0	3	74.52
074022069000	1.0	3	74.52
074022070000	1.0	3	74.52
074022075000	1.0	3	74.52
074022076000	1.0	3	74.52
074022077000	1.0	3	74.52
Total:	71.0		\$5,290.92
075049001000	1.0	5	\$24.72
075049002000	1.0	5	24.72
075049003000	1.0	5	24.72
075049004000	1.0	5	24.72
075049005000	1.0	5	24.72
075049006000	1.0	5	24.72
075049007000	1.0	5	24.72
075049008000	1.0	5	24.72
075049009000	1.0	5	24.72
075049010000	1.0	5	24.72
075049011000	1.0	5	24.72
075049012000	1.0	5	24.72
075049013000	1.0	5	24.72

APN	EBUs	Zone	Charge
075049014000	1.0	5	24.72
075049015000	1.0	5	24.72
075049016000	1.0	5	24.72
075049017000	1.0	5	24.72
075049018000	1.0	5	24.72
075049019000	1.0	5	24.72
075049020000	1.0	5	24.72
075049021000	1.0	5	24.72
075049022000	1.0	5	24.72
075049023000	1.0	5	24.72
075049024000	1.0	5	24.72
075049025000	1.0	5	24.72
075049026000	1.0	5	24.72
075049027000	1.0	5	24.72
075049028000	1.0	5	24.72
075049029000	1.0	5	24.72
075049030000	1.0	5	24.72
075049031000	1.0	5	24.72
075049032000	1.0	5	24.72
075049033000	1.0	5	24.72
075049034000	1.0	5	24.72
075049035000	1.0	5	24.72
075049036000	1.0	5	24.72
075049037000	1.0	5	24.72
075049038000	1.0	5	24.72
075049039000	1.0	5	24.72
075049040000	1.0	5	24.72
075049041000	1.0	5	24.72
075049042000	1.0	5	24.72
075049043000	1.0	5	24.72
075049044000	1.0	5	24.72
075049045000	1.0	5	24.72
075049046000	1.0	5	24.72
075049047000	1.0	5	24.72
075049048000	1.0	5	24.72
075049049000	1.0	5	24.72
075049050000	1.0	5	24.72
075049051000	1.0	5	24.72
075049052000	1.0	5	24.72
075049053000	1.0	5	24.72
075049054000	1.0	5	24.72
075049055000	1.0	5	24.72
075049056000	1.0	5	24.72
075049057000	1.0	5	24.72
075049058000	1.0	5	24.72
075049059000	1.0	5	24.72
075049060000	1.0	5	24.72
075049061000	1.0	5	24.72
075049062000	1.0	5	24.72

APN	EBUs	Zone	Charge
075049063000	1.0	5	24.72
075049064000	1.0	5	24.72
075049065000	1.0	5	24.72
075049066000	1.0	5	24.72
075049067000	1.0	5	24.72
075049068000	1.0	5	24.72
075049069000	1.0	5	24.72
075049070000	1.0	5	24.72
075049071000	1.0	5	24.72
075049072000	1.0	5	24.72
075049073000	1.0	5	24.72
075049074000	1.0	5	24.72
075049075000	1.0	5	24.72
075049076000	1.0	5	24.72
075049077000	1.0	5	24.72
075049078000	1.0	5	24.72
075049079000	1.0	5	24.72
075049080000	1.0	5	24.72
075049081000	1.0	5	24.72
075049082000	1.0	5	24.72
075049083000	1.0	5	24.72
075049084000	1.0	5	24.72
075049085000	1.0	5	24.72
075049086000	1.0	5	24.72
075049087000	1.0	5	24.72
075049088000	1.0	5	24.72
075049089000	1.0	5	24.72
075049090000	1.0	5	24.72
075049091000	1.0	5	24.72
075049092000	1.0	5	24.72
075095001000	1.0	5	24.72
075095002000	1.0	5	24.72
075095003000	1.0	5	24.72
075095004000	1.0	5	24.72
075095005000	1.0	5	24.72
075095006000	1.0	5	24.72
075095007000	1.0	5	24.72
075095008000	1.0	5	24.72
075095009000	1.0	5	24.72
075095010000	1.0	5	24.72
075095011000	1.0	5	24.72
075095012000	1.0	5	24.72
075095013000	1.0	5	24.72
075095014000	1.0	5	24.72
075095015000	1.0	5	24.72
075095016000	1.0	5	24.72
075095017000	1.0	5	24.72
075095018000	1.0	5	24.72
075095019000	1.0	5	24.72

APN	EBUs	Zone	Charge
075095020000	1.0	5	24.72
075095021000	1.0	5	24.72
075095022000	1.0	5	24.72
075095023000	1.0	5	24.72
075095024000	1.0	5	24.72
075095025000	1.0	5	24.72
075095026000	1.0	5	24.72
075095027000	1.0	5	24.72
075095028000	1.0	5	24.72
075095029000	1.0	5	24.72
075095030000	1.0	5	24.72
075095031000	1.0	5	24.72
075095032000	1.0	5	24.72
075095033000	1.0	5	24.72
075095034000	1.0	5	24.72
075095035000	1.0	5	24.72
075095036000	1.0	5	24.72
075095037000	1.0	5	24.72
075095038000	1.0	5	24.72
075095039000	1.0	5	24.72
075095040000	1.0	5	24.72
075095041000	1.0	5	24.72
075095042000	1.0	5	24.72
075095043000	1.0	5	24.72
075095044000	1.0	5	24.72
075095045000	1.0	5	24.72
075095046000	1.0	5	24.72
075095047000	1.0	5	24.72
075095048000	1.0	5	24.72
075095049000	1.0	5	24.72
075095050000	1.0	5	24.72
075095051000	1.0	5	24.72
075095052000	1.0	5	24.72
075095053000	1.0	5	24.72
075095054000	1.0	5	24.72
075095055000	1.0	5	24.72
075095056000	1.0	5	24.72
075095057000	1.0	5	24.72
075095058000	1.0	5	24.72
075095059000	1.0	5	24.72
075095060000	1.0	5	24.72
075095061000	1.0	5	24.72
075095062000	1.0	5	24.72
075095063000	1.0	5	24.72
075095064000	1.0	5	24.72
075095065000	1.0	5	24.72
075095066000	1.0	5	24.72
075095067000	1.0	5	24.72
075095068000	1.0	5	24.72

APN	EBUs	Zone	Charge
075095069000	1.0	5	24.72
075095070000	1.0	5	24.72
075095071000	1.0	5	24.72
075095072000	1.0	5	24.72
075095073000	1.0	5	24.72
075095074000	1.0	5	24.72
075095075000	1.0	5	24.72
075095076000	1.0	5	24.72
075095077000	1.0	5	24.72
075095078000	1.0	5	24.72
075095079000	1.0	5	24.72
075095080000	1.0	5	24.72
075095081000	1.0	5	24.72
075095082000	1.0	5	24.72
075095083000	1.0	5	24.72
075095084000	1.0	5	24.72
075095085000	1.0	5	24.72
075095086000	1.0	5	24.72
Total:	178.0		\$4,400.16
075-031-036-000	1.0	6	\$57.54
075-031-037-000	1.0	6	57.54
075-031-038-000	1.0	6	57.54
075-031-039-000	1.0	6	57.54
075-031-040-000	1.0	6	57.54
075-031-041-000	1.0	6	57.54
075-031-042-000	1.0	6	57.54
075-031-043-000	1.0	6	57.54
075-031-044-000	1.0	6	57.54
075-031-045-000	1.0	6	57.54
075-031-046-000	1.0	6	57.54
075-031-047-000	1.0	6	57.54
075-031-048-000	1.0	6	57.54
Total:	13.0		\$748.02
075-088-001-000	1.0	7	\$129.92
075-088-002-000	1.0	7	129.92
075-088-003-000	1.0	7	129.92
075-088-004-000	1.0	7	129.92
075-088-005-000	1.0	7	129.92
075-088-006-000	1.0	7	129.92
075-088-007-000	1.0	7	129.92
075-088-008-000	1.0	7	129.92
075-088-009-000	1.0	7	129.92
075-088-010-000	1.0	7	129.92
075-088-011-000	1.0	7	129.92
075-088-012-000	1.0	7	129.92
075-088-013-000	1.0	7	129.92
075-088-014-000	1.0	7	129.92
075-088-015-000	1.0	7	129.92
075-088-016-000	1.0	7	129.92

APN	EBUs	Zone	Charge
075-088-017-000	1.0	7	129.92
075-088-018-000	1.0	7	129.92
075-088-019-000	1.0	7	129.92
075-088-020-000	1.0	7	129.92
075-088-021-000	1.0	7	129.92
075-088-022-000	1.0	7	129.92
075-088-023-000	1.0	7	129.92
075-088-024-000	1.0	7	129.92
075-088-025-000	1.0	7	129.92
075-088-026-000	1.0	7	129.92
075-088-027-000	1.0	7	129.92
075-088-028-000	1.0	7	129.92
075-088-029-000	1.0	7	129.92
075-088-030-000	1.0	7	129.92
075-088-031-000	1.0	7	129.92
075-088-032-000	1.0	7	129.92
075-088-033-000	1.0	7	129.92
075-088-034-000	1.0	7	129.92
075-088-035-000	1.0	7	129.92
075-088-036-000	1.0	7	129.92
075-088-037-000	1.0	7	129.92
075-088-038-000	1.0	7	129.92
075-088-039-000	1.0	7	129.92
075-088-040-000	1.0	7	129.92
075-088-041-000	1.0	7	129.92
075-088-042-000	1.0	7	129.92
075-088-043-000	1.0	7	129.92
075-088-044-000	1.0	7	129.92
075-088-045-000	1.0	7	129.92
075-088-046-000	1.0	7	129.92
075-088-047-000	1.0	7	129.92
075-088-048-000	1.0	7	129.92
075-088-049-000	1.0	7	129.92
075-088-050-000	1.0	7	129.92
075-088-051-000	1.0	7	129.92
075-088-052-000	1.0	7	129.92
075-088-053-000	1.0	7	129.92
075-088-054-000	1.0	7	129.92
075-088-055-000	1.0	7	129.92
075-088-056-000	1.0	7	129.92
075-088-057-000	1.0	7	129.92
075-088-058-000	1.0	7	129.92
075-088-059-000	1.0	7	129.92
075-088-060-000	1.0	7	129.92
075-088-061-000	1.0	7	129.92
075-088-062-000	1.0	7	129.92
075-088-063-000	1.0	7	129.92
075-089-001-000	1.0	7	129.92
075-089-002-000	1.0	7	129.92

APN	EBUs	Zone	Charge
075-089-003-000	1.0	7	129.92
075-089-004-000	1.0	7	129.92
075-089-005-000	1.0	7	129.92
075-089-006-000	1.0	7	129.92
075-089-007-000	1.0	7	129.92
075-089-008-000	1.0	7	129.92
075-089-009-000	1.0	7	129.92
075-089-010-000	1.0	7	129.92
075-089-011-000	1.0	7	129.92
075-089-012-000	1.0	7	129.92
075-089-013-000	1.0	7	129.92
075-089-014-000	1.0	7	129.92
075-089-015-000	1.0	7	129.92
075-089-016-000	1.0	7	129.92
075-089-017-000	1.0	7	129.92
075-089-018-000	1.0	7	129.92
075-089-019-000	1.0	7	129.92
075-089-020-000	1.0	7	129.92
075-089-021-000	1.0	7	129.92
075-089-022-000	1.0	7	129.92
075-089-023-000	1.0	7	129.92
075-089-024-000	1.0	7	129.92
075-089-025-000	1.0	7	129.92
075-089-026-000	1.0	7	129.92
075-089-027-000	1.0	7	129.92
075-089-028-000	1.0	7	129.92
075-089-029-000	1.0	7	129.92
075-089-030-000	1.0	7	129.92
075-089-031-000	1.0	7	129.92
075-089-032-000	1.0	7	129.92
075-089-033-000	1.0	7	129.92
075-089-034-000	1.0	7	129.92
075-089-035-000	1.0	7	129.92
075-089-036-000	1.0	7	129.92
075-089-037-000	1.0	7	129.92
075-089-038-000	1.0	7	129.92
075-089-039-000	1.0	7	129.92
075-089-040-000	1.0	7	129.92
075-089-041-000	1.0	7	129.92
075-089-042-000	1.0	7	129.92
075-089-043-000	1.0	7	129.92
075-089-044-000	1.0	7	129.92
075-089-045-000	1.0	7	129.92
075-089-046-000	1.0	7	129.92
075-089-047-000	1.0	7	129.92
075-089-048-000	1.0	7	129.92
075-089-049-000	1.0	7	129.92
075-089-050-000	1.0	7	129.92
075-089-051-000	1.0	7	129.92

APN	EBUs	Zone	Charge
075-089-052-000	1.0	7	129.92
075-089-053-000	1.0	7	129.92
075-089-054-000	1.0	7	129.92
075-089-055-000	1.0	7	129.92
075-089-056-000	1.0	7	129.92
075-089-057-000	1.0	7	129.92
075-089-058-000	1.0	7	129.92
075-090-001-000	1.0	7	129.92
075-090-002-000	1.0	7	129.92
075-090-003-000	1.0	7	129.92
075-090-004-000	1.0	7	129.92
075-090-005-000	1.0	7	129.92
075-090-006-000	1.0	7	129.92
075-090-007-000	1.0	7	129.92
075-090-008-000	1.0	7	129.92
075-090-009-000	1.0	7	129.92
075-090-010-000	1.0	7	129.92
075-090-011-000	1.0	7	129.92
075-090-012-000	1.0	7	129.92
075-090-013-000	1.0	7	129.92
075-090-014-000	1.0	7	129.92
075-090-015-000	1.0	7	129.92
075-090-016-000	1.0	7	129.92
075-090-017-000	1.0	7	129.92
075-090-018-000	1.0	7	129.92
075-090-019-000	1.0	7	129.92
075-090-020-000	1.0	7	129.92
075-090-021-000	1.0	7	129.92
075-090-022-000	1.0	7	129.92
075-090-023-000	1.0	7	129.92
075-090-024-000	1.0	7	129.92
075-090-025-000	1.0	7	129.92
075-090-026-000	1.0	7	129.92
075-090-027-000	1.0	7	129.92
075-090-028-000	1.0	7	129.92
075-090-029-000	1.0	7	129.92
075-090-030-000	1.0	7	129.92
075-090-031-000	1.0	7	129.92
075-090-032-000	1.0	7	129.92
075-090-033-000	1.0	7	129.92
075-090-034-000	1.0	7	129.92
075-090-035-000	1.0	7	129.92
075-090-036-000	1.0	7	129.92
075-090-037-000	1.0	7	129.92
075-090-038-000	1.0	7	129.92
075-090-039-000	1.0	7	129.92
075-090-040-000	1.0	7	129.92
075-090-041-000	1.0	7	129.92
075-090-042-000	1.0	7	129.92

APN	EBUs	Zone	Charge
075-090-043-000	1.0	7	129.92
075-090-044-000	1.0	7	129.92
075-090-045-000	1.0	7	129.92
075-090-046-000	1.0	7	129.92
075-090-047-000	1.0	7	129.92
075-090-048-000	1.0	7	129.92
075-090-049-000	1.0	7	129.92
075-090-050-000	1.0	7	129.92
075-090-051-000	1.0	7	129.92
075-090-052-000	1.0	7	129.92
075-090-053-000	1.0	7	129.92
075-090-054-000	1.0	7	129.92
075-090-055-000	1.0	7	129.92
075-090-056-000	1.0	7	129.92
075-090-057-000	1.0	7	129.92
075-090-058-000	1.0	7	129.92
075-090-059-000	1.0	7	129.92
075-090-060-000	1.0	7	129.92
075-090-061-000	1.0	7	129.92
075-090-063-000	1.0	7	129.92
Total:	183.0		\$23,775.36
074-018-052-000	1.0	8	\$88.00
074-018-055-000	1.0	8	88.00
074-018-056-000	1.0	8	88.00
074-018-057-000	1.0	8	88.00
074-018-058-000	1.0	8	88.00
074-018-059-000	1.0	8	88.00
074-018-060-000	1.0	8	88.00
Total:	7.0		\$616.00

*Total may differ from budget due to rounding.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.H

SECTION 3: CONSENT CALENDAR

Meeting Date: June 9, 2015

Subject/ Title: **Resolutions** – Crossroads Landscape & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating Proceedings for the Annual Levy of Assessments for the Crossroads Landscaping and Lighting District for Fiscal Year 2015/2016.
- 2) Resolution of the City Council of the City of Riverbank, California for the Crossroads Landscape and Lighting District Declaring its Intention to Levy Annual Assessments for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Crossroads Landscaping and Lighting District for Fiscal Year 2015/2016.

From: Jill Anderson, City Manager

Submitted by: Marisela Garcia, Director of Finance
Kathleen Cleek, Development Services Admin. Manager

RECOMMENDATION:

It is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Crossroads Landscaping and Lighting District for Fiscal Year 2015/2016.

STAFF SUMMARY:

The City of Riverbank annually levies and collects special assessments for landscape maintenance, capital improvements, and street lighting. The District was formed in 2001 and is levied annually pursuant to the 1972 Act and in compliance with the California Constitution, Article XIID, Section 4. (Enacted by the passage of Proposition 218 in November 1996). The landscape maintenance, capital improvements, and street lighting associated with specific areas that provide a special benefit to the properties within those areas are grouped into Zones 1, 2, and 3. Subsequently Zone 4 was established in 2003 in connection with several new residential developments within the District. There are currently no assessments for Zone 3.

The Engineer's Annual Levy Report for Fiscal Year 2015/2016 has been prepared in accordance with the provisions of Chapter 3, Section 22622 of the 1972 Act. The report details the improvements and financial information including the district budgets and proposed annual assessments. The costs of improvements and the annual levy including all expenditures, deficits, surpluses, revenues, and reserves are assessed to each parcel within the District proportionate to the parcel's special benefit zones. The attached resolutions represent the first of two steps in the annual levy of assessments on the district for fiscal year 2015/2016. A Public Hearing to consider adoption of the report and annual levy of assessments is scheduled for June 23, 2015.

Therefore, it is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Crossroads Landscaping and Lighting District for Fiscal Year 2015/2016.

The attached resolutions represent the first of two steps in the annual levy of assessments on the district for fiscal year 2015/2016. A Public Hearing to consider adoption of the report and annual levy of assessments is scheduled for June 23, 2015.

FISCAL IMPACT:

The annual assessments for parcels in the Crossroads Landscape and Lighting District for Fiscal Year 2015/2016 are as follows:

	<u>FY 14/15</u>	<u>FY 15/16</u>	<u>Change in Assessment</u>
District Benefit:	\$78.17	\$74.25	(\$3.92)
Zone 1:	\$20.23	\$20.23	\$0.00
Zone 2:	\$30.01	\$30.01	\$0.00
Zone 3:	\$ 0.00	\$ 0.00	No Assessments
Zone 4:	\$27.03	\$25.37	(\$1.66)

Costs for the district are paid through assessments upon property owners within the District; hence, there is no fiscal impact to the City.

ATTACHMENTS:

1. Resolutions
2. Engineer's Annual Levy Report Crossroads Landscaping and Lighting District Fiscal Year 2015/2016

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR THE CROSSROADS LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Crossroads Landscaping and Lighting District (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of street lighting, landscaping, and all appurtenant facilities and operations related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CROSSROADS LANDSCAPING AND LIGHTING DISTRICT AS FOLLOWS:

Section 1 Engineer's Annual Levy Report: The City Council hereby orders Willdan Financial Services to prepare the Engineer's Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622* of the Act.

Section 2 Proposed Improvements and Any Substantial Changes in Existing Improvements: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Engineer's Annual Levy Report describes all new improvements or substantial changes in existing improvements.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA FOR THE CROSSROADS LANDSCAPE AND LIGHTING DISTRICT DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Crossroads Landscaping and Lighting District (hereinafter referred to as the "District"), and initiated proceedings for Fiscal Year 2015/2016 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CROSSROADS LANDSCAPING AND LIGHTING DISTRICT PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT AS FOLLOWS:

Section 1 Intention: The City Council hereby declares its intention to seek the annual levy of the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs of the improvements for Fiscal Year 2015/2016.

Section 2 Description of Improvements and Any Substantial Changes Proposed: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances, and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Annual Levy Report, as ordered by previous Resolution, provides a full and complete description of all improvements and any or all substantial changes to the District or improvements within the District.

Section 3 **Boundaries and Designation:** The District consists of all parcels located in the Crossroads Specific Plan, which covers approximately five hundred eighty-five (585) acres in the southwest region of the City. The District is generally located, South and West of the MID Main Canal centerline, east of the centerline of Oakdale Road; and, north of the centerline of Claribel Road. The territory is within the City of Riverbank, within the County of Stanislaus, State of California. The proposed district is designated as:

“Crossroads Landscaping and Lighting District”

Section 4 **Proposed Assessment Amounts:** For Fiscal Year 2015/2016, the proposed assessments for all Zones are outlined in the Engineer's Annual Levy Report.

Section 5 **Public Hearing(s):** The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act.

Section 6 **Notice:** The City Clerk shall give notice of the time and place of the Public Hearing by causing the publishing of this Resolution, once in the local paper, not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 **Time of Public Hearing:** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 23, 2015 at 6:00 p.m.** or as soon thereafter as feasible in the regular meeting chambers located at 6707 Third Street, Riverbank, California.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA FOR PRELIMINARY APPROVAL OF THE ANNUAL LEVY REPORT FOR THE CROSSROADS LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, ordered the preparation of an Engineer's Annual Levy Report (hereafter referred to as the "Report") for the district known and designated as the Crossroads Landscaping and Lighting District (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereinafter referred to as the "Act"); and,

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied on a preliminary basis that the assessments have been spread in accordance with the benefits received from the improvements, maintenance, operation, and services to be performed within each Zone as set forth in said Report;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CROSSROADS LANDSCAPING AND LIGHTING DISTRICT AS FOLLOWS:

Section 1 That the above recitals are all true and correct.

Section 2 That the Report as presented consists of the following:

- a. A Description of Improvements
- b. The Annual Budget (Costs and Expenses of Maintenance, Operations, and Services)
- c. A Description of the Method of Apportionment resulting in an Assessment Rate per Equivalent Dwelling Unit

Section 3 The Report is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 4 That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the City Council of said City of Riverbank at a regular meeting of said City Council held on the ____ day of ____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank



City of Riverbank

Crossroads Landscaping and Lighting District

2015/2016 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: June 9, 2015
Public Hearing: June 23, 2015

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AFFIDAVIT FOR THE ENGINEER'S ANNUAL LEVY REPORT

City of Riverbank
Stanislaus County, State of California

Crossroads Landscaping and Lighting District

This Report describes the District including the improvements, budgets, parcels and proposed assessments to be levied for Fiscal Year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District.

The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 27 day of May, 2015.

Willdan Financial Services
Assessment Engineer

By: Zaskia Ruiz-Jones
Zaskia Ruiz-Jones, Project Manager
District Administration Services

By: Richard Kopecky
Richard Kopecky
R.C.E. # 16742



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INTRODUCTION

Pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the “1972 Act”), and in compliance with the provisions of the *California State Constitution, Article XIID* (hereafter referred to as the “Constitution” or “Proposition 218”), this Engineer’s Report (hereafter referred to as “Report”) has been prepared as required pursuant to Chapter 3, Section 22622 of the 1972 Act, in connection with the proceedings required for the annual levy of assessments for the district designated as:

Crossroads Landscaping and Lighting District

(hereafter referred to as “District”). This Report has been prepared and presented to the City Council of the City of Riverbank (hereafter referred to as “City”), County of Stanislaus, State of California, for their consideration and approval of the proposed improvements and services to be provided within the District and the levy and collection of annual assessments related thereto for Fiscal Year 2015/2016. In conjunction with this Report, the City Council proposes to levy and collect the annual assessments described herein on the County tax rolls, to provide ongoing funding for the costs and expenses required to service and maintain the landscaping and lighting improvements associated with and resulting from the development of properties within the District. Each fiscal year, utilizing the historical and estimated costs to maintain the improvements that provide special benefit to properties within the District, the City establishes the District’s assessments. The costs of the improvements and the proposed annual assessments budgeted includes the estimated expenditures, deficits, surpluses, revenues, and reserve fund balances determined to be necessary to provide the improvements that are of special benefit to properties within the District. Each parcel is assessed proportionately for only those improvements and expenses for which it has been determined that the parcel receives special benefit.

This Report describes the District and changes to the District including modifications to the improvements or organization (zones of benefit), and the proposed budgets and assessments applicable for Fiscal Year 2015/2016. The maintenance, operation and servicing of the improvements associated with specific areas of the District that provide a special benefit to the properties within those areas are grouped into benefit zones that are identified in this District as Zones. These Zones identify the properties within various regions of the District that incorporate the undeveloped properties, commercial developments or residential subdivisions that benefit from specific improvements that were installed in connection with the development of those properties or directly benefit those properties. While many of the improvements provide special benefits to only the properties within a particular Zone, some improvements are associated with all properties within the District and were installed as part of the overall development of properties within the District and are considered a regional special benefit. The costs of providing the regional improvements are proportionately shared by all assessed properties, while the Zone specific improvements are proportionately shared by only the

properties within that Zone. Each parcel's annual assessment is therefore a combination of their proportional share of the regional improvements and their proportional share of their Zone improvements.

This Report has been prepared in accordance with the provisions of the 1972 Act and describes the District and assessments proposed for Fiscal Year 2015/2016 including

- A general description of the District including any modifications to the District structure, annexation of territory to the District or property development that facilitates any changes to the boundaries of the District or Zones therein;
- A description of the proposed improvements for the fiscal year including any substantial changes or expansion of the improvements or services;
- The method of apportionment used to calculate each parcel's respective special benefit;
- Financial information for the fiscal year including the district budgets that incorporate all anticipated maintenance expenditures, incidental expenses and fund balances including any deficits or surpluses from the previous fiscal year and any authorized reserve funds to establish the proposed annual assessments for each parcel within the District proportionate to each parcel's special benefits.

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessment Number by the County of Stanislaus Assessor's Office. The County of Stanislaus Auditor/Controller uses Assessment Numbers and specific fund numbers to identify properties assessed for special district benefit assessments on the tax roll.

Pursuant to the 1972 Act, the City Council shall conduct a noticed annual public hearing to consider all public comments and written protests regarding the District and assessments for that fiscal year. Upon approval of the assessments by the City Council, the assessments for Fiscal Year 2015/2016 shall be submitted to the Stanislaus County Auditor/Controller for inclusion on the property tax roll for each parcel.

A. LEGISLATIVE AUTHORITY

The District was formed in 2001 and is annually levied pursuant to the 1972 Act and in compliance with the *California Constitution, Article XIID, Section 4*. (Enacted by the passage of Proposition 218 in November 1996). Accordingly, parcels within the District are assessed for only the reasonable cost of the proportional special benefit conferred on those parcels and the assessments and assessment range formula described in this Report have been or shall be approved by the property owners through a property owner protest ballot proceeding. The maximum assessments including the assessment range formula for the Regional (District-wide) improvements as well as Zones 1, 2 and 3 were approved by the property owners when the District was formed. Subsequently, Zone 4 was established in March 2003 in connection with several new residential developments within the District and those property owners approved the assessments associated with the Zone's improvements.

Pursuant to the provisions of the California Constitution, all new or increased assessments (the incremental increase) are subject to both the substantive and procedural requirements of *Article XIID, Section 4*, including a property owner protest proceeding (property owner assessment balloting). This Report consists of five (5) parts:

Part I

Plans and Specifications: Provides an overall description of the District and the improvements to be provided within said District and the zones of benefit (“Zones”) therein. The District Zones are based on the various improvements and services that provide a special benefit to each property within the District.

Part II

Method of Apportionment: A discussion of benefits the improvements provide to properties within the District and the method of calculating each property’s proportional special benefit and annual assessment. The Assessment Range Formula described herein defines the maximum assessment that may be imposed in subsequent fiscal years without additional property owner ballot proceedings.

Part III

District Budget: An estimate of the annual costs to maintain and service the improvements installed and constructed as part of the development of properties within the District. The maximum assessments and assessment range formula established for this District was originally based on the development plans and estimated annual cost and expenses associated with the proposed improvements and developments at build-out. The proposed assessments to provide the improvements for Fiscal Year 2015/2016 are based on the estimated net annual cost of operating and maintaining the District improvements for the year.

Part IV

District Diagram: A Diagram showing the boundaries of the District is provided in this Report and includes all parcels that will receive special benefits from the improvements. Parcel identification, the lines and dimensions of each lot, parcel and subdivision of land within the District, are inclusive of all parcels as shown on the Stanislaus County Assessor’s Parcel Maps as they existed at the time of the passage of the Resolution of Intention, and shall include all subsequent subdivisions, lot line adjustments or parcel changes therein. Reference is hereby made to the Stanislaus County Assessor’s maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.

Part V

Assessment Roll: A listing of the calculated assessments for each parcel as required pursuant to the provisions of the California Constitution. Said assessments represents

each parcel's proportional amount of the improvement costs for Fiscal Year 2015/2016 based on the estimated net annual cost to maintain and service the improvements as outlined in the District budget and method of apportionment described herein.

PART I — PLANS AND SPECIFICATIONS

A. DESCRIPTION OF THE DISTRICT

The District consists of all lots, parcels and subdivisions of land located in the development area known as the “Crossroads Specific Plan.” The Crossroads Specific Plan/District covers approximately five hundred eighty-two (582) acres in the southwest region of the City. The District is generally located:

- South and West of the MID Main Canal centerline;
- East of the centerline of Oakdale Road; and,
- North of the centerline of Claribel Road.

The District currently includes approximately

- Three hundred and forty-two (342) acres of low/medium density single-family residential housing currently subdivided or being subdivided, representing two thousand fourteen (2,014) residential units;
- Sixty-five (65) acres of commercial development or planned commercial development in the southwest section of the District;
- Thirty-five (35) acres of undeveloped land identified for Public/Quasi-Public/Commercial development or possible residential development; and
- One hundred forty (140) acres of streets, easements, open space and public lands.

A listing of all parcels within the District is provided in the Assessment Roll contained in Part V of this Report.

All improvements to be acquired, maintained and serviced in the District directly result from the development of properties within the Crossroads Specific Plan. They consist of parkway and median landscaping, street lighting, traffic signals, parks, trails, open space areas and appurtenant facilities. All the improvements to be funded by District assessments are public improvements within the District boundaries or adjacent public areas and right-of-ways constructed and installed as part of the development plans and agreements required and/or necessary to enhance the special benefits to each lot, parcel and subdivision therein. Properties within the District are grouped into zones of benefit (“Zones”) based on their proximity and benefit from the various improvements provided by the District. Each Zone incorporates specific improvements that are associated with the properties in that Zone and the annual cost of providing those improvements are proportionately shared by the properties in that Zone. These Zones are discussed in more detail later in this section of the Report.

B. DESCRIPTION OF IMPROVEMENTS AND SERVICES

Improvements Authorized by the 1972 Act

As generally defined by the Landscape and Lighting Act of 1972 and applicable to this District, improvements and the associated assessments may include one or more of the following:

1. The installation or planting of landscaping;
2. The installation or construction of statuary, fountains, and other ornamental structures and facilities;
3. The installation or construction of public lighting facilities including but not limited to street lights and traffic signals;
4. The installation of park or recreational improvements including but not limited to all of the following:
 - a. Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage;
 - b. Lights, playground equipment, play courts, and public restrooms;
 - c. The acquisition of land for park, recreational, or open-space purposes;
5. The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof;
6. The acquisition of any associated existing improvement;
7. The maintenance or servicing of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement including, but not limited to:
 - a. Repair, removal, or replacement of all or any part of any improvements;
 - b. Grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
 - c. Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
 - d. The removal of trimmings, rubbish, debris, and other solid waste;
 - e. The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti;
 - f. Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements;
 - g. Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements;

8. Incidental expenses associated with the improvements including, but not limited to:
 - a. The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
 - b. The costs of printing, advertising, and the publishing, posting and mailing of notices;
 - c. Compensation payable to the County for collection of assessments;
 - d. Compensation of any engineer or attorney employed to render services;
 - e. Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
 - f. Costs associated with any elections held for the approval of a new or increased assessment.

Overall District Improvements

The purpose of the District is to ensure the ongoing maintenance, operation and servicing of public landscaped areas and street lighting improvements within the District boundaries installed in connection with the development of properties within the Crossroads Specific Plan. These improvements may include but are not limited to all materials, equipment, utilities, labor, appurtenant facilities and incidental expenses related to those improvements. The improvements to be maintained and funded entirely or partially through the District assessments generally include the following:

- Parkway, median and traffic circle landscaping on the arterial and collector streets within the District boundaries;
- Parkway and perimeter landscaping associated with individual properties or developments including perimeter fencing, retaining walls, entryways, monuments; or similar improvements associated with the properties or specific developments within the District;
- Natural and passive parks, trails, open space areas, and landscape reserve areas that are maintained and/or abated;
- Active parks including all landscaping, lighting, equipment and facilities (i.e., playgrounds, tot-lots, ball fields, restrooms, sidewalks, landscaped areas and greenbelts);
- Public lighting facilities including street lighting, traffic signals, lighting within all parks and other public areas;
- All appurtenant facilities, equipment, materials and utilities related to the aforementioned improvements.

The estimated annual cost to provide and maintain the improvements within the District shall be allocated to each property in proportion to the special benefits received. The Method of Apportionment described in this Report utilizes commonly accepted

assessment engineering practices and have been established pursuant to the 1972 Act and the provisions of the Constitution.

Regional — District-wide Benefit Improvements

In reviewing the overall improvements within the District as they currently exist and as outlined in the Crossroads Specific Plan, it has been determined that many of the District's improvements including various parks, trails, traffic signals, and arterial landscaping and street lighting provide a direct and special benefit to all properties within the District and are considered "Regional" (District-wide) improvements and the cost of providing these improvements shall proportionately be shared by all assessed parcels within the District in the fiscal year that the improvements are installed or accepted for maintenance by the City. To the extent that any portion of these improvements may be considered general benefit, that portion of the improvement costs is not assessed to the properties within the District. The following improvements have been identified as Regional improvements for the District:

Public Street Lighting: Public street lighting on the District's arterial and collector streets as well as various other public areas are included and funded by the regional assessments established for the District and may include, but is not limited to electrical energy, lighting fixtures, poles, meters, conduits, electrical cable and associated appurtenant facilities associated with:

- All public street lights and appurtenant facilities located on the arterial streets and a portion of the collector streets within the District including but not limited to Oakdale Road, Claribel Road, Roselle Avenue, Morrill Road, Crawford Road, Chancellor Way, Homewood Way, Prospectors Parkway and Squire Wells Way. (A portion of the street lighting costs associated with some of the collector streets listed above are also identified and allocated as Zone specific benefits.);
- Traffic signals, safety lighting at intersections, and other lighting facilities within public areas such as the trails and parks within the District that was necessary for development of properties within the District.

Median Landscaping: Median island landscaping on the arterial and primary collector streets including the traffic circles within the District are included and funded by the regional assessments established for the District and may include, but is not limited to ground cover, shrubs, trees, monuments, hardscape amenities, ornamental structures, and irrigation and drainage facilities identified as:

- The three (3) designated traffic circles, two located on Chancellor Way and one on Crawford Road with an estimated 78,890 square feet of landscaped area (1.81 acres) including significant turf and high density landscaping and amenities.
- Center medians on Crawford Road between Oakdale Road and Roselle Avenue, totaling approximately 2,360 linear feet and an estimated 33,040 square feet of landscaped area (0.76 acres);

- Center medians on Oakdale Road between Morrill Avenue and the Business Park Entryway, totaling approximately 2,500 linear feet and an estimated 30,000 square feet of landscaped area (0.69 acres); and;
- Center medians on Roselle Avenue between Crawford Road and Claribel Road, and Roselle Entryway, totaling approximately 1,580 linear feet at an estimated 18,960 square feet of landscaped area (0.44 acres).

Parkway Landscaping Parkway (street right-of-way) landscaping on the primary access streets within the District are included and funded by the regional assessments established for the District and may include, but is not limited to ground cover, shrubs, trees, hardscape amenities, irrigation and drainage facilities, entryway monuments, sidewalks, and block walls, or other fencing within the public right-of-way or landscape easements identified as:

- Landscape reservation areas on the north side of Claribel Road between Oakdale Road and Roselle Avenue that includes or will include:
 - Approximately 4,200 linear feet of low density landscaping totaling an estimated 50,400 square feet (1.16 acres);
 - An estimated 80 to 100 trees; and
 - Approximately 10,000 square feet of sidewalk and hardscape amenities.
- Landscape parkway areas on the east side of Oakdale Road between the MID Main Canal extending south to the Business Park Entryway that includes or will include:
 - Approximately 4,210 linear feet of moderate density landscaping, an estimated 22,100 square feet (0.51 acres);
 - An estimated 100 to 150 trees; and
 - Approximately 23,000 square feet of sidewalk and hardscape amenities.
- Landscaped parkway areas on both the east and west sides of Roselle Avenue from a point 500' north of Claribel Road, north to the MID Main Canal (District Boundary) that includes or will include:
 - Approximately 4,230 linear feet of high density landscaping on each side of Roselle Avenue, totaling an estimated 21,000 square feet (0.5 acres);
 - An estimated 100 to 200 trees; and
 - Approximately 16,000 square feet of sidewalk and hardscape amenities.
- Landscape parkway areas on Morrill Road between the MID Main Canal extending west approximately 244 feet to a point midway between Homewood Court and Huntley Court totaling approximately 2,570 square feet of landscaping (0.059 acres);

Trails and Bike Paths: Within the District (The Crossroads Specific Plan) there is over 33,500 linear feet of trails and bike paths encompassing approximately 300,000 square

feet of surface area that are included and funded by the regional assessments established for the District. In most areas these trails and pathways are surrounded by large areas of landscaping as much as seventeen square feet of landscaped area for every linear foot of trail. The trail system may include, but is not limited to turf, ground cover, shrubs, trees, natural vegetation, irrigation and drainage facilities, various trail and bike path surfaces, concrete sidewalks, lighting, fencing, rest areas, ornamental structures, signs, and various hardscape amenities. These trail and pathway areas are generally identified as:

- Claribel Road bike path area located between Oakdale Road and Roselle Avenue that includes:
 - Approximately 5,200 linear feet of low density landscaping, an estimated 23,000 square feet of landscaped area;
 - An estimated 80 to 150 trees; and
 - Approximately 52,000 square feet of bike paths and hardscape amenities.
- The trail area along the MID Lateral # 6 canal that includes:
 - Approximately 16,000 linear feet of moderate density landscaping, an estimated 240,000 square feet of landscaped area;
 - An estimated 200 to 400 trees;
 - Approximately 128,000 square feet of trail and hardscape amenities; and
 - An estimated 32,000 linear feet of fencing associated with the trail and landscaped areas.
- The trail area adjacent to the MID Main Canal between Claribel Road and Morrill Road includes:
 - Approximately 4,800 linear feet of moderate density landscaping, an estimated 72,000 square feet of landscaped area;
 - An estimated 80 to 150 trees;
 - Approximately 38,400 square feet of trail and hardscape amenities; and
 - An estimated 4,800 linear feet of fencing associated with the trail and landscaped areas.
- The Oakdale Road bike path area located between Morrill Avenue and Claribel Road on the east side of Oakdale Road that includes:
 - Approximately 4,900 linear feet of low density landscaping, an estimated 9,800 square feet of landscaped area;
 - Approximately 49,000 square feet of bike path and hardscape amenities.

Pedestrian Connection Sites: Within the District there are fifteen (15) pedestrian connection sites that provide pedestrian access from various residential developments to the trail system or the arterial or collector streets within the District. While these

pedestrian connection sites are within specific residential subdivisions, these connection sites provide pedestrian access to more than just the parcels within those subdivisions and are therefore included and funded by the regional assessments established for the District. These pedestrian connection sites include:

- Pedestrian Connection on Clock Tower Court east of Oakdale Road, south of Crawford parkway consisting of approximately 1,220 square feet of landscaped improvement area.
- Nine Cul-de-sac pedestrian connection points along the MID Lateral #6 trail at Blazer Court, Feather Court, Mayberry Court, Haystack Court, Horsetail Falls Court, Winding River Court, Gold River Court, Riverbed Court, and Coolwater Court; consisting of approximately 1,440 square feet of landscaped improvement area and 450 square feet of sidewalk area.
- Four Cul-de-sac pedestrian connection points on the south side of Crawford Road at Silvertale Court, Etherington Court, Medallion Court, and Clamistake Court; consisting of approximately 640 square feet of landscaped improvement area and 200 square feet of sidewalk area.
- One Cul-de-sac pedestrian connection point on the south side of Morrill Road at Homewood Court consisting of approximately 160 square feet of landscaped improvement area and 50 square feet of sidewalk area.

Miscellaneous Landscape Area: Within the District there are various landscaped areas that are included and funded by the regional assessments established for the District these landscaped areas include:

- Landscaping surrounding the water tank between the MID Main Canal and Saxon Way that has approximately 1,200 square feet of landscaped area, 350 linear feet of walls and 220 linear feet of fencing.
- Landscaped area associated with the Black Sands Creek Way Drainage Channel located northwest of the MID Lateral # 6 Canal and east of Roselle. This area includes approximately 47,560 square feet of landscaping and approximately 45 trees.

Parks and Open Space Areas: Within the District (The Crossroads Specific Plan) there is approximately thirty acres of park/open space. The park/open space improvements within the District were designed to provide a wide range of recreational opportunities as well as large areas of open space and green belts throughout the District. These areas may include, but are not limited to turf, ground cover, shrubs, trees, natural vegetation, ball fields, various courts, restroom facilities, play equipment, picnic areas, tot lots, lighting, ornamental structures, irrigation and drainage facilities, and various hardscape amenities. There are three primary park locations within the Crossroads Specific Plan.

- A Community Park, named Silva Park, includes over nine acres of parkland in the northwest region of the District located at Novi Drive and Chancellor Way. The park design consist of dense shrub areas, numerous trees, large turf areas and ball fields as well as other recreational facilities totaling an

estimated 370,260 square feet of landscape improvements. Although this park is located well within the boundaries of the District, it is considered a Community Park and as such, will likely be utilized by property owners outside the District on a regular basis, however since the park is in the middle of the Crossroads, and utilized mostly by residents of the Crossroads, only a small portion of this park's maintenance and operation costs has been identified as a general benefit and is not assessed to property owners within the District. (It has been determined that up to a third of this park's total maintenance cost is considered general benefit).

- **Neighborhood Parks:** There are approximately twenty-one acres of land that have been completed as neighborhood parks. The neighborhood parks were specifically planned for the use and benefit of properties within the District. There are two primary neighborhood parks located within the District boundaries to optimize their use by the property owners. One park is located near the MID Main Canal trail system in the northeast region of the District and the other park is located just north of the Hetch Hetchy right-of-way in the southeast region of the District, which is also accessible by the trail system. The two neighborhood parks include approximately 914,760 square feet of landscaping that includes various types of landscape amenities ranging from natural non-irrigated open space area to large turf areas.

Local Benefit Improvements (Zone Specific)

The establishment of benefit zones is often necessary to equitably apportion the cost of the District improvements to those properties that receive special benefits from various improvements. Although several of the improvements installed and maintained within the District provide a direct and special benefit to all properties (Regional Improvements) and are assessed to all benefiting properties within the District, some improvements benefit only certain subdivision, parcels or regions of the District and are typically installed as part of developing properties in those areas.

Improvements such as perimeter landscaping (non-arterial landscaping), perimeter fencing and residential street lighting are typically associated with specific subdivisions or properties and provide special benefits to only those properties (in some cases adjacent properties as well). These types of improvements are often identified as "Local" or "Tract Specific" improvements. It was determined that the cost of maintaining such improvements should be the financial obligation of the properties benefiting and the law requires that only those properties be assessed. To equitably apportion these improvement costs to only the benefiting properties, parcels within a district have been grouped into local benefit zones ("Zones"). Each of these Zones consists of specific parcels and subdivisions that benefit from similar or specific local improvements. The cost of providing local improvements within each Zone is proportionately spread to only the parcels within that Zone.

When the District was formed, the District included only a few residential subdivisions and much of the District was vacant undeveloped land. At that time, three zones of benefit were established:

- Zone 01 included parcels within the residential developments north of Morrill Road that had limited improvements (street lighting and perimeter fencing).
- Zone 02 incorporated the new residential developments south of Morrill Road, which installed tract specific street lighting and landscaping along the perimeters of these developments.
- Zone 03 incorporated the vacant undeveloped land that made up the rest of the District and because these properties had not yet developed, the Zone provided no local improvements and assessments for properties. Zone 03 consisted of only their proportional share of the costs to provide the Regional Improvements within the District.

In 2003, a significant portion of the undeveloped land was moving forward with development and Zone 04 was established to identify the improvements and properties associated with those residential developments, thus providing an appropriate allocation of the costs associated with the local landscaping and lighting improvements resulting from those developments. The following provides more specifics about the District's four local Zones:

Zone 01 is located north of Morrill Road, east of Oakdale Road, and south and west of the MID Main Canal. This Zone includes all parcels of land identified on the Tract Maps for the subdivisions known as Oak Crest Estates; Hayes No. 1; Stonebridge No. 2. These subdivisions and parcels include one hundred thirty eight (138) single-family residential parcels, one multifamily residential parcel, and one quasi/non-residential parcel. In addition to Regional improvements, these properties benefit and are assessed for the following:

- The maintenance, abatement and minor repairs of the block wall (approximately 3,350 linear feet) located along the south side of the MID Main Canal adjacent to the parcels within the Zone. Maintenance and abatement may include the occasional clearing and removal of weeds, debris, rubbish, and other solid wastes within the public right-of-way next to the wall; and the cleaning, sandblasting, and painting of the wall deemed necessary to remove or cover graffiti.
- All streetlights within the residential development and perimeter streets. Maintenance and servicing of the street lighting may include bulb replacement, energy costs and repair or replacement of related equipment or facilities as required.

Zone 02 is located south of Morrill Road, east of Oakdale Road, generally north of Novi Drive and west of the MID Main Canal. This Zone includes all the residential parcels and subdivisions known as Hayes No. 2; Stonebridge at Crossroads; and Morrill Ranch. These subdivisions and parcels include three hundred and seven (307) single-family

residential properties. In addition to Regional improvements, these properties benefit and are assessed for the following:

- The parkway landscaping on the south side of Morrill Avenue from the northwest corner of the Morrill Ranch subdivision (Oakdale Road) east to the northeast corner of the Stonebridge at Crossroads subdivision (approximately 250 feet west of the MID Main Canal). The partially completed landscape improvement area includes:
- Approximately 2,525 linear feet of moderate density shrubs and trees, totaling an estimated 12,625 square feet;
- Approximately 1,825 linear feet of turf and trees, totaling an estimated 9,125 square feet;
- An estimated 110 to 140 trees;
- Approximately 12,700 square feet of sidewalk and hardscape amenities; and
- An estimated 3,500 linear feet of parkway fencing that is adjacent to the subdivisions on Morrill Avenue and Oakdale Road.
- All streetlights within the residential development and perimeter streets. Maintenance and servicing of the street lighting may include bulb replacement, energy costs and repair or replacement of related equipment or facilities as required.

Zone 03 currently includes all properties within the District boundaries that are not included within Zones 01, 02 or 04. The parcels within this zone are currently only assessed for their proportional share of the Regional Improvements. As properties within this Zone are developed and subdivided, they will likely be incorporated into one of the District's other local Zones or a new local Zone may be established to address their specific improvement and benefits. In either case, these changes will facilitate increased assessments for the affected properties. All such assessment increases will be subject to the substantive and procedural requirements of Article XIID.

Zone 04 incorporates a significant portion of the residential developments within the District and generally includes all residential subdivisions south and east of Zone 02 and north of the Commercial Center. The parcels and subdivisions of Zone 04 (including the four new residential subdivisions known as the Heartlands, the Cottages, the Gables and Prospector's Court) represent one thousand five hundred and fifty-two (1,552) single-family residential parcels, one hundred thirty nine (139) multifamily parcels, and one nonresidential parcel. In addition to Regional improvements, these properties benefit and are assessed for the following:

- Parkway landscaping including planting areas and turf along portions of Crawford Road and Roselle Avenue;
- Parkway landscaping (planting area, turf stamped concrete, and entryway, totaling approximately 131,534 square feet (57,110 square feet for planting area, 68,324 square feet for turf and 6,100 square feet for stamped concrete);

- Entrance medians, plant and turf areas and stamped concrete on a traffic circle located on Crawford Road and turf areas on Chancellor Way roundabouts;
- Split sidewalk landscaping on the north side of Prospector Way and the east side of Saxon Way adjacent to the school/park site and on the north side of Blacksand Creek Way adjacent to Hetch Hetchy;
- Entryway monument into the District at Roselle Avenue and Oakdale Road;
- All streetlights within the residential development and perimeter streets. Maintenance and servicing of the street lighting may include bulb replacement, energy costs and repair or replacement of related equipment or facilities as required.

PART II — METHOD OF APPORTIONMENT

A. GENERAL

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping, parks, open space areas and appurtenant facilities. The 1972 Act requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

The formula used for calculating all assessments for this District reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on benefit to each parcel. In addition, pursuant to *Article XIID, Section 4* of the California State Constitution a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel and provides that only special benefits may be assessed.

B. BENEFIT ANALYSIS

Each of the proposed improvements, the associated costs and assessments have been identified and allocated based on special benefit pursuant to the provisions of the Constitution and 1972 Act. All improvements provided by this District have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential, consistent with the proposed development plans and applicable portions of the City General Plan. As such, these improvements would be necessary and required of individual property owners and the ongoing operation, servicing and maintenance of these improvements would be the financial obligation of those properties. Therefore, the majority of the District

improvements and the annual costs of ensuring the maintenance and operation of the improvements are considered a direct and special benefit to the properties within the District.

The method of apportionment (method of assessment) is based on the premise that each assessed parcel within the District receives benefit from specific improvements. The desirability and security of properties is enhanced by the presence of street lighting, well maintained landscaping, parks and open space areas in close proximity to those properties.

Special Benefits

The special benefits associated with all landscaping, parks, trails and open space improvements are specifically:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties providing a positive representation of the area.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space, parks, trails, open space areas and landscaping.
- Environmental enhancement through improved erosion resistance, dust and debris control, and fire prevention.
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
- Enhanced quality of life and recreational opportunities through well maintained recreational facilities, equipment, green belts and trails.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
- Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods. Specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on roads and streets.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to property.
- Reduced vandalism and other criminal act and damage to improvements or property.

- Improved traffic circulation and reduced nighttime accidents and personal property loss.
- Increased promotion of business during nighttime hours in the case of commercial properties.

All of the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District.

General Benefit

The costs associated with a specific improvement that is considered a benefit to properties outside the District or to the public at large have been identified as general benefit and is not included in the District's annual assessments. In making this determination it should be noted that parkway; perimeter landscaping and interior landscaping throughout the City is provided and maintained by individual property owners, associations or another assessment district. The City does not typically maintain these types of improvements from General Fund Revenues and like similar improvements within the City, the ongoing maintenance of these improvements are clearly a special benefit to the properties associated with those improvements. However, due to either their location or purpose, it has been determined that portions of the improvement costs associated with the Community Park, traffic signals and medians along Oakdale Road provide not only a special benefit to properties within this District, but also provide a general benefit to the residents and property owners in the City as a whole. The determination of the amount of each improvement cost that is considered general benefit is based on different factors. General benefit costs for the Community Park (shown as General Benefit in the District Budget) have been determined based on an estimated service area as well as the availability of similar improvements in the City. For traffic signals and median landscaping, the allocation of special benefit cost versus general benefit costs is based on both the location of the improvements in relation to other properties in the area and estimated traffic circulation.

C. ASSESSMENT METHODOLOGY

The method of apportionment for this District calculates the receipt of special benefit from the respective improvements based on the actual or proposed land use of the parcels within the District. The net amount to be assessed upon parcels within the District for each improvement or type of improvement or service is apportioned among only those parcels that benefit from the particular improvement in proportion to a weighted special benefit calculation that equates each parcel's special benefits as compared to other parcels in the District that benefit from those same improvements. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within the District as well as the proposed land use of each property as compared to other parcels that benefit from those specific improvements, which is consistent with the provisions of the 1972 Act and *Article XIID, Section 4* of the Constitution.

Equivalent Dwelling Units:

To assess benefits equitably, it is necessary to relate the different type of parcel development to each other. The Equivalent Dwelling Unit method of assessment apportionment uses the single-family home site as the basic unit of benefit and assessment. Each single-family home site is assigned one (1.0) Equivalent Dwelling Unit ("EDU"). All other land uses within the District are assigned a weighted EDU that equates the property's specific development status, type of development (land use), and size (acres or units) to that of a single-family home site. The EDU method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for districts formed under the 1972 Act, as the benefit to each parcel is apportioned as a function of land use type, size and development.

EDU Application by Land Use:

Single-Family Residential — This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.0 EDU per lot or parcel. This is the base value that all other land use types are compared and weighted against the special benefit received by the Single Family Residence, (i.e. 1.0 EDU).

Multi-Family Residential — This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property or is part of a development that is considered multiple-unit complex. This land use is assessed 0.75 EDU per unit. (Currently this land use is applicable to only the new development known as Prospector's Court)

Planned-Residential Development — This land use is defined as any property not fully subdivided with a specific number of proposed single-family residential units or multi-family residential units to be developed on the parcel. This land use type is assessed at 1.0 EDU per planned single-family residential lot and or 0.75 EDU per multi-family residential unit.

Undefined Vacant Land — This land use is defined as property that is currently identified as vacant land, that is not actively being developed and/or is not directly adjacent to or associated with existing District improvements and infrastructure. This land use designation typically identifies rural vacant land. This land use is assessed at 1.0 EDU per parcel regardless of the size of the parcel.

Defined-Planned Vacant Land — This land use is defined as property that is currently identified as vacant land, but is either actively being developed and/or is directly adjacent to or associated with existing District improvements and infrastructure. This land use designation may include undeveloped residential or commercial properties that are part of an overall development plan. This land use is assessed at 1.0 EDU per acre. Parcels less than 1 acre are assigned a minimum of 1.0 EDU. Parcels over 50 acres are assigned a maximum of 50 EDU.

Developed Commercial — This land use is defined as property developed for either commercial or industrial use. This land use type is assessed at 4.0 EDU per acre.

Parcels less than 0.25 acres are assigned a minimum of 1.0 EDU and there is no maximum acreage cap, as is the case with Vacant Commercial Property.

Recreational or Limited Commercial Use — This land use is defined as property used for recreational or commercial use that is not part of the improvements provided by the District. This land use classification may include but is not limited to golf courses, commercial parking lots or commercial properties that less than ten percent of the total acreage has been developed. This land use is assessed at 2.0 EDU per acre. Similar to commercial properties, there is no maximum acreage cap for this land use, but parcels less than 0.5 acres, are assigned a minimum 1.0 EDU.

Exempt Parcels — This land use identifies properties that are not assessed and are assigned 0.00 EDU. This land use classification may include but is not limited to lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and rights-of-ways, public greenbelts and parkways; utility rights-of-ways; common areas, sliver parcels and bifurcated lots or any other property that cannot be developed, park properties and other publicly owned that are part of the District improvements or that have little or no improvement value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

The following table provides a listing of land use types, land use code designations, the Equivalent Dwelling Unit factor applied to that land use type, and the multiplying factor used to calculate each parcel's individual EDU.

Property Type	EDU	Multiplier
Single Family Residential	1.00	Per Unit/Lot/Parcel
Multifamily Residential	0.75	Per Unit
Planned-Residential Development	1.00	Per Planned Single Family Unit
	0.75	Per Planned Multi-Family Unit
Undefined Vacant Lot	1.00	Per Parcel
Defined Planned Vacant Lot	1.00	Per Acre
Developed Commercial	4.00	Per Acre
Recreational or Limited Commercial Use	2.00	Per Acre
Exempt	0.00	Per Parcel

Land Use Codes and Equivalent Dwelling Units

The benefit formula applied to parcels within the District is based on the preceding discussion of Equivalent Dwelling Units and the table above. Each parcel's EDU correlates the parcel's special benefit received as compared to all other parcels benefiting from the improvements.

The following formula is used to calculate each parcel's EDU (proportional benefit).

$$\text{Parcel Type EDU} \times \text{Acres or Units} = \text{Parcel's EDU}$$

The total number of EDU's is the sum of all individual EDU's applied to parcels that receive a special benefit from the District improvements. An assessment rate per EDU ("Rate") is established by taking the "Balance to Levy" established for each Zone of the District (including the Regional Improvements) and dividing the total EDU's of all parcels benefiting from those improvements. This calculated "Rate per EDU" is then applied back to each parcel's assigned EDU to determine the parcel's proportionate benefit and assessment obligation for the improvement.

$$\begin{aligned} \text{Total Balance to Levy} / \text{Total EDU} &= \text{Rate per EDU} \\ \text{Rate per EDU} \times \text{Parcel EDU} &= \text{Parcel Levy Amount} \end{aligned}$$

The formulas described in the preceding description of calculating each parcel's Levy Amount is applied separately for both Regional (District-wide) Benefits and the Zone Benefits applicable to each parcel. The combined amount of the Regional and Zone assessment is the parcel's annual assessment amount (Levy) that will be submitted to the County for inclusion on the property tax roll.

D. ASSESSMENT RANGE FORMULA

Any new or increase in assessments require certain noticing and meeting requirements by law. Prior to the passage of Proposition 218, legislative changes in the Brown Act defined the definition of "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through SB919 (Proposition 218 implementation statutes).

The purpose of establishing an assessment range formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. Generally, if the proposed annual assessment (levy per unit or rate) for the current fiscal year is less than or equals to the "Maximum Assessment" (or "Adjusted Maximum Assessment"), then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment for all assessments in this District is equal to the initial Assessment approved by property owners adjusted annually by the following criteria:

- Beginning in Fiscal Year 2002/03 and each fiscal year thereafter, the Maximum Assessment will be recalculated annually.
- The new adjusted Maximum Assessment for the year represents the prior year's Maximum Assessment adjusted by three percent (3.0%).
- The Maximum Assessment is adjusted each year independent of the annual assessment calculation. While the actual amount assessed may fluctuate each year, the maximum will continue to be increased by 3%, and in any given year the assessment may be applied at the Maximum Assessment.

Any proposed annual assessment (rate per EDU) less than or equal to this Maximum Assessment is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year. The City Council may reduce or freeze the Maximum Assessment at any time by amending the Engineer's Annual Report.

Although the Maximum Assessment will increase each year, the actual assessment may remain virtually unchanged. If the budget and assessments for the fiscal year does not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and the assessment may be approved by the City Council without a property owner balloting. If the budget and the assessments calculated requires an assessment greater than the adjusted Maximum Assessment, the assessment would be considered an assessment increase and to impose such an increase the City must comply with the provisions of *Article XIID, Section 4(c)* of the Constitution, which requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve the proposed assessment increase before it can be imposed. If the proposed assessment is approved, then a new Maximum Assessment is established for the District. If the proposed assessment is not approved, the City Council may not levy an assessment greater than the adjusted Maximum Assessment previously established for the District.

PART III — DISTRICT BUDGETS

The following summarizes the District's adjusted Maximum Assessment Rates for Fiscal Year 2015/2016:

- The Maximum Assessment Rate for District-wide Improvements is \$222.39/EDU.
- The Maximum Assessment Rate for Zone 01 Improvements is \$72.68/EDU.
- The Maximum Assessment Rate for Zone 02 Improvements is \$80.48/EDU.
- The Maximum Assessment Rate for Zone 03 Improvements is \$0.00/EDU.
- The Maximum Assessment Rate for Zone 04 Improvements is \$83.13/EDU.

The Total Adjusted Maximum Assessment Rate applicable to parcels in each Zone is as follows:

- | | | |
|-----------|----------|--------------------|
| • Zone 01 | \$295.07 | (\$222.39+\$72.68) |
| • Zone 02 | \$302.87 | (\$222.39+\$80.48) |
| • Zone 03 | \$222.39 | (\$222.39+\$0.00) |
| • Zone 04 | \$305.52 | (\$222.39+\$83.13) |

The follow page outlines the Crossroads Landscaping and Lighting District's proposed budget and assessments for Fiscal Year 2015/2016. The budget identifies the estimated expenses and cost allocation of the improvements for each of the District's Zone improvements to establish the proposed District assessments for Fiscal Year 2015/2016.

The Capital Improvement Project (CIP) fund is used to upgrade certain improvements within the District. These improvements have a useful life of five years or more and include:

- Roundabout improvements on Antique Rose Way
- Install benches, shade structures and playground improvements within Silva Community Park
- Install benches along the park trail
- Install shade structures within the Neighborhood Park
- Repair to sidewalks along Crawford Road
- Installation of benches along the basin on Homewood Way.
- Install public bathroom within the Neighborhood Park.

District Budget Fiscal Year 2015/2016

BUDGET ITEM	General Benefit	District Benefit	Zone 1	Zone 2	Zone 3	Zone 4	Total Budget
DIRECT COSTS							
Parkway Landscape Maintenance	\$0	\$3,082	\$0	\$3,604	\$0	\$24,314	\$31,000
Median/Traffic Circle Maintenance	636	4,683	0	0	0	681	6,000
Trail Landscape Maintenance	0	8,520	0	0	0	0	8,520
Park/Open Space Landscape Maintenance	7,335	29,339	0	0	0	826	37,500
Drainage Channel Maintenance	0	0	0	0	0	10,000	10,000
Pedestrian Connection	0	0	0	0	0	600	600
Landscape Reserves/Weed Abatement	0	0	0	0	0	0	0
Repairs/Abatement	0	70,153	2,886	4,319	0	0	77,358
Landscape	0	1,500	0	1,000	0	2,500	5,000
Utilities	0	41,845	0	0	0	0	41,845
Neighborhood Park Maintenance	0	45,000	0	0	0	0	45,000
Miscellaneous/Materials/Equipment	0	0	0	0	0	0	0
Street Light Maintenance	49	208	125	220	0	1,398	2,000
Capital Expenditure	0	0	0	0	0	0	0
Direct Costs Subtotal	\$8,020	\$204,330	\$3,011	\$9,143	\$0	\$40,319	\$264,823
ADMINISTRATION COSTS							
Personnel/Overhead/ Professional Fees	\$0	\$5,267	\$0	\$0	\$0	\$1,967	\$7,234
Muni Admin	0	7,395	0	0	0	0	7,395
County Administration Fee	0	723	35	70	0	410	1,238
Miscellaneous Administration Expenses	0	0	0	0	0	237	237
Administrative Costs Subtotal	\$0	\$13,385	\$35	\$70	\$0	\$2,614	\$16,104
LEVY BREAKDOWN							
Total Direct and Admin. Costs	\$8,020	\$217,715	\$3,046	\$9,213	\$0	\$42,933	\$280,927
Reserve Fund Collection	0	0	0	0	0	0	0
Improvement Replacement Fund Collection	0	0	0	0	0	50,000	50,000
(Sub-Total) Levy Collection	\$8,020	\$217,715	\$3,046	\$9,213	\$0	\$92,933	\$330,927
Reserve Fund Contribution	0	(42,250)	0	0	0	(50,000)	(92,250)
Capital Improvement Project Contributions	0	0	0	0	0	0	0
Contributions & Other Revenue Sources	0	0	0	0	0	0	0
(Sub-Total) Levy Reduction	0	(42,250)	0	0	0	(50,000)	(92,250)
Balance to Levy	\$8,020.00	\$175,465.00	\$3,046.00	\$9,213.00	\$0.00	\$42,933.00	\$238,677.00
DISTRICT STATISTICS							
Total Parcels		2,218	141	307	40	1,730	
Total Parcels Levied		2,183	141	307	40	1,728	
Total Equivalent Dwelling Units (EDU)		2,363.11	150.60	307.00	213.27	1,692.24	
Levy per EDU		\$74.25	\$20.23	\$30.01	\$0.00	\$25.37	
Maximum Levy per EDU		\$222.39	\$72.68	\$80.48	\$0.00	\$83.13	
RESERVE INFORMATION							
Reserve Fund Balance		\$95,673	\$65,892	\$188,218	\$0	\$197,638	\$547,420
Reserve Fund Activity		(42,250)	0	0	0	(50,000)	(92,250)
Projected Ending Reserve Fund Balance		\$53,423	\$65,892	\$188,218	\$0	\$147,638	\$455,170
Capital Improvement Project Fund Balance		\$56,440	\$22,578	\$33,133	\$0	\$80,311	\$192,462
Capital Expenditure/Improvement Fund Activity		0	0	0	0	50,000	50,000
Projected Ending Improvement Fund Balance		\$56,440	\$22,578	\$33,133	\$0	\$130,311	\$242,462
Total Projected Available Fund Balance		\$109,863	\$88,470	\$221,351	\$0	\$277,949	\$697,632

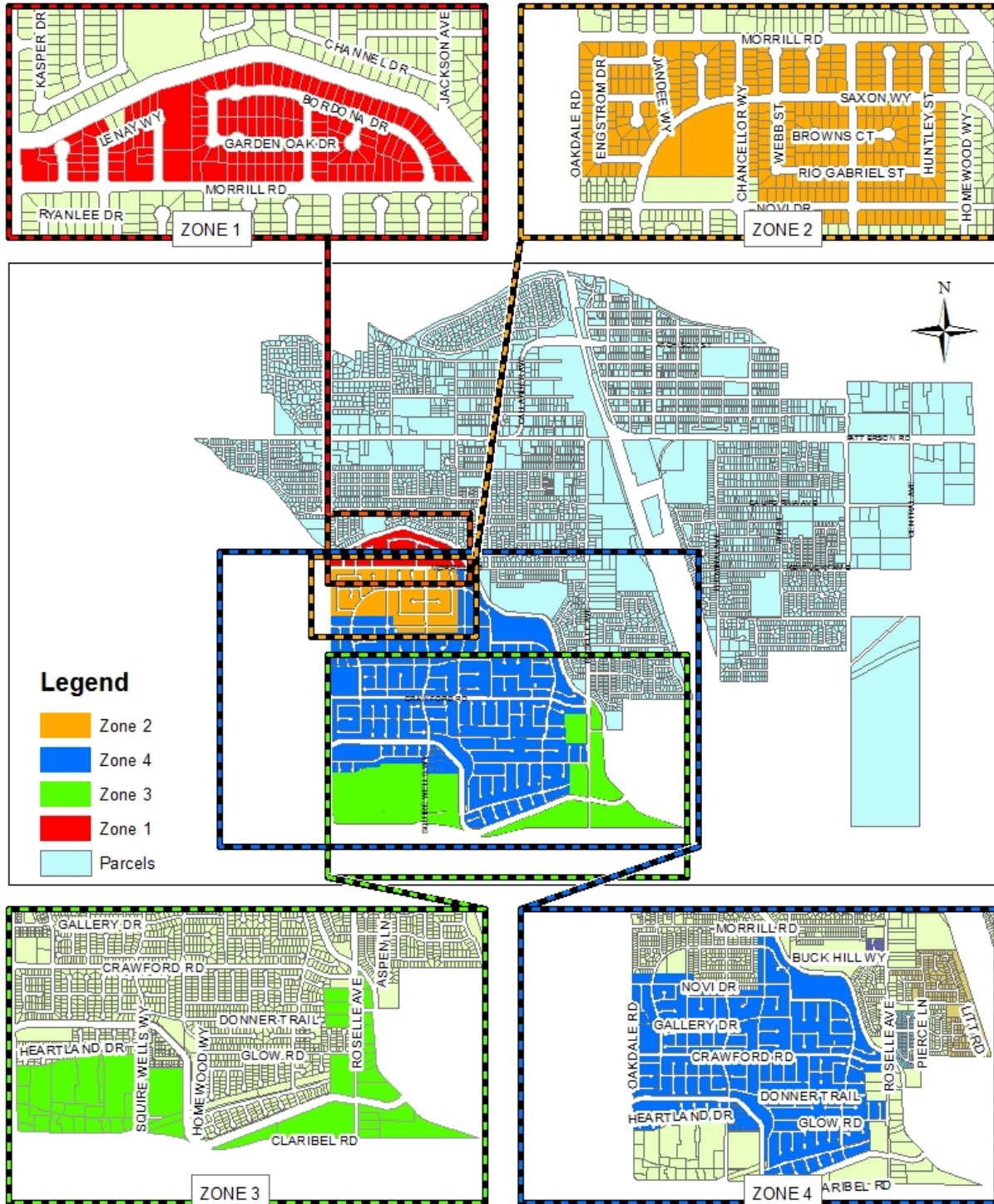
PART V — DISTRICT DIAGRAMS

The parcels within the Riverbank Crossroads Landscaping and Lighting District consist of all lots, parcels and subdivisions of land located in the development area known as the “Crossroads Specific Plan”. The following page provides a Boundary Diagram that provides an overview of the District’s location and identifies the exterior boundaries of the District as well as the Zones within the District. Together the Boundary Diagram and the Assessment Roll contained in Part V of this Report constitute the District’s Assessment Diagram for Fiscal Year 2015/2016. Details regarding the lines and dimensions of the parcels within the District are shown on the Stanislaus County Assessor’s Parcel Maps (APN Maps) and by reference the APN Maps are made part of this Report.

**MAP OF ASSESSED PARCELS WITHIN THE
RIVERBANK CROSSROADS LANDSCAPING AND LIGHTING DISTRICT
CITY OF RIVERBANK, COUNTY OF STANISLAUS, STATE OF CALIFORNIA**



**Riverbank Crossroads
Landscape and Lighting District**



PART VI — ASSESSMENT ROLL

Parcel identification for each lot or parcel within the District shall be the parcel as shown on the Stanislaus County Secured Roll for the year in which this Report is prepared and reflective of the Assessor's Parcel Maps. A listing of parcels assessed within this District, along with the proposed assessment amounts is included in the following pages.

The assessments as approved will be submitted to the County Auditor/Controller to be included on the property tax roll for each parcel within the District. If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate contained in this Report as approved by the City Council.

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-051-001-000	01	1.00	\$74.25	\$20.23	\$94.46
075-051-002-000	01	1.00	74.25	20.23	94.46
075-051-003-000	01	1.00	74.25	20.23	94.46
075-051-004-000	01	1.00	74.25	20.23	94.46
075-051-005-000	01	1.00	74.25	20.23	94.46
075-051-006-000	01	1.00	74.25	20.23	94.46
075-051-007-000	01	1.00	74.25	20.23	94.46
075-051-008-000	01	1.00	74.25	20.23	94.46
075-051-009-000	01	1.00	74.25	20.23	94.46
075-051-010-000	01	1.00	74.25	20.23	94.46
075-051-011-000	01	1.00	74.25	20.23	94.46
075-051-012-000	01	1.00	74.25	20.23	94.46
075-051-013-000	01	1.00	74.25	20.23	94.46
075-051-014-000	01	1.00	74.25	20.23	94.46
075-051-015-000	01	1.00	74.25	20.23	94.46
075-051-016-000	01	1.00	74.25	20.23	94.46
075-051-017-000	01	1.00	74.25	20.23	94.46
075-051-018-000	01	1.00	74.25	20.23	94.46
075-051-019-000	01	1.00	74.25	20.23	94.46
075-051-020-000	01	1.00	74.25	20.23	94.46
075-051-021-000	01	1.00	74.25	20.23	94.46
075-051-022-000	01	1.00	74.25	20.23	94.46
075-051-023-000	01	1.00	74.25	20.23	94.46
075-051-024-000	01	1.00	74.25	20.23	94.46
075-051-025-000	01	1.00	74.25	20.23	94.46
075-051-026-000	01	1.00	74.25	20.23	94.46
075-051-027-000	01	1.00	74.25	20.23	94.46
075-051-028-000	01	1.00	74.25	20.23	94.46
075-051-029-000	01	1.00	74.25	20.23	94.46
075-051-030-000	01	1.00	74.25	20.23	94.46
075-051-032-000	01	1.00	74.25	20.23	94.46
075-051-033-000	01	1.00	74.25	20.23	94.46
075-051-034-000	01	1.00	74.25	20.23	94.46
075-051-035-000	01	1.00	74.25	20.23	94.46
075-051-036-000	01	1.00	74.25	20.23	94.46
075-051-037-000	01	1.00	74.25	20.23	94.46
075-051-038-000	01	1.00	74.25	20.23	94.46
075-051-039-000	01	1.00	74.25	20.23	94.46
075-051-040-000	01	1.00	74.25	20.23	94.46
075-051-041-000	01	1.00	74.25	20.23	94.46
075-051-042-000	01	1.00	74.25	20.23	94.46
075-051-043-000	01	1.00	74.25	20.23	94.46
075-051-044-000	01	1.00	74.25	20.23	94.46
075-051-045-000	01	1.00	74.25	20.23	94.46
075-051-046-000	01	1.00	74.25	20.23	94.46
075-051-047-000	01	1.00	74.25	20.23	94.46
075-051-048-000	01	1.00	74.25	20.23	94.46
075-051-049-000	01	1.00	74.25	20.23	94.46
075-051-050-000	01	1.00	74.25	20.23	94.46
075-051-051-000	01	1.00	74.25	20.23	94.46
075-051-052-000	01	1.00	74.25	20.23	94.46
075-051-053-000	01	1.00	74.25	20.23	94.46
075-051-054-000	01	1.00	74.25	20.23	94.46
075-051-055-000	01	1.00	74.25	20.23	94.46
075-051-056-000	01	1.00	74.25	20.23	94.46
075-051-057-000	01	1.00	74.25	20.23	94.46
075-051-058-000	01	1.00	74.25	20.23	94.46
075-051-059-000	01	1.00	74.25	20.23	94.46
075-051-060-000	01	1.00	74.25	20.23	94.46
075-051-061-000	01	1.00	74.25	20.23	94.46
075-051-062-000	01	1.00	74.25	20.23	94.46
075-051-063-000	01	1.00	74.25	20.23	94.46

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-051-064-000	01	1.00	74.25	20.23	94.46
075-051-065-000	01	1.00	74.25	20.23	94.46
075-051-066-000	01	1.00	74.25	20.23	94.46
075-051-067-000	01	1.00	74.25	20.23	94.46
075-051-068-000	01	1.00	74.25	20.23	94.46
075-051-069-000	01	1.00	74.25	20.23	94.46
075-051-070-000	01	1.00	74.25	20.23	94.46
075-053-001-000	01	1.00	74.25	20.23	94.46
075-053-002-000	01	1.00	74.25	20.23	94.46
075-053-003-000	01	1.00	74.25	20.23	94.46
075-053-004-000	01	1.00	74.25	20.23	94.46
075-053-005-000	01	1.00	74.25	20.23	94.46
075-053-006-000	01	1.00	74.25	20.23	94.46
075-053-007-000	01	1.00	74.25	20.23	94.46
075-053-008-000	01	1.00	74.25	20.23	94.46
075-053-009-000	01	1.00	74.25	20.23	94.46
075-053-010-000	01	1.00	74.25	20.23	94.46
075-053-011-000	01	1.00	74.25	20.23	94.46
075-053-012-000	01	1.00	74.25	20.23	94.46
075-053-013-000	01	1.00	74.25	20.23	94.46
075-053-014-000	01	1.00	74.25	20.23	94.46
075-053-015-000	01	1.00	74.25	20.23	94.46
075-053-016-000	01	1.00	74.25	20.23	94.46
075-053-017-000	01	1.00	74.25	20.23	94.46
075-053-018-000	01	1.00	74.25	20.23	94.46
075-053-019-000	01	1.00	74.25	20.23	94.46
075-053-020-000	01	1.00	74.25	20.23	94.46
075-053-021-000	01	1.00	74.25	20.23	94.46
075-053-022-000	01	1.00	74.25	20.23	94.46
075-053-023-000	01	1.00	74.25	20.23	94.46
075-053-024-000	01	1.00	74.25	20.23	94.46
075-053-025-000	01	1.00	74.25	20.23	94.46
075-053-026-000	01	1.00	74.25	20.23	94.46
075-053-027-000	01	1.00	74.25	20.23	94.46
075-053-028-000	01	1.00	74.25	20.23	94.46
075-053-029-000	01	1.00	74.25	20.23	94.46
075-053-030-000	01	1.00	74.25	20.23	94.46
075-053-031-000	01	1.00	74.25	20.23	94.46
075-053-032-000	01	1.00	74.25	20.23	94.46
075-053-033-000	01	1.00	74.25	20.23	94.46
075-053-034-000	01	1.00	74.25	20.23	94.46
075-053-035-000	01	1.00	74.25	20.23	94.46
075-053-036-000	01	1.00	74.25	20.23	94.46
075-053-037-000	01	1.00	74.25	20.23	94.46
075-057-001-000	01	2.60	193.05	52.59	245.64
075-057-002-000	01	1.00	74.25	20.23	94.46
075-057-003-000	01	1.00	74.25	20.23	94.46
075-057-004-000	01	1.00	74.25	20.23	94.46
075-057-005-000	01	1.00	74.25	20.23	94.46
075-057-006-000	01	1.00	74.25	20.23	94.46
075-057-007-000	01	1.00	74.25	20.23	94.46
075-057-008-000	01	1.00	74.25	20.23	94.46
075-057-009-000	01	1.00	74.25	20.23	94.46
075-057-010-000	01	1.00	74.25	20.23	94.46
075-057-011-000	01	1.00	74.25	20.23	94.46
075-057-012-000	01	1.00	74.25	20.23	94.46
075-057-013-000	01	1.00	74.25	20.23	94.46
075-057-014-000	01	1.00	74.25	20.23	94.46
075-057-015-000	01	1.00	74.25	20.23	94.46
075-057-016-000	01	1.00	74.25	20.23	94.46
075-057-019-000	01	1.00	74.25	20.23	94.46
075-057-020-000	01	1.00	74.25	20.23	94.46

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-057-021-000	01	1.00	74.25	20.23	94.46
075-057-022-000	01	1.00	74.25	20.23	94.46
075-057-026-000	01	1.00	74.25	20.23	94.46
075-057-027-000	01	1.00	74.25	20.23	94.46
075-057-028-000	01	1.00	74.25	20.23	94.46
075-057-029-000	01	1.00	74.25	20.23	94.46
075-057-030-000	01	1.00	74.25	20.23	94.46
075-057-031-000	01	1.00	74.25	20.23	94.46
075-057-032-000	01	1.00	74.25	20.23	94.46
075-057-033-000	01	1.00	74.25	20.23	94.46
075-057-034-000	01	1.00	74.25	20.23	94.46
075-057-035-000	01	1.00	74.25	20.23	94.46
075-057-036-000	01	1.00	74.25	20.23	94.46
075-057-037-000	01	1.00	74.25	20.23	94.46
075-057-038-000	01	1.00	74.25	20.23	94.46
075-057-039-000	01	10.00	742.52	202.26	944.76
075-059-001-000	02	1.00	74.25	30.01	104.26
075-059-002-000	02	1.00	74.25	30.01	104.26
075-059-003-000	02	1.00	74.25	30.01	104.26
075-059-004-000	02	1.00	74.25	30.01	104.26
075-059-005-000	02	1.00	74.25	30.01	104.26
075-059-006-000	02	1.00	74.25	30.01	104.26
075-059-007-000	02	1.00	74.25	30.01	104.26
075-059-008-000	02	1.00	74.25	30.01	104.26
075-059-009-000	02	1.00	74.25	30.01	104.26
075-059-010-000	02	1.00	74.25	30.01	104.26
075-059-011-000	02	1.00	74.25	30.01	104.26
075-059-012-000	02	1.00	74.25	30.01	104.26
075-059-013-000	02	1.00	74.25	30.01	104.26
075-059-014-000	02	1.00	74.25	30.01	104.26
075-059-015-000	02	1.00	74.25	30.01	104.26
075-059-016-000	02	1.00	74.25	30.01	104.26
075-059-017-000	02	1.00	74.25	30.01	104.26
075-059-018-000	02	1.00	74.25	30.01	104.26
075-059-019-000	02	1.00	74.25	30.01	104.26
075-059-020-000	02	1.00	74.25	30.01	104.26
075-059-021-000	02	1.00	74.25	30.01	104.26
075-059-022-000	02	1.00	74.25	30.01	104.26
075-059-023-000	02	1.00	74.25	30.01	104.26
075-059-024-000	02	1.00	74.25	30.01	104.26
075-059-025-000	02	1.00	74.25	30.01	104.26
075-059-026-000	02	1.00	74.25	30.01	104.26
075-059-027-000	02	1.00	74.25	30.01	104.26
075-059-028-000	02	1.00	74.25	30.01	104.26
075-059-029-000	02	1.00	74.25	30.01	104.26
075-059-030-000	02	1.00	74.25	30.01	104.26
075-059-031-000	02	1.00	74.25	30.01	104.26
075-059-032-000	02	1.00	74.25	30.01	104.26
075-059-033-000	02	1.00	74.25	30.01	104.26
075-059-034-000	02	1.00	74.25	30.01	104.26
075-059-035-000	02	1.00	74.25	30.01	104.26
075-059-036-000	02	1.00	74.25	30.01	104.26
075-059-037-000	02	1.00	74.25	30.01	104.26
075-059-038-000	02	1.00	74.25	30.01	104.26
075-059-039-000	02	1.00	74.25	30.01	104.26
075-059-041-000	02	1.00	74.25	30.01	104.26
075-059-042-000	02	1.00	74.25	30.01	104.26
075-059-043-000	02	1.00	74.25	30.01	104.26
075-059-044-000	02	1.00	74.25	30.01	104.26
075-059-045-000	02	1.00	74.25	30.01	104.26
075-059-046-000	02	1.00	74.25	30.01	104.26
075-059-047-000	02	1.00	74.25	30.01	104.26

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-059-048-000	02	1.00	74.25	30.01	104.26
075-059-049-000	02	1.00	74.25	30.01	104.26
075-059-050-000	02	1.00	74.25	30.01	104.26
075-059-051-000	02	1.00	74.25	30.01	104.26
075-059-052-000	02	1.00	74.25	30.01	104.26
075-059-053-000	02	1.00	74.25	30.01	104.26
075-059-054-000	02	1.00	74.25	30.01	104.26
075-059-055-000	02	1.00	74.25	30.01	104.26
075-059-056-000	02	1.00	74.25	30.01	104.26
075-059-057-000	02	1.00	74.25	30.01	104.26
075-059-058-000	02	1.00	74.25	30.01	104.26
075-059-059-000	02	1.00	74.25	30.01	104.26
075-059-060-000	02	1.00	74.25	30.01	104.26
075-059-062-000	02	1.00	74.25	30.01	104.26
075-059-063-000	02	1.00	74.25	30.01	104.26
075-060-001-000	02	1.00	74.25	30.01	104.26
075-060-002-000	02	1.00	74.25	30.01	104.26
075-060-003-000	02	1.00	74.25	30.01	104.26
075-060-004-000	02	1.00	74.25	30.01	104.26
075-060-005-000	02	1.00	74.25	30.01	104.26
075-060-006-000	02	1.00	74.25	30.01	104.26
075-060-007-000	02	1.00	74.25	30.01	104.26
075-060-008-000	02	1.00	74.25	30.01	104.26
075-060-009-000	02	1.00	74.25	30.01	104.26
075-060-010-000	02	1.00	74.25	30.01	104.26
075-060-011-000	02	1.00	74.25	30.01	104.26
075-060-013-000	02	1.00	74.25	30.01	104.26
075-060-014-000	02	1.00	74.25	30.01	104.26
075-060-015-000	02	1.00	74.25	30.01	104.26
075-060-016-000	02	1.00	74.25	30.01	104.26
075-060-017-000	02	1.00	74.25	30.01	104.26
075-060-018-000	02	1.00	74.25	30.01	104.26
075-060-019-000	02	1.00	74.25	30.01	104.26
075-060-020-000	02	1.00	74.25	30.01	104.26
075-060-021-000	02	1.00	74.25	30.01	104.26
075-060-022-000	02	1.00	74.25	30.01	104.26
075-060-023-000	02	1.00	74.25	30.01	104.26
075-060-024-000	02	1.00	74.25	30.01	104.26
075-060-025-000	02	1.00	74.25	30.01	104.26
075-060-026-000	02	1.00	74.25	30.01	104.26
075-060-027-000	02	1.00	74.25	30.01	104.26
075-060-028-000	02	1.00	74.25	30.01	104.26
075-060-029-000	02	1.00	74.25	30.01	104.26
075-060-030-000	02	1.00	74.25	30.01	104.26
075-060-031-000	02	1.00	74.25	30.01	104.26
075-060-032-000	02	1.00	74.25	30.01	104.26
075-060-033-000	02	1.00	74.25	30.01	104.26
075-060-034-000	02	1.00	74.25	30.01	104.26
075-060-035-000	02	1.00	74.25	30.01	104.26
075-060-036-000	02	1.00	74.25	30.01	104.26
075-060-037-000	02	1.00	74.25	30.01	104.26
075-060-038-000	02	1.00	74.25	30.01	104.26
075-060-039-000	02	1.00	74.25	30.01	104.26
075-060-040-000	02	1.00	74.25	30.01	104.26
075-060-041-000	02	1.00	74.25	30.01	104.26
075-060-042-000	02	1.00	74.25	30.01	104.26
075-060-043-000	02	1.00	74.25	30.01	104.26
075-060-044-000	02	1.00	74.25	30.01	104.26
075-060-045-000	02	1.00	74.25	30.01	104.26
075-060-046-000	02	1.00	74.25	30.01	104.26
075-060-047-000	02	1.00	74.25	30.01	104.26
075-060-048-000	02	1.00	74.25	30.01	104.26

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-060-049-000	02	1.00	74.25	30.01	104.26
075-060-050-000	02	1.00	74.25	30.01	104.26
075-060-051-000	02	1.00	74.25	30.01	104.26
075-060-052-000	02	1.00	74.25	30.01	104.26
075-060-053-000	02	1.00	74.25	30.01	104.26
075-060-054-000	02	1.00	74.25	30.01	104.26
075-060-055-000	02	1.00	74.25	30.01	104.26
075-060-056-000	02	1.00	74.25	30.01	104.26
075-060-057-000	02	1.00	74.25	30.01	104.26
075-060-058-000	02	1.00	74.25	30.01	104.26
075-060-059-000	02	1.00	74.25	30.01	104.26
075-060-060-000	02	1.00	74.25	30.01	104.26
075-060-061-000	02	1.00	74.25	30.01	104.26
075-060-062-000	02	1.00	74.25	30.01	104.26
075-060-063-000	02	1.00	74.25	30.01	104.26
075-060-064-000	02	1.00	74.25	30.01	104.26
075-060-065-000	02	1.00	74.25	30.01	104.26
075-060-066-000	02	1.00	74.25	30.01	104.26
075-060-067-000	02	1.00	74.25	30.01	104.26
075-060-068-000	02	1.00	74.25	30.01	104.26
075-060-069-000	02	1.00	74.25	30.01	104.26
075-060-070-000	02	1.00	74.25	30.01	104.26
075-060-071-000	02	1.00	74.25	30.01	104.26
075-060-072-000	02	1.00	74.25	30.01	104.26
075-060-073-000	02	1.00	74.25	30.01	104.26
075-060-074-000	02	1.00	74.25	30.01	104.26
075-060-075-000	02	1.00	74.25	30.01	104.26
075-060-076-000	02	1.00	74.25	30.01	104.26
075-060-077-000	02	1.00	74.25	30.01	104.26
075-060-078-000	02	1.00	74.25	30.01	104.26
075-061-001-000	02	1.00	74.25	30.01	104.26
075-061-002-000	02	1.00	74.25	30.01	104.26
075-061-003-000	02	1.00	74.25	30.01	104.26
075-061-004-000	02	1.00	74.25	30.01	104.26
075-061-005-000	02	1.00	74.25	30.01	104.26
075-061-006-000	02	1.00	74.25	30.01	104.26
075-061-007-000	02	1.00	74.25	30.01	104.26
075-061-008-000	02	1.00	74.25	30.01	104.26
075-061-009-000	02	1.00	74.25	30.01	104.26
075-061-010-000	02	1.00	74.25	30.01	104.26
075-061-011-000	02	1.00	74.25	30.01	104.26
075-061-012-000	02	1.00	74.25	30.01	104.26
075-061-013-000	02	1.00	74.25	30.01	104.26
075-061-014-000	02	1.00	74.25	30.01	104.26
075-061-015-000	02	1.00	74.25	30.01	104.26
075-061-016-000	02	1.00	74.25	30.01	104.26
075-061-017-000	02	1.00	74.25	30.01	104.26
075-061-018-000	02	1.00	74.25	30.01	104.26
075-061-019-000	02	1.00	74.25	30.01	104.26
075-061-020-000	02	1.00	74.25	30.01	104.26
075-061-021-000	02	1.00	74.25	30.01	104.26
075-061-022-000	02	1.00	74.25	30.01	104.26
075-061-023-000	02	1.00	74.25	30.01	104.26
075-061-024-000	02	1.00	74.25	30.01	104.26
075-061-025-000	02	1.00	74.25	30.01	104.26
075-061-026-000	02	1.00	74.25	30.01	104.26
075-061-027-000	02	1.00	74.25	30.01	104.26
075-061-028-000	02	1.00	74.25	30.01	104.26
075-061-029-000	02	1.00	74.25	30.01	104.26
075-061-030-000	02	1.00	74.25	30.01	104.26
075-061-031-000	02	1.00	74.25	30.01	104.26
075-061-032-000	02	1.00	74.25	30.01	104.26

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-061-033-000	02	1.00	74.25	30.01	104.26
075-061-034-000	02	1.00	74.25	30.01	104.26
075-061-035-000	02	1.00	74.25	30.01	104.26
075-061-036-000	02	1.00	74.25	30.01	104.26
075-061-037-000	02	1.00	74.25	30.01	104.26
075-061-038-000	02	1.00	74.25	30.01	104.26
075-061-039-000	02	1.00	74.25	30.01	104.26
075-061-040-000	02	1.00	74.25	30.01	104.26
075-061-041-000	02	1.00	74.25	30.01	104.26
075-061-042-000	02	1.00	74.25	30.01	104.26
075-061-043-000	02	1.00	74.25	30.01	104.26
075-061-044-000	02	1.00	74.25	30.01	104.26
075-061-045-000	02	1.00	74.25	30.01	104.26
075-061-046-000	02	1.00	74.25	30.01	104.26
075-061-047-000	02	1.00	74.25	30.01	104.26
075-061-048-000	02	1.00	74.25	30.01	104.26
075-061-049-000	02	1.00	74.25	30.01	104.26
075-061-050-000	02	1.00	74.25	30.01	104.26
075-061-051-000	02	1.00	74.25	30.01	104.26
075-061-052-000	02	1.00	74.25	30.01	104.26
075-061-053-000	02	1.00	74.25	30.01	104.26
075-061-054-000	02	1.00	74.25	30.01	104.26
075-061-055-000	02	1.00	74.25	30.01	104.26
075-061-056-000	02	1.00	74.25	30.01	104.26
075-061-057-000	02	1.00	74.25	30.01	104.26
075-061-058-000	02	1.00	74.25	30.01	104.26
075-061-059-000	02	1.00	74.25	30.01	104.26
075-061-060-000	02	1.00	74.25	30.01	104.26
075-061-061-000	02	1.00	74.25	30.01	104.26
075-061-062-000	02	1.00	74.25	30.01	104.26
075-061-063-000	02	1.00	74.25	30.01	104.26
075-061-064-000	02	1.00	74.25	30.01	104.26
075-061-065-000	02	1.00	74.25	30.01	104.26
075-061-066-000	02	1.00	74.25	30.01	104.26
075-061-067-000	02	1.00	74.25	30.01	104.26
075-061-068-000	02	1.00	74.25	30.01	104.26
075-061-069-000	02	1.00	74.25	30.01	104.26
075-062-001-000	02	1.00	74.25	30.01	104.26
075-062-002-000	02	1.00	74.25	30.01	104.26
075-062-003-000	02	1.00	74.25	30.01	104.26
075-062-004-000	02	1.00	74.25	30.01	104.26
075-062-005-000	02	1.00	74.25	30.01	104.26
075-062-006-000	02	1.00	74.25	30.01	104.26
075-062-007-000	02	1.00	74.25	30.01	104.26
075-062-008-000	02	1.00	74.25	30.01	104.26
075-062-009-000	02	1.00	74.25	30.01	104.26
075-062-010-000	02	1.00	74.25	30.01	104.26
075-062-011-000	02	1.00	74.25	30.01	104.26
075-062-012-000	02	1.00	74.25	30.01	104.26
075-062-013-000	02	1.00	74.25	30.01	104.26
075-062-014-000	02	1.00	74.25	30.01	104.26
075-062-015-000	02	1.00	74.25	30.01	104.26
075-062-016-000	02	1.00	74.25	30.01	104.26
075-062-017-000	02	1.00	74.25	30.01	104.26
075-062-018-000	02	1.00	74.25	30.01	104.26
075-062-019-000	02	1.00	74.25	30.01	104.26
075-062-020-000	02	1.00	74.25	30.01	104.26
075-062-021-000	02	1.00	74.25	30.01	104.26
075-062-022-000	02	1.00	74.25	30.01	104.26
075-062-023-000	02	1.00	74.25	30.01	104.26
075-062-024-000	02	1.00	74.25	30.01	104.26
075-062-025-000	02	1.00	74.25	30.01	104.26

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-062-026-000	02	1.00	74.25	30.01	104.26
075-062-027-000	02	1.00	74.25	30.01	104.26
075-062-028-000	02	1.00	74.25	30.01	104.26
075-062-029-000	02	1.00	74.25	30.01	104.26
075-062-030-000	02	1.00	74.25	30.01	104.26
075-062-031-000	02	1.00	74.25	30.01	104.26
075-062-032-000	02	1.00	74.25	30.01	104.26
075-079-001-000	02	1.00	74.25	30.01	104.26
075-079-002-000	02	1.00	74.25	30.01	104.26
075-079-003-000	02	1.00	74.25	30.01	104.26
075-079-004-000	02	1.00	74.25	30.01	104.26
075-079-005-000	02	1.00	74.25	30.01	104.26
075-079-006-000	02	1.00	74.25	30.01	104.26
075-079-007-000	02	1.00	74.25	30.01	104.26
075-079-008-000	02	1.00	74.25	30.01	104.26
075-079-009-000	02	1.00	74.25	30.01	104.26
075-079-010-000	02	1.00	74.25	30.01	104.26
075-079-011-000	02	1.00	74.25	30.01	104.26
075-079-012-000	02	1.00	74.25	30.01	104.26
075-079-013-000	02	1.00	74.25	30.01	104.26
075-079-014-000	02	1.00	74.25	30.01	104.26
075-079-015-000	02	1.00	74.25	30.01	104.26
075-079-016-000	02	1.00	74.25	30.01	104.26
075-079-017-000	02	1.00	74.25	30.01	104.26
075-079-018-000	02	1.00	74.25	30.01	104.26
075-079-019-000	02	1.00	74.25	30.01	104.26
075-079-020-000	02	1.00	74.25	30.01	104.26
075-079-021-000	02	1.00	74.25	30.01	104.26
075-079-022-000	02	1.00	74.25	30.01	104.26
075-079-023-000	02	1.00	74.25	30.01	104.26
075-079-024-000	02	1.00	74.25	30.01	104.26
075-079-025-000	02	1.00	74.25	30.01	104.26
075-079-026-000	02	1.00	74.25	30.01	104.26
075-079-027-000	02	1.00	74.25	30.01	104.26
075-079-028-000	02	1.00	74.25	30.01	104.26
075-079-029-000	02	1.00	74.25	30.01	104.26
075-079-030-000	02	1.00	74.25	30.01	104.26
075-079-031-000	02	1.00	74.25	30.01	104.26
075-079-032-000	02	1.00	74.25	30.01	104.26
075-079-033-000	02	1.00	74.25	30.01	104.26
075-079-034-000	02	1.00	74.25	30.01	104.26
075-079-035-000	02	1.00	74.25	30.01	104.26
075-079-036-000	02	1.00	74.25	30.01	104.26
075-079-037-000	02	1.00	74.25	30.01	104.26
075-079-038-000	02	1.00	74.25	30.01	104.26
075-079-039-000	02	1.00	74.25	30.01	104.26
075-079-040-000	02	1.00	74.25	30.01	104.26
075-079-041-000	02	1.00	74.25	30.01	104.26
075-079-042-000	02	1.00	74.25	30.01	104.26
075-079-043-000	02	1.00	74.25	30.01	104.26
075-079-044-000	02	1.00	74.25	30.01	104.26
075-079-045-000	02	1.00	74.25	30.01	104.26
075-079-046-000	02	1.00	74.25	30.01	104.26
075-079-047-000	02	1.00	74.25	30.01	104.26
075-079-048-000	02	1.00	74.25	30.01	104.26
075-079-049-000	02	1.00	74.25	30.01	104.26
075-079-050-000	02	1.00	74.25	30.01	104.26
075-079-051-000	02	1.00	74.25	30.01	104.26
075-079-052-000	02	1.00	74.25	30.01	104.26
075-079-053-000	02	1.00	74.25	30.01	104.26
075-079-054-000	02	1.00	74.25	30.01	104.26
075-079-055-000	02	1.00	74.25	30.01	104.26

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-079-056-000	02	1.00	74.25	30.01	104.26
075-079-057-000	02	1.00	74.25	30.01	104.26
075-079-058-000	02	1.00	74.25	30.01	104.26
075-079-059-000	02	1.00	74.25	30.01	104.26
075-079-060-000	02	1.00	74.25	30.01	104.26
075-079-061-000	02	1.00	74.25	30.01	104.26
075-079-062-000	02	1.00	74.25	30.01	104.26
075-079-063-000	02	1.00	74.25	30.01	104.26
075-079-064-000	02	1.00	74.25	30.01	104.26
075-079-065-000	02	1.00	74.25	30.01	104.26
075-079-066-000	02	1.00	74.25	30.01	104.26
075-079-067-000	02	1.00	74.25	30.01	104.26
075-079-068-000	02	1.00	74.25	30.01	104.26
075-014-026-000	03	11.04	819.74	0.00	819.72
075-014-027-000	03	1.00	74.25	0.00	74.24
075-021-001-000	03	1.00	74.25	0.00	74.24
075-021-002-000	03	1.00	74.25	0.00	74.24
075-021-020-000	03	1.00	74.25	0.00	74.24
075-021-021-000	03	1.00	74.25	0.00	74.24
075-021-022-000	03	1.00	74.25	0.00	74.24
075-025-003-000	03	1.00	74.25	0.00	74.24
075-025-005-000	03	1.00	74.25	0.00	74.24
075-025-007-000	03	3.72	276.22	0.00	276.20
075-025-008-000	03	3.72	276.22	0.00	276.20
075-025-009-000	03	3.72	276.22	0.00	276.20
075-025-010-000	03	13.20	980.12	0.00	980.12
075-025-011-000	03	7.00	519.76	0.00	519.76
075-069-002-000	03	1.00	74.25	0.00	74.24
075-069-003-000	03	1.00	74.25	0.00	74.24
075-073-002-000	03	1.00	74.25	0.00	74.24
075-093-024-000	03	1.44	106.92	0.00	106.92
075-093-025-000	03	2.11	156.67	0.00	156.66
075-093-030-000	03	23.92	1,776.10	0.00	1,776.10
075-093-031-000	03	19.56	1,452.36	0.00	1,452.36
075-093-034-000	03	6.24	463.33	0.00	463.32
075-093-035-000	03	3.60	267.31	0.00	267.30
075-093-036-000	03	4.32	320.77	0.00	320.76
075-093-037-000	03	2.92	216.82	0.00	216.80
075-093-038-000	03	5.40	400.96	0.00	400.94
075-093-039-000	03	1.14	84.65	0.00	84.64
075-093-040-000	03	3.80	282.16	0.00	282.14
075-093-041-000	03	26.28	1,951.33	0.00	1,951.32
075-093-043-000	03	5.80	430.66	0.00	430.64
075-093-044-000	03	1.09	80.93	0.00	80.92
075-093-045-000	03	1.25	92.81	0.00	92.80
075-093-047-000	03	0.84	62.37	0.00	62.36
075-093-049-000	03	5.12	380.17	0.00	380.16
075-093-051-000	03	23.92	1,776.10	0.00	1,776.10
075-093-052-000	03	19.56	1,452.36	0.00	1,452.36
075-093-053-000	03	1.56	115.83	0.00	115.82
075-064-001-000	04	1.00	74.25	25.37	99.62
075-064-002-000	04	1.00	74.25	25.37	99.62
075-064-003-000	04	1.00	74.25	25.37	99.62
075-064-004-000	04	1.00	74.25	25.37	99.62
075-064-005-000	04	1.00	74.25	25.37	99.62
075-064-006-000	04	1.00	74.25	25.37	99.62
075-064-007-000	04	1.00	74.25	25.37	99.62
075-064-008-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-064-009-000	04	1.00	74.25	25.37	99.62
075-064-010-000	04	1.00	74.25	25.37	99.62
075-064-011-000	04	1.00	74.25	25.37	99.62
075-064-012-000	04	1.00	74.25	25.37	99.62
075-064-013-000	04	1.00	74.25	25.37	99.62
075-064-014-000	04	1.00	74.25	25.37	99.62
075-064-015-000	04	1.00	74.25	25.37	99.62
075-064-016-000	04	1.00	74.25	25.37	99.62
075-064-017-000	04	1.00	74.25	25.37	99.62
075-064-018-000	04	1.00	74.25	25.37	99.62
075-064-019-000	04	1.00	74.25	25.37	99.62
075-064-020-000	04	1.00	74.25	25.37	99.62
075-064-021-000	04	1.00	74.25	25.37	99.62
075-064-022-000	04	1.00	74.25	25.37	99.62
075-064-023-000	04	1.00	74.25	25.37	99.62
075-064-024-000	04	1.00	74.25	25.37	99.62
075-064-025-000	04	1.00	74.25	25.37	99.62
075-064-026-000	04	1.00	74.25	25.37	99.62
075-064-027-000	04	1.00	74.25	25.37	99.62
075-064-028-000	04	1.00	74.25	25.37	99.62
075-064-029-000	04	1.00	74.25	25.37	99.62
075-064-030-000	04	1.00	74.25	25.37	99.62
075-064-031-000	04	1.00	74.25	25.37	99.62
075-064-032-000	04	1.00	74.25	25.37	99.62
075-064-033-000	04	1.00	74.25	25.37	99.62
075-064-034-000	04	1.00	74.25	25.37	99.62
075-064-035-000	04	1.00	74.25	25.37	99.62
075-064-036-000	04	1.00	74.25	25.37	99.62
075-064-037-000	04	1.00	74.25	25.37	99.62
075-064-038-000	04	1.00	74.25	25.37	99.62
075-064-040-000	04	1.00	74.25	25.37	99.62
075-064-041-000	04	1.00	74.25	25.37	99.62
075-064-042-000	04	1.00	74.25	25.37	99.62
075-064-043-000	04	1.00	74.25	25.37	99.62
075-064-044-000	04	1.00	74.25	25.37	99.62
075-064-045-000	04	1.00	74.25	25.37	99.62
075-064-046-000	04	1.00	74.25	25.37	99.62
075-064-047-000	04	1.00	74.25	25.37	99.62
075-064-048-000	04	1.00	74.25	25.37	99.62
075-064-049-000	04	1.00	74.25	25.37	99.62
075-064-050-000	04	1.00	74.25	25.37	99.62
075-064-051-000	04	1.00	74.25	25.37	99.62
075-064-052-000	04	1.00	74.25	25.37	99.62
075-064-053-000	04	1.00	74.25	25.37	99.62
075-064-054-000	04	1.00	74.25	25.37	99.62
075-064-055-000	04	1.00	74.25	25.37	99.62
075-064-056-000	04	1.00	74.25	25.37	99.62
075-064-057-000	04	1.00	74.25	25.37	99.62
075-064-058-000	04	1.00	74.25	25.37	99.62
075-064-059-000	04	1.00	74.25	25.37	99.62
075-064-060-000	04	1.00	74.25	25.37	99.62
075-064-061-000	04	1.00	74.25	25.37	99.62
075-064-062-000	04	1.00	74.25	25.37	99.62
075-064-063-000	04	1.00	74.25	25.37	99.62
075-064-064-000	04	1.00	74.25	25.37	99.62
075-064-065-000	04	1.00	74.25	25.37	99.62
075-064-066-000	04	1.00	74.25	25.37	99.62
075-064-067-000	04	1.00	74.25	25.37	99.62
075-064-068-000	04	1.00	74.25	25.37	99.62
075-064-069-000	04	1.00	74.25	25.37	99.62
075-064-070-000	04	1.00	74.25	25.37	99.62
075-065-001-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-065-002-000	04	1.00	74.25	25.37	99.62
075-065-003-000	04	1.00	74.25	25.37	99.62
075-065-004-000	04	1.00	74.25	25.37	99.62
075-065-005-000	04	1.00	74.25	25.37	99.62
075-065-006-000	04	1.00	74.25	25.37	99.62
075-065-007-000	04	1.00	74.25	25.37	99.62
075-065-008-000	04	1.00	74.25	25.37	99.62
075-065-009-000	04	1.00	74.25	25.37	99.62
075-065-010-000	04	1.00	74.25	25.37	99.62
075-065-011-000	04	1.00	74.25	25.37	99.62
075-065-012-000	04	1.00	74.25	25.37	99.62
075-065-013-000	04	1.00	74.25	25.37	99.62
075-065-014-000	04	1.00	74.25	25.37	99.62
075-065-015-000	04	1.00	74.25	25.37	99.62
075-065-016-000	04	1.00	74.25	25.37	99.62
075-065-018-000	04	1.00	74.25	25.37	99.62
075-065-019-000	04	1.00	74.25	25.37	99.62
075-065-020-000	04	1.00	74.25	25.37	99.62
075-065-021-000	04	1.00	74.25	25.37	99.62
075-065-022-000	04	1.00	74.25	25.37	99.62
075-065-023-000	04	1.00	74.25	25.37	99.62
075-065-024-000	04	1.00	74.25	25.37	99.62
075-065-025-000	04	1.00	74.25	25.37	99.62
075-065-026-000	04	1.00	74.25	25.37	99.62
075-065-027-000	04	1.00	74.25	25.37	99.62
075-065-028-000	04	1.00	74.25	25.37	99.62
075-065-029-000	04	1.00	74.25	25.37	99.62
075-065-030-000	04	1.00	74.25	25.37	99.62
075-065-031-000	04	1.00	74.25	25.37	99.62
075-065-032-000	04	1.00	74.25	25.37	99.62
075-065-033-000	04	1.00	74.25	25.37	99.62
075-065-034-000	04	1.00	74.25	25.37	99.62
075-065-035-000	04	1.00	74.25	25.37	99.62
075-065-036-000	04	1.00	74.25	25.37	99.62
075-065-037-000	04	1.00	74.25	25.37	99.62
075-065-038-000	04	1.00	74.25	25.37	99.62
075-065-039-000	04	1.00	74.25	25.37	99.62
075-065-040-000	04	1.00	74.25	25.37	99.62
075-065-041-000	04	1.00	74.25	25.37	99.62
075-065-042-000	04	1.00	74.25	25.37	99.62
075-065-043-000	04	1.00	74.25	25.37	99.62
075-065-044-000	04	1.00	74.25	25.37	99.62
075-065-045-000	04	1.00	74.25	25.37	99.62
075-065-046-000	04	1.00	74.25	25.37	99.62
075-065-047-000	04	1.00	74.25	25.37	99.62
075-065-048-000	04	1.00	74.25	25.37	99.62
075-065-049-000	04	1.00	74.25	25.37	99.62
075-065-050-000	04	1.00	74.25	25.37	99.62
075-065-051-000	04	1.00	74.25	25.37	99.62
075-065-052-000	04	1.00	74.25	25.37	99.62
075-065-053-000	04	1.00	74.25	25.37	99.62
075-065-054-000	04	1.00	74.25	25.37	99.62
075-066-006-000	04	1.00	74.25	25.37	99.62
075-066-007-000	04	1.00	74.25	25.37	99.62
075-066-008-000	04	1.00	74.25	25.37	99.62
075-066-009-000	04	1.00	74.25	25.37	99.62
075-066-010-000	04	1.00	74.25	25.37	99.62
075-066-011-000	04	1.00	74.25	25.37	99.62
075-066-012-000	04	1.00	74.25	25.37	99.62
075-066-013-000	04	1.00	74.25	25.37	99.62
075-066-014-000	04	1.00	74.25	25.37	99.62
075-066-015-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-066-016-000	04	1.00	74.25	25.37	99.62
075-066-017-000	04	1.00	74.25	25.37	99.62
075-066-018-000	04	1.00	74.25	25.37	99.62
075-066-019-000	04	1.00	74.25	25.37	99.62
075-066-020-000	04	1.00	74.25	25.37	99.62
075-066-021-000	04	1.00	74.25	25.37	99.62
075-066-022-000	04	1.00	74.25	25.37	99.62
075-066-023-000	04	1.00	74.25	25.37	99.62
075-066-024-000	04	1.00	74.25	25.37	99.62
075-066-025-000	04	1.00	74.25	25.37	99.62
075-066-026-000	04	1.00	74.25	25.37	99.62
075-066-027-000	04	1.00	74.25	25.37	99.62
075-066-028-000	04	1.00	74.25	25.37	99.62
075-066-029-000	04	1.00	74.25	25.37	99.62
075-066-030-000	04	1.00	74.25	25.37	99.62
075-066-031-000	04	1.00	74.25	25.37	99.62
075-066-032-000	04	1.00	74.25	25.37	99.62
075-066-033-000	04	1.00	74.25	25.37	99.62
075-066-034-000	04	1.00	74.25	25.37	99.62
075-066-035-000	04	1.00	74.25	25.37	99.62
075-066-036-000	04	1.00	74.25	25.37	99.62
075-066-037-000	04	1.00	74.25	25.37	99.62
075-066-038-000	04	1.00	74.25	25.37	99.62
075-066-039-000	04	1.00	74.25	25.37	99.62
075-066-040-000	04	1.00	74.25	25.37	99.62
075-066-041-000	04	1.00	74.25	25.37	99.62
075-066-042-000	04	1.00	74.25	25.37	99.62
075-067-001-000	04	1.00	74.25	25.37	99.62
075-067-002-000	04	1.00	74.25	25.37	99.62
075-067-003-000	04	1.00	74.25	25.37	99.62
075-067-004-000	04	1.00	74.25	25.37	99.62
075-067-005-000	04	1.00	74.25	25.37	99.62
075-067-006-000	04	1.00	74.25	25.37	99.62
075-067-007-000	04	1.00	74.25	25.37	99.62
075-067-008-000	04	1.00	74.25	25.37	99.62
075-067-009-000	04	1.00	74.25	25.37	99.62
075-067-010-000	04	1.00	74.25	25.37	99.62
075-067-011-000	04	1.00	74.25	25.37	99.62
075-067-012-000	04	1.00	74.25	25.37	99.62
075-067-013-000	04	1.00	74.25	25.37	99.62
075-067-014-000	04	1.00	74.25	25.37	99.62
075-067-015-000	04	1.00	74.25	25.37	99.62
075-067-016-000	04	1.00	74.25	25.37	99.62
075-067-017-000	04	1.00	74.25	25.37	99.62
075-067-018-000	04	1.00	74.25	25.37	99.62
075-067-019-000	04	1.00	74.25	25.37	99.62
075-067-020-000	04	1.00	74.25	25.37	99.62
075-067-021-000	04	1.00	74.25	25.37	99.62
075-067-022-000	04	1.00	74.25	25.37	99.62
075-067-023-000	04	1.00	74.25	25.37	99.62
075-067-024-000	04	1.00	74.25	25.37	99.62
075-067-025-000	04	1.00	74.25	25.37	99.62
075-067-026-000	04	1.00	74.25	25.37	99.62
075-067-027-000	04	1.00	74.25	25.37	99.62
075-067-028-000	04	1.00	74.25	25.37	99.62
075-067-029-000	04	1.00	74.25	25.37	99.62
075-067-030-000	04	1.00	74.25	25.37	99.62
075-067-031-000	04	1.00	74.25	25.37	99.62
075-067-032-000	04	1.00	74.25	25.37	99.62
075-067-033-000	04	1.00	74.25	25.37	99.62
075-067-034-000	04	1.00	74.25	25.37	99.62
075-067-035-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-067-036-000	04	1.00	74.25	25.37	99.62
075-067-037-000	04	1.00	74.25	25.37	99.62
075-067-038-000	04	1.00	74.25	25.37	99.62
075-067-039-000	04	1.00	74.25	25.37	99.62
075-067-040-000	04	1.00	74.25	25.37	99.62
075-067-041-000	04	1.00	74.25	25.37	99.62
075-067-042-000	04	1.00	74.25	25.37	99.62
075-067-043-000	04	1.00	74.25	25.37	99.62
075-067-044-000	04	1.00	74.25	25.37	99.62
075-067-045-000	04	1.00	74.25	25.37	99.62
075-067-046-000	04	1.00	74.25	25.37	99.62
075-067-047-000	04	1.00	74.25	25.37	99.62
075-067-048-000	04	1.00	74.25	25.37	99.62
075-067-049-000	04	1.00	74.25	25.37	99.62
075-067-050-000	04	1.00	74.25	25.37	99.62
075-067-051-000	04	1.00	74.25	25.37	99.62
075-067-052-000	04	1.00	74.25	25.37	99.62
075-067-053-000	04	1.00	74.25	25.37	99.62
075-067-054-000	04	1.00	74.25	25.37	99.62
075-067-055-000	04	1.00	74.25	25.37	99.62
075-067-056-000	04	1.00	74.25	25.37	99.62
075-067-057-000	04	1.00	74.25	25.37	99.62
075-067-058-000	04	1.00	74.25	25.37	99.62
075-067-059-000	04	1.00	74.25	25.37	99.62
075-067-060-000	04	1.00	74.25	25.37	99.62
075-067-061-000	04	1.00	74.25	25.37	99.62
075-067-062-000	04	1.00	74.25	25.37	99.62
075-067-063-000	04	1.00	74.25	25.37	99.62
075-067-064-000	04	1.00	74.25	25.37	99.62
075-067-065-000	04	1.00	74.25	25.37	99.62
075-067-066-000	04	1.00	74.25	25.37	99.62
075-067-067-000	04	1.00	74.25	25.37	99.62
075-067-068-000	04	1.00	74.25	25.37	99.62
075-067-069-000	04	1.00	74.25	25.37	99.62
075-067-070-000	04	1.00	74.25	25.37	99.62
075-067-071-000	04	1.00	74.25	25.37	99.62
075-067-072-000	04	1.00	74.25	25.37	99.62
075-067-073-000	04	1.00	74.25	25.37	99.62
075-067-074-000	04	1.00	74.25	25.37	99.62
075-067-075-000	04	1.00	74.25	25.37	99.62
075-067-076-000	04	1.00	74.25	25.37	99.62
075-067-077-000	04	1.00	74.25	25.37	99.62
075-067-078-000	04	1.00	74.25	25.37	99.62
075-067-079-000	04	1.00	74.25	25.37	99.62
075-067-080-000	04	1.00	74.25	25.37	99.62
075-067-081-000	04	1.00	74.25	25.37	99.62
075-067-082-000	04	1.00	74.25	25.37	99.62
075-067-083-000	04	1.00	74.25	25.37	99.62
075-067-084-000	04	1.00	74.25	25.37	99.62
075-067-085-000	04	1.00	74.25	25.37	99.62
075-067-086-000	04	1.00	74.25	25.37	99.62
075-067-087-000	04	1.00	74.25	25.37	99.62
075-067-088-000	04	1.00	74.25	25.37	99.62
075-067-089-000	04	1.00	74.25	25.37	99.62
075-068-001-000	04	1.00	74.25	25.37	99.62
075-068-002-000	04	1.00	74.25	25.37	99.62
075-068-003-000	04	1.00	74.25	25.37	99.62
075-068-004-000	04	1.00	74.25	25.37	99.62
075-068-005-000	04	1.00	74.25	25.37	99.62
075-068-006-000	04	1.00	74.25	25.37	99.62
075-068-007-000	04	1.00	74.25	25.37	99.62
075-068-008-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-068-009-000	04	1.00	74.25	25.37	99.62
075-068-010-000	04	1.00	74.25	25.37	99.62
075-068-012-000	04	1.00	74.25	25.37	99.62
075-068-013-000	04	1.00	74.25	25.37	99.62
075-068-014-000	04	1.00	74.25	25.37	99.62
075-068-015-000	04	1.00	74.25	25.37	99.62
075-068-016-000	04	1.00	74.25	25.37	99.62
075-068-017-000	04	1.00	74.25	25.37	99.62
075-068-018-000	04	1.00	74.25	25.37	99.62
075-068-019-000	04	1.00	74.25	25.37	99.62
075-068-020-000	04	1.00	74.25	25.37	99.62
075-068-021-000	04	1.00	74.25	25.37	99.62
075-068-022-000	04	1.00	74.25	25.37	99.62
075-068-023-000	04	1.00	74.25	25.37	99.62
075-068-024-000	04	1.00	74.25	25.37	99.62
075-068-025-000	04	1.00	74.25	25.37	99.62
075-068-026-000	04	1.00	74.25	25.37	99.62
075-068-027-000	04	1.00	74.25	25.37	99.62
075-068-028-000	04	1.00	74.25	25.37	99.62
075-068-029-000	04	1.00	74.25	25.37	99.62
075-068-030-000	04	1.00	74.25	25.37	99.62
075-068-031-000	04	1.00	74.25	25.37	99.62
075-068-032-000	04	1.00	74.25	25.37	99.62
075-068-033-000	04	1.00	74.25	25.37	99.62
075-068-034-000	04	1.00	74.25	25.37	99.62
075-068-035-000	04	1.00	74.25	25.37	99.62
075-068-036-000	04	1.00	74.25	25.37	99.62
075-068-037-000	04	1.00	74.25	25.37	99.62
075-068-038-000	04	1.00	74.25	25.37	99.62
075-068-039-000	04	1.00	74.25	25.37	99.62
075-068-040-000	04	1.00	74.25	25.37	99.62
075-068-041-000	04	1.00	74.25	25.37	99.62
075-068-042-000	04	1.00	74.25	25.37	99.62
075-068-043-000	04	1.00	74.25	25.37	99.62
075-068-044-000	04	1.00	74.25	25.37	99.62
075-068-045-000	04	1.00	74.25	25.37	99.62
075-068-046-000	04	1.00	74.25	25.37	99.62
075-068-047-000	04	1.00	74.25	25.37	99.62
075-068-048-000	04	1.00	74.25	25.37	99.62
075-068-049-000	04	1.00	74.25	25.37	99.62
075-068-050-000	04	1.00	74.25	25.37	99.62
075-068-051-000	04	1.00	74.25	25.37	99.62
075-068-052-000	04	1.00	74.25	25.37	99.62
075-068-053-000	04	1.00	74.25	25.37	99.62
075-068-054-000	04	1.00	74.25	25.37	99.62
075-068-055-000	04	1.00	74.25	25.37	99.62
075-068-056-000	04	1.00	74.25	25.37	99.62
075-068-057-000	04	1.00	74.25	25.37	99.62
075-068-058-000	04	1.00	74.25	25.37	99.62
075-068-059-000	04	1.00	74.25	25.37	99.62
075-068-060-000	04	1.00	74.25	25.37	99.62
075-069-004-000	04	1.00	74.25	25.37	99.62
075-069-005-000	04	1.00	74.25	25.37	99.62
075-069-006-000	04	1.00	74.25	25.37	99.62
075-069-007-000	04	1.00	74.25	25.37	99.62
075-069-008-000	04	1.00	74.25	25.37	99.62
075-069-009-000	04	1.00	74.25	25.37	99.62
075-069-010-000	04	1.00	74.25	25.37	99.62
075-069-011-000	04	1.00	74.25	25.37	99.62
075-069-012-000	04	1.00	74.25	25.37	99.62
075-069-013-000	04	1.00	74.25	25.37	99.62
075-069-014-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-069-015-000	04	1.00	74.25	25.37	99.62
075-069-016-000	04	1.00	74.25	25.37	99.62
075-069-017-000	04	1.00	74.25	25.37	99.62
075-069-018-000	04	1.00	74.25	25.37	99.62
075-069-019-000	04	1.00	74.25	25.37	99.62
075-069-020-000	04	1.00	74.25	25.37	99.62
075-069-021-000	04	1.00	74.25	25.37	99.62
075-069-022-000	04	1.00	74.25	25.37	99.62
075-069-023-000	04	1.00	74.25	25.37	99.62
075-069-024-000	04	1.00	74.25	25.37	99.62
075-069-025-000	04	1.00	74.25	25.37	99.62
075-069-026-000	04	1.00	74.25	25.37	99.62
075-069-027-000	04	1.00	74.25	25.37	99.62
075-069-028-000	04	1.00	74.25	25.37	99.62
075-070-001-000	04	1.00	74.25	25.37	99.62
075-070-002-000	04	1.00	74.25	25.37	99.62
075-070-003-000	04	1.00	74.25	25.37	99.62
075-071-001-000	04	1.00	74.25	25.37	99.62
075-071-002-000	04	1.00	74.25	25.37	99.62
075-071-003-000	04	1.00	74.25	25.37	99.62
075-071-004-000	04	1.00	74.25	25.37	99.62
075-071-005-000	04	1.00	74.25	25.37	99.62
075-071-006-000	04	1.00	74.25	25.37	99.62
075-071-007-000	04	1.00	74.25	25.37	99.62
075-071-008-000	04	1.00	74.25	25.37	99.62
075-071-009-000	04	1.00	74.25	25.37	99.62
075-071-010-000	04	1.00	74.25	25.37	99.62
075-071-011-000	04	1.00	74.25	25.37	99.62
075-071-012-000	04	1.00	74.25	25.37	99.62
075-071-013-000	04	1.00	74.25	25.37	99.62
075-071-014-000	04	1.00	74.25	25.37	99.62
075-071-015-000	04	1.00	74.25	25.37	99.62
075-071-016-000	04	1.00	74.25	25.37	99.62
075-071-017-000	04	1.00	74.25	25.37	99.62
075-071-018-000	04	1.00	74.25	25.37	99.62
075-071-019-000	04	1.00	74.25	25.37	99.62
075-071-020-000	04	1.00	74.25	25.37	99.62
075-071-021-000	04	1.00	74.25	25.37	99.62
075-071-023-000	04	1.00	74.25	25.37	99.62
075-071-024-000	04	1.00	74.25	25.37	99.62
075-071-025-000	04	1.00	74.25	25.37	99.62
075-071-026-000	04	1.00	74.25	25.37	99.62
075-071-027-000	04	1.00	74.25	25.37	99.62
075-071-028-000	04	1.00	74.25	25.37	99.62
075-071-029-000	04	1.00	74.25	25.37	99.62
075-071-030-000	04	1.00	74.25	25.37	99.62
075-071-031-000	04	1.00	74.25	25.37	99.62
075-071-032-000	04	1.00	74.25	25.37	99.62
075-071-033-000	04	1.00	74.25	25.37	99.62
075-071-034-000	04	1.00	74.25	25.37	99.62
075-071-035-000	04	1.00	74.25	25.37	99.62
075-071-036-000	04	1.00	74.25	25.37	99.62
075-071-037-000	04	1.00	74.25	25.37	99.62
075-071-038-000	04	1.00	74.25	25.37	99.62
075-071-039-000	04	1.00	74.25	25.37	99.62
075-071-040-000	04	1.00	74.25	25.37	99.62
075-071-041-000	04	1.00	74.25	25.37	99.62
075-071-042-000	04	1.00	74.25	25.37	99.62
075-071-043-000	04	1.00	74.25	25.37	99.62
075-071-044-000	04	1.00	74.25	25.37	99.62
075-071-045-000	04	1.00	74.25	25.37	99.62
075-071-046-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-071-047-000	04	1.00	74.25	25.37	99.62
075-071-048-000	04	1.00	74.25	25.37	99.62
075-071-049-000	04	1.00	74.25	25.37	99.62
075-071-050-000	04	1.00	74.25	25.37	99.62
075-071-051-000	04	1.00	74.25	25.37	99.62
075-071-052-000	04	1.00	74.25	25.37	99.62
075-071-056-000	04	1.00	74.25	25.37	99.62
075-071-057-000	04	1.00	74.25	25.37	99.62
075-071-059-000	04	1.00	74.25	25.37	99.62
075-071-060-000	04	1.00	74.25	25.37	99.62
075-071-061-000	04	1.00	74.25	25.37	99.62
075-072-001-000	04	1.00	74.25	25.37	99.62
075-072-002-000	04	1.00	74.25	25.37	99.62
075-072-003-000	04	1.00	74.25	25.37	99.62
075-072-004-000	04	1.00	74.25	25.37	99.62
075-072-005-000	04	1.00	74.25	25.37	99.62
075-072-006-000	04	1.00	74.25	25.37	99.62
075-072-007-000	04	1.00	74.25	25.37	99.62
075-072-008-000	04	1.00	74.25	25.37	99.62
075-072-009-000	04	1.00	74.25	25.37	99.62
075-072-010-000	04	1.00	74.25	25.37	99.62
075-072-011-000	04	1.00	74.25	25.37	99.62
075-072-012-000	04	1.00	74.25	25.37	99.62
075-072-013-000	04	1.00	74.25	25.37	99.62
075-072-014-000	04	1.00	74.25	25.37	99.62
075-072-015-000	04	1.00	74.25	25.37	99.62
075-072-016-000	04	1.00	74.25	25.37	99.62
075-072-017-000	04	1.00	74.25	25.37	99.62
075-072-018-000	04	1.00	74.25	25.37	99.62
075-072-019-000	04	1.00	74.25	25.37	99.62
075-072-020-000	04	1.00	74.25	25.37	99.62
075-072-021-000	04	1.00	74.25	25.37	99.62
075-072-022-000	04	1.00	74.25	25.37	99.62
075-072-023-000	04	1.00	74.25	25.37	99.62
075-072-024-000	04	1.00	74.25	25.37	99.62
075-072-025-000	04	1.00	74.25	25.37	99.62
075-072-026-000	04	1.00	74.25	25.37	99.62
075-072-027-000	04	1.00	74.25	25.37	99.62
075-072-028-000	04	1.00	74.25	25.37	99.62
075-072-029-000	04	1.00	74.25	25.37	99.62
075-072-030-000	04	1.00	74.25	25.37	99.62
075-072-031-000	04	1.00	74.25	25.37	99.62
075-072-032-000	04	1.00	74.25	25.37	99.62
075-072-033-000	04	1.00	74.25	25.37	99.62
075-072-034-000	04	1.00	74.25	25.37	99.62
075-072-035-000	04	1.00	74.25	25.37	99.62
075-072-036-000	04	1.00	74.25	25.37	99.62
075-072-037-000	04	1.00	74.25	25.37	99.62
075-072-038-000	04	1.00	74.25	25.37	99.62
075-072-039-000	04	1.00	74.25	25.37	99.62
075-072-040-000	04	1.00	74.25	25.37	99.62
075-072-041-000	04	1.00	74.25	25.37	99.62
075-072-042-000	04	1.00	74.25	25.37	99.62
075-072-043-000	04	1.00	74.25	25.37	99.62
075-072-044-000	04	1.00	74.25	25.37	99.62
075-072-045-000	04	1.00	74.25	25.37	99.62
075-072-046-000	04	1.00	74.25	25.37	99.62
075-072-047-000	04	1.00	74.25	25.37	99.62
075-072-048-000	04	1.00	74.25	25.37	99.62
075-072-049-000	04	1.00	74.25	25.37	99.62
075-072-050-000	04	1.00	74.25	25.37	99.62
075-072-051-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-072-052-000	04	1.00	74.25	25.37	99.62
075-072-053-000	04	1.00	74.25	25.37	99.62
075-072-054-000	04	1.00	74.25	25.37	99.62
075-072-055-000	04	1.00	74.25	25.37	99.62
075-072-056-000	04	1.00	74.25	25.37	99.62
075-072-057-000	04	1.00	74.25	25.37	99.62
075-072-058-000	04	1.00	74.25	25.37	99.62
075-072-059-000	04	1.00	74.25	25.37	99.62
075-072-060-000	04	1.00	74.25	25.37	99.62
075-072-061-000	04	1.00	74.25	25.37	99.62
075-072-062-000	04	1.00	74.25	25.37	99.62
075-072-063-000	04	1.00	74.25	25.37	99.62
075-072-064-000	04	1.00	74.25	25.37	99.62
075-072-065-000	04	1.00	74.25	25.37	99.62
075-072-066-000	04	1.00	74.25	25.37	99.62
075-072-067-000	04	1.00	74.25	25.37	99.62
075-072-068-000	04	1.00	74.25	25.37	99.62
075-072-069-000	04	1.00	74.25	25.37	99.62
075-072-070-000	04	1.00	74.25	25.37	99.62
075-072-071-000	04	1.00	74.25	25.37	99.62
075-072-072-000	04	1.00	74.25	25.37	99.62
075-072-073-000	04	1.00	74.25	25.37	99.62
075-072-074-000	04	1.00	74.25	25.37	99.62
075-072-075-000	04	1.00	74.25	25.37	99.62
075-072-076-000	04	1.00	74.25	25.37	99.62
075-072-077-000	04	1.00	74.25	25.37	99.62
075-072-078-000	04	1.00	74.25	25.37	99.62
075-072-081-000	04	1.00	74.25	25.37	99.62
075-072-082-000	04	1.00	74.25	25.37	99.62
075-072-083-000	04	1.00	74.25	25.37	99.62
075-072-084-000	04	1.00	74.25	25.37	99.62
075-072-085-000	04	1.00	74.25	25.37	99.62
075-072-086-000	04	1.00	74.25	25.37	99.62
075-072-087-000	04	1.00	74.25	25.37	99.62
075-072-088-000	04	1.00	74.25	25.37	99.62
075-072-089-000	04	1.00	74.25	25.37	99.62
075-072-090-000	04	1.00	74.25	25.37	99.62
075-072-091-000	04	1.00	74.25	25.37	99.62
075-072-092-000	04	1.00	74.25	25.37	99.62
075-072-093-000	04	1.00	74.25	25.37	99.62
075-072-094-000	04	1.00	74.25	25.37	99.62
075-072-095-000	04	1.00	74.25	25.37	99.62
075-072-096-000	04	1.00	74.25	25.37	99.62
075-073-005-000	04	1.00	74.25	25.37	99.62
075-073-006-000	04	1.00	74.25	25.37	99.62
075-073-007-000	04	1.00	74.25	25.37	99.62
075-073-008-000	04	1.00	74.25	25.37	99.62
075-073-009-000	04	1.00	74.25	25.37	99.62
075-073-010-000	04	1.00	74.25	25.37	99.62
075-073-011-000	04	1.00	74.25	25.37	99.62
075-073-012-000	04	1.00	74.25	25.37	99.62
075-073-013-000	04	1.00	74.25	25.37	99.62
075-073-014-000	04	1.00	74.25	25.37	99.62
075-073-015-000	04	1.00	74.25	25.37	99.62
075-073-016-000	04	1.00	74.25	25.37	99.62
075-073-017-000	04	1.00	74.25	25.37	99.62
075-073-018-000	04	1.00	74.25	25.37	99.62
075-073-019-000	04	1.00	74.25	25.37	99.62
075-073-020-000	04	1.00	74.25	25.37	99.62
075-073-021-000	04	1.00	74.25	25.37	99.62
075-073-022-000	04	1.00	74.25	25.37	99.62
075-073-023-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-073-024-000	04	1.00	74.25	25.37	99.62
075-073-025-000	04	1.00	74.25	25.37	99.62
075-073-026-000	04	1.00	74.25	25.37	99.62
075-073-027-000	04	1.00	74.25	25.37	99.62
075-073-028-000	04	1.00	74.25	25.37	99.62
075-073-029-000	04	1.00	74.25	25.37	99.62
075-073-030-000	04	1.00	74.25	25.37	99.62
075-073-031-000	04	1.00	74.25	25.37	99.62
075-073-032-000	04	1.00	74.25	25.37	99.62
075-073-033-000	04	1.00	74.25	25.37	99.62
075-073-034-000	04	1.00	74.25	25.37	99.62
075-073-035-000	04	1.00	74.25	25.37	99.62
075-073-036-000	04	1.00	74.25	25.37	99.62
075-073-037-000	04	1.00	74.25	25.37	99.62
075-073-038-000	04	1.00	74.25	25.37	99.62
075-073-039-000	04	1.00	74.25	25.37	99.62
075-073-040-000	04	1.00	74.25	25.37	99.62
075-073-041-000	04	1.00	74.25	25.37	99.62
075-073-042-000	04	1.00	74.25	25.37	99.62
075-073-043-000	04	1.00	74.25	25.37	99.62
075-073-044-000	04	1.00	74.25	25.37	99.62
075-073-045-000	04	1.00	74.25	25.37	99.62
075-073-046-000	04	1.00	74.25	25.37	99.62
075-073-047-000	04	1.00	74.25	25.37	99.62
075-073-048-000	04	1.00	74.25	25.37	99.62
075-073-049-000	04	1.00	74.25	25.37	99.62
075-073-050-000	04	1.00	74.25	25.37	99.62
075-073-051-000	04	1.00	74.25	25.37	99.62
075-073-052-000	04	1.00	74.25	25.37	99.62
075-073-053-000	04	1.00	74.25	25.37	99.62
075-073-054-000	04	1.00	74.25	25.37	99.62
075-073-055-000	04	1.00	74.25	25.37	99.62
075-073-056-000	04	1.00	74.25	25.37	99.62
075-073-057-000	04	1.00	74.25	25.37	99.62
075-073-058-000	04	1.00	74.25	25.37	99.62
075-073-059-000	04	1.00	74.25	25.37	99.62
075-073-060-000	04	1.00	74.25	25.37	99.62
075-073-061-000	04	1.00	74.25	25.37	99.62
075-073-062-000	04	1.00	74.25	25.37	99.62
075-073-063-000	04	9.00	668.27	228.33	896.58
075-073-064-000	04	9.00	668.27	228.33	896.58
075-073-065-000	04	1.00	74.25	25.37	99.62
075-073-066-000	04	1.00	74.25	25.37	99.62
075-073-067-000	04	1.00	74.25	25.37	99.62
075-073-068-000	04	1.00	74.25	25.37	99.62
075-073-069-000	04	1.00	74.25	25.37	99.62
075-073-070-000	04	1.00	74.25	25.37	99.62
075-073-071-000	04	1.00	74.25	25.37	99.62
075-073-072-000	04	1.00	74.25	25.37	99.62
075-073-073-000	04	1.00	74.25	25.37	99.62
075-073-074-000	04	1.00	74.25	25.37	99.62
075-073-075-000	04	1.00	74.25	25.37	99.62
075-073-076-000	04	1.00	74.25	25.37	99.62
075-073-077-000	04	1.00	74.25	25.37	99.62
075-073-078-000	04	1.00	74.25	25.37	99.62
075-073-079-000	04	1.00	74.25	25.37	99.62
075-073-080-000	04	1.00	74.25	25.37	99.62
075-073-081-000	04	1.00	74.25	25.37	99.62
075-073-082-000	04	1.00	74.25	25.37	99.62
075-073-083-000	04	1.00	74.25	25.37	99.62
075-073-084-000	04	1.00	74.25	25.37	99.62
075-073-085-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-073-086-000	04	1.00	74.25	25.37	99.62
075-073-087-000	04	1.00	74.25	25.37	99.62
075-073-088-000	04	1.00	74.25	25.37	99.62
075-073-089-000	04	1.00	74.25	25.37	99.62
075-073-090-000	04	1.00	74.25	25.37	99.62
075-073-091-000	04	1.00	74.25	25.37	99.62
075-073-092-000	04	1.00	74.25	25.37	99.62
075-073-093-000	04	1.00	74.25	25.37	99.62
075-073-094-000	04	1.00	74.25	25.37	99.62
075-073-095-000	04	1.00	74.25	25.37	99.62
075-073-096-000	04	1.00	74.25	25.37	99.62
075-073-097-000	04	1.00	74.25	25.37	99.62
075-073-098-000	04	1.00	74.25	25.37	99.62
075-073-099-000	04	1.00	74.25	25.37	99.62
075-073-100-000	04	1.00	74.25	25.37	99.62
075-073-101-000	04	1.00	74.25	25.37	99.62
075-073-102-000	04	1.00	74.25	25.37	99.62
075-073-103-000	04	1.00	74.25	25.37	99.62
075-073-104-000	04	1.00	74.25	25.37	99.62
075-073-105-000	04	1.00	74.25	25.37	99.62
075-073-106-000	04	1.00	74.25	25.37	99.62
075-073-107-000	04	1.00	74.25	25.37	99.62
075-073-108-000	04	1.00	74.25	25.37	99.62
075-073-109-000	04	1.00	74.25	25.37	99.62
075-073-110-000	04	1.00	74.25	25.37	99.62
075-073-111-000	04	1.00	74.25	25.37	99.62
075-074-001-000	04	1.00	74.25	25.37	99.62
075-074-002-000	04	1.00	74.25	25.37	99.62
075-074-003-000	04	1.00	74.25	25.37	99.62
075-074-004-000	04	1.00	74.25	25.37	99.62
075-074-005-000	04	1.00	74.25	25.37	99.62
075-074-006-000	04	1.00	74.25	25.37	99.62
075-074-007-000	04	1.00	74.25	25.37	99.62
075-074-008-000	04	1.00	74.25	25.37	99.62
075-074-009-000	04	1.00	74.25	25.37	99.62
075-074-010-000	04	1.00	74.25	25.37	99.62
075-074-011-000	04	1.00	74.25	25.37	99.62
075-074-012-000	04	1.00	74.25	25.37	99.62
075-074-013-000	04	1.00	74.25	25.37	99.62
075-074-014-000	04	1.00	74.25	25.37	99.62
075-074-015-000	04	1.00	74.25	25.37	99.62
075-074-016-000	04	1.00	74.25	25.37	99.62
075-074-017-000	04	1.00	74.25	25.37	99.62
075-074-018-000	04	1.00	74.25	25.37	99.62
075-074-019-000	04	1.00	74.25	25.37	99.62
075-074-020-000	04	1.00	74.25	25.37	99.62
075-074-021-000	04	1.00	74.25	25.37	99.62
075-074-022-000	04	1.00	74.25	25.37	99.62
075-074-023-000	04	1.00	74.25	25.37	99.62
075-074-024-000	04	1.00	74.25	25.37	99.62
075-074-025-000	04	1.00	74.25	25.37	99.62
075-074-026-000	04	1.00	74.25	25.37	99.62
075-074-027-000	04	1.00	74.25	25.37	99.62
075-074-028-000	04	1.00	74.25	25.37	99.62
075-074-029-000	04	1.00	74.25	25.37	99.62
075-074-030-000	04	1.00	74.25	25.37	99.62
075-074-031-000	04	1.00	74.25	25.37	99.62
075-074-032-000	04	1.00	74.25	25.37	99.62
075-074-033-000	04	1.00	74.25	25.37	99.62
075-074-034-000	04	1.00	74.25	25.37	99.62
075-074-035-000	04	1.00	74.25	25.37	99.62
075-074-036-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-074-037-000	04	1.00	74.25	25.37	99.62
075-074-038-000	04	1.00	74.25	25.37	99.62
075-074-039-000	04	1.00	74.25	25.37	99.62
075-074-040-000	04	1.00	74.25	25.37	99.62
075-074-041-000	04	1.00	74.25	25.37	99.62
075-074-042-000	04	1.00	74.25	25.37	99.62
075-074-043-000	04	1.00	74.25	25.37	99.62
075-074-044-000	04	1.00	74.25	25.37	99.62
075-074-045-000	04	1.00	74.25	25.37	99.62
075-074-046-000	04	1.00	74.25	25.37	99.62
075-074-047-000	04	1.00	74.25	25.37	99.62
075-074-048-000	04	1.00	74.25	25.37	99.62
075-074-049-000	04	1.00	74.25	25.37	99.62
075-074-050-000	04	1.00	74.25	25.37	99.62
075-074-051-000	04	1.00	74.25	25.37	99.62
075-074-052-000	04	1.00	74.25	25.37	99.62
075-074-053-000	04	1.00	74.25	25.37	99.62
075-074-054-000	04	1.00	74.25	25.37	99.62
075-074-055-000	04	1.00	74.25	25.37	99.62
075-074-056-000	04	1.00	74.25	25.37	99.62
075-074-057-000	04	1.00	74.25	25.37	99.62
075-074-058-000	04	1.00	74.25	25.37	99.62
075-074-059-000	04	1.00	74.25	25.37	99.62
075-074-060-000	04	1.00	74.25	25.37	99.62
075-074-061-000	04	1.00	74.25	25.37	99.62
075-074-062-000	04	1.00	74.25	25.37	99.62
075-074-063-000	04	1.00	74.25	25.37	99.62
075-074-064-000	04	1.00	74.25	25.37	99.62
075-074-065-000	04	1.00	74.25	25.37	99.62
075-074-066-000	04	1.00	74.25	25.37	99.62
075-074-067-000	04	1.00	74.25	25.37	99.62
075-074-068-000	04	1.00	74.25	25.37	99.62
075-074-069-000	04	1.00	74.25	25.37	99.62
075-074-070-000	04	1.00	74.25	25.37	99.62
075-074-071-000	04	1.00	74.25	25.37	99.62
075-074-072-000	04	1.00	74.25	25.37	99.62
075-074-073-000	04	1.00	74.25	25.37	99.62
075-074-074-000	04	1.00	74.25	25.37	99.62
075-074-075-000	04	1.00	74.25	25.37	99.62
075-074-076-000	04	1.00	74.25	25.37	99.62
075-074-077-000	04	1.00	74.25	25.37	99.62
075-074-078-000	04	1.00	74.25	25.37	99.62
075-074-079-000	04	1.00	74.25	25.37	99.62
075-074-080-000	04	1.00	74.25	25.37	99.62
075-075-001-000	04	1.00	74.25	25.37	99.62
075-075-002-000	04	1.00	74.25	25.37	99.62
075-075-003-000	04	1.00	74.25	25.37	99.62
075-075-004-000	04	1.00	74.25	25.37	99.62
075-075-005-000	04	1.00	74.25	25.37	99.62
075-075-006-000	04	1.00	74.25	25.37	99.62
075-075-007-000	04	1.00	74.25	25.37	99.62
075-075-008-000	04	1.00	74.25	25.37	99.62
075-075-009-000	04	1.00	74.25	25.37	99.62
075-075-010-000	04	1.00	74.25	25.37	99.62
075-075-011-000	04	1.00	74.25	25.37	99.62
075-075-012-000	04	1.00	74.25	25.37	99.62
075-075-013-000	04	1.00	74.25	25.37	99.62
075-075-014-000	04	1.00	74.25	25.37	99.62
075-075-015-000	04	1.00	74.25	25.37	99.62
075-075-016-000	04	1.00	74.25	25.37	99.62
075-075-017-000	04	1.00	74.25	25.37	99.62
075-075-018-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-075-019-000	04	1.00	74.25	25.37	99.62
075-075-020-000	04	1.00	74.25	25.37	99.62
075-075-021-000	04	1.00	74.25	25.37	99.62
075-075-022-000	04	1.00	74.25	25.37	99.62
075-075-023-000	04	1.00	74.25	25.37	99.62
075-075-024-000	04	1.00	74.25	25.37	99.62
075-075-025-000	04	1.00	74.25	25.37	99.62
075-075-026-000	04	1.00	74.25	25.37	99.62
075-075-027-000	04	1.00	74.25	25.37	99.62
075-075-028-000	04	1.00	74.25	25.37	99.62
075-075-029-000	04	1.00	74.25	25.37	99.62
075-075-030-000	04	1.00	74.25	25.37	99.62
075-075-032-000	04	1.00	74.25	25.37	99.62
075-075-033-000	04	1.00	74.25	25.37	99.62
075-075-034-000	04	1.00	74.25	25.37	99.62
075-075-035-000	04	1.00	74.25	25.37	99.62
075-075-036-000	04	1.00	74.25	25.37	99.62
075-075-037-000	04	1.00	74.25	25.37	99.62
075-075-038-000	04	1.00	74.25	25.37	99.62
075-075-039-000	04	1.00	74.25	25.37	99.62
075-075-040-000	04	1.00	74.25	25.37	99.62
075-075-041-000	04	1.00	74.25	25.37	99.62
075-075-042-000	04	1.00	74.25	25.37	99.62
075-075-043-000	04	1.00	74.25	25.37	99.62
075-075-044-000	04	1.00	74.25	25.37	99.62
075-075-045-000	04	1.00	74.25	25.37	99.62
075-075-046-000	04	1.00	74.25	25.37	99.62
075-075-047-000	04	1.00	74.25	25.37	99.62
075-075-048-000	04	1.00	74.25	25.37	99.62
075-075-049-000	04	1.00	74.25	25.37	99.62
075-075-050-000	04	1.00	74.25	25.37	99.62
075-075-051-000	04	1.00	74.25	25.37	99.62
075-076-001-000	04	1.00	74.25	25.37	99.62
075-076-002-000	04	1.00	74.25	25.37	99.62
075-076-003-000	04	1.00	74.25	25.37	99.62
075-076-004-000	04	1.00	74.25	25.37	99.62
075-076-005-000	04	1.00	74.25	25.37	99.62
075-076-006-000	04	1.00	74.25	25.37	99.62
075-076-007-000	04	1.00	74.25	25.37	99.62
075-076-008-000	04	1.00	74.25	25.37	99.62
075-076-009-000	04	1.00	74.25	25.37	99.62
075-076-010-000	04	1.00	74.25	25.37	99.62
075-076-011-000	04	1.00	74.25	25.37	99.62
075-076-012-000	04	1.00	74.25	25.37	99.62
075-076-013-000	04	1.00	74.25	25.37	99.62
075-076-014-000	04	1.00	74.25	25.37	99.62
075-076-015-000	04	1.00	74.25	25.37	99.62
075-076-016-000	04	1.00	74.25	25.37	99.62
075-076-017-000	04	1.00	74.25	25.37	99.62
075-076-018-000	04	1.00	74.25	25.37	99.62
075-076-019-000	04	1.00	74.25	25.37	99.62
075-076-020-000	04	1.00	74.25	25.37	99.62
075-076-021-000	04	1.00	74.25	25.37	99.62
075-076-022-000	04	1.00	74.25	25.37	99.62
075-076-023-000	04	1.00	74.25	25.37	99.62
075-076-024-000	04	1.00	74.25	25.37	99.62
075-076-025-000	04	1.00	74.25	25.37	99.62
075-076-026-000	04	1.00	74.25	25.37	99.62
075-076-027-000	04	1.00	74.25	25.37	99.62
075-076-028-000	04	1.00	74.25	25.37	99.62
075-076-029-000	04	1.00	74.25	25.37	99.62
075-076-030-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-076-031-000	04	1.00	74.25	25.37	99.62
075-076-033-000	04	1.00	74.25	25.37	99.62
075-076-034-000	04	1.00	74.25	25.37	99.62
075-076-035-000	04	1.00	74.25	25.37	99.62
075-076-036-000	04	1.00	74.25	25.37	99.62
075-076-037-000	04	1.00	74.25	25.37	99.62
075-076-038-000	04	1.00	74.25	25.37	99.62
075-076-039-000	04	1.00	74.25	25.37	99.62
075-076-040-000	04	1.00	74.25	25.37	99.62
075-076-041-000	04	1.00	74.25	25.37	99.62
075-076-042-000	04	1.00	74.25	25.37	99.62
075-076-043-000	04	1.00	74.25	25.37	99.62
075-076-044-000	04	1.00	74.25	25.37	99.62
075-076-045-000	04	1.00	74.25	25.37	99.62
075-076-046-000	04	1.00	74.25	25.37	99.62
075-076-047-000	04	1.00	74.25	25.37	99.62
075-076-048-000	04	1.00	74.25	25.37	99.62
075-076-049-000	04	1.00	74.25	25.37	99.62
075-076-050-000	04	1.00	74.25	25.37	99.62
075-076-051-000	04	1.00	74.25	25.37	99.62
075-076-052-000	04	1.00	74.25	25.37	99.62
075-076-053-000	04	1.00	74.25	25.37	99.62
075-076-054-000	04	1.00	74.25	25.37	99.62
075-077-001-000	04	1.00	74.25	25.37	99.62
075-077-002-000	04	1.00	74.25	25.37	99.62
075-077-003-000	04	1.00	74.25	25.37	99.62
075-077-004-000	04	1.00	74.25	25.37	99.62
075-077-005-000	04	1.00	74.25	25.37	99.62
075-077-006-000	04	1.00	74.25	25.37	99.62
075-077-007-000	04	1.00	74.25	25.37	99.62
075-077-008-000	04	1.00	74.25	25.37	99.62
075-077-009-000	04	1.00	74.25	25.37	99.62
075-077-010-000	04	1.00	74.25	25.37	99.62
075-077-011-000	04	1.00	74.25	25.37	99.62
075-077-012-000	04	1.00	74.25	25.37	99.62
075-077-013-000	04	1.00	74.25	25.37	99.62
075-077-014-000	04	1.00	74.25	25.37	99.62
075-077-015-000	04	1.00	74.25	25.37	99.62
075-077-016-000	04	1.00	74.25	25.37	99.62
075-077-017-000	04	1.00	74.25	25.37	99.62
075-077-018-000	04	1.00	74.25	25.37	99.62
075-077-019-000	04	1.00	74.25	25.37	99.62
075-077-020-000	04	1.00	74.25	25.37	99.62
075-077-021-000	04	1.00	74.25	25.37	99.62
075-077-022-000	04	1.00	74.25	25.37	99.62
075-077-023-000	04	1.00	74.25	25.37	99.62
075-077-024-000	04	1.00	74.25	25.37	99.62
075-077-025-000	04	1.00	74.25	25.37	99.62
075-077-026-000	04	1.00	74.25	25.37	99.62
075-077-027-000	04	1.00	74.25	25.37	99.62
075-077-028-000	04	1.00	74.25	25.37	99.62
075-077-029-000	04	1.00	74.25	25.37	99.62
075-077-030-000	04	1.00	74.25	25.37	99.62
075-077-031-000	04	1.00	74.25	25.37	99.62
075-077-032-000	04	1.00	74.25	25.37	99.62
075-077-033-000	04	1.00	74.25	25.37	99.62
075-077-034-000	04	1.00	74.25	25.37	99.62
075-077-035-000	04	1.00	74.25	25.37	99.62
075-077-036-000	04	1.00	74.25	25.37	99.62
075-077-037-000	04	1.00	74.25	25.37	99.62
075-077-038-000	04	1.00	74.25	25.37	99.62
075-077-039-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-077-040-000	04	1.00	74.25	25.37	99.62
075-077-041-000	04	1.00	74.25	25.37	99.62
075-077-042-000	04	1.00	74.25	25.37	99.62
075-077-043-000	04	1.00	74.25	25.37	99.62
075-077-044-000	04	1.00	74.25	25.37	99.62
075-077-045-000	04	1.00	74.25	25.37	99.62
075-077-046-000	04	1.00	74.25	25.37	99.62
075-077-047-000	04	1.00	74.25	25.37	99.62
075-077-048-000	04	1.00	74.25	25.37	99.62
075-077-049-000	04	1.00	74.25	25.37	99.62
075-077-050-000	04	1.00	74.25	25.37	99.62
075-077-051-000	04	1.00	74.25	25.37	99.62
075-077-052-000	04	1.00	74.25	25.37	99.62
075-077-053-000	04	1.00	74.25	25.37	99.62
075-077-054-000	04	1.00	74.25	25.37	99.62
075-077-055-000	04	1.00	74.25	25.37	99.62
075-077-056-000	04	1.00	74.25	25.37	99.62
075-077-057-000	04	1.00	74.25	25.37	99.62
075-077-058-000	04	1.00	74.25	25.37	99.62
075-077-059-000	04	1.00	74.25	25.37	99.62
075-077-060-000	04	1.00	74.25	25.37	99.62
075-077-061-000	04	1.00	74.25	25.37	99.62
075-077-062-000	04	1.00	74.25	25.37	99.62
075-077-063-000	04	1.00	74.25	25.37	99.62
075-077-064-000	04	1.00	74.25	25.37	99.62
075-077-065-000	04	1.00	74.25	25.37	99.62
075-077-066-000	04	1.00	74.25	25.37	99.62
075-077-067-000	04	1.00	74.25	25.37	99.62
075-077-068-000	04	1.00	74.25	25.37	99.62
075-077-069-000	04	1.00	74.25	25.37	99.62
075-078-001-000	04	1.00	74.25	25.37	99.62
075-078-002-000	04	1.00	74.25	25.37	99.62
075-078-003-000	04	1.00	74.25	25.37	99.62
075-078-004-000	04	1.00	74.25	25.37	99.62
075-078-007-000	04	1.00	74.25	25.37	99.62
075-078-008-000	04	1.00	74.25	25.37	99.62
075-078-009-000	04	1.00	74.25	25.37	99.62
075-078-010-000	04	1.00	74.25	25.37	99.62
075-078-011-000	04	1.00	74.25	25.37	99.62
075-078-012-000	04	1.00	74.25	25.37	99.62
075-078-013-000	04	1.00	74.25	25.37	99.62
075-078-014-000	04	1.00	74.25	25.37	99.62
075-078-015-000	04	1.00	74.25	25.37	99.62
075-078-016-000	04	1.00	74.25	25.37	99.62
075-078-017-000	04	1.00	74.25	25.37	99.62
075-078-018-000	04	1.00	74.25	25.37	99.62
075-078-019-000	04	1.00	74.25	25.37	99.62
075-078-020-000	04	1.00	74.25	25.37	99.62
075-078-021-000	04	1.00	74.25	25.37	99.62
075-078-022-000	04	1.00	74.25	25.37	99.62
075-078-023-000	04	1.00	74.25	25.37	99.62
075-078-024-000	04	1.00	74.25	25.37	99.62
075-078-025-000	04	1.00	74.25	25.37	99.62
075-078-026-000	04	1.00	74.25	25.37	99.62
075-078-027-000	04	1.00	74.25	25.37	99.62
075-078-028-000	04	1.00	74.25	25.37	99.62
075-078-029-000	04	1.00	74.25	25.37	99.62
075-078-030-000	04	1.00	74.25	25.37	99.62
075-078-031-000	04	1.00	74.25	25.37	99.62
075-078-032-000	04	1.00	74.25	25.37	99.62
075-078-033-000	04	1.00	74.25	25.37	99.62
075-078-034-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-078-035-000	04	1.00	74.25	25.37	99.62
075-078-036-000	04	1.00	74.25	25.37	99.62
075-078-037-000	04	1.00	74.25	25.37	99.62
075-078-038-000	04	1.00	74.25	25.37	99.62
075-078-039-000	04	1.00	74.25	25.37	99.62
075-078-040-000	04	1.00	74.25	25.37	99.62
075-078-041-000	04	1.00	74.25	25.37	99.62
075-078-042-000	04	1.00	74.25	25.37	99.62
075-078-043-000	04	1.00	74.25	25.37	99.62
075-078-044-000	04	1.00	74.25	25.37	99.62
075-078-045-000	04	1.00	74.25	25.37	99.62
075-078-046-000	04	1.00	74.25	25.37	99.62
075-078-047-000	04	1.00	74.25	25.37	99.62
075-078-048-000	04	1.00	74.25	25.37	99.62
075-078-049-000	04	1.00	74.25	25.37	99.62
075-078-050-000	04	1.00	74.25	25.37	99.62
075-078-051-000	04	1.00	74.25	25.37	99.62
075-078-052-000	04	1.00	74.25	25.37	99.62
075-078-053-000	04	1.00	74.25	25.37	99.62
075-078-054-000	04	1.00	74.25	25.37	99.62
075-078-055-000	04	1.00	74.25	25.37	99.62
075-078-056-000	04	1.00	74.25	25.37	99.62
075-078-057-000	04	1.00	74.25	25.37	99.62
075-078-058-000	04	1.00	74.25	25.37	99.62
075-078-059-000	04	1.00	74.25	25.37	99.62
075-078-060-000	04	1.00	74.25	25.37	99.62
075-078-061-000	04	1.00	74.25	25.37	99.62
075-078-062-000	04	1.00	74.25	25.37	99.62
075-078-063-000	04	1.00	74.25	25.37	99.62
075-078-064-000	04	1.00	74.25	25.37	99.62
075-078-065-000	04	1.00	74.25	25.37	99.62
075-078-066-000	04	1.00	74.25	25.37	99.62
075-078-068-000	04	1.00	74.25	25.37	99.62
075-078-069-000	04	1.00	74.25	25.37	99.62
075-080-001-000	04	1.00	74.25	25.37	99.62
075-080-002-000	04	1.00	74.25	25.37	99.62
075-080-003-000	04	1.00	74.25	25.37	99.62
075-080-004-000	04	1.00	74.25	25.37	99.62
075-080-005-000	04	1.00	74.25	25.37	99.62
075-080-006-000	04	1.00	74.25	25.37	99.62
075-080-007-000	04	1.00	74.25	25.37	99.62
075-080-008-000	04	1.00	74.25	25.37	99.62
075-080-009-000	04	1.00	74.25	25.37	99.62
075-080-010-000	04	1.00	74.25	25.37	99.62
075-080-011-000	04	1.00	74.25	25.37	99.62
075-080-012-000	04	1.00	74.25	25.37	99.62
075-080-013-000	04	1.00	74.25	25.37	99.62
075-080-014-000	04	1.00	74.25	25.37	99.62
075-080-015-000	04	1.00	74.25	25.37	99.62
075-080-016-000	04	1.00	74.25	25.37	99.62
075-080-017-000	04	1.00	74.25	25.37	99.62
075-080-018-000	04	1.00	74.25	25.37	99.62
075-080-019-000	04	1.00	74.25	25.37	99.62
075-080-020-000	04	1.00	74.25	25.37	99.62
075-080-021-000	04	1.00	74.25	25.37	99.62
075-080-022-000	04	1.00	74.25	25.37	99.62
075-080-023-000	04	1.00	74.25	25.37	99.62
075-080-024-000	04	1.00	74.25	25.37	99.62
075-080-025-000	04	1.00	74.25	25.37	99.62
075-080-026-000	04	1.00	74.25	25.37	99.62
075-080-027-000	04	1.00	74.25	25.37	99.62
075-080-028-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-080-029-000	04	1.00	74.25	25.37	99.62
075-080-030-000	04	1.00	74.25	25.37	99.62
075-080-031-000	04	1.00	74.25	25.37	99.62
075-080-032-000	04	1.00	74.25	25.37	99.62
075-080-033-000	04	1.00	74.25	25.37	99.62
075-080-034-000	04	1.00	74.25	25.37	99.62
075-080-035-000	04	1.00	74.25	25.37	99.62
075-080-036-000	04	1.00	74.25	25.37	99.62
075-080-037-000	04	1.00	74.25	25.37	99.62
075-080-038-000	04	1.00	74.25	25.37	99.62
075-080-039-000	04	1.00	74.25	25.37	99.62
075-080-040-000	04	1.00	74.25	25.37	99.62
075-080-041-000	04	1.00	74.25	25.37	99.62
075-080-042-000	04	1.00	74.25	25.37	99.62
075-080-043-000	04	1.00	74.25	25.37	99.62
075-080-044-000	04	1.00	74.25	25.37	99.62
075-080-045-000	04	1.00	74.25	25.37	99.62
075-080-046-000	04	1.00	74.25	25.37	99.62
075-080-047-000	04	1.00	74.25	25.37	99.62
075-080-048-000	04	1.00	74.25	25.37	99.62
075-080-049-000	04	1.00	74.25	25.37	99.62
075-080-050-000	04	1.00	74.25	25.37	99.62
075-080-051-000	04	1.00	74.25	25.37	99.62
075-080-052-000	04	1.00	74.25	25.37	99.62
075-080-053-000	04	1.00	74.25	25.37	99.62
075-080-054-000	04	1.00	74.25	25.37	99.62
075-081-001-000	04	1.00	74.25	25.37	99.62
075-081-002-000	04	1.00	74.25	25.37	99.62
075-081-003-000	04	1.00	74.25	25.37	99.62
075-081-004-000	04	1.00	74.25	25.37	99.62
075-081-005-000	04	1.00	74.25	25.37	99.62
075-081-006-000	04	1.00	74.25	25.37	99.62
075-081-007-000	04	1.00	74.25	25.37	99.62
075-081-008-000	04	1.00	74.25	25.37	99.62
075-081-009-000	04	1.00	74.25	25.37	99.62
075-081-010-000	04	1.00	74.25	25.37	99.62
075-081-011-000	04	1.00	74.25	25.37	99.62
075-081-012-000	04	1.00	74.25	25.37	99.62
075-081-013-000	04	1.00	74.25	25.37	99.62
075-081-014-000	04	1.00	74.25	25.37	99.62
075-081-015-000	04	1.00	74.25	25.37	99.62
075-081-016-000	04	1.00	74.25	25.37	99.62
075-081-017-000	04	1.00	74.25	25.37	99.62
075-081-018-000	04	1.00	74.25	25.37	99.62
075-081-019-000	04	1.00	74.25	25.37	99.62
075-081-020-000	04	1.00	74.25	25.37	99.62
075-081-021-000	04	1.00	74.25	25.37	99.62
075-081-022-000	04	1.00	74.25	25.37	99.62
075-081-023-000	04	1.00	74.25	25.37	99.62
075-081-024-000	04	1.00	74.25	25.37	99.62
075-081-025-000	04	1.00	74.25	25.37	99.62
075-081-026-000	04	1.00	74.25	25.37	99.62
075-081-027-000	04	1.00	74.25	25.37	99.62
075-081-028-000	04	1.00	74.25	25.37	99.62
075-081-029-000	04	1.00	74.25	25.37	99.62
075-081-030-000	04	1.00	74.25	25.37	99.62
075-081-031-000	04	1.00	74.25	25.37	99.62
075-081-032-000	04	1.00	74.25	25.37	99.62
075-081-034-000	04	1.00	74.25	25.37	99.62
075-081-035-000	04	1.00	74.25	25.37	99.62
075-081-036-000	04	1.00	74.25	25.37	99.62
075-081-037-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-081-038-000	04	1.00	74.25	25.37	99.62
075-081-039-000	04	1.00	74.25	25.37	99.62
075-081-040-000	04	1.00	74.25	25.37	99.62
075-081-041-000	04	1.00	74.25	25.37	99.62
075-081-042-000	04	1.00	74.25	25.37	99.62
075-081-043-000	04	1.00	74.25	25.37	99.62
075-081-044-000	04	1.00	74.25	25.37	99.62
075-081-045-000	04	1.00	74.25	25.37	99.62
075-081-046-000	04	1.00	74.25	25.37	99.62
075-081-047-000	04	1.00	74.25	25.37	99.62
075-081-048-000	04	1.00	74.25	25.37	99.62
075-081-049-000	04	1.00	74.25	25.37	99.62
075-081-050-000	04	1.00	74.25	25.37	99.62
075-081-051-000	04	1.00	74.25	25.37	99.62
075-081-052-000	04	1.00	74.25	25.37	99.62
075-081-053-000	04	1.00	74.25	25.37	99.62
075-081-054-000	04	1.00	74.25	25.37	99.62
075-081-055-000	04	1.00	74.25	25.37	99.62
075-081-056-000	04	1.00	74.25	25.37	99.62
075-081-057-000	04	1.00	74.25	25.37	99.62
075-081-058-000	04	1.00	74.25	25.37	99.62
075-081-059-000	04	1.00	74.25	25.37	99.62
075-081-060-000	04	1.00	74.25	25.37	99.62
075-082-001-000	04	1.00	74.25	25.37	99.62
075-082-002-000	04	1.00	74.25	25.37	99.62
075-082-003-000	04	1.00	74.25	25.37	99.62
075-082-004-000	04	1.00	74.25	25.37	99.62
075-082-005-000	04	1.00	74.25	25.37	99.62
075-082-006-000	04	1.00	74.25	25.37	99.62
075-082-007-000	04	1.00	74.25	25.37	99.62
075-082-008-000	04	1.00	74.25	25.37	99.62
075-082-009-000	04	1.00	74.25	25.37	99.62
075-082-010-000	04	1.00	74.25	25.37	99.62
075-082-011-000	04	1.00	74.25	25.37	99.62
075-082-012-000	04	1.00	74.25	25.37	99.62
075-082-013-000	04	1.00	74.25	25.37	99.62
075-082-014-000	04	1.00	74.25	25.37	99.62
075-082-015-000	04	1.00	74.25	25.37	99.62
075-082-016-000	04	1.00	74.25	25.37	99.62
075-082-017-000	04	1.00	74.25	25.37	99.62
075-082-018-000	04	1.00	74.25	25.37	99.62
075-082-019-000	04	1.00	74.25	25.37	99.62
075-082-020-000	04	1.00	74.25	25.37	99.62
075-082-021-000	04	1.00	74.25	25.37	99.62
075-082-022-000	04	1.00	74.25	25.37	99.62
075-082-023-000	04	1.00	74.25	25.37	99.62
075-082-024-000	04	1.00	74.25	25.37	99.62
075-082-025-000	04	1.00	74.25	25.37	99.62
075-082-026-000	04	1.00	74.25	25.37	99.62
075-082-027-000	04	1.00	74.25	25.37	99.62
075-082-028-000	04	1.00	74.25	25.37	99.62
075-082-029-000	04	1.00	74.25	25.37	99.62
075-082-030-000	04	1.00	74.25	25.37	99.62
075-082-031-000	04	1.00	74.25	25.37	99.62
075-082-032-000	04	1.00	74.25	25.37	99.62
075-082-033-000	04	1.00	74.25	25.37	99.62
075-082-034-000	04	1.00	74.25	25.37	99.62
075-082-035-000	04	1.00	74.25	25.37	99.62
075-082-036-000	04	1.00	74.25	25.37	99.62
075-082-037-000	04	1.00	74.25	25.37	99.62
075-082-038-000	04	1.00	74.25	25.37	99.62
075-082-039-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-082-040-000	04	1.00	74.25	25.37	99.62
075-082-041-000	04	1.00	74.25	25.37	99.62
075-082-042-000	04	1.00	74.25	25.37	99.62
075-082-043-000	04	1.00	74.25	25.37	99.62
075-082-044-000	04	1.00	74.25	25.37	99.62
075-082-045-000	04	1.00	74.25	25.37	99.62
075-082-046-000	04	1.00	74.25	25.37	99.62
075-082-047-000	04	1.00	74.25	25.37	99.62
075-082-048-000	04	1.00	74.25	25.37	99.62
075-082-049-000	04	1.00	74.25	25.37	99.62
075-082-050-000	04	1.00	74.25	25.37	99.62
075-082-051-000	04	1.00	74.25	25.37	99.62
075-082-052-000	04	1.00	74.25	25.37	99.62
075-082-053-000	04	1.00	74.25	25.37	99.62
075-082-054-000	04	1.00	74.25	25.37	99.62
075-083-001-000	04	1.00	74.25	25.37	99.62
075-083-002-000	04	1.00	74.25	25.37	99.62
075-083-003-000	04	1.00	74.25	25.37	99.62
075-083-004-000	04	1.00	74.25	25.37	99.62
075-083-005-000	04	1.00	74.25	25.37	99.62
075-083-006-000	04	1.00	74.25	25.37	99.62
075-083-007-000	04	1.00	74.25	25.37	99.62
075-083-008-000	04	1.00	74.25	25.37	99.62
075-083-009-000	04	1.00	74.25	25.37	99.62
075-083-010-000	04	1.00	74.25	25.37	99.62
075-083-011-000	04	1.00	74.25	25.37	99.62
075-083-012-000	04	1.00	74.25	25.37	99.62
075-083-013-000	04	1.00	74.25	25.37	99.62
075-083-014-000	04	1.00	74.25	25.37	99.62
075-083-015-000	04	1.00	74.25	25.37	99.62
075-083-016-000	04	1.00	74.25	25.37	99.62
075-083-017-000	04	1.00	74.25	25.37	99.62
075-083-018-000	04	1.00	74.25	25.37	99.62
075-083-019-000	04	1.00	74.25	25.37	99.62
075-083-020-000	04	1.00	74.25	25.37	99.62
075-083-021-000	04	1.00	74.25	25.37	99.62
075-083-022-000	04	1.00	74.25	25.37	99.62
075-083-023-000	04	1.00	74.25	25.37	99.62
075-083-024-000	04	1.00	74.25	25.37	99.62
075-083-025-000	04	1.00	74.25	25.37	99.62
075-083-026-000	04	1.00	74.25	25.37	99.62
075-083-027-000	04	1.00	74.25	25.37	99.62
075-083-028-000	04	1.00	74.25	25.37	99.62
075-083-029-000	04	1.00	74.25	25.37	99.62
075-083-030-000	04	1.00	74.25	25.37	99.62
075-083-031-000	04	1.00	74.25	25.37	99.62
075-083-032-000	04	1.00	74.25	25.37	99.62
075-083-033-000	04	1.00	74.25	25.37	99.62
075-083-034-000	04	1.00	74.25	25.37	99.62
075-083-035-000	04	1.00	74.25	25.37	99.62
075-083-036-000	04	1.00	74.25	25.37	99.62
075-083-037-000	04	1.00	74.25	25.37	99.62
075-083-038-000	04	1.00	74.25	25.37	99.62
075-083-039-000	04	1.00	74.25	25.37	99.62
075-083-040-000	04	1.00	74.25	25.37	99.62
075-083-041-000	04	1.00	74.25	25.37	99.62
075-083-042-000	04	1.00	74.25	25.37	99.62
075-083-043-000	04	1.00	74.25	25.37	99.62
075-083-044-000	04	1.00	74.25	25.37	99.62
075-083-045-000	04	1.00	74.25	25.37	99.62
075-083-046-000	04	1.00	74.25	25.37	99.62
075-083-047-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-083-048-000	04	1.00	74.25	25.37	99.62
075-083-049-000	04	1.00	74.25	25.37	99.62
075-083-050-000	04	1.00	74.25	25.37	99.62
075-083-051-000	04	1.00	74.25	25.37	99.62
075-084-001-000	04	1.00	74.25	25.37	99.62
075-084-002-000	04	1.00	74.25	25.37	99.62
075-084-003-000	04	1.00	74.25	25.37	99.62
075-084-004-000	04	1.00	74.25	25.37	99.62
075-084-005-000	04	1.00	74.25	25.37	99.62
075-084-006-000	04	1.00	74.25	25.37	99.62
075-084-007-000	04	1.00	74.25	25.37	99.62
075-084-008-000	04	1.00	74.25	25.37	99.62
075-084-009-000	04	1.00	74.25	25.37	99.62
075-084-010-000	04	1.00	74.25	25.37	99.62
075-084-011-000	04	1.00	74.25	25.37	99.62
075-084-012-000	04	1.00	74.25	25.37	99.62
075-084-013-000	04	1.00	74.25	25.37	99.62
075-084-014-000	04	1.00	74.25	25.37	99.62
075-084-015-000	04	1.00	74.25	25.37	99.62
075-084-016-000	04	1.00	74.25	25.37	99.62
075-084-017-000	04	1.00	74.25	25.37	99.62
075-084-018-000	04	1.00	74.25	25.37	99.62
075-084-019-000	04	1.00	74.25	25.37	99.62
075-084-020-000	04	1.00	74.25	25.37	99.62
075-084-021-000	04	1.00	74.25	25.37	99.62
075-084-022-000	04	1.00	74.25	25.37	99.62
075-084-023-000	04	1.00	74.25	25.37	99.62
075-084-024-000	04	1.00	74.25	25.37	99.62
075-084-025-000	04	1.00	74.25	25.37	99.62
075-084-026-000	04	1.00	74.25	25.37	99.62
075-084-027-000	04	1.00	74.25	25.37	99.62
075-084-028-000	04	1.00	74.25	25.37	99.62
075-084-029-000	04	1.00	74.25	25.37	99.62
075-084-030-000	04	1.00	74.25	25.37	99.62
075-084-031-000	04	1.00	74.25	25.37	99.62
075-084-032-000	04	1.00	74.25	25.37	99.62
075-084-033-000	04	1.00	74.25	25.37	99.62
075-084-034-000	04	1.00	74.25	25.37	99.62
075-084-035-000	04	1.00	74.25	25.37	99.62
075-084-036-000	04	1.00	74.25	25.37	99.62
075-084-037-000	04	1.00	74.25	25.37	99.62
075-084-038-000	04	1.00	74.25	25.37	99.62
075-084-039-000	04	1.00	74.25	25.37	99.62
075-084-040-000	04	1.00	74.25	25.37	99.62
075-084-041-000	04	1.00	74.25	25.37	99.62
075-084-042-000	04	1.00	74.25	25.37	99.62
075-084-043-000	04	1.00	74.25	25.37	99.62
075-084-044-000	04	1.00	74.25	25.37	99.62
075-084-045-000	04	1.00	74.25	25.37	99.62
075-084-046-000	04	1.00	74.25	25.37	99.62
075-084-047-000	04	1.00	74.25	25.37	99.62
075-084-048-000	04	1.00	74.25	25.37	99.62
075-084-049-000	04	1.00	74.25	25.37	99.62
075-084-050-000	04	1.00	74.25	25.37	99.62
075-084-051-000	04	1.00	74.25	25.37	99.62
075-084-052-000	04	1.00	74.25	25.37	99.62
075-084-053-000	04	1.00	74.25	25.37	99.62
075-084-054-000	04	1.00	74.25	25.37	99.62
075-084-055-000	04	1.00	74.25	25.37	99.62
075-084-056-000	04	1.00	74.25	25.37	99.62
075-084-057-000	04	1.00	74.25	25.37	99.62
075-084-058-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-084-059-000	04	1.00	74.25	25.37	99.62
075-084-060-000	04	1.00	74.25	25.37	99.62
075-084-061-000	04	1.00	74.25	25.37	99.62
075-084-062-000	04	1.00	74.25	25.37	99.62
075-084-063-000	04	1.00	74.25	25.37	99.62
075-084-064-000	04	1.00	74.25	25.37	99.62
075-084-065-000	04	1.00	74.25	25.37	99.62
075-084-066-000	04	1.00	74.25	25.37	99.62
075-084-067-000	04	1.00	74.25	25.37	99.62
075-085-001-000	04	1.00	74.25	25.37	99.62
075-085-002-000	04	1.00	74.25	25.37	99.62
075-085-003-000	04	1.00	74.25	25.37	99.62
075-085-004-000	04	1.00	74.25	25.37	99.62
075-085-005-000	04	1.00	74.25	25.37	99.62
075-085-006-000	04	1.00	74.25	25.37	99.62
075-085-007-000	04	1.00	74.25	25.37	99.62
075-085-008-000	04	1.00	74.25	25.37	99.62
075-085-009-000	04	1.00	74.25	25.37	99.62
075-085-010-000	04	1.00	74.25	25.37	99.62
075-085-011-000	04	1.00	74.25	25.37	99.62
075-085-012-000	04	1.00	74.25	25.37	99.62
075-085-013-000	04	1.00	74.25	25.37	99.62
075-085-014-000	04	1.00	74.25	25.37	99.62
075-085-015-000	04	1.00	74.25	25.37	99.62
075-085-016-000	04	1.00	74.25	25.37	99.62
075-085-017-000	04	1.00	74.25	25.37	99.62
075-085-018-000	04	1.00	74.25	25.37	99.62
075-085-019-000	04	1.00	74.25	25.37	99.62
075-085-020-000	04	1.00	74.25	25.37	99.62
075-085-021-000	04	1.00	74.25	25.37	99.62
075-085-022-000	04	1.00	74.25	25.37	99.62
075-085-023-000	04	1.00	74.25	25.37	99.62
075-085-024-000	04	1.00	74.25	25.37	99.62
075-085-025-000	04	1.00	74.25	25.37	99.62
075-085-026-000	04	1.00	74.25	25.37	99.62
075-085-027-000	04	1.00	74.25	25.37	99.62
075-085-028-000	04	1.00	74.25	25.37	99.62
075-085-029-000	04	1.00	74.25	25.37	99.62
075-085-030-000	04	1.00	74.25	25.37	99.62
075-085-031-000	04	1.00	74.25	25.37	99.62
075-085-032-000	04	1.00	74.25	25.37	99.62
075-085-033-000	04	1.00	74.25	25.37	99.62
075-085-034-000	04	1.00	74.25	25.37	99.62
075-085-035-000	04	1.00	74.25	25.37	99.62
075-085-036-000	04	1.00	74.25	25.37	99.62
075-085-037-000	04	1.00	74.25	25.37	99.62
075-085-038-000	04	1.00	74.25	25.37	99.62
075-085-039-000	04	1.00	74.25	25.37	99.62
075-085-040-000	04	1.00	74.25	25.37	99.62
075-085-041-000	04	1.00	74.25	25.37	99.62
075-085-042-000	04	1.00	74.25	25.37	99.62
075-085-043-000	04	1.00	74.25	25.37	99.62
075-085-044-000	04	1.00	74.25	25.37	99.62
075-085-045-000	04	1.00	74.25	25.37	99.62
075-085-046-000	04	1.00	74.25	25.37	99.62
075-085-047-000	04	1.00	74.25	25.37	99.62
075-085-048-000	04	1.00	74.25	25.37	99.62
075-085-049-000	04	1.00	74.25	25.37	99.62
075-085-050-000	04	1.00	74.25	25.37	99.62
075-085-051-000	04	1.00	74.25	25.37	99.62
075-085-052-000	04	1.00	74.25	25.37	99.62
075-085-053-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-085-054-000	04	1.00	74.25	25.37	99.62
075-085-055-000	04	1.00	74.25	25.37	99.62
075-085-056-000	04	1.00	74.25	25.37	99.62
075-085-057-000	04	1.00	74.25	25.37	99.62
075-085-058-000	04	1.00	74.25	25.37	99.62
075-085-059-000	04	1.00	74.25	25.37	99.62
075-085-060-000	04	1.00	74.25	25.37	99.62
075-085-061-000	04	1.00	74.25	25.37	99.62
075-085-062-000	04	1.00	74.25	25.37	99.62
075-085-063-000	04	1.00	74.25	25.37	99.62
075-085-064-000	04	1.00	74.25	25.37	99.62
075-085-065-000	04	1.00	74.25	25.37	99.62
075-085-066-000	04	1.00	74.25	25.37	99.62
075-085-067-000	04	1.00	74.25	25.37	99.62
075-085-068-000	04	1.00	74.25	25.37	99.62
075-085-069-000	04	1.00	74.25	25.37	99.62
075-085-070-000	04	1.00	74.25	25.37	99.62
075-085-071-000	04	1.00	74.25	25.37	99.62
075-085-072-000	04	1.00	74.25	25.37	99.62
075-085-073-000	04	1.00	74.25	25.37	99.62
075-085-074-000	04	1.00	74.25	25.37	99.62
075-085-075-000	04	1.00	74.25	25.37	99.62
075-085-076-000	04	1.00	74.25	25.37	99.62
075-085-077-000	04	1.00	74.25	25.37	99.62
075-085-078-000	04	1.00	74.25	25.37	99.62
075-085-079-000	04	1.00	74.25	25.37	99.62
075-086-001-000	04	1.00	74.25	25.37	99.62
075-086-002-000	04	1.00	74.25	25.37	99.62
075-086-003-000	04	1.00	74.25	25.37	99.62
075-086-004-000	04	1.00	74.25	25.37	99.62
075-086-005-000	04	1.00	74.25	25.37	99.62
075-086-006-000	04	1.00	74.25	25.37	99.62
075-086-007-000	04	1.00	74.25	25.37	99.62
075-086-008-000	04	1.00	74.25	25.37	99.62
075-086-009-000	04	1.00	74.25	25.37	99.62
075-086-010-000	04	1.00	74.25	25.37	99.62
075-086-011-000	04	1.00	74.25	25.37	99.62
075-086-012-000	04	1.00	74.25	25.37	99.62
075-086-013-000	04	1.00	74.25	25.37	99.62
075-086-014-000	04	1.00	74.25	25.37	99.62
075-086-015-000	04	1.00	74.25	25.37	99.62
075-086-016-000	04	1.00	74.25	25.37	99.62
075-086-017-000	04	1.00	74.25	25.37	99.62
075-086-018-000	04	1.00	74.25	25.37	99.62
075-086-019-000	04	1.00	74.25	25.37	99.62
075-086-020-000	04	1.00	74.25	25.37	99.62
075-086-021-000	04	1.00	74.25	25.37	99.62
075-086-022-000	04	1.00	74.25	25.37	99.62
075-086-023-000	04	1.00	74.25	25.37	99.62
075-086-024-000	04	1.00	74.25	25.37	99.62
075-086-025-000	04	1.00	74.25	25.37	99.62
075-086-026-000	04	1.00	74.25	25.37	99.62
075-086-027-000	04	1.00	74.25	25.37	99.62
075-086-028-000	04	1.00	74.25	25.37	99.62
075-086-029-000	04	1.00	74.25	25.37	99.62
075-086-030-000	04	1.00	74.25	25.37	99.62
075-086-031-000	04	1.00	74.25	25.37	99.62
075-086-032-000	04	1.00	74.25	25.37	99.62
075-086-033-000	04	1.00	74.25	25.37	99.62
075-086-034-000	04	1.00	74.25	25.37	99.62
075-086-035-000	04	1.00	74.25	25.37	99.62
075-086-036-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-086-037-000	04	1.00	74.25	25.37	99.62
075-086-038-000	04	1.00	74.25	25.37	99.62
075-086-039-000	04	1.00	74.25	25.37	99.62
075-086-040-000	04	1.00	74.25	25.37	99.62
075-086-041-000	04	1.00	74.25	25.37	99.62
075-086-042-000	04	1.00	74.25	25.37	99.62
075-086-043-000	04	1.00	74.25	25.37	99.62
075-086-044-000	04	1.00	74.25	25.37	99.62
075-086-045-000	04	1.00	74.25	25.37	99.62
075-086-046-000	04	1.00	74.25	25.37	99.62
075-086-047-000	04	1.00	74.25	25.37	99.62
075-086-048-000	04	1.00	74.25	25.37	99.62
075-086-049-000	04	1.00	74.25	25.37	99.62
075-086-050-000	04	1.00	74.25	25.37	99.62
075-086-051-000	04	1.00	74.25	25.37	99.62
075-086-052-000	04	1.00	74.25	25.37	99.62
075-086-053-000	04	1.00	74.25	25.37	99.62
075-086-054-000	04	1.00	74.25	25.37	99.62
075-086-055-000	04	1.00	74.25	25.37	99.62
075-087-001-000	04	1.00	74.25	25.37	99.62
075-087-002-000	04	1.00	74.25	25.37	99.62
075-087-003-000	04	1.00	74.25	25.37	99.62
075-087-004-000	04	1.00	74.25	25.37	99.62
075-087-005-000	04	1.00	74.25	25.37	99.62
075-087-006-000	04	1.00	74.25	25.37	99.62
075-087-007-000	04	1.00	74.25	25.37	99.62
075-087-008-000	04	1.00	74.25	25.37	99.62
075-087-009-000	04	1.00	74.25	25.37	99.62
075-087-010-000	04	1.00	74.25	25.37	99.62
075-087-011-000	04	1.00	74.25	25.37	99.62
075-087-012-000	04	1.00	74.25	25.37	99.62
075-087-013-000	04	1.00	74.25	25.37	99.62
075-087-014-000	04	1.00	74.25	25.37	99.62
075-087-015-000	04	1.00	74.25	25.37	99.62
075-087-016-000	04	1.00	74.25	25.37	99.62
075-087-017-000	04	1.00	74.25	25.37	99.62
075-087-018-000	04	1.00	74.25	25.37	99.62
075-087-019-000	04	1.00	74.25	25.37	99.62
075-087-020-000	04	1.00	74.25	25.37	99.62
075-087-021-000	04	1.00	74.25	25.37	99.62
075-087-022-000	04	1.00	74.25	25.37	99.62
075-087-023-000	04	1.00	74.25	25.37	99.62
075-087-024-000	04	1.00	74.25	25.37	99.62
075-087-025-000	04	1.00	74.25	25.37	99.62
075-087-026-000	04	1.00	74.25	25.37	99.62
075-087-027-000	04	1.00	74.25	25.37	99.62
075-087-028-000	04	1.00	74.25	25.37	99.62
075-087-029-000	04	1.00	74.25	25.37	99.62
075-087-030-000	04	1.00	74.25	25.37	99.62
075-087-031-000	04	1.00	74.25	25.37	99.62
075-087-032-000	04	1.00	74.25	25.37	99.62
075-087-033-000	04	1.00	74.25	25.37	99.62
075-087-034-000	04	1.00	74.25	25.37	99.62
075-091-001-000	04	1.00	74.25	25.37	99.62
075-091-002-000	04	1.00	74.25	25.37	99.62
075-091-003-000	04	1.00	74.25	25.37	99.62
075-091-004-000	04	1.00	74.25	25.37	99.62
075-091-005-000	04	1.00	74.25	25.37	99.62
075-091-006-000	04	1.00	74.25	25.37	99.62
075-091-007-000	04	1.00	74.25	25.37	99.62
075-091-008-000	04	1.00	74.25	25.37	99.62
075-091-009-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-091-010-000	04	1.00	74.25	25.37	99.62
075-091-011-000	04	1.00	74.25	25.37	99.62
075-091-012-000	04	1.00	74.25	25.37	99.62
075-091-013-000	04	1.00	74.25	25.37	99.62
075-091-014-000	04	1.00	74.25	25.37	99.62
075-091-015-000	04	1.00	74.25	25.37	99.62
075-091-016-000	04	1.00	74.25	25.37	99.62
075-091-017-000	04	1.00	74.25	25.37	99.62
075-091-018-000	04	1.00	74.25	25.37	99.62
075-091-019-000	04	1.00	74.25	25.37	99.62
075-091-020-000	04	1.00	74.25	25.37	99.62
075-091-021-000	04	1.00	74.25	25.37	99.62
075-091-022-000	04	1.00	74.25	25.37	99.62
075-091-023-000	04	1.00	74.25	25.37	99.62
075-091-024-000	04	1.00	74.25	25.37	99.62
075-091-025-000	04	1.00	74.25	25.37	99.62
075-091-026-000	04	1.00	74.25	25.37	99.62
075-091-027-000	04	1.00	74.25	25.37	99.62
075-091-028-000	04	1.00	74.25	25.37	99.62
075-091-029-000	04	1.00	74.25	25.37	99.62
075-091-030-000	04	1.00	74.25	25.37	99.62
075-091-031-000	04	1.00	74.25	25.37	99.62
075-091-032-000	04	1.00	74.25	25.37	99.62
075-091-033-000	04	1.00	74.25	25.37	99.62
075-091-034-000	04	1.00	74.25	25.37	99.62
075-091-035-000	04	1.00	74.25	25.37	99.62
075-091-036-000	04	1.00	74.25	25.37	99.62
075-091-037-000	04	1.00	74.25	25.37	99.62
075-091-038-000	04	1.00	74.25	25.37	99.62
075-091-039-000	04	1.00	74.25	25.37	99.62
075-091-040-000	04	1.00	74.25	25.37	99.62
075-091-041-000	04	1.00	74.25	25.37	99.62
075-092-001-000	04	1.00	74.25	25.37	99.62
075-092-002-000	04	1.00	74.25	25.37	99.62
075-092-003-000	04	1.00	74.25	25.37	99.62
075-092-004-000	04	1.00	74.25	25.37	99.62
075-092-005-000	04	1.00	74.25	25.37	99.62
075-092-006-000	04	1.00	74.25	25.37	99.62
075-092-007-000	04	1.00	74.25	25.37	99.62
075-092-008-000	04	1.00	74.25	25.37	99.62
075-092-009-000	04	1.00	74.25	25.37	99.62
075-092-010-000	04	1.00	74.25	25.37	99.62
075-092-011-000	04	1.00	74.25	25.37	99.62
075-092-012-000	04	1.00	74.25	25.37	99.62
075-092-013-000	04	1.00	74.25	25.37	99.62
075-092-014-000	04	1.00	74.25	25.37	99.62
075-092-015-000	04	1.00	74.25	25.37	99.62
075-092-016-000	04	1.00	74.25	25.37	99.62
075-092-017-000	04	1.00	74.25	25.37	99.62
075-092-018-000	04	1.00	74.25	25.37	99.62
075-092-019-000	04	1.00	74.25	25.37	99.62
075-092-020-000	04	1.00	74.25	25.37	99.62
075-092-021-000	04	1.00	74.25	25.37	99.62
075-092-022-000	04	1.00	74.25	25.37	99.62
075-092-023-000	04	1.00	74.25	25.37	99.62
075-092-024-000	04	1.00	74.25	25.37	99.62
075-092-025-000	04	1.00	74.25	25.37	99.62
075-096-001-000	04	1.00	74.25	25.37	99.62
075-096-002-000	04	1.00	74.25	25.37	99.62
075-096-003-000	04	1.00	74.25	25.37	99.62
075-096-004-000	04	1.00	74.25	25.37	99.62
075-096-005-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-096-006-000	04	1.00	74.25	25.37	99.62
075-096-007-000	04	1.00	74.25	25.37	99.62
075-096-008-000	04	1.00	74.25	25.37	99.62
075-096-009-000	04	1.00	74.25	25.37	99.62
075-096-010-000	04	1.00	74.25	25.37	99.62
075-096-011-000	04	1.00	74.25	25.37	99.62
075-096-012-000	04	1.00	74.25	25.37	99.62
075-096-013-000	04	1.00	74.25	25.37	99.62
075-096-014-000	04	1.00	74.25	25.37	99.62
075-096-015-000	04	1.00	74.25	25.37	99.62
075-096-016-000	04	1.00	74.25	25.37	99.62
075-096-017-000	04	1.00	74.25	25.37	99.62
075-096-018-000	04	1.00	74.25	25.37	99.62
075-096-019-000	04	1.00	74.25	25.37	99.62
075-096-020-000	04	1.00	74.25	25.37	99.62
075-096-021-000	04	1.00	74.25	25.37	99.62
075-096-022-000	04	1.00	74.25	25.37	99.62
075-096-023-000	04	1.00	74.25	25.37	99.62
075-096-024-000	04	1.00	74.25	25.37	99.62
075-096-025-000	04	1.00	74.25	25.37	99.62
075-096-026-000	04	1.00	74.25	25.37	99.62
075-096-027-000	04	1.00	74.25	25.37	99.62
075-096-028-000	04	1.00	74.25	25.37	99.62
075-096-029-000	04	1.00	74.25	25.37	99.62
075-096-030-000	04	1.00	74.25	25.37	99.62
075-096-031-000	04	1.00	74.25	25.37	99.62
075-096-032-000	04	1.00	74.25	25.37	99.62
075-096-033-000	04	1.00	74.25	25.37	99.62
075-096-034-000	04	1.00	74.25	25.37	99.62
075-096-035-000	04	1.00	74.25	25.37	99.62
075-096-036-000	04	1.00	74.25	25.37	99.62
075-096-037-000	04	1.00	74.25	25.37	99.62
075-096-038-000	04	1.00	74.25	25.37	99.62
075-096-039-000	04	1.00	74.25	25.37	99.62
075-096-040-000	04	1.00	74.25	25.37	99.62
075-096-041-000	04	1.00	74.25	25.37	99.62
075-096-042-000	04	1.00	74.25	25.37	99.62
075-096-043-000	04	1.00	74.25	25.37	99.62
075-096-044-000	04	1.00	74.25	25.37	99.62
075-096-045-000	04	1.00	74.25	25.37	99.62
075-096-046-000	04	1.00	74.25	25.37	99.62
075-096-047-000	04	1.00	74.25	25.37	99.62
075-096-048-000	04	1.00	74.25	25.37	99.62
075-096-049-000	04	1.00	74.25	25.37	99.62
075-096-050-000	04	1.00	74.25	25.37	99.62
075-096-051-000	04	1.00	74.25	25.37	99.62
075-096-052-000	04	1.00	74.25	25.37	99.62
075-096-053-000	04	1.00	74.25	25.37	99.62
075-096-054-000	04	1.00	74.25	25.37	99.62
075-097-001-000	04	1.00	74.25	25.37	99.62
075-097-002-000	04	1.00	74.25	25.37	99.62
075-097-003-000	04	1.00	74.25	25.37	99.62
075-097-004-000	04	1.00	74.25	25.37	99.62
075-097-005-000	04	1.00	74.25	25.37	99.62
075-097-006-000	04	1.00	74.25	25.37	99.62
075-097-007-000	04	1.00	74.25	25.37	99.62
075-097-008-000	04	1.00	74.25	25.37	99.62
075-097-009-000	04	1.00	74.25	25.37	99.62
075-097-010-000	04	1.00	74.25	25.37	99.62
075-097-011-000	04	1.00	74.25	25.37	99.62
075-097-012-000	04	1.00	74.25	25.37	99.62
075-097-013-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-097-014-000	04	1.00	74.25	25.37	99.62
075-097-015-000	04	1.00	74.25	25.37	99.62
075-097-016-000	04	1.00	74.25	25.37	99.62
075-097-017-000	04	1.00	74.25	25.37	99.62
075-097-018-000	04	1.00	74.25	25.37	99.62
075-097-019-000	04	1.00	74.25	25.37	99.62
075-097-020-000	04	1.00	74.25	25.37	99.62
075-097-021-000	04	1.00	74.25	25.37	99.62
075-097-022-000	04	1.00	74.25	25.37	99.62
075-097-023-000	04	1.00	74.25	25.37	99.62
075-097-024-000	04	1.00	74.25	25.37	99.62
075-097-025-000	04	1.00	74.25	25.37	99.62
075-097-026-000	04	1.00	74.25	25.37	99.62
075-097-027-000	04	1.00	74.25	25.37	99.62
075-097-028-000	04	1.00	74.25	25.37	99.62
075-097-029-000	04	1.00	74.25	25.37	99.62
075-097-030-000	04	1.00	74.25	25.37	99.62
075-097-031-000	04	1.00	74.25	25.37	99.62
075-097-032-000	04	1.00	74.25	25.37	99.62
075-097-033-000	04	1.00	74.25	25.37	99.62
075-097-034-000	04	1.00	74.25	25.37	99.62
075-097-035-000	04	1.00	74.25	25.37	99.62
075-097-036-000	04	1.00	74.25	25.37	99.62
075-097-037-000	04	1.00	74.25	25.37	99.62
075-097-038-000	04	1.00	74.25	25.37	99.62
075-097-039-000	04	1.00	74.25	25.37	99.62
075-097-040-000	04	1.00	74.25	25.37	99.62
075-097-041-000	04	1.00	74.25	25.37	99.62
075-097-042-000	04	1.00	74.25	25.37	99.62
075-098-001-000	04	1.00	74.25	25.37	99.62
075-098-002-000	04	1.00	74.25	25.37	99.62
075-098-003-000	04	1.00	74.25	25.37	99.62
075-098-004-000	04	1.00	74.25	25.37	99.62
075-098-005-000	04	1.00	74.25	25.37	99.62
075-098-006-000	04	1.00	74.25	25.37	99.62
075-098-007-000	04	1.00	74.25	25.37	99.62
075-098-008-000	04	1.00	74.25	25.37	99.62
075-098-009-000	04	1.00	74.25	25.37	99.62
075-098-010-000	04	1.00	74.25	25.37	99.62
075-098-011-000	04	1.00	74.25	25.37	99.62
075-098-012-000	04	1.00	74.25	25.37	99.62
075-098-013-000	04	1.00	74.25	25.37	99.62
075-098-014-000	04	1.00	74.25	25.37	99.62
075-098-015-000	04	1.00	74.25	25.37	99.62
075-098-016-000	04	1.00	74.25	25.37	99.62
075-098-017-000	04	1.00	74.25	25.37	99.62
075-098-018-000	04	1.00	74.25	25.37	99.62
075-098-019-000	04	1.00	74.25	25.37	99.62
075-098-020-000	04	1.00	74.25	25.37	99.62
075-098-021-000	04	1.00	74.25	25.37	99.62
075-098-022-000	04	1.00	74.25	25.37	99.62
075-098-023-000	04	1.00	74.25	25.37	99.62
075-098-024-000	04	1.00	74.25	25.37	99.62
075-098-025-000	04	1.00	74.25	25.37	99.62
075-098-026-000	04	1.00	74.25	25.37	99.62
075-098-027-000	04	1.00	74.25	25.37	99.62
075-098-028-000	04	1.00	74.25	25.37	99.62
075-098-029-000	04	1.00	74.25	25.37	99.62
075-098-030-000	04	1.00	74.25	25.37	99.62
075-098-031-000	04	1.00	74.25	25.37	99.62
075-098-032-000	04	1.00	74.25	25.37	99.62
075-098-033-000	04	1.00	74.25	25.37	99.62

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-098-034-000	04	1.00	74.25	25.37	99.62
075-098-035-000	04	1.00	74.25	25.37	99.62
075-098-036-000	04	1.00	74.25	25.37	99.62
075-098-037-000	04	1.00	74.25	25.37	99.62
075-098-038-000	04	1.00	74.25	25.37	99.62
075-098-039-000	04	1.00	74.25	25.37	99.62
075-098-040-000	04	1.00	74.25	25.37	99.62
075-098-041-000	04	1.00	74.25	25.37	99.62
075-098-042-000	04	1.00	74.25	25.37	99.62
075-098-043-000	04	1.00	74.25	25.37	99.62
075-098-044-000	04	1.00	74.25	25.37	99.62
075-098-045-000	04	1.00	74.25	25.37	99.62
075-098-046-000	04	1.00	74.25	25.37	99.62
075-098-047-000	04	1.00	74.25	25.37	99.62
075-098-048-000	04	1.00	74.25	25.37	99.62
075-098-049-000	04	1.00	74.25	25.37	99.62
075-098-050-000	04	1.00	74.25	25.37	99.62
075-098-051-000	04	1.00	74.25	25.37	99.62
075-098-052-000	04	1.00	74.25	25.37	99.62
075-098-053-000	04	1.00	74.25	25.37	99.62
075-098-054-000	04	1.00	74.25	25.37	99.62
075-098-055-000	04	1.00	74.25	25.37	99.62
075-098-056-000	04	1.00	74.25	25.37	99.62
075-099-001-000	04	0.75	55.69	19.03	74.70
075-099-002-000	04	0.75	55.69	19.03	74.70
075-099-003-000	04	0.75	55.69	19.03	74.70
075-099-004-000	04	0.75	55.69	19.03	74.70
075-099-005-000	04	0.75	55.69	19.03	74.70
075-099-006-000	04	0.75	55.69	19.03	74.70
075-099-007-000	04	0.75	55.69	19.03	74.70
075-099-008-000	04	0.75	55.69	19.03	74.70
075-099-009-000	04	0.75	55.69	19.03	74.70
075-099-010-000	04	0.75	55.69	19.03	74.70
075-099-011-000	04	0.75	55.69	19.03	74.70
075-099-012-000	04	0.75	55.69	19.03	74.70
075-099-013-000	04	0.75	55.69	19.03	74.70
075-099-014-000	04	0.75	55.69	19.03	74.70
075-099-015-000	04	0.75	55.69	19.03	74.70
075-099-016-000	04	0.75	55.69	19.03	74.70
075-099-017-000	04	0.75	55.69	19.03	74.70
075-099-018-000	04	0.75	55.69	19.03	74.70
075-099-019-000	04	0.75	55.69	19.03	74.70
075-099-020-000	04	1.00	74.25	25.37	99.62
075-099-021-000	04	1.00	74.25	25.37	99.62
075-099-022-000	04	0.75	55.69	19.03	74.70
075-099-023-000	04	1.00	74.25	25.37	99.62
075-099-024-000	04	0.75	55.69	19.03	74.70
075-099-025-000	04	0.75	55.69	19.03	74.70
075-099-026-000	04	0.75	55.69	19.03	74.70
075-099-027-000	04	0.75	55.69	19.03	74.70
075-099-028-000	04	0.75	55.69	19.03	74.70
075-099-029-000	04	0.75	55.69	19.03	74.70
075-099-030-000	04	0.75	55.69	19.03	74.70
075-099-031-000	04	0.75	55.69	19.03	74.70
075-099-032-000	04	0.75	55.69	19.03	74.70
075-099-033-000	04	0.75	55.69	19.03	74.70
075-099-034-000	04	0.75	55.69	19.03	74.70
075-099-035-000	04	0.75	55.69	19.03	74.70
075-099-036-000	04	0.75	55.69	19.03	74.70
075-099-037-000	04	0.75	55.69	19.03	74.70
075-099-038-000	04	0.75	55.69	19.03	74.70
075-099-039-000	04	0.75	55.69	19.03	74.70

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-099-040-000	04	0.75	55.69	19.03	74.70
075-099-041-000	04	0.75	55.69	19.03	74.70
075-099-042-000	04	0.75	55.69	19.03	74.70
075-099-043-000	04	0.75	55.69	19.03	74.70
075-099-044-000	04	0.75	55.69	19.03	74.70
075-099-045-000	04	0.75	55.69	19.03	74.70
075-099-046-000	04	0.75	55.69	19.03	74.70
075-099-047-000	04	0.75	55.69	19.03	74.70
075-099-048-000	04	0.75	55.69	19.03	74.70
075-099-049-000	04	0.75	55.69	19.03	74.70
075-099-050-000	04	0.75	55.69	19.03	74.70
075-099-051-000	04	0.75	55.69	19.03	74.70
075-099-052-000	04	0.75	55.69	19.03	74.70
075-099-053-000	04	0.75	55.69	19.03	74.70
075-099-054-000	04	0.75	55.69	19.03	74.70
075-099-055-000	04	0.75	55.69	19.03	74.70
075-099-056-000	04	0.75	55.69	19.03	74.70
075-099-057-000	04	0.75	55.69	19.03	74.70
075-099-058-000	04	0.75	55.69	19.03	74.70
075-099-059-000	04	0.75	55.69	19.03	74.70
075-099-060-000	04	0.75	55.69	19.03	74.70
075-099-061-000	04	0.75	55.69	19.03	74.70
075-099-062-000	04	0.75	55.69	19.03	74.70
075-099-063-000	04	0.75	55.69	19.03	74.70
075-099-064-000	04	0.75	55.69	19.03	74.70
075-099-065-000	04	0.75	55.69	19.03	74.70
075-099-066-000	04	0.75	55.69	19.03	74.70
075-099-067-000	04	0.75	55.69	19.03	74.70
075-099-068-000	04	0.00	0.00	0.00	0.00
075-099-069-000	04	0.00	0.00	0.00	0.00
075-099-070-000	04	0.00	0.00	0.00	0.00
075-099-071-000	04	0.00	0.00	0.00	0.00
075-099-072-000	04	0.00	0.00	0.00	0.00
075-099-073-000	04	0.00	0.00	0.00	0.00
075-099-074-000	04	0.00	0.00	0.00	0.00
075-099-075-000	04	0.00	0.00	0.00	0.00
075-099-076-000	04	0.00	0.00	0.00	0.00
075-099-077-000	04	0.00	0.00	0.00	0.00
075-099-078-000	04	0.00	0.00	0.00	0.00
075-099-079-000	04	0.00	0.00	0.00	0.00
075-099-080-000	04	0.00	0.00	0.00	0.00
075-099-081-000	04	0.00	0.00	0.00	0.00
075-099-082-000	04	0.00	0.00	0.00	0.00
075-099-083-000	04	0.00	0.00	0.00	0.00
075-099-084-000	04	0.00	0.00	0.00	0.00
075-100-001-000	04	0.75	55.69	19.03	74.70
075-100-002-000	04	0.75	55.69	19.03	74.70
075-100-003-000	04	0.75	55.69	19.03	74.70
075-100-004-000	04	0.75	55.69	19.03	74.70
075-100-005-000	04	0.75	55.69	19.03	74.70
075-100-006-000	04	0.75	55.69	19.03	74.70
075-100-007-000	04	0.75	55.69	19.03	74.70
075-100-008-000	04	0.75	55.69	19.03	74.70
075-100-009-000	04	0.75	55.69	19.03	74.70
075-100-010-000	04	0.75	55.69	19.03	74.70
075-100-011-000	04	0.75	55.69	19.03	74.70
075-100-012-000	04	0.75	55.69	19.03	74.70
075-100-013-000	04	0.75	55.69	19.03	74.70
075-100-014-000	04	0.75	55.69	19.03	74.70
075-100-015-000	04	0.75	55.69	19.03	74.70
075-100-016-000	04	0.75	55.69	19.03	74.70
075-100-017-000	04	0.75	55.69	19.03	74.70

APN	Zone	EBU	District Wide Charge	Zone Charge	Total Charge*
075-100-018-000	04	0.75	55.69	19.03	74.70
075-100-019-000	04	0.75	55.69	19.03	74.70
075-100-020-000	04	0.75	55.69	19.03	74.70
075-100-021-000	04	0.75	55.69	19.03	74.70
075-100-022-000	04	0.75	55.69	19.03	74.70
075-100-023-000	04	0.75	55.69	19.03	74.70
075-100-024-000	04	0.75	55.69	19.03	74.70
075-100-025-000	04	0.75	55.69	19.03	74.70
075-100-026-000	04	0.75	55.69	19.03	74.70
075-100-027-000	04	0.75	55.69	19.03	74.70
075-100-028-000	04	0.75	55.69	19.03	74.70
075-100-029-000	04	0.75	55.69	19.03	74.70
075-100-030-000	04	0.75	55.69	19.03	74.70
075-100-031-000	04	0.75	55.69	19.03	74.70
075-100-032-000	04	0.75	55.69	19.03	74.70
075-100-033-000	04	0.75	55.69	19.03	74.70
075-100-034-000	04	0.75	55.69	19.03	74.70
075-100-035-000	04	0.75	55.69	19.03	74.70
075-100-036-000	04	0.75	55.69	19.03	74.70
075-100-037-000	04	0.75	55.69	19.03	74.70
075-100-038-000	04	0.75	55.69	19.03	74.70
075-100-039-000	04	0.75	55.69	19.03	74.70
075-100-040-000	04	0.75	55.69	19.03	74.70
075-100-041-000	04	0.75	55.69	19.03	74.70
075-100-042-000	04	0.75	55.69	19.03	74.70
075-100-043-000	04	0.75	55.69	19.03	74.70
075-100-044-000	04	0.75	55.69	19.03	74.70
075-100-045-000	04	0.75	55.69	19.03	74.70
075-100-046-000	04	0.75	55.69	19.03	74.70
075-100-047-000	04	0.75	55.69	19.03	74.70
075-100-048-000	04	0.75	55.69	19.03	74.70
075-100-049-000	04	0.00	0.00	0.00	0.00
075-100-050-000	04	0.00	0.00	0.00	0.00
075-100-051-000	04	0.00	0.00	0.00	0.00
075-100-052-000	04	0.00	0.00	0.00	0.00
075-100-053-000	04	0.00	0.00	0.00	0.00
075-100-054-000	04	0.00	0.00	0.00	0.00
075-100-055-000	04	0.00	0.00	0.00	0.00
075-100-056-000	04	0.00	0.00	0.00	0.00
075-100-057-000	04	0.00	0.00	0.00	0.00
075-100-058-000	04	0.00	0.00	0.00	0.00
075-100-059-000	04	0.00	0.00	0.00	0.00
075-100-060-000	04	0.00	0.00	0.00	0.00
075-100-061-000	04	0.00	0.00	0.00	0.00
075-100-062-000	04	0.00	0.00	0.00	0.00
075-102-001-000	04	4.32	320.77	109.60	430.36
075-102-002-000	04	0.91	67.57	23.09	90.64
075-102-003-000	04	3.01	223.50	76.37	299.86
075-093-054-000	3	0.00	0.00	0.00	0.00
075-093-055-000	3	0.00	0.00	0.00	0.00
075-093-058-000	3	0.00	0.00	0.00	0.00
075-059-064-000	2	0.00	0.00	0.00	0.00
Total		2,363.11	\$175,464.94	\$55,191.99	\$230,648.22

*Total may differ from budget due to rounding.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.I

SECTION 3: CONSENT CALENDAR

Meeting Date: June 9, 2015

Subject/ Title: **Resolutions** – Ridgewood Place Landscape & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating Proceedings for the Annual Levy of Assessments for the Ridgewood Place Landscape and Lighting District for Fiscal Year 2015/2016.
- 2) Resolution of the City Council of the City of Riverbank, California Declaring its Intention to Levy Annual Assessments for the Ridgewood Place Landscape and Lighting District for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Ridgewood Place Landscape and Lighting District for Fiscal Year 2015/2016.

From: Jill Anderson, City Manager

Submitted by: Marisela Garcia, Director of Finance
Kathleen Cleek, Development Services Admin. Manager

RECOMMENDATION:

It is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Ridgewood Place Landscape and Lighting District for Fiscal Year 2015/2016.

STAFF SUMMARY:

The City of Riverbank annually levies and collects special assessments for landscape maintenance, capital improvements, and street lighting. The District was formed in 1998 and is levied annually pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). The District assessments were approved by the property owners of record through a protest ballot proceeding at the time the District was formed in compliance with the substantive and procedural requirements of the California Constitution Article XIID ("Article XIID").

The Engineer's Annual Levy Report for Fiscal Year 2015/2016 has been prepared in accordance with the provisions of Chapter 3, Section 22622 of the 1972 Act. The report details the improvements and financial information including the district budgets and proposed annual assessments. The costs of improvements and the annual levy including all expenditures, deficits, surpluses, revenues, and reserves are assessed to each parcel within the District proportionate to the parcel's special benefits. The attached resolutions represent the first of two steps in the annual levy of assessments on the district for fiscal year 2015/2016. A Public Hearing to consider adoption of the report and annual levy of assessments is scheduled for June 23, 2015.

Therefore, it is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Ridgewood Place Landscape and Lighting District for Fiscal Year 2015/2016.

FISCAL IMPACT:

The annual assessments for parcels in the Ridgewood Place Landscape and Lighting District for Fiscal Year 2015/2016 are as follows:

	<u>FY 14/15</u>	<u>FY 15/16</u>	<u>Change in Assessment</u>
Annual Parcel Assessments	\$80.00	\$80.00	\$0.00

Costs for the district are paid through assessments upon property owners within the District; hence, there is no fiscal impact to the City.

ATTACHMENTS:

1. Resolutions
2. Engineer's Annual Levy Report Ridgewood Place Landscape and Lighting District Fiscal Year 2015/2016

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR THE RIDGEWOOD PLACE LANDSCAPE AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Ridgewood Place Landscape and Lighting District (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of street lighting, landscaping, and all appurtenant facilities and operations related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE RIDGEWOOD PLACE LANDSCAPE AND LIGHTING DISTRICT AS FOLLOWS:

Section 1 Engineer's Annual Levy Report: The City Council hereby orders Willdan Financial Services to prepare the Engineer's Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622* of the Act.

Section 2 Proposed Improvements and Any Substantial Changes in Existing Improvements: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Engineer's Annual Levy Report describes all new improvements or substantial changes in existing improvements.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE RIDGEWOOD PLACE LANDSCAPE AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Ridgewood Place Landscape and Lighting District (hereafter referred to as the "District") and initiated proceedings for Fiscal Year 2015/2016 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE RIDGEWOOD PLACE LANDSCAPE AND LIGHTING DISTRICT PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT AS FOLLOWS:

Section 1 Intention: The City Council hereby declares its intention to seek the annual levy of the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs of the improvements for Fiscal Year 2015/2016.

Section 2 Description of Improvements and Any Substantial Changes Proposed: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances, and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Annual Levy Report, as ordered by previous Resolution, provides a full and complete description of all improvements and any or all substantial changes to the District or improvements within the District.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District. The District contains all parcels located in the Ridgewood Place Project. The District is known and designated as

“Ridgewood Place Landscape and Lighting District”

Section 4 Proposed Assessment Amounts: For Fiscal Year 2015/2016, the proposed assessments for all Zones are outlined in the Engineer's Annual Levy Report.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act.

Section 6 Notice: The City Clerk shall give notice of the time and place of the Public Hearing by causing the publishing of this Resolution, once in the local paper, not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Time of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 23, 2015 at 6:00 p.m.** or as soon thereafter as feasible in the regular meeting chambers located at 6707 Third Street, Riverbank, California.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA FOR PRELIMINARY APPROVAL OF THE ANNUAL LEVY REPORT FOR THE RIDGEWOOD PLACE LANDSCAPE AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, ordered the preparation of an Engineer's Annual Levy Report (hereafter referred to as the "Report") for the district known and designated as the Ridgewood Place Landscape and Lighting District (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereinafter referred to as the "Act"); and,

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied on a preliminary basis that the assessments have been spread in accordance with the benefits received from the improvements, maintenance, operation, and services to be performed within each Zone as set forth in said Report;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE RIDGEWOOD PLACE LANDSCAPE AND LIGHTING DISTRICT AS FOLLOWS:

Section 1 That the above recitals are all true and correct.

Section 2 That the Report as presented consists of the following:

- a. A Description of Improvements
- b. The Annual Budget (Costs and Expenses of Maintenance, Operations, and Services)
- c. A Description of the Method of Apportionment resulting in an Assessment Rate per Equivalent Dwelling Unit

Section 3 The Report is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 4 That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the City Council of said City of Riverbank at a regular meeting of said City Council held on the ____ day of ____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Richard D. O'Brien, Mayor
City of Riverbank

Annabelle Aguilar, City Clerk
City of Riverbank



City of Riverbank

Ridgewood Place Landscaping and Lighting District

2015/2016 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: June 9, 2015
Public Hearing: June 23, 2015

27368 Via Industria
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Temecula, CA 92590
T 951.587.3500 | 800.755.6864
F 951.587.3510

www.willdan.com/financial



AFFIDAVIT FOR THE ENGINEER'S ANNUAL LEVY REPORT

City of Riverbank
Stanislaus County, State of California

Ridgewood Place Landscaping and Lighting District

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for fiscal year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District.

The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 27 day of May, 2015.

Willdan Financial Services
Assessment Engineer

By: Zaskia Ruiz Jones
Zaskia Ruiz Jones, Project Manager
District Administration Services

By: Richard Kopecky
Richard Kopecky
R.C.E. # 16742



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PART I - OVERVIEW

A. INTRODUCTION

The City of Riverbank ("City") annually levies and collects special assessments in order to maintain the improvements within the Ridgewood Place Landscape and Lighting District ("District"). The District was formed in 1998 and is annually levied pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). The District assessments were approved by the property owners of record through a protest ballot proceeding at the time the District was formed in compliance with the substantive and procedural requirements of the California Constitution Article XIID ("Article XIID").

This Engineer's Annual Levy Report ("Report") has been prepared in accordance with the provisions of Chapter 3, Section 22622 of the 1972 Act. This Report describes the District, the improvements therein, any annexations or other modifications to the District including any substantial changes to the improvements, the method of apportionment, the boundaries of the District, and financial information including the district budgets and proposed annual assessments for Fiscal Year 2015/2016. The proposed assessments are based on the historic and estimated costs to maintain the improvements that provide a direct and special benefit to properties within the District. The costs of improvements and the annual levy including all expenditures, deficits, surpluses, revenues, and reserves are assessed to each parcel within the District proportionate to the parcel's special benefits.

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessment Number by the County of Stanislaus Assessor's Office. The County of Stanislaus Auditor/Controller uses Assessment Numbers and specific fund numbers to identify properties assessed for special district benefit assessments on the tax roll.

Pursuant to Chapter 3, beginning with Section 22620 of the 1972 Act, the City Council shall conduct a noticed annual public hearing to consider all public comments and written protests regarding the District. Following the annual public hearing and review of the Report, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments contained therein, the City Council will, by resolution, order the improvements to be made and confirm the levy and collection of assessments pursuant to Chapter 4, Article 1, and beginning with Section 22640 of the 1972 Act. The assessment rate and method of apportionment described in this Report as approved or modified by the City Council defines the assessments to be applied to each parcel within the District for Fiscal Year 2015/2016.

The assessments as approved will be submitted to the County Auditor/Controller to be included on the property tax roll for each parcel within the District. If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid

parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate contained in this Report as approved by the City Council.

B. APPLICABLE LEGISLATION

The District has been formed and is annually levied pursuant to the 1972 Act, beginning with Section 22500. The assessments and methods of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received.

Compliance with the Current Legislation

All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are in compliance with the provisions of the Article XIID, which was enacted with the passage of Proposition 218 in November 1996.

This District was formed after the passage of Proposition 218 and the assessments contained herein were established and approved pursuant to the provisions of the Article XIID Section 4. Specifically, parcels within the District are assessed for only the reasonable cost of the proportional special benefit conferred on those parcels pursuant to Article XIID Section 4 (a); and the assessments and assessment range formula described in this report were approved by the property owners at the time of formation through a property owner protest ballot proceeding pursuant to Article XIID Section 4 (c, d & e).

Briefly, the assessment range formula states that the assessment initially approved by the property owners may be increased each year by the greater of 3.0% or the percentage increase in the Consumer Price Index ("CPI") to establish an adjusted maximum assessment each year. This adjusted maximum assessment is calculated independently from the actual assessment approved each fiscal year. The proposed assessment for the current fiscal year may be less than or equal to the maximum assessment rate previously approved and adopted for the District. Any proposed assessment that exceeds the adjusted maximum assessment rate is considered an increased assessment. Pursuant to the provisions of the Article XIID, all new or increased assessments (the incremental increase) are subject to both the substantive and procedural requirements of Article XIID Section 4, including a property owner protest proceeding (property owner assessment balloting).

C. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

D. DESCRIPTION OF THE IMPROVEMENTS

The improvements providing benefit to parcels within the District include specific street lighting facilities and landscaped areas originally installed as part of this residential development. The improvements maintained and serviced include five street lights and approximately 583 linear feet of parkway landscaping and any appurtenant facilities, services or improvements directly associated with these improvements including incidental expenses.

The street lighting improvements may include electrical costs, maintenance, repair and replacement of the poles, lights, wires or other equipment associated with the street lights. The street lights are identified as:

- Two street lights located on the perimeter of the development on the west side of Roselle Avenue, one north end of the subdivision and the other south of Soares Place.
- The remaining three street lights are located within the residential subdivision on Soares Place.

The landscape improvements may include street trees, turf, ground cover, shrubs, irrigation and drainage systems, entry monuments, and block walls or other fencing. The landscaped areas are within the public right-of-ways and encompass the parkway landscaped areas the entire length of the Ridgewood Place subdivision along of Roselle Avenue. The landscaped areas are identified as:

- Approximately 213 linear feet of parkway landscaping adjacent to the subdivision along the west side of Roselle Avenue and north of Soares Place.
- Approximately 370 linear feet of parkway landscaping adjacent to the subdivision along the west side of Roselle Avenue and south of Soares Place.

All improvements within the District are maintained and serviced on a regular basis. City staff will determine the frequency and specific maintenance operations required. The District assessments fund all necessary utilities, operations, services, administration and maintenance costs associated with the improvements. The annual cost of providing the improvements within the District is spread among all benefiting parcels in proportion to the benefits received. The expenditures and assessments set forth in this report are based upon the City's estimate of the costs associated with the improvements including all labor, personnel, equipment, materials and administrative expenses.

PART II - PLANS AND SPECIFICATIONS

The District provides for the continued maintenance and operation of landscaping, street lighting and related services and improvements within the public right-of-ways for the benefit of parcels and properties within the development known as Ridgewood Place within the City.

The District is comprised of a single residential development consisting of twenty-three (23) single-family residential parcels. The district was formed to ensure the ongoing maintenance of local landscaping and lighting improvements associated with this residential subdivision and installed as part of the development of properties within the subdivision. The annual cost and expenses of providing the improvements are equitably spread among only the benefiting parcels within the District.

E. CHANGES OR MODIFICATIONS TO THE DISTRICT

Modifications to the District structure could include but are not limited to:

- Substantial changes or expansion of the improvements provided;
- Substantial changes in the service provided;
- Modifications or restructuring of the District or Zones including annexation or detachment of Zones or specific parcels;
- Revisions in the method of apportionment;
- Proposed new or increased assessments.

Some changes or modifications to the District would require the approval of the property owners within the District. No changes or modifications to the District are proposed for Fiscal Year 2015/2016.

F. DESCRIPTION OF THE DISTRICT

The District is located generally on the West Side of Roselle Avenue, north of Morrill Road and south of Turpin Avenue at Soares Place. The District includes twenty-three single family residential parcels within the subdivision known as Ridgewood Place, identified on Book 132 Page 63 parcels 43 through 65 of the Stanislaus County Assessor's Parcel Maps.

PART III - METHOD OF APPORTIONMENT

A. GENERAL

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

The formula used for calculating assessments in the District therefore reflects the composition of the parcels and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, pursuant to the Article XIID Section 4, a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel and provides that only special benefits are assessable and the District must separate the general benefits from the special benefits.

B. BENEFIT ANALYSIS

Each of the improvements and the associated costs has been carefully reviewed and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements. The installation of the improvements was part of the conditions of property development. The property owners approved the corresponding assessments for the ongoing maintenance of the improvements at the time of formation through a property owner protest ballot proceeding pursuant to the Article XIID Section 4.

Special Benefits — The method of apportionment (assessment methodology) is based on the premise that each of the assessed parcels within the District receives benefit from the improvements maintained and financed by annual assessments. Specifically, the assessments are for the maintenance of local street lighting and landscaped improvements installed as part of the original. The desirability and security of properties within the District are enhanced by the presence of street lighting and well-maintained landscaping in close proximity to those properties.

The special benefits associated with the local landscaping improvements are specifically:

- Enhanced desirability of properties through association with the improvements;
- Improved aesthetic appeal of properties within the Zones providing a positive representation of the area;
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping;
- Environmental enhancement through improved erosion resistance and dust and debris control;
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties;

- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti;
- Enhanced environmental quality of the parcels within the Zones by moderating temperatures, providing oxygenation and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods. Specifically:

- Enhanced deterrence of crime and the aid to police protection;
- Increased nighttime safety on roads and highways;
- Improved ability of pedestrians and motorists to see;
- Improved ingress and egress to property;
- Reduced vandalism and other criminal acts and damage to improvements or property;
- Improved traffic circulation and reduced nighttime accidents and personal property loss;
- Increased promotion of business during nighttime hours in the case of commercial properties.

All of the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District.

General Benefits - The improvements to be provided and maintained by the District are a direct result of property development within the District and would otherwise not be required or necessary. Developers typically install local improvements to enhance the marketability and value of properties within the development and/or as conditions of development. In either case, the improvements are clearly installed for the benefit of the properties being developed and not for the benefit of surrounding properties outside the District boundaries. Although local development improvements (by virtue of their location) may be visible to surrounding properties, any benefit to surrounding properties is incidental and cannot be considered a direct and special benefit. Furthermore, most developments within the City typically have various landscaping and lighting improvements specifically associated with their development and these improvements are funded by properties within those developments. Therefore, it has been determined that the District improvements and the on-going operation and maintenance of those improvements provide no identifiable or measurable general benefit to properties outside the District or to the public at large.

C. ASSESSMENT METHODOLOGY

Equivalent Dwelling Units: To assess benefits equitably, it is necessary to correlate the different type of parcels within the District to each other as well as their relationship to the improvements. The Equivalent Dwelling Unit method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for

districts formed under the 1972 Act, as the benefit to each parcel from the improvements are typically apportioned as a function of land use type, size and development.

The Equivalent Dwelling Unit method of assessment apportionment uses the single family home site as the basic unit of assessment. A single family home site equals one Equivalent Dwelling Unit (“EDU”). Every other land use is typically converted to EDUs based on an assessment formula that equates the property’s specific development status, type of development (land use), and size of the property, as compared to a single family home site. Although the EDU method of apportionment is an appropriate method of calculating each parcel’s benefit, it should be noted that all properties within this District are identified as single family home sites and therefore benefit equally with each parcel assigned 1.0 EDU.

The following formulas are used to calculate the annual assessments. The Balance to Levy represents the total amount to be collected through the annual assessments. The Levy per EDU (Assessment Rate) is the result of dividing the total Balance to Levy by the total District EDU. This Assessment Rate multiplied by each parcel’s individual EDU determines each parcel’s levy amount.

Total Balance to Levy / Total EDU = Levy per EDU (also called Assessment Rate)

Assessment Rate x Parcel’s EDU = Parcel Levy Amount

Or more simply stated, since all District parcels are 1 EDU:

Total Balance to Levy / Total Assessable Parcels in Zone = Parcel Levy Amount

D. ASSESSMENT RANGE FORMULA

Any new or increased assessments require voting, certain noticing, and meeting requirements. Article XIID added specific requirements including an assessment ballot and weighted tabulation of the ballots to determine if majority protest exists at the Public Hearing. In Fiscal Year 1993/94 the Brown Act (Government Code Section 54954.6(o)) changed the definition of the term “new or increased assessment” to exclude certain conditions. These conditions included “any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency and approved by the voters in the area where the assessment is imposed.” This definition for a new or increased assessment was also addressed in Senate Bill 919 (the Proposition 218 implementation statutes)

An assessment range formula was proposed and approved for the assessments when the District was formed in Fiscal Year 1998/99 and is to be applied to all future assessments within the District.

The following describes the proposed assessment range formula:

Wherein, if the proposed assessment rate for each classification of property (levy per unit or rate) for the current fiscal year is less than or equal to the prior year's maximum assessment plus the adjustments described in the following, then the new assessment is not considered an increased assessment. The purpose of establishing an assessment range formula is to provide for reasonable inflationary adjustment to the assessment amounts without requiring costly noticing, balloting, and mailing procedures, which would be added to the District costs and assessments.

Beginning in Fiscal Year 1999/2000, the maximum assessment may be adjusted by the greater of three percent (3.0%) or the percentage increase in the CPI. Each year the City shall compute the percentage difference between the CPI on December 31 of each year and the CPI for the previous December 31 as determined by the Bureau of Labor Statistics for the San Francisco Oakland San Jose Area. This percentage difference shall then establish the range of increased assessments allowed based on the CPI. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.

The Maximum Assessment for Fiscal Year 2015/2016 is \$387.79 which is an increase of three percent (3.0%) from prior year's maximum assessment. However, a rate of \$80 per EBU will only be levied this year.

The following table illustrates how the assessment range formula is applied. This year, we are applying the three percent increase (3.0%) because it is greater than the Annual CPI of 2.67%.

CPI Percentage Increase	Standard 3.00%	Maximum % Increase Allowed	Prior Year's Max Rate	Allowed Adjustment	New Maximum Rate
2.67%	3.00%	3.00%	\$376.50	\$11.29	\$387.79

The fact that an assessment range formula is adopted for District assessments does not require that the adjustment maximum assessment be applied each year nor does it restrict the assessments to the adjusted amount. If the budget and assessments for the District do not require an increase or the increase is less than the maximum allowable adjustment, then the required budget and assessment shall be applied. If the budget and proposed assessments require an increase greater than the maximum allowable adjustment, then the proposed assessment is considered an increased assessment and mailed notices and ballots to the property owners would be required pursuant to the Article XIID Section 4c.

PART IV - DISTRICT BUDGET FY 2015/2016

Ridgewood Landscaping and Lighting District	Total District
DIRECT COSTS	
Landscape Maintenance	\$1,200
Utilities	200
Repairs/Abatement	1,000
Street Lighting	500
Miscellaneous/Materials/Equipment	0
Capital Expenditure	0
Direct Costs (Subtotal)	\$2,900
ADMINISTRATION COSTS	
District Administration	\$2,200
County Administration Fee	35
Administration Costs (Subtotal)	\$2,235
LEVY BREAKDOWN	
Total Direct and Admin. Costs	\$5,135
Reserve Collection/ (Transfers)	(3,295)
Contribution Replenishment	0
Other Revenues/General Fund Contribution	0
CIP Collection/(Transfer)	0
Balance to Levy	\$1,840
DISTRICT STATISTICS	
Total Parcels	23
Total Parcels Levied	23
Total Equivalent Dwelling Units (EDU)	23.00
Assessment Rate (Levy Per EDU)	\$80.00
Maximum Assessment Rate Approved	\$387.79
FUND BALANCE INFORMATION	
Beginning Reserve Fund Balance	\$22,891
Reserve Fund Activity	(3,295)
Ending Reserve Fund Balance (Projected)	\$19,596
Beginning Capital Improvement Fund	\$0
Collections/(Transfers)	0
Capital Improvement Expenditures	0
Ending Capital Improvement Fund	\$0.00

PART V — DISTRICT BOUNDARY MAPS

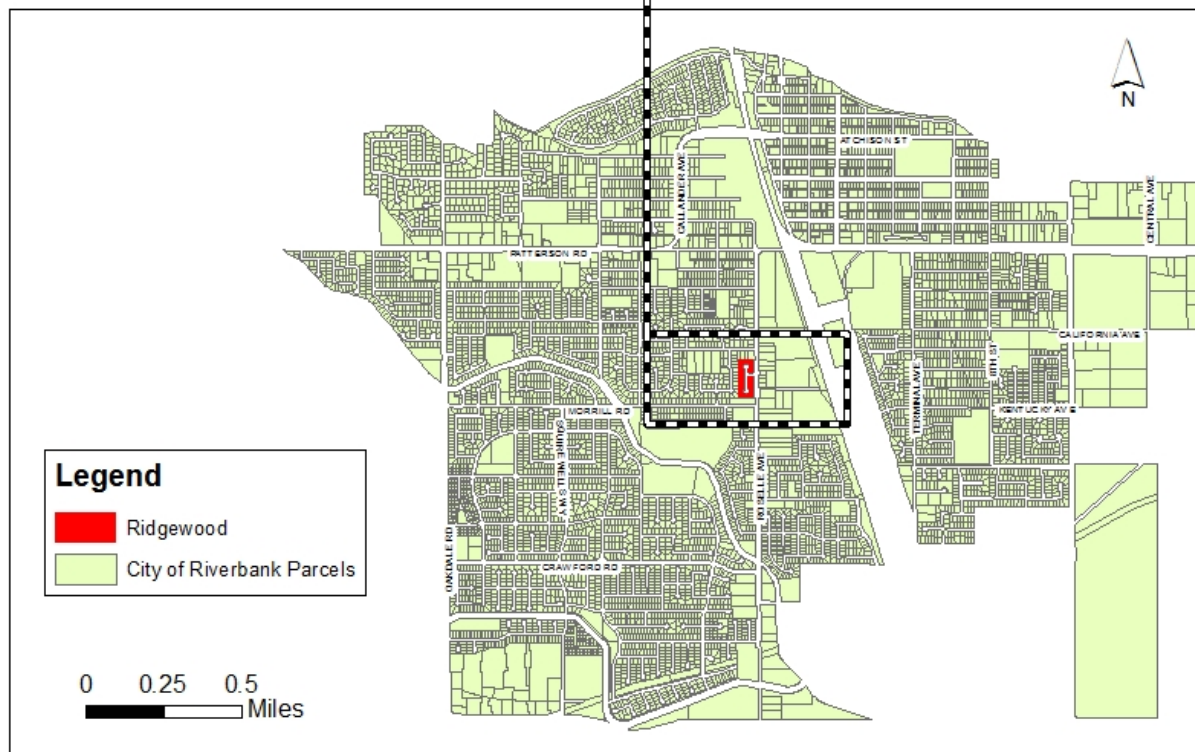
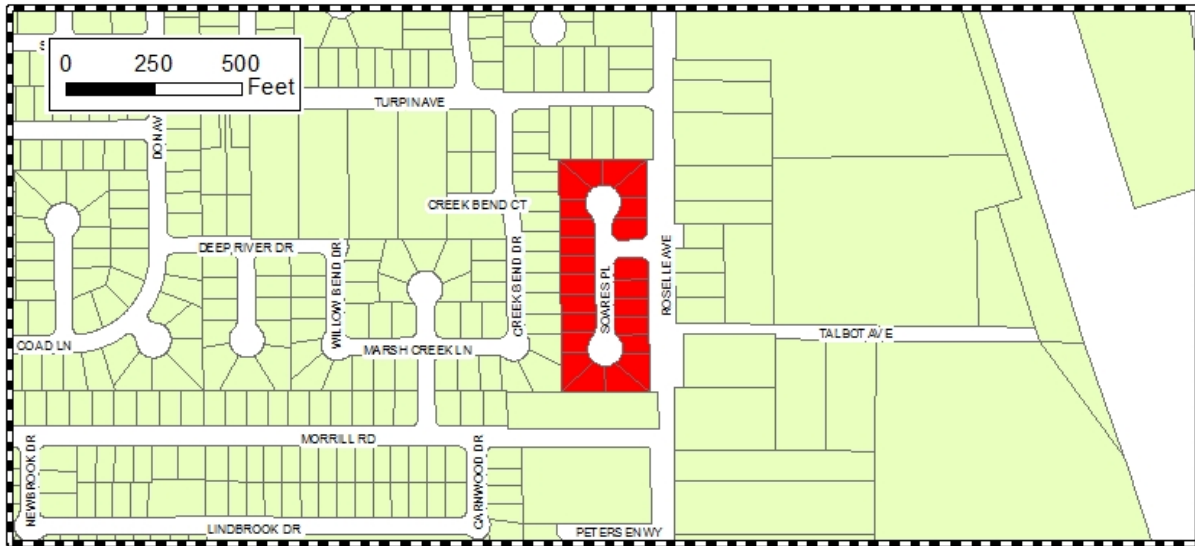
The original assessment diagrams and tract maps for the District were previously approved and submitted to the City in the format required by the 1972 Act. These diagrams are on file in the Office of the City Clerk and by reference are made part of this Report.

The boundaries for the District are contiguous with the boundaries of the Ridgewood Place subdivision and defined as the corresponding parcels identified on the Stanislaus County Assessor's Map. The parcel identification, lines, and dimensions of each parcel within the District are those lines and dimensions shown on the Stanislaus County Assessor's Map of for the year in which this Report was prepared and by reference are incorporated and made part of this Report.

The following page is a reproduction of the County Assessor's Parcel Map associated with the District.

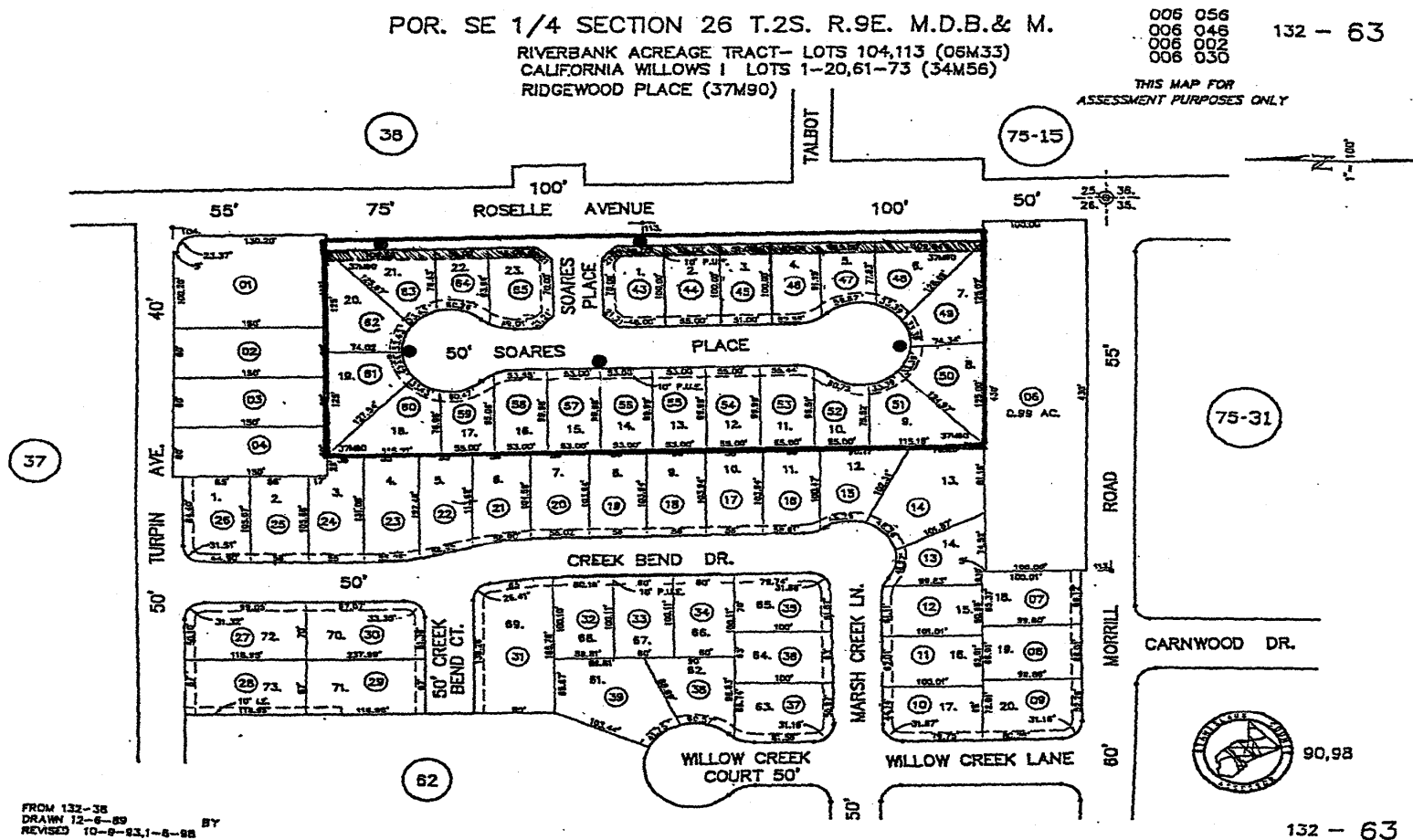


City of Riverbank Ridgewood Place Landscape and Lighting District



Boundary and Improvement Diagram Ridgewood Place

- Street Lights
- Landsaped Areas Shaded



PART VI — 2015/2016 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Stanislaus County Assessor's map for the year in which this Report is prepared.

A listing of parcels assessed within this District, along with the assessment amounts, is listed below. If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

Non-assessable lots or parcels include areas of public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and rights-of-ways including public greenbelts and parkways; utility right-of-ways; common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has specific development restrictions. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

LLD Ridgewood	EBU	Charge
132-063-043-000	1.0	\$80.00
132-063-044-000	1.0	80.00
132-063-045-000	1.0	80.00
132-063-046-000	1.0	80.00
132-063-047-000	1.0	80.00
132-063-048-000	1.0	80.00
132-063-049-000	1.0	80.00
132-063-050-000	1.0	80.00
132-063-051-000	1.0	80.00
132-063-052-000	1.0	80.00
132-063-053-000	1.0	80.00
132-063-054-000	1.0	80.00
132-063-055-000	1.0	80.00
132-063-056-000	1.0	80.00
132-063-057-000	1.0	80.00
132-063-058-000	1.0	80.00
132-063-059-000	1.0	80.00
132-063-060-000	1.0	80.00
132-063-061-000	1.0	80.00
132-063-062-000	1.0	80.00
132-063-063-000	1.0	80.00
132-063-064-000	1.0	80.00
132-063-065-000	1.0	80.00
Total	23.0	\$1,840.00

*Total may differ from budget due to rounding.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.J

SECTION 3: CONSENT CALENDAR

Meeting Date: June 9, 2015

Subject/ Title: **Resolutions** – Sierra Vista Estates Landscaping & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating Proceedings for the Annual Levy of Assessments for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2015/2016.
- 2) Resolution of the City Council of the City of Riverbank, California Declaring its Intention to Levy Annual Assessments for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2015/2016.

From: Jill Anderson, City Manager

Submitted by: Marisela Garcia, Director of Finance
Kathleen Cleek, Development Services Admin. Manager

RECOMMENDATION:

It is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2015/2016.

STAFF SUMMARY:

The City of Riverbank annually levies and collects special assessments for landscape maintenance, capital improvements, and street lighting. The District was formed in Fiscal Year 2000/2001 and is levied annually pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). The District includes all parcels within the residential development known as the Sierra Vista Estates.

The Engineer's Annual Levy Report for Fiscal Year 2015/2016 has been prepared in accordance with the provisions of Chapter 3, Section 22622 of the 1972 Act. The report

details the improvements and financial information including the district budgets and proposed annual assessments. The costs of improvements and the annual levy including all expenditures, deficits, surpluses, revenues, and reserves are assessed to each parcel within the District proportionate to the parcel's special benefits. The attached resolutions represent the first of two steps in the annual levy of assessments on the district for fiscal year 2015/2016. A Public Hearing to consider adoption of the report and annual levy of assessments is scheduled for June 23, 2015.

Therefore, it is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Sierra Vista Estates Landscaping and Lighting District for Fiscal Year 2015/2016.

FISCAL IMPACT:

The annual assessments for parcels in the Sierra Vista Estates Landscape and Lighting District for Fiscal Year 2015/2016 will be as follows:

	<u>FY 14/15</u>	<u>FY 15/16</u>	<u>Change in Assessment</u>
Annual Parcel Assessments	\$40.81	\$40.81	\$0.00

Costs for the district are paid through assessments upon property owners within the District; hence, there is no fiscal impact to the City.

ATTACHMENTS:

1. Resolutions
2. Engineer's Annual Levy Report Sierra Vista Estates Landscape and Lighting District Fiscal Year 2015/2016

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR THE SIERRA VISTA ESTATES LANDSCAPE AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Sierra Vista Estates Landscape and Lighting District (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of street lighting, landscaping, and all appurtenant facilities and operations related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE SIERRA VISTA ESTATES LANDSCAPE AND LIGHTING DISTRICT AS FOLLOWS:

Section 1 Engineer's Annual Levy Report: The City Council hereby orders Willdan Financial Services to prepare the Engineer's Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622* of the Act.

Section 2 Proposed Improvements and Any Substantial Changes in Existing Improvements: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Engineer's Annual Levy Report describes all new improvements or substantial changes in existing improvements.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE SIERRA VISTA ESTATES LANDSCAPE AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Sierra Vista Estates Landscape and Lighting District (hereafter referred to as the "District") and initiated proceedings for Fiscal Year 2015/2016 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE SIERRA VISTA ESTATES LANDSCAPE AND LIGHTING DISTRICT PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT AS FOLLOWS:

Section 1 Intention: The City Council hereby declares its intention to seek the annual levy of the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs of the improvements for Fiscal Year 2015/2016.

Section 2 Description of Improvements and Any Substantial Changes Proposed: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances, and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Annual Levy Report, as ordered by previous Resolution, provides a full and complete description of all improvements and any or all substantial changes to the District or improvements within the District.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District. The District contains all parcels located in the Sierra Vista Estates Project. The District is known and designated as:

“Sierra Vista Estates Landscape and Lighting District”

Section 4 Proposed Assessment Amounts: For Fiscal Year 2015/2016, the proposed assessments for all Zones are outlined in the Engineer's Annual Levy Report.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act.

Section 6 Notice: The City Clerk shall give notice of the time and place of the Public Hearing by causing the publishing of this Resolution, once in the local paper, not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Time of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 23, 2015 at 6:00 p.m.** or as soon thereafter as feasible in the regular meeting chambers located at 6707 Third Street, Riverbank, California.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA FOR PRELIMINARY APPROVAL OF THE ANNUAL LEVY REPORT FOR THE SIERRA VISTA ESTATES LANDSCAPE AND LIGHTING DISTRICT FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, ordered the preparation of an Engineer's Annual Levy Report (hereafter referred to as the "Report") for the district known and designated as the Sierra Vista Estates Landscape and Lighting District (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereinafter referred to as the "Act"); and,

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied on a preliminary basis that the assessments have been spread in accordance with the benefits received from the improvements, maintenance, operation, and services to be performed within each Zone as set forth in said Report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE SIERRA VISTA ESTATES LANDSCAPE AND LIGHTING DISTRICT AS FOLLOWS:

Section 1 That the above recitals are all true and correct.

Section 2 That the Report as presented consists of the following:

- a. A Description of Improvements
- b. The Annual Budget (Costs and Expenses of Maintenance, Operations, and Services)
- c. A Description of the Method of Apportionment resulting in an Assessment Rate per Equivalent Dwelling Unit

Section 3 The Report is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 4 That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the City Council of said City of Riverbank at a regular meeting of said City Council held on the ____ day of ____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank



City of Riverbank

Sierra Vista Estates Landscaping and Lighting District (No. 2000-01)

2015/2016 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: June 9, 2015
Public Hearing: June 23, 2015

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Temecula, CA 92590
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F 951.587.3510

www.willdan.com/financial



AFFIDAVIT FOR THE ENGINEER'S ANNUAL LEVY REPORT

City of Riverbank
Stanislaus County, State of California

Sierra Vista Estates Landscaping and Lighting District

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2015/2016 as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District.

The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 27 day of May, 2015.

Willdan Financial Services
Assessment Engineer

By: Zaskia Ruiz Jones
Zaskia Ruiz Jones, Project Manager
District Administration Services

By: Richard Kopecky
Richard Kopecky
R.C.E. # 16742



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PART I – OVERVIEW

A. INTRODUCTION

The City of Riverbank (“City”) annually levies and collects special assessments in order to maintain the improvements within the Sierra Vista Estates Landscaping and Lighting District (“District”). The District was formed in Fiscal Year 2000/2001 and is annually levied pursuant to the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code* (the “1972 Act”) and in compliance with the substantive and procedural requirements of the *California Constitution Article XIID* (“Article XIID”). The District includes all parcels within the residential development known as Sierra Vista Estates and was previously referred to as the Riverbank Landscaping and Lighting District No. 2000-01.

This Engineer’s Annual Levy Report (“Report”) has been prepared in accordance with the provisions of *Chapter 3, Section 22622* of the 1972 Act. This Report describes the District, the improvements therein, any annexations or other modifications to the District including any substantial changes to the improvements, the method of apportionment, the boundaries of the District, and financial information including the district budgets and proposed annual assessments for Fiscal Year 2015/2016. The proposed assessments are based on the historic and estimated costs to maintain the improvements that provide a direct and special benefit to properties within the District. The costs of improvements and the annual levy including all expenditures, deficits, surpluses, revenues, and reserves are assessed to each parcel within the District proportionate to the parcels’ special benefits.

For the purposes of this Report, the word “parcel” refers to an individual property assigned its own Assessment Number by the County of Stanislaus Assessor’s Office. The County of Stanislaus Auditor/Controller uses Assessment Numbers and specific Fund Numbers to identify properties assessed on the tax roll for special district benefit assessments.

Pursuant to *Chapter 3*, beginning with *Section 22620* of the 1972 Act, the City Council shall conduct a noticed annual public hearing to consider all public comments and written protests regarding the District. Following the annual public hearing and review of the Engineer’s Annual Levy Report, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments contained therein, the City Council will, by resolution, order the improvements to be made and confirm the levy and collection of assessments pursuant to *Chapter 4, Article 1*, and beginning with *Section 22640* of the 1972 Act. The assessment rate and method of apportionment described in this Report, as approved following approval of or modification by the City Council, defines the assessments to be applied to each parcel within the District for Fiscal Year 2015/2016.

The assessments as approved will be submitted to the County Auditor/Controller to be included on the property tax roll for each parcel within the District. If any parcel

submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate contained in this Report as approved by the City Council.

B. APPLICABLE LEGISLATION

The District has been formed and is annually levied pursuant to the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, beginning with Section 22500*. The assessments and methods of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received.

Compliance with the Current Legislation

All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are in compliance with the provisions of the *Article XIID*, which was established through the passage of Proposition 218 in November 1996.

This District was formed after the passage of Proposition 218 and the assessments contained herein were established and approved pursuant to the provisions of the *Article XIID Section 4*. Specifically, parcels within the District are assessed for only the reasonable cost of the proportional special benefit conferred on those parcels pursuant to *Article XIID Section 4 (a)*; and the assessments and assessment range formula described in this Report were approved by the property owners at the time of formation through a property owner protest ballot proceeding pursuant to *Article XIID Section 4 (c, d & e)*.

Briefly, the assessment range formula states that the maximum assessment initially approved by the property owners may be increased each year by 3.0% to establish an adjusted maximum assessment each year. This adjusted maximum assessment is calculated independently from the actual assessment approved each fiscal year. The proposed assessment for the current fiscal year may be less than or equal to the maximum assessment rate previously approved and adopted for the District. Any proposed assessment that exceeds the adjusted maximum assessment rate is considered an increased assessment. Pursuant to the provisions of *Article XIID*, all new or increased assessments (the incremental increase) are subject to both the substantive and procedural requirements of *Article XIID Section 4*, including a property owner protest proceeding (property owner assessment balloting).

Provisions of the 1972 Act (Improvements and Services)

As generally defined, the improvements and the associated assessments for any District formed pursuant to the 1972 Act may include one or any combination of the following:

1. The installation or planting of landscaping;
2. The installation or construction of statuary, fountains, and other ornamental structures and facilities;
3. The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof;
4. The maintenance and/or servicing of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including, but not limited to:
 - a. Repair, removal, or replacement of all or any part of any improvements;
 - b. Grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
 - c. Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
 - d. The removal of trimmings, rubbish, debris, and other solid waste;
 - e. The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti;
 - f. Electric current or energy, gas, or other agent for the lighting or operation of any other improvements; and,
 - g. Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.
5. Incidental expenses associated with the improvements including, but not limited to:
 - a. The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
 - b. The costs of printing, advertising, and the publishing, posting and mailing of notices;
 - c. Compensation payable to the County for collection of assessments;
 - d. Compensation of any engineer or attorney employed to render services;

- e. Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements; and,
- f. Costs associated with any elections held for the approval of a new or increased assessment.

PART II – PLANS AND SPECIFICATIONS

The District provides for the continued maintenance and operation of local landscaping, street lighting and related services and improvements within the public right-of-ways for the benefit of parcels and properties within the development known as Sierra Vista Estates within the City.

The District is comprised of a single residential development consisting of sixty-four (64) single-family residential parcels. The District was formed to ensure the ongoing maintenance of local landscaping and lighting improvements associated with this residential subdivision and installed as part of the development of properties within the subdivision. The annual cost and expenses of providing the improvements are equitably spread among only the benefiting parcels within the District.

A. CHANGES OR MODIFICATIONS TO THE DISTRICT

Modifications to the District structure could include but are not limited to:

- Substantial changes or expansion of the improvements provided;
- Substantial changes in the service provided;
- Modifications or restructuring of the District or Zones including annexation or detachment of Zones or specific parcels;
- Revisions in the method of apportionment;
- Proposed new or increased assessments.

Some changes or modifications to the District would require the approval of the property owners within the District in accordance with the provisions of *Article XIID, Section 4*. No other changes or modifications to the District are proposed for Fiscal Year 2015/2016.

B. DESCRIPTION OF THE DISTRICT

The District is located generally on the south of Reich Lane, east of Terminal Avenue, north of Van Dusen Avenue and west of Claus Road. The District includes sixty-four (64) residential parcels within the subdivision known as Sierra Vista Estates, identified on Book 75 Page 58 parcels 02 through 20, 27 through 67 and 69 through 72 of the Stanislaus County Assessor's Parcel Maps.

C. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

D. DESCRIPTION OF IMPROVEMENTS

The improvements providing benefit to parcels within the District include specific street lighting facilities and landscaped areas originally installed as part of this residential development. The improvements may include, but are not limited to, street lighting facilities and all-landscaping material and facilities within the District, including ground cover, shrubs, trees and plants; irrigation and drainage systems; masonry walls or other fencing, entryway monument, and associated appurtenant facilities located within the District. The landscaped areas and streetlights are identified as:

- Approximately 400 linear feet of perimeter and parkway landscaping along the east side of Terminal Avenue, north of Van Dusen Avenue (approximately 2,000 square feet).
- Screening block wall approximately 400 linear feet with a height of 9 feet that was installed as part of the development associated with the landscaping.
- Twelve streetlights throughout the development.

All improvements within the District are maintained and serviced on a regular basis. City staff will determine the frequency and specific maintenance operations required. The District assessments fund all necessary utilities, operations, services, administration and maintenance costs associated with the improvements. The annual cost of providing the improvements within the District is spread among all benefiting parcels in proportion to the benefits received. The expenditures and assessments set forth in this Report are based upon the City's estimate of the costs associated with the improvements including all labor, personnel, equipment, materials and administrative expenses.

PART III – METHOD OF APPORTIONMENT

A. GENERAL

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The

1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, pursuant to the *Article XIID, Section 4*, a parcel’s assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. *Article XIID, Section 4* provides that only special benefits are assessable and the District must separate the general benefits from the special benefits.

B. BENEFIT ANALYSIS

Each of the improvements and the associated costs has been carefully reviewed and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements. The installation of the improvements was part of the conditions of property development. The property owners approved the corresponding assessments for the ongoing maintenance of the improvements at the time of formation through a property owner protest ballot proceeding pursuant to the *Article XIID, Section 4*.

Special Benefits — The method of apportionment (assessment methodology) is based on the premise that each of the assessed parcels within the District receives benefit from the improvements maintained and financed by annual assessments. Specifically, the assessments are for the maintenance of local street lighting and landscaped improvements installed as part of the original. The desirability and security of properties within the District are enhanced by the presence of street lighting and well-maintained landscaping in close proximity to those properties.

The special benefits associated with the local landscaping improvements are specifically:

- Enhanced desirability of properties through association with the improvements;
- Improved aesthetic appeal of properties within the District providing a positive representation of the area;
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping;

- Environmental enhancement through improved erosion resistance and dust and debris control;
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties;
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti;
- Enhanced environmental quality of the parcels within the District by moderating temperatures, providing oxygenation, and attenuating noise;

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods. Specifically:

- Enhanced deterrence of crime and the aid to police protection;
- Increased nighttime safety on roads and highways;
- Improved ability of pedestrians and motorists to see;
- Improved ingress and egress to property;
- Reduced vandalism and other criminal acts and damage to improvements or property;
- Improved traffic circulation and reduced nighttime accidents and personal property loss;
- Increased promotion of business during nighttime hours in the case of commercial properties;

All of the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District.

General Benefits – The improvements to be provided and maintained by the District are a direct result of property development within the District and would otherwise not be required or necessary. Developers typically install local improvements to enhance the marketability and value of properties within the development and/or as conditions of development. In either case, the improvements are clearly installed for the benefit of the properties being developed and not for the benefit of surrounding properties outside the District boundaries. Although local development improvements (by virtue of their location) may be visible to surrounding properties, any benefit to surrounding properties is incidental and cannot be considered a direct and special benefit. Furthermore, most developments within the City typically have various landscaping and lighting improvements specifically associated with their development and these improvements are funded by properties within those developments. Therefore, it has been determined that the District improvements and the on-going operation and maintenance of those improvements provide no identifiable or measurable general benefit to properties outside the District or to the public at large.

C. ASSESSMENT METHODOLOGY

Equivalent Dwelling Units: To assess benefits equitably, it is necessary to correlate the different type of parcels within the District to each other as well as their relationship to the improvements. The Equivalent Dwelling Unit method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for districts formed under the 1972 Act, as the benefit to each parcel from the improvements are typically apportioned as a function of land use type, size and development.

The Equivalent Dwelling Unit method of assessment apportionment uses the single family home site as the basic unit of assessment. A single family home site equals one (1.0) Equivalent Dwelling Unit (EDU). Every other land use is typically converted to EDUs based on an assessment formula that includes the property's specific development status, type of development (land use), and size of the property as compared to a single family home site. Although the EDU method of apportionment is an appropriate method of calculating each parcel's benefit, it should be noted that all properties within this District are identified as single family home sites and therefore benefit equally with each parcel assigned 1.0 EDU.

The following formulas are used to calculate the annual assessments. The Balance to Levy represents the total amount to be collected through the annual assessments. The Levy per EDU (Assessment Rate) is the result of dividing the total Balance to Levy by the Total District EDU. This Assessment Rate multiplied by each parcel's individual EDU determines each parcel's levy amount.

$$\text{Total Balance to Levy} / \text{Total EDU} = \text{Levy per EDU (also called Assessment Rate)}$$

$$\text{Assessment Rate} \times \text{Parcel's EDU} = \text{Parcel Levy Amount}$$

Or more simply stated, since all District parcels are 1.0 EDU:

$$\text{Total Balance to Levy} / \text{Total Assessable Parcels in Zone} = \text{Parcel Levy Amount}$$

D. ASSESSMENT RANGE FORMULA

Any new or increase in assessments require certain noticing and meeting requirements by law. Prior to the passage of Proposition 218, legislative changes in the Brown Act defined the definition of "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through SB 919 (Proposition 218 implementation statutes).

The assessment range formula applied to District Assessments provides for reasonable increases and inflationary adjustment to annual assessments without

requiring costly noticing and mailing procedures, which could add to the District costs and assessments.

The following describes the proposed assessment range formula:

Wherein, if the proposed annual assessment (levy per unit or rate) for the current fiscal year is less than or equal to the “Maximum Assessment” (or “Adjusted Maximum Assessment”), then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the initial Assessment approved by property owners adjusted annually by the following criteria:

1. Beginning in Fiscal Year 2001/02 and each fiscal year thereafter, the Maximum Assessment will be recalculated annually.
2. The new adjusted Maximum Assessment for the year represents the prior year’s Maximum Assessment adjusted by three percent (3.0%).
3. The Maximum Assessment is adjusted each year independently from the annual assessment. While the actual amount assessed may fluctuate each year, the maximum will continue to be increased by 3.0%, and in any given year, the assessment may be applied at the Maximum Assessment.

The Maximum Assessment is adjusted annually and is calculated independently of the District’s annual budget and proposed annual assessment. Any proposed annual assessment (rate per equivalent dwelling unit) less than or equal to this Maximum Assessment is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year. The City Council may reduce or freeze the Maximum Assessment at any time by amending the Engineer’s Annual Report. The Maximum Assessment for Fiscal Year 2015/2016 is \$153.36.

Although the Maximum Assessment will normally increase each year, the actual District assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on District assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjustment maximum amount. If the budget and assessments for the fiscal year does not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and assessment may be applied without additional property owner balloting. If the budget and assessments calculated requires an increase greater than the adjusted Maximum Assessment then the assessment is considered an increased assessment. To impose an increased assessment, the City Council must comply with the provisions of *Article XIID Section 4(c) of the California Constitution*, which requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Through the balloting process property owners must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for the District. If the

proposed assessment is not approved, the City Council may not levy an assessment greater than the adjusted Maximum Assessment previously established for the District.

PART IV – DISTRICT BUDGET FY 2015/2016

Sierra Vista Estates Landscape and Lighting District	Total District
DIRECT COSTS	
Landscape Maintenance	\$900
Utilities	300
Repairs/Abatement	500
Street Lighting	500
Miscellaneous/Materials/Equipment	0
Facility Maintenance Materials	0
Capital Expenditure	0
Direct Costs (Subtotal)	\$2,200
ADMINISTRATION COSTS	
District Administration	\$2,475
County Administration Fee	76
Administration Costs (Subtotal)	\$2,551
LEVY BREAKDOWN	
Total Direct and Admin. Costs	\$4,751
Reserve Collection/ (Transfers)	(2,139)
Contribution Replenishment	0
Other Revenues/General Fund Contribution	0
CIP Collection/(Transfer)	0
Balance to Levy	\$2,612
DISTRICT STATISTICS	
Total Parcels	64
Total Parcels Levied	64
Total Equivalent Dwelling Units (EDU)	64.00
Assessment Rate (Levy Per EDU)	\$40.81
Maximum Assessment Rate Approved	\$153.36
FUND BALANCE INFORMATION	
Beginning Reserve Fund Balance (Estimated)	\$30,892
Reserve Collection/ (Transfers)	(2,139)
Ending Reserve Fund Balance (Projected)	\$28,753
Beginning Capital Improvement Fund	\$0
Collections/(Transfers)	0
Capital Improvement Expenditures	0
Ending Capital Improvement Fund	\$0.00

PART V — DISTRICT BOUNDARY MAPS

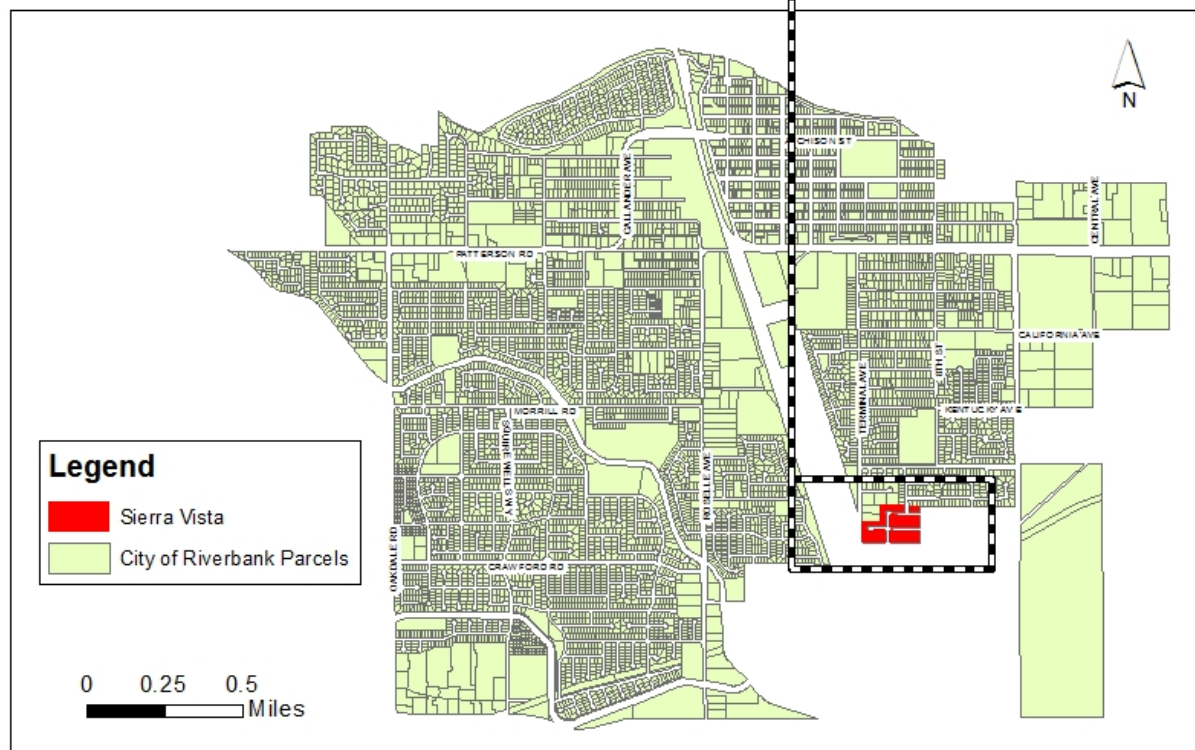
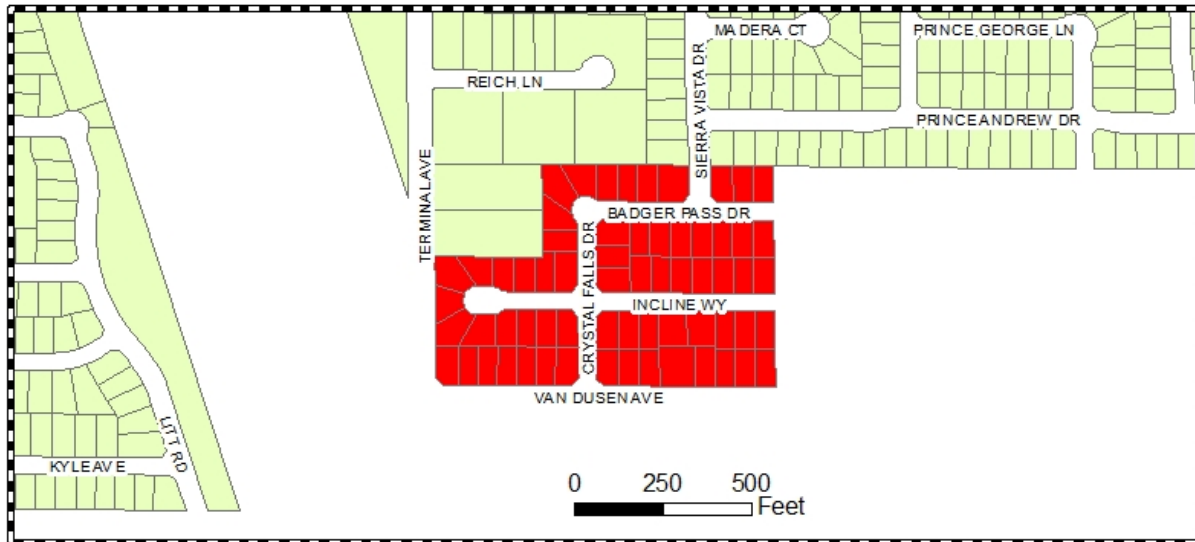
The original assessment diagrams and tract maps for the District were previously approved and submitted to the City in the format required by the 1972 Act. These diagrams are on file in the Office of the City Clerk and by reference are made part of this Report.

The boundaries for the District are contiguous with the boundaries of the Sierra Vista Estates subdivision and defined as the corresponding parcels identified on the Stanislaus County Assessor's Map. The parcel identification, lines, and dimensions of each parcel within the District are those lines and dimensions shown on the Stanislaus County Assessor's Map for the year in which this Report was prepared and by reference are incorporated and made part of this Report.

The following page is a reproduction of the original Assessment Diagram for the District.



City of Riverbank Sierra Vista Estates Landscape and Lighting District



PART VI — 2015/2016 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Stanislaus County Assessor's map for the year in which this Report is prepared.

A listing of parcels assessed within this District, along with the assessment amounts, is below. If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

Non-assessable lots or parcels include areas of public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and right-of-ways including public greenbelts and parkways; utility right-of-ways; common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has specific development restrictions. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

APN	EBU	Charge
075-058-002-000	1.0	\$40.80
075-058-003-000	1.0	40.80
075-058-004-000	1.0	40.80
075-058-005-000	1.0	40.80
075-058-006-000	1.0	40.80
075-058-007-000	1.0	40.80
075-058-008-000	1.0	40.80
075-058-009-000	1.0	40.80
075-058-010-000	1.0	40.80
075-058-011-000	1.0	40.80
075-058-012-000	1.0	40.80
075-058-013-000	1.0	40.80
075-058-014-000	1.0	40.80
075-058-015-000	1.0	40.80
075-058-016-000	1.0	40.80
075-058-017-000	1.0	40.80
075-058-018-000	1.0	40.80
075-058-019-000	1.0	40.80
075-058-020-000	1.0	40.80
075-058-027-000	1.0	40.80
075-058-028-000	1.0	40.80

APN	EBU	Charge
075-058-029-000	1.0	40.80
075-058-030-000	1.0	40.80
075-058-031-000	1.0	40.80
075-058-032-000	1.0	40.80
075-058-033-000	1.0	40.80
075-058-034-000	1.0	40.80
075-058-035-000	1.0	40.80
075-058-036-000	1.0	40.80
075-058-037-000	1.0	40.80
075-058-038-000	1.0	40.80
075-058-039-000	1.0	40.80
075-058-040-000	1.0	40.80
075-058-041-000	1.0	40.80
075-058-042-000	1.0	40.80
075-058-043-000	1.0	40.80
075-058-044-000	1.0	40.80
075-058-045-000	1.0	40.80
075-058-046-000	1.0	40.80
075-058-047-000	1.0	40.80
075-058-048-000	1.0	40.80
075-058-049-000	1.0	40.80
075-058-050-000	1.0	40.80
075-058-051-000	1.0	40.80
075-058-052-000	1.0	40.80
075-058-053-000	1.0	40.80
075-058-054-000	1.0	40.80
075-058-055-000	1.0	40.80
075-058-056-000	1.0	40.80
075-058-057-000	1.0	40.80
075-058-058-000	1.0	40.80
075-058-059-000	1.0	40.80
075-058-060-000	1.0	40.80
075-058-061-000	1.0	40.80
075-058-062-000	1.0	40.80
075-058-063-000	1.0	40.80
075-058-064-000	1.0	40.80
075-058-065-000	1.0	40.80
075-058-066-000	1.0	40.80
075-058-067-000	1.0	40.80
075-058-069-000	1.0	40.80
075-058-070-000	1.0	40.80
075-058-071-000	1.0	40.80
075-058-072-000	1.0	40.80
Total	64.0	\$2,611.20

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.K

SECTION 3: CONSENT CALENDAR

Meeting Date: June 9, 2015

Subject/ Title: **Resolutions** – River Cove Landscape & Lighting District:

- 1) Resolution of the City Council of the City of Riverbank, California Initiating Proceedings for the Annual Levy of Assessments for the Landscape and Lighting District No. 1 River Cove Subdivision for Fiscal Year 2015/2016.
- 2) Resolution of the City Council of the City of Riverbank Declaring its Intention to Levy Annual Assessments for Landscape and Lighting District No. 1 River Cove Subdivision for Fiscal Year 2015/2016.
- 3) Resolution of the City Council of the City of Riverbank, California for Preliminary Approval of the Annual Levy Report for the Landscape and Lighting District No. 1 River Cove Subdivision for Fiscal Year 2015/2016.

From: Jill Anderson, City Manager

Submitted by: Marisela Garcia, Director of Finance
Kathleen Cleek, Development Services Admin. Manager

RECOMMENDATION:

It is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Lighting and Landscaping District No. 1 River Cove Subdivision for Fiscal Year 2015/2016.

STAFF SUMMARY:

The City of Riverbank annually levies and collects special assessments for landscape maintenance, capital improvements, and street lighting. The District was formed in 1993 and is levied annually pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). The District includes all parcels within the residential development known as the RiverCove subdivision.

The Engineer's Annual Levy Report for Fiscal Year 2015/2016 has been prepared in accordance with the provisions of Chapter 3, Section 22622 of the 1972 Act. The report

details the improvements and financial information including the district budgets and proposed annual assessments. The costs of improvements and the annual levy including all expenditures, deficits, surpluses, revenues, and reserves are assessed to each parcel within the District proportionate to the parcel's special benefits. The attached resolutions represent the first of two steps in the annual levy of assessments on the district for fiscal year 2015/2016. A Public Hearing to consider adoption of the report and annual levy of assessments is scheduled for June 23, 2015.

Therefore, it is recommended that the City Council adopt Resolutions to initiate proceedings for the annual levy of assessments, declare the City's intention to levy annual assessments, and preliminary approval of the annual levy report for the Lighting and Landscaping District No. 1 River Cove Subdivision for Fiscal Year 2015/2016.

FISCAL IMPACT:

The annual assessments for parcels in the River Cove District for Fiscal Year 2015/2016 will be as follows:

	<u>FY 14/15</u>	<u>FY 15/16</u>	<u>Change in Assessment</u>
Annual Parcel Assessments	\$196.90	\$196.90	\$0.00

Costs for the district are paid through assessments upon property owners within the District; hence, there is no fiscal impact to the City.

ATTACHMENTS:

1. Resolutions
2. Engineer's Annual Levy Report for River Cove Landscaping and Lighting District Fiscal Year 2015/2016

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR THE LANDSCAPE AND LIGHTING DISTRICT NO. 1 RIVER COVE SUBDIVISION FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Landscape and Lighting District No. 1 River Cove Subdivision (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of street lighting, landscaping, and all appurtenant facilities and operations related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE LANDSCAPE AND LIGHTING DISTRICT NO. 1 RIVER COVE SUBDIVISION AS FOLLOWS:

Section 1 Engineer's Annual Levy Report: The City Council hereby orders Willdan Financial Services to prepare the Engineer's Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622* of the Act.

Section 2 Proposed Improvements and Any Substantial Changes in Existing Improvements: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Engineer's Annual Levy Report describes all new improvements or substantial changes in existing improvements.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE LANDSCAPE AND LIGHTING DISTRICT NO. 1 RIVER COVE SUBDIVISION FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, formed the Landscape and Lighting District No. 1 River Cove Subdivision (hereafter referred to as the "District") and initiated proceedings for Fiscal Year 2015/2016 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of Stanislaus for the City of Riverbank to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE LANDSCAPE AND LIGHTING DISTRICT NO. 1 RIVER COVE SUBDIVISION PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT AS FOLLOWS:

Section 1 Intention: The City Council hereby declares its intention to seek the annual levy of the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs of the improvements for Fiscal Year 2015/2016.

Section 2 Description of Improvements and Any Substantial Changes Proposed: The improvements within the District include: trees, landscaping, walls including graffiti removal, fences, irrigation systems, curbs, gutters, sidewalks, street lighting, and other related appurtenances, and electrical facilities within the landscape strips, parks, trails, greenbelts, medians, and other designated areas. The Annual Levy Report, as ordered by previous Resolution, provides a full and complete description of all improvements and any or all substantial changes to the District or improvements within the District.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District. The District contains all parcels located in the subdivision known as River Cove. The District is known and designated as

**“Landscape and Lighting District No. 1
River Cove Subdivision”**

Section 4 Proposed Assessment Amounts: For Fiscal Year 2015/2016, the proposed assessments for all Zones are outlined in the Engineer's Annual Levy Report.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act.

Section 6 Notice: The City Clerk shall give notice of the time and place of the Public Hearing by causing the publishing of this Resolution, once in the local paper, not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Time of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 23, 2015 at 6:00 p.m.** or as soon thereafter as feasible in the regular meeting chambers located at 6707 Third Street, Riverbank, California.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank

CITY OF RIVERBANK

RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA FOR PRELIMINARY APPROVAL OF THE ANNUAL LEVY REPORT FOR THE LANDSCAPE AND LIGHTING DISTRICT NO. 1 RIVER COVE SUBDIVISION FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council has, by previous Resolutions, ordered the preparation of an Engineer's Annual Levy Report (hereafter referred to as the "Report") for the district known and designated as the Landscape and Lighting District No. 1 River Cove Subdivision (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereinafter referred to as the "Act"); and,

WHEREAS, there has now been presented to this City Council the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied on a preliminary basis that the assessments have been spread in accordance with the benefits received from the improvements, maintenance, operation, and services to be performed within each Zone as set forth in said Report;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE LANDSCAPE AND LIGHTING DISTRICT NO. 1 RIVER COVE SUBDIVISION AS FOLLOWS:

Section 1 That the above recitals are all true and correct.

Section 2 That the Report as presented consists of the following:

- a. A Description of Improvements
- b. The Annual Budget (Costs and Expenses of Maintenance, Operations, and Services)
- c. A Description of the Method of Apportionment resulting in an Assessment Rate per Equivalent Dwelling Unit

Section 3 The Report is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 4 That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank,
County of Stanislaus, State of California do hereby certify that the foregoing Resolution
No. _____ was regularly adopted by the City Council of said City of Riverbank at a
regular meeting of said City Council held on the ____ day of ____, 2015 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank



City of Riverbank

River Cove Landscaping and Lighting District

2015/2016 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: June 9, 2015

Public Hearing: June 23, 2015

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Suite 200
Temecula, CA 92590
T 951.587.3500 | 800.755.6864
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www.willdan.com/financial



ENGINEER'S REPORT AFFIDAVIT

City of Riverbank
Stanislaus County, State of California

River Cove Landscaping and Lighting District

This Report describes the District including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District.

The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 27 day of May, 2015.

Willdan Financial Services
Assessment Engineer

By: Zaskia Ruiz-Jones
Zaskia Ruiz-Jones, Project Manager
District Administration Services

By: Richard Kopecky
Richard Kopecky
R.C.E. # 16742



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PART I – OVERVIEW

A. INTRODUCTION

The City of Riverbank (“City”) annually levies and collects special assessments in order to maintain the improvements within the River Cove Landscaping and Lighting District (“District”). The District was formed in 1993 and is annually levied pursuant to the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code* (“1972 Act”). The District included all parcels within the residential development known as the River Cove subdivision and was previously referred to as the Riverbank Landscaping and Lighting District No. 1. The overall District improvements to be maintained at build out and a maximum assessment for those improvements were approved by the property owners of record when the District was formed.

This Engineer’s Annual Levy Report (“Report”) has been prepared in accordance with the provisions of *Chapter 3, Section 22622* of the 1972 Act. This Report describes the District, the improvements therein, any annexations or other modifications to the District including any substantial changes to the improvements, the method of apportionment, the boundaries of the District, and financial information including the district budgets and proposed annual assessments for Fiscal Year 2015/2016. The proposed assessments are based on the historic and estimated costs to maintain the improvements that provide a direct and special benefit to properties within the District. The costs of improvements and the annual levy including all expenditures, deficits, surpluses, revenues, and reserves are assessed to each parcel within the District proportionate to the parcel’s special benefits.

For the purposes of this Report, the word “parcel” refers to an individual property assigned its own Assessment Number by the County of Stanislaus Assessor’s Office. The County of Stanislaus Auditor/Controller uses Assessment Numbers and specific fund numbers to identify properties assessed for special district benefit assessments on the tax roll.

Pursuant to *Chapter 3*, beginning with *Section 22620* of the 1972 Act the City Council shall conduct a noticed annual public hearing to consider all public comments and written protests regarding the District. Following the annual public hearing and review of the Report, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments contained therein, the City Council will, by resolution, order the improvements to be made and confirm the levy and collection of assessments pursuant to *Chapter 4, Article 1*, and beginning with *Section 22640* of the 1972 Act. The assessment rate and method of apportionment described in this Report, as approved or modified by the City Council, defines the assessments to be applied to each parcel within the District for Fiscal Year 2015/2016.

The assessments as approved will be submitted to the County Auditor/Controller to be included on the property tax roll for each parcel within the District. If any parcel submitted

for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate contained in this Report as approved by the City Council.

B. APPLICABLE LEGISLATION

The District has been formed and is annually levied pursuant to the 1972 Act, beginning with *Section 22500*. The assessments and methods of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received.

Compliance with the California Constitution

All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are in compliance with the provisions of the *California Constitution Article XIID* ("Article XIID"), which was enacted with the passage of Proposition 218 in November 1996.

Pursuant to the *Article XIID Section 5*, certain existing assessments are exempt from the substantive and procedural requirements of *Article XIID Section 4* and property owner balloting for the assessments is not required until such time that the assessments are increased. Specifically, the City determined that all improvements and the annual assessments originally established for the District were part of the conditions of property development and approved by the original property owner (developer at the time of the District formation in 1993). As such, pursuant to *Article XIID Section 5(b)*, all the property owners approved the existing District assessments at the time the assessments were created (originally imposed pursuant to a 100% landowner petition). Therefore, the pre-existing assessment amount (the maximum assessment rate identified in this Report) is exempt from the procedural requirements of *Article XIID Section 4*.

The current maximum assessment rate of \$196.90 per Equivalent Dwelling Unit was originally approved by the property owners (developer) and any assessment amount less than that amount is considered an exempt assessment pursuant to *Article XIID Section 5(b)*. The proposed assessment for any fiscal year may be increased over the previous fiscal year provided the assessment rate does not exceed the maximum assessment rate of \$196.90 adopted and levied in fiscal year 1993/94. Pursuant to the provisions of *Article XIID*, all new or increased assessments (the incremental increase) are subject to both the substantive and procedural requirements of *Article XIID Section 4*, including a property owner protest proceeding (property owner assessment balloting).

Provisions of the 1972 Act (Improvements and Services)

As generally defined, the improvements and the associated assessments for any District formed pursuant to the 1972 Act may include one or any combination of the following:

1. The installation or planting of landscaping.
2. The installation or construction of statuary, fountains, and other ornamental structures and facilities.
3. The installation or construction of public lighting facilities, including, but not limited to streetlights and traffic signals.
4. The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof; including but not limited to, grading, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
5. The installation of park or recreational improvements including, but not limited to the following:
 - a. Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
 - b. Lights, playground equipment, play courts and public restrooms.
6. The maintenance or servicing, or both, of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including, but not limited to:
 - a. Repair, removal, or replacement of all or any part of any improvements;
 - b. Grading, clearing, removal of debris, the installation, repair or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
 - c. Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
 - d. The removal of trimmings, rubbish, debris, and other solid waste;
 - e. The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti;
 - f. Electric current or energy, gas, or other agent for the lighting or operation of any other improvements; and,
 - g. Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.
7. The acquisition of land for park, recreational or open-space purposes, or the acquisition of any existing improvement otherwise authorized by the 1972 Act.

8. Incidental expenses associated with the improvements including, but not limited to:
- a. The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
 - b. The costs of printing, advertising, and the publishing, posting and mailing of notices;
 - c. Compensation payable to the County for collection of assessments;
 - d. Compensation of any engineer or attorney employed to render services;
 - e. Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements; and,
 - f. Costs associated with any elections held for the approval of a new or increased assessment.

PART II — PLANS AND SPECIFICATIONS

The District provides for the continued maintenance and operation of landscaping and street lighting improvements and related services and improvements within the public right-of-ways for the benefit of parcels and properties within the development known as River Cove within the City.

The District is comprised of a residential development built in several phases and consisting of two hundred forty-one (241) single-family residential parcels. The District was formed to ensure the ongoing maintenance of specific local landscaping and lighting improvements associated with this residential development and installed as a condition of developing all properties within the various subdivisions. The annual cost and expenses of providing the improvements are equitably spread among only the benefiting parcels within the District.

A. CHANGES OR MODIFICATIONS TO THE DISTRICT

Modifications to the District structure could include but are not limited to:

- Substantial changes or expansion of the improvements provided;
- Substantial changes in the service provided;
- Modifications or restructuring of the District or Zones including annexation or detachment of Zones or specific parcels;
- Revisions in the method of apportionment;
- Proposed new or increased assessments.

Some changes or modifications to the District would require the approval of the property owners within the District. No other changes or modifications to the District are proposed for Fiscal Year 2015/2016.

B. IMPROVEMENTS AUTHORIZED UNDER THE 1972 ACT

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.

- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

C. DESCRIPTION OF IMPROVEMENTS AND IMPROVEMENTS

The location, boundaries and specific improvements provided within the District are described in this section. The determination and calculation of special benefit is discussed in the Method of Apportionment and the corresponding expenses, revenues and assessments are summarized in the annual budget.

The District is located generally west of Burneyville Road, south of the Stanislaus River and north of State Highway 108 at Prestwick Drive. The District includes two hundred forty-one (241) residential parcels within the subdivision known as River Cove, identified on the Stanislaus County Assessor's Parcel Maps as:

Subdivision	Parcel Map Book	Page	Residential Lots	Total Parcels
River Cove Unit No. 2	75	48	0	3
River Cove Unit No. 2	75	47	67	68
River Cove Unit No. 3	75	50	78	78
River Cove Unit No. 4	75	52	44	45
River Cove Unit No. 5	75	54	1	2
River Cove Unit No. 6	75	55	21	21
River Cove Unit No. 7	75	56	30	31
Totals			241	248

The improvements providing benefit to parcels within the District include specific street lighting facilities and landscaped areas originally installed as part of this residential development. The improvements maintained and serviced include fifty-two (52) streetlights and approximately 12.22 acres of parkway, open space, greenbelt and park landscaping and any appurtenant facilities, services or improvements directly associated with these improvements including incidental expenses.

The fifty-two (52) streetlights are located throughout the District and the improvements may include electrical costs, maintenance, repair and replacement of the poles, lights, wires or other equipment associated with the street lights.

The landscape improvements may include street trees, turf, ground cover, shrubs, irrigation and drainage systems, playground equipment, trails and paths, entry monuments, and block walls or other fencing. The landscaped areas are within the public right-of-ways and landscaped easements and are identified as:

- **Parcel 075-047-069:** 1.43 acres of greenbelt area between River Cove Drive and the Stanislaus River; Identified as Lot C of River Cove Unit No. 2
- **Parcel Number Not Assigned:** 0.02 acres of parkway and entryway landscaping located on the north side of Briarcliff Drive and the west side of Prestwick Drive; within River Cove Unit No. 2
- **Parcel Number Not Assigned:** 0.02 acres of parkway and entryway landscaping located on the north side of Briarcliff Drive and the east side of Prestwick Drive; within River Cove Unit No. 2
- **Parcel Number Not Assigned:** 0.05 acres of parkway and entryway landscaping located on the north side of State Highway 108 and the east side of Prestwick Drive; within River Cove Unit No. 2
- **Parcel Number Not Assigned:** 0.05 acres of parkway and entryway landscaping located on the north side of State Highway 108 and the west side of Prestwick Drive; within River Cove Unit No. 2
- **Parcel 075-048-001:** 5.53 acres of park and parkway landscaped areas located south of Briarcliff Drive and east of Dunbar Lane; Identified as Lot D of River Cove Unit No. 2
- **Parcel 075-048-002:** 0.50 acres of parkway and open space landscaping south of River Cove Drive and west of Burneyville Road; Identified as Lot A of River Cove Unit No. 2
- **Parcel 075-048-003:** 0.50 acres of parkway and open space landscaping north of River Cove Drive and west of Burneyville Road; Identified as Lot B of River Cove Unit No. 2
- **Parcel 075-050-079:** 1.31 acres of greenbelt area between River Cove Drive and the Stanislaus River; Identified as Lot A of River Cove Unit No. 3
- **Parcel 075-052-045:** 0.79 acres of greenbelt area between River Cove Drive and the Stanislaus River; Identified as Lot A of River Cove Unit No. 4
- **Parcel 075-054-002:** 2.02 acres of greenbelt area between River Cove Drive and the Stanislaus River; Identified as Lot A of River Cove Unit No. 5

All improvements within the District are maintained and serviced on a regular basis. City staff will determine the frequency and specific maintenance operations required. The District assessments may fund all necessary utilities, operations, services, administration and maintenance costs associated with the improvements. The annual cost of providing the improvements within the District is spread among all benefiting parcels in proportion to the benefits received. The expenditures and assessments set forth in this Report are based upon the City's estimate of the costs associated with the improvements including all labor, personnel, equipment, materials and administrative expenses.

The park area within the District is clearly a special benefit to the properties and property owners within the District. Because of the Park's size and location it provides no benefit to parcels outside the District or to the public at large and therefore the entire cost of

maintaining this park could be assessed to parcels within the District. However, the City currently funds the maintenance of all parks within the City of Riverbank from the General Fund. Therefore, the District budget includes a General Fund Contribution to offset the costs associated with maintaining the Park area.

PART III — METHOD OF APPORTIONMENT

A. GENERAL

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping, parks, open space areas and appurtenant facilities. The 1972 Act requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

The formula used for calculating all assessments for this District reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on benefit to each parcel.

In addition, pursuant to *Article XIID Section 4*, a parcel’s assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel and provides that only special benefits are assessable and the District must separate the general benefits from the special benefits. The general benefit portion of the improvement costs have been estimated by the City and are shown as a General Benefit Contribution in the District Budget section of this Report.

B. BENEFIT ANALYSIS

Each of the improvements and their associated costs has been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements. The installation of the improvements and approval of an annual assessment were part of the conditions of property development and approved by the original property owner (developer). As such, pursuant to *Article XIID Section 5b*, all the property owners approved the maximum assessment amount identified in this Report at the time the assessment was created (originally imposed pursuant to a 100% landowner petition). Therefore the existing maximum assessment amount of \$196.90 is not subject to the procedural requirements of *Article XIID Section 4* (property owner ballot proceedings). Although the current assessment does not require additional property owner approval (unless increased), the improvements within the District clearly provide a special benefit to the parcels assessed and therefore, the existing assessments are in compliance with the substantive requirements of *Article XIID Section 4*.

Special Benefits — The method of apportionment (assessment methodology) is based on the premise that each of the assessed parcels within the District receives benefit from the improvements maintained and financed by annual assessments. Specifically, the assessments are for the maintenance of local street lighting and landscaped improvements installed as part of the original improvement. The desirability and security of properties within the District are enhanced by the presence of street lighting and well-maintained landscaping in close proximity to those properties.

The special benefits associated with the local landscaping improvements are specifically:

- Enhanced desirability of properties through association with the improvements;
- Improved aesthetic appeal of properties within the Zones providing a positive representation of the area;
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping;
- Environmental enhancement through improved erosion resistance, and dust and debris control;
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties;
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti;
- Enhanced environmental quality of the parcels within the Zones by moderating temperatures, providing oxygenation and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods. Specifically:

- Enhanced deterrence of crime and the aid to police protection;
- Increased nighttime safety on roads and highways;
- Improved ability of pedestrians and motorists to see;
- Improved ingress and egress to property;
- Reduced vandalism and other criminal acts and damage to improvements or property;
- Improved traffic circulation and reduced nighttime accidents and personal property loss;

- Increased promotion of business during nighttime hours in the case of commercial properties;

All of the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District.

C. ASSESSMENT METHODOLOGY

Equivalent Dwelling Units: To assess benefits equitably, it is necessary to correlate the different type of parcels within the District to each other as well as their relationship to the improvements. The Equivalent Dwelling Unit method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for districts formed under the 1972 Act, as the benefit to each parcel from the improvements are typically apportioned as a function of land use type, size and development.

The Equivalent Dwelling Unit method of assessment apportionment uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Dwelling Unit ("EDU"). Every other land use is typically converted to EDU based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site. Although the EDU method of apportionment is an appropriate method of calculating each parcel's benefit, it should be noted that all properties within this District are identified as single-family home sites and therefore benefit equally with each parcel assigned 1.0 EDU.

The following formulas are used to calculate the annual assessments. The Balance to Levy represents the total amount to be collected through the annual assessments. The Levy per EDU (Assessment Rate) is the result of dividing the total Balance to Levy by the total District EDU. This Assessment Rate multiplied by each parcel's individual EDU determines each parcel's levy amount.

Total Balance to Levy / Total EDU = Levy per EDU (also called Assessment Rate)

Assessment Rate x Parcel's EDU = Parcel's Levy Amount

Or more simply stated, since all District parcels are 1 EDU:

Total Balance to Levy / Total Assessable Parcels in Zone = Parcel Levy Amount

PART IV — 2015/2016 DISTRICT BUDGET

River Cove Landscaping and Lighting District	Total District
DIRECT COSTS	
Landscape Maintenance	\$31,800
Utilities	3,500
Repairs/Abatement	5,000
Street Lighting	1,000
Miscellaneous/Materials/Equipment	0
Direct Costs (Subtotal)	\$41,300
ADMINISTRATION COSTS	
City Administration & Overhead	\$2,766
District Administration	3,400
County Administration Fee	80
Administration Costs (Subtotal)	\$6,246
LEVY BREAKDOWN	
Total Direct and Admin. Costs	\$47,546
Reserve Collection/ (Transfers)	0
Contribution Replenishment	0
Other Revenues/General Fund Contribution	(94)
CIP Collection/(Transfer)	0
Balance to Levy	\$47,452
DISTRICT STATISTICS	
Total Parcels	241
Total Parcels Levied	241
Total Equivalent Dwelling Units (EDU)	241.00
Assessment Rate (Levy Per EDU)	\$196.90
Maximum Assessment Rate Approved	\$196.90
FUND BALANCE INFORMATION	
Beginning Reserve Fund Balance (Estimated)	\$14,367
Collections/(Transfers)	0
Ending Reserve Fund Balance (Projected)	\$14,367.00
Beginning Capital Improvement Fund	\$0
Collections/(Transfers)	0
Capital Improvement Expenditures	0
Ending Capital Improvement Fund	\$0

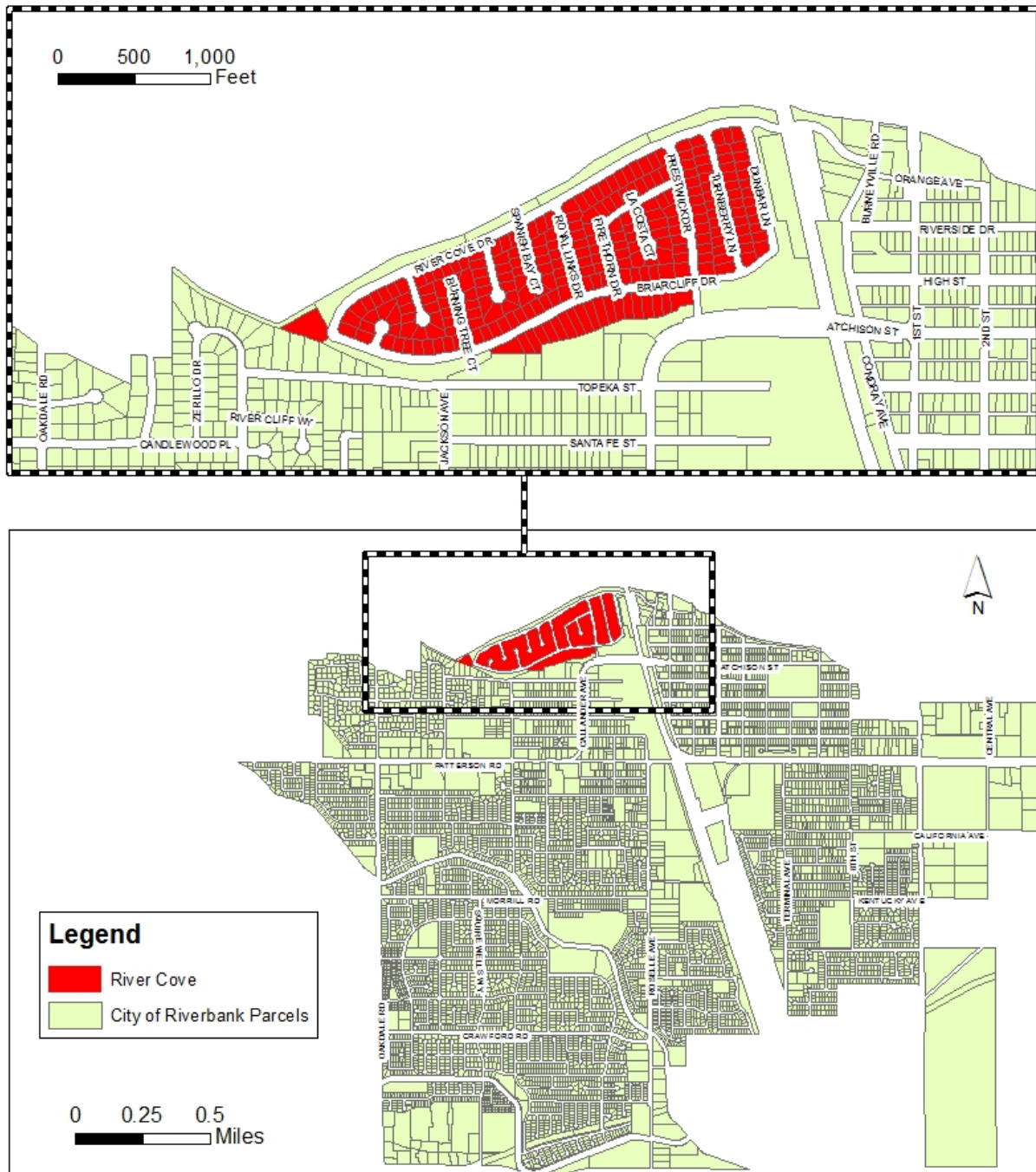
PART V — DISTRICT DIAGRAMS

The original assessment diagrams and tract maps for the District were previously approved and submitted to the City in the format required by the 1972 Act. These diagrams are on file in the Office of the City Clerk and by reference are made part of this Report.

The boundaries for the District are contiguous with the boundaries of the River Cove subdivision and defined as the corresponding parcels identified on the Stanislaus County Assessor's Map. The parcel identification, lines, and dimensions of each parcel within the District are those lines and dimensions shown on the Stanislaus County Assessor's Map for the year in which this Report was prepared and by reference are incorporated and made part of this Report.

The following pages are reproductions of the County Assessor's Parcel Map associated with the District.

City of Riverbank
Landscape and Lighting District No. 1
River Cove Subdivision



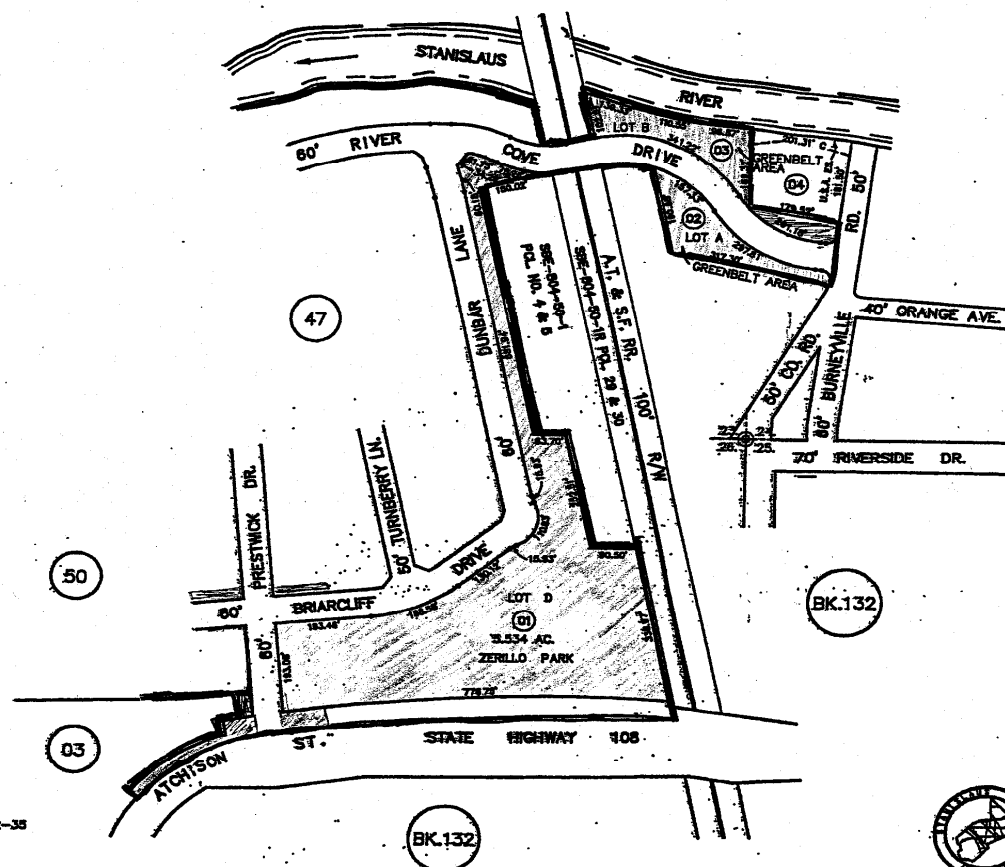
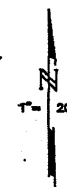
**City of Riverbank
Landscape and Lighting District No. 1
River Cove Subdivision
Assessor's Parcel Map and Improvement Diagram**

■ Landscaped Areas Shaded

POR. SECTIONS 23,24 & 25 T.2S. R.9E. M.D.B.& M.
RIVER COVE NO.2 LOT A, B & D (36-27)

006 035 75 - 48
006 065

THIS MAP FOR
ASSESSMENT PURPOSES ONLY



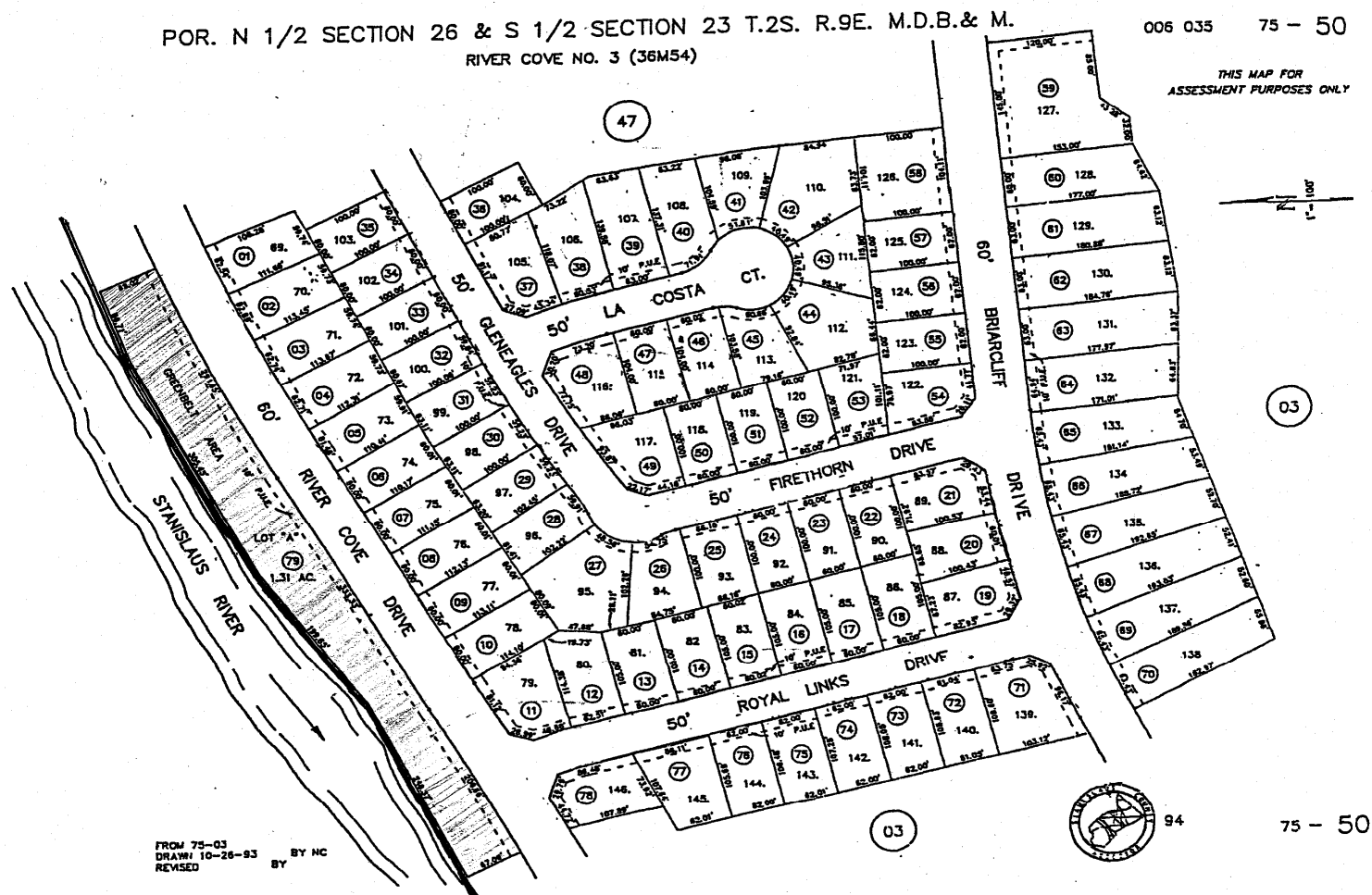
FROM 4-10, 4-38 75-03, 132-35
DRAWN 1-15-83 BY NC
REVISED BY



75 - 48

**City of Riverbank
Landscape and Lighting District No. 1
River Cove Subdivision
Assessor's Parcel Map and Improvement Diagram**

■ Landscaped Areas Shaded



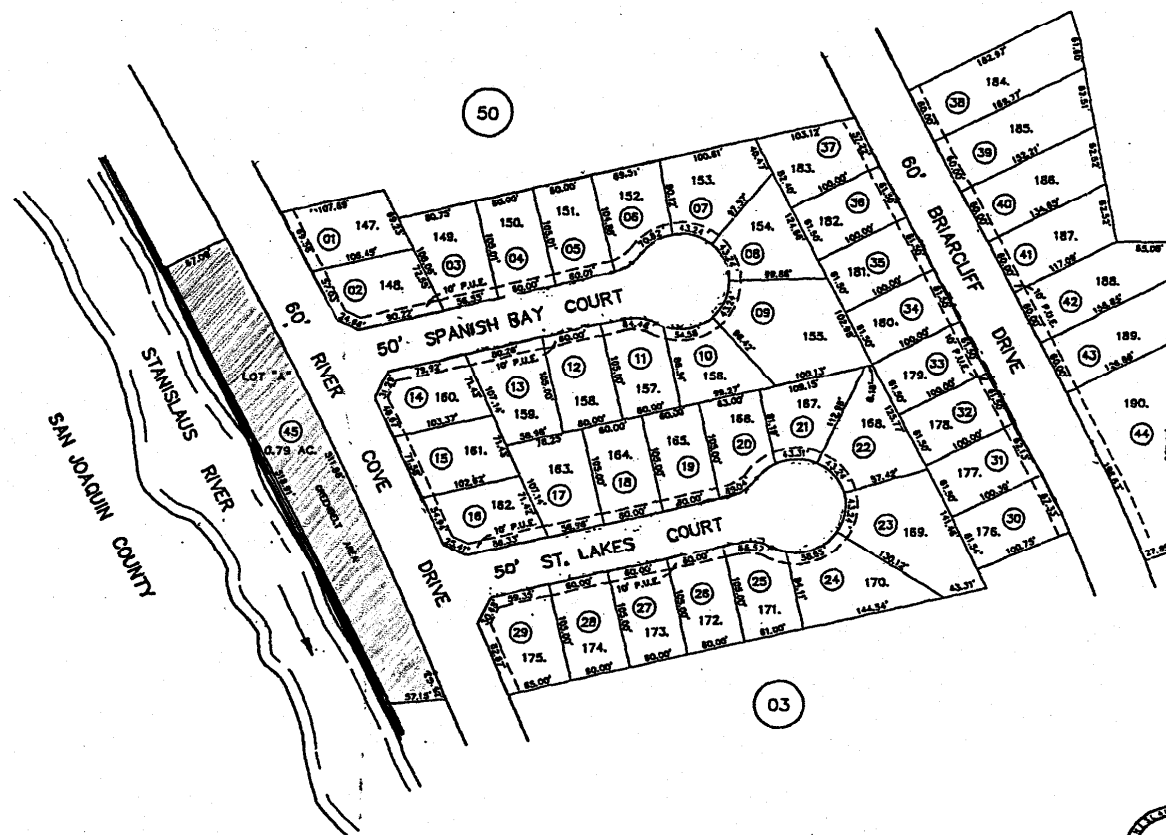
**City of Riverbank
Landscape and Lighting District No. 1
River Cove Subdivision
Assessor's Parcel Map and Improvement Diagram**

■ Landscaped Areas Shaded

POR. N 1/2 SEC. 23 & S 1/2 SEC. 26 T.2S. R.9E. M.D.B.& M.
RIVER COVE NO.4 (37M14)

006 035 75 - 52

THIS MAP FOR
ASSESSMENT PURPOSES ONLY



FROM 75-03
DRAWN 4-19-95 BY NC
REVISED BY



96

75 - 52

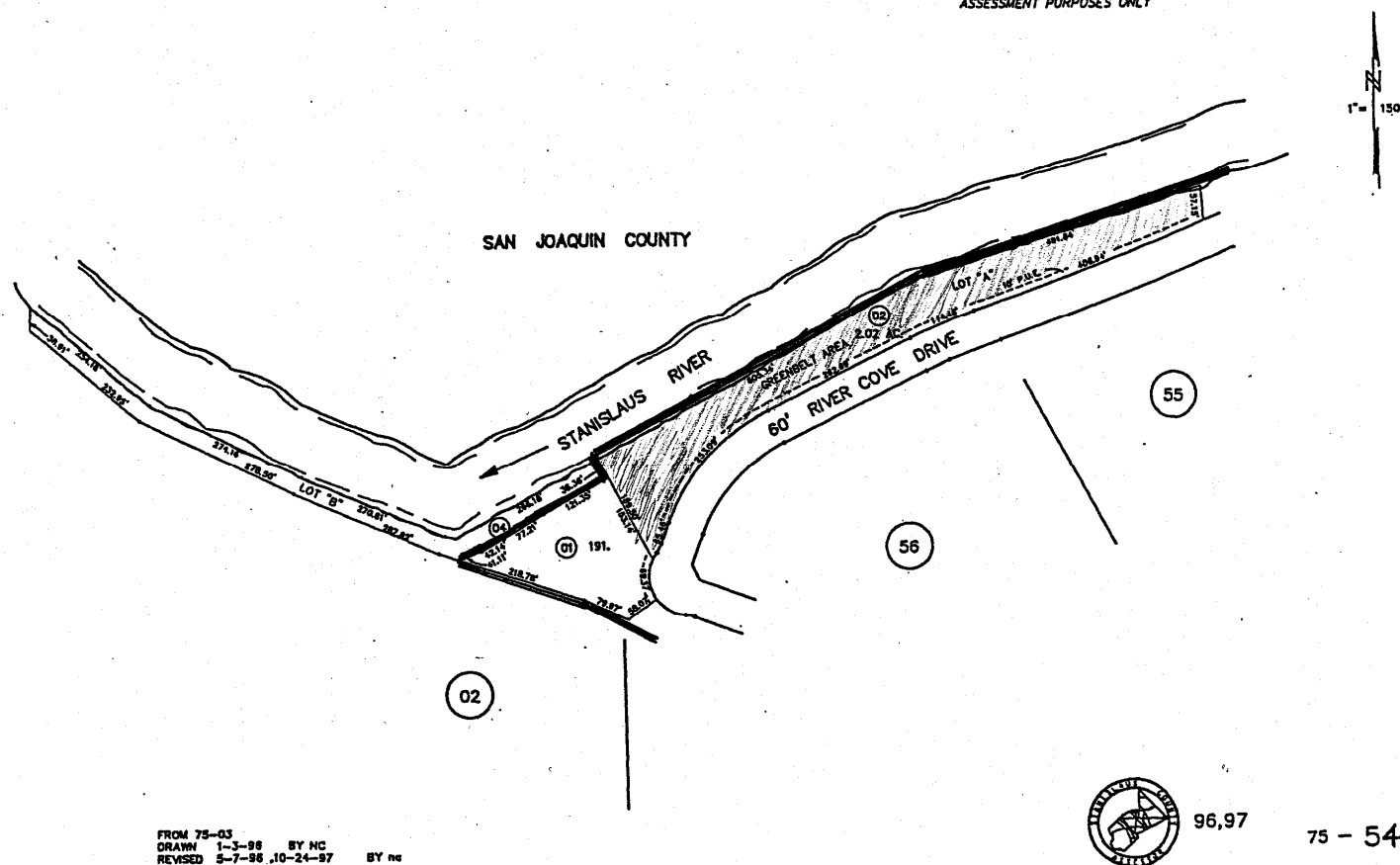
**City of Riverbank
Landscape and Lighting District No. 1
River Cove Subdivision
Assessor's Parcel Map and Improvement Diagram**

■ Landscaped Areas Shaded

POR. N 1/2 SECTION 26 T.2S. R.9E. M.D.B. & M.
RIVER COVE NO.5 (37M26)

006 035 75 - 54

THIS MAP FOR
ASSESSMENT PURPOSES ONLY

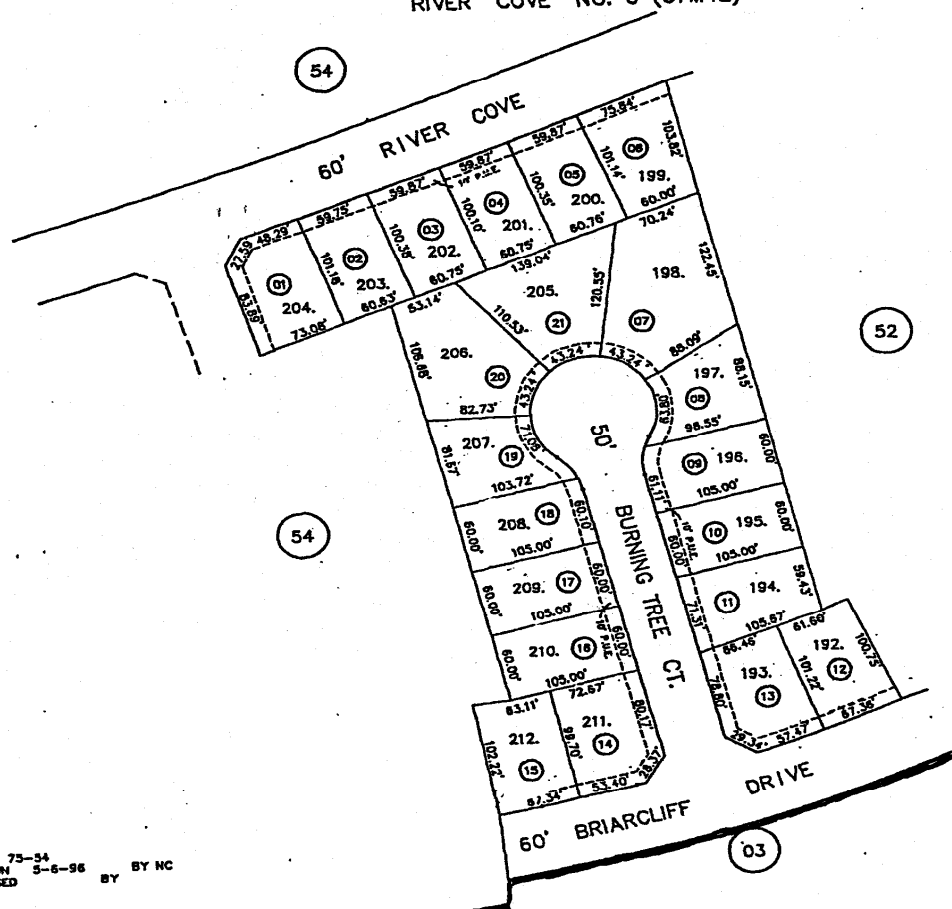
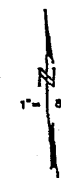


**City of Riverbank
Landscape and Lighting District No. 1
River Cove Subdivision
Assessor's Parcel Map and Improvement Diagram**

POR. N 1/2 SECTION 26 T.2S. R.9E. M.D.B.& M.
RIVER COVE NO. 6 (37M42)

006 035 75 - 55

THIS MAP FOR
ASSESSMENT PURPOSES ONLY



FROM 75-54
DRAWN 5-6-56 BY NC
REVISED



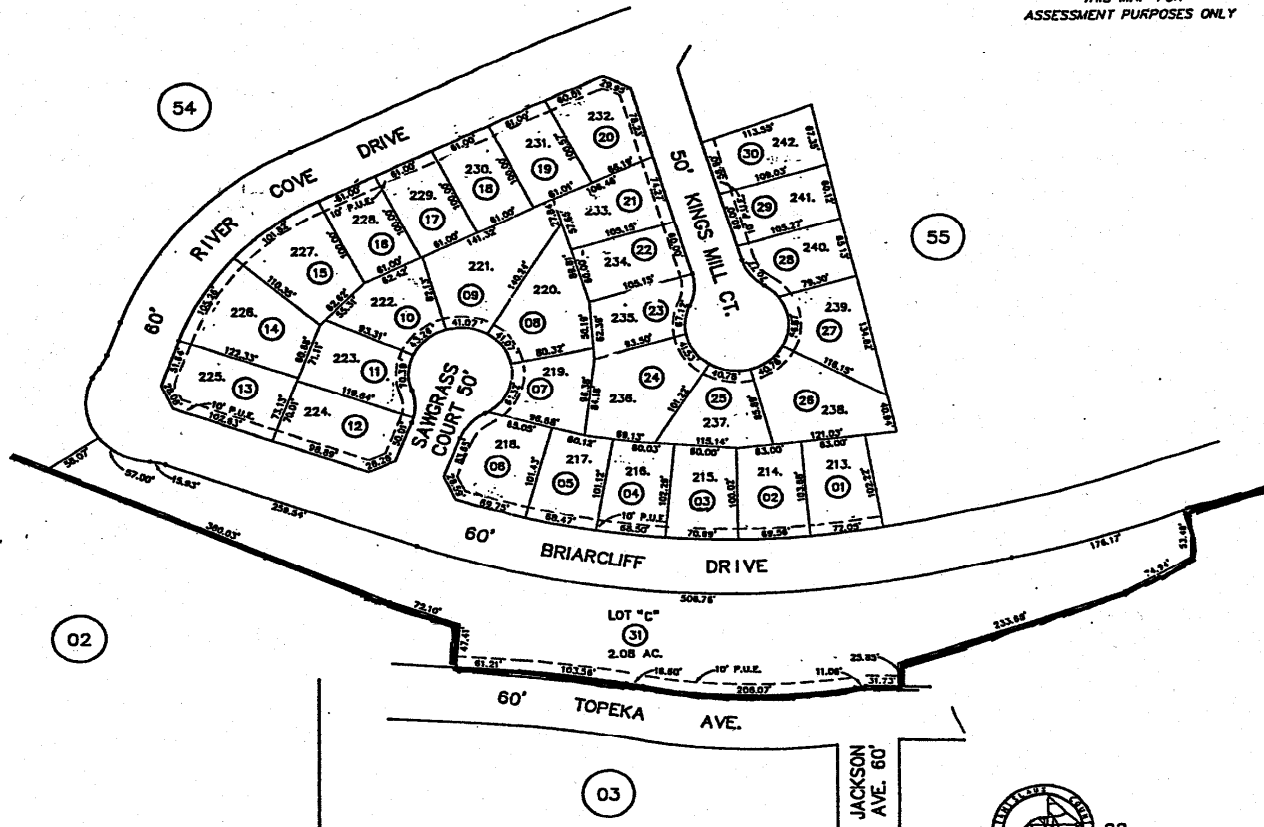
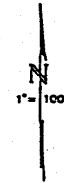
75 - 55

**City of Riverbank
Landscape and Lighting District No. 1
River Cove Subdivision
Assessor's Parcel Map and Improvement Diagram**

POR. N 1/2 SECTION 26 T.2S. R.9E. M.D.B.& M.
RIVER COVE PHASE NO.7 (37M76)

006 035 75 - 56

THIS MAP FOR
ASSESSMENT PURPOSES ONLY



FROM 75-34
DRAWN 10-24-97 BY NC
REVISED BY



75 - 56

PART VI — 2015/2016 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Stanislaus County Assessor's map for the year in which this Report is prepared.

A listing of parcels assessed within this District, along with the assessment amounts, is included on the following pages. If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

Non-assessable lots or parcels include areas of public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and right-of-ways including public greenbelts and parkways; utility right-of-ways; common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has specific development restrictions. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

APN	EBU	Charge
075-047-001-000	1.0	\$196.90
075-047-002-000	1.0	196.90
075-047-003-000	1.0	196.90
075-047-004-000	1.0	196.90
075-047-005-000	1.0	196.90
075-047-006-000	1.0	196.90
075-047-007-000	1.0	196.90
075-047-008-000	1.0	196.90
075-047-009-000	1.0	196.90
075-047-010-000	1.0	196.90
075-047-011-000	1.0	196.90
075-047-012-000	1.0	196.90
075-047-013-000	1.0	196.90
075-047-014-000	1.0	196.90
075-047-015-000	1.0	196.90
075-047-016-000	1.0	196.90
075-047-017-000	1.0	196.90
075-047-018-000	1.0	196.90

APN	EBU	Charge
075-047-019-000	1.0	196.90
075-047-020-000	1.0	196.90
075-047-021-000	1.0	196.90
075-047-022-000	1.0	196.90
075-047-023-000	1.0	196.90
075-047-024-000	1.0	196.90
075-047-025-000	1.0	196.90
075-047-026-000	1.0	196.90
075-047-027-000	1.0	196.90
075-047-028-000	1.0	196.90
075-047-029-000	1.0	196.90
075-047-030-000	1.0	196.90
075-047-031-000	1.0	196.90
075-047-032-000	1.0	196.90
075-047-033-000	1.0	196.90
075-047-034-000	1.0	196.90
075-047-035-000	1.0	196.90
075-047-036-000	1.0	196.90
075-047-037-000	1.0	196.90
075-047-038-000	1.0	196.90
075-047-039-000	1.0	196.90
075-047-040-000	1.0	196.90
075-047-041-000	1.0	196.90
075-047-042-000	1.0	196.90
075-047-043-000	1.0	196.90
075-047-044-000	1.0	196.90
075-047-045-000	1.0	196.90
075-047-046-000	1.0	196.90
075-047-047-000	1.0	196.90
075-047-048-000	1.0	196.90
075-047-049-000	1.0	196.90
075-047-050-000	1.0	196.90
075-047-051-000	1.0	196.90
075-047-052-000	1.0	196.90
075-047-053-000	1.0	196.90
075-047-054-000	1.0	196.90
075-047-055-000	1.0	196.90
075-047-056-000	1.0	196.90
075-047-057-000	1.0	196.90
075-047-059-000	1.0	196.90
075-047-060-000	1.0	196.90
075-047-061-000	1.0	196.90

APN	EBU	Charge
075-047-062-000	1.0	196.90
075-047-063-000	1.0	196.90
075-047-064-000	1.0	196.90
075-047-065-000	1.0	196.90
075-047-066-000	1.0	196.90
075-047-067-000	1.0	196.90
075-047-068-000	1.0	196.90
075-050-001-000	1.0	196.90
075-050-002-000	1.0	196.90
075-050-003-000	1.0	196.90
075-050-004-000	1.0	196.90
075-050-005-000	1.0	196.90
075-050-006-000	1.0	196.90
075-050-007-000	1.0	196.90
075-050-008-000	1.0	196.90
075-050-009-000	1.0	196.90
075-050-010-000	1.0	196.90
075-050-011-000	1.0	196.90
075-050-012-000	1.0	196.90
075-050-013-000	1.0	196.90
075-050-014-000	1.0	196.90
075-050-015-000	1.0	196.90
075-050-016-000	1.0	196.90
075-050-017-000	1.0	196.90
075-050-018-000	1.0	196.90
075-050-019-000	1.0	196.90
075-050-020-000	1.0	196.90
075-050-021-000	1.0	196.90
075-050-022-000	1.0	196.90
075-050-023-000	1.0	196.90
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075-050-026-000	1.0	196.90
075-050-027-000	1.0	196.90
075-050-028-000	1.0	196.90
075-050-029-000	1.0	196.90
075-050-030-000	1.0	196.90
075-050-031-000	1.0	196.90
075-050-032-000	1.0	196.90
075-050-033-000	1.0	196.90
075-050-034-000	1.0	196.90
075-050-035-000	1.0	196.90

APN	EBU	Charge
075-050-036-000	1.0	196.90
075-050-037-000	1.0	196.90
075-050-038-000	1.0	196.90
075-050-039-000	1.0	196.90
075-050-040-000	1.0	196.90
075-050-041-000	1.0	196.90
075-050-042-000	1.0	196.90
075-050-043-000	1.0	196.90
075-050-044-000	1.0	196.90
075-050-045-000	1.0	196.90
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075-050-067-000	1.0	196.90
075-050-068-000	1.0	196.90
075-050-069-000	1.0	196.90
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075-050-072-000	1.0	196.90
075-050-073-000	1.0	196.90
075-050-074-000	1.0	196.90
075-050-075-000	1.0	196.90
075-050-076-000	1.0	196.90
075-050-077-000	1.0	196.90

APN	EBU	Charge
075-050-078-000	1.0	196.90
075-052-001-000	1.0	196.90
075-052-002-000	1.0	196.90
075-052-003-000	1.0	196.90
075-052-004-000	1.0	196.90
075-052-005-000	1.0	196.90
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075-052-007-000	1.0	196.90
075-052-008-000	1.0	196.90
075-052-009-000	1.0	196.90
075-052-010-000	1.0	196.90
075-052-011-000	1.0	196.90
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075-052-013-000	1.0	196.90
075-052-014-000	1.0	196.90
075-052-015-000	1.0	196.90
075-052-016-000	1.0	196.90
075-052-017-000	1.0	196.90
075-052-018-000	1.0	196.90
075-052-019-000	1.0	196.90
075-052-020-000	1.0	196.90
075-052-021-000	1.0	196.90
075-052-022-000	1.0	196.90
075-052-023-000	1.0	196.90
075-052-024-000	1.0	196.90
075-052-025-000	1.0	196.90
075-052-026-000	1.0	196.90
075-052-027-000	1.0	196.90
075-052-028-000	1.0	196.90
075-052-029-000	1.0	196.90
075-052-030-000	1.0	196.90
075-052-031-000	1.0	196.90
075-052-032-000	1.0	196.90
075-052-033-000	1.0	196.90
075-052-034-000	1.0	196.90
075-052-035-000	1.0	196.90
075-052-036-000	1.0	196.90
075-052-037-000	1.0	196.90
075-052-038-000	1.0	196.90
075-052-039-000	1.0	196.90
075-052-040-000	1.0	196.90
075-052-041-000	1.0	196.90

APN	EBU	Charge
075-052-042-000	1.0	196.90
075-052-043-000	1.0	196.90
075-052-044-000	1.0	196.90
075-054-001-000	1.0	196.90
075-055-001-000	1.0	196.90
075-055-002-000	1.0	196.90
075-055-003-000	1.0	196.90
075-055-004-000	1.0	196.90
075-055-005-000	1.0	196.90
075-055-006-000	1.0	196.90
075-055-007-000	1.0	196.90
075-055-008-000	1.0	196.90
075-055-009-000	1.0	196.90
075-055-010-000	1.0	196.90
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075-055-013-000	1.0	196.90
075-055-014-000	1.0	196.90
075-055-015-000	1.0	196.90
075-055-016-000	1.0	196.90
075-055-017-000	1.0	196.90
075-055-018-000	1.0	196.90
075-055-019-000	1.0	196.90
075-055-020-000	1.0	196.90
075-055-021-000	1.0	196.90
075-056-001-000	1.0	196.90
075-056-002-000	1.0	196.90
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075-056-008-000	1.0	196.90
075-056-009-000	1.0	196.90
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075-056-012-000	1.0	196.90
075-056-013-000	1.0	196.90
075-056-014-000	1.0	196.90
075-056-015-000	1.0	196.90
075-056-016-000	1.0	196.90
075-056-017-000	1.0	196.90

APN	EBU	Charge
075-056-018-000	1.0	196.90
075-056-019-000	1.0	196.90
075-056-020-000	1.0	196.90
075-056-021-000	1.0	196.90
075-056-022-000	1.0	196.90
075-056-023-000	1.0	196.90
075-056-024-000	1.0	196.90
075-056-025-000	1.0	196.90
075-056-026-000	1.0	196.90
075-056-027-000	1.0	196.90
075-056-028-000	1.0	196.90
075-056-029-000	1.0	196.90
075-056-030-000	1.0	196.90
Total	241.0	\$47,452.90

*Total may differ from budget due to rounding.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.L
SECTION 3: CONSENT CALENDAR

Meeting Date: June 9, 2015

Subject/ Title: **Resolutions** – Riverbank Storm Drain Maintenance District No. 2006-01(Heartlands)

- 1) Resolution of the City Council of the City of Riverbank, County of Stanislaus, State of California, Declaring its Intention to Levy and Collect Annual Assessments within the Riverbank Storm Drain District No. 2006-01 (Heartlands) for Fiscal Year 2015/2016.

From: Jill Anderson, City Manager

Submitted by: Marisela Garcia, Director of Finance
Kathleen Cleek, Development Services Admin. Manager

RECOMMENDATION:

It is recommended that the City Council adopt Resolution Declaring the City's Intention to Levy and Collect Annual Assessments within the Riverbank Storm Drain District No. 2006-01 (Heartlands) for Fiscal Year 2015/2016.

STAFF SUMMARY:

Pursuant to the provisions of the Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with Section 54703, a special benefit assessment district was formed and designated as the Riverbank Storm Drain District No. 2006-01 (Heartlands). The assessments from this District provide for the maintenance and operation of storm drain facilities and improvements. The special benefit District includes the Heartlands and the Cottages Subdivisions as well as the Crossroads commercial development.

The attached resolution represents the first of two steps in the annual levy of assessments on the district for fiscal year 2015/2016. A Public Hearing to consider adoption of the report and annual levy of assessments is scheduled for June 23, 2015.

Therefore, it is recommended that the City Council adopt Resolution Declaring the City's Intention to Levy and Collect Annual Assessments within the Riverbank Storm Drain District No. 2006-01 (Heartlands) for Fiscal Year 2015/2016.

FISCAL IMPACT:

The annual assessments for parcels in the Riverbank Storm Drain District No. 2006-01 (Heartlands) for Fiscal Year 2015/2016 are as follows:

	<u>FY 14/15</u>	<u>FY 15/16</u>	<u>Change in Assessment</u>
Residential Parcel Assessments	\$37.62	\$37.62	\$0.00

Costs for the district are paid through assessments upon property owners within the District; hence, there is no fiscal impact to the City.

ATTACHMENTS:

1. Resolution
2. Engineer's Annual Levy Report Riverbank Storm Drain District No. 2006-01 (Heartlands) Fiscal Year 2015/2016

CITY OF RIVERBANK
RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS WITHIN THE RIVERBANK STORM DRAIN MAINTENANCE DISTRICT NO. 2006-01 (HEARTLANDS) FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereinafter referred to as the "City"), does resolve as follows:

WHEREAS, the City Council of the City of Riverbank has, by previous Resolution number 2006-082, formed the Riverbank Storm Drain Maintenance District No. 2006-01 (Heartlands) (hereinafter referred to as the "District"), pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of Part 1 of Division 2, Article 4 of the Government Code of California, beginning with Section 54703* (hereinafter referred to as the "Act") and as provided by Article XIII D of the California Constitution, to levy and collect assessments against the lots or parcels of land within such district to pay for the costs and expenses of operating, maintaining and servicing improvements and facilities located within public places within the boundaries of the District; and,

WHEREAS, pursuant to section 54718 of the Government Code of the State of California, the assessments shall be collected by County of Stanislaus in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes, subject to all other conditions set forth in the Engineer's Report; and

WHEREAS, an Assessment Roll for Fiscal Year 2015/2016 (the "Assessment Roll"), which has been prepared in accordance with the method described in the Engineer's Report, has been submitted to the Council and is on file with the City Clerk;

WHEREAS, summary information regarding the assessments to be levied for Fiscal Year 2015/2016 is outlined in the Engineer's Annual Levy Report;

WHEREAS, the Council has determined to levy the assessments specified in the Assessment Roll;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF RIVERBANK, FOR THE RIVERBANK STORM DRAIN MAINTENANCE DISTRICT NO. 2006-01 (HEARTLANDS) that:

Section 1 Recitals: The foregoing recitals are true and correct and this City Council so finds and determines.

Section 2 Levy of Assessments: The City Council hereby levies the assessments specified in the Assessment Roll.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District. The District contains all parcels located in the Heartlands Project. The District is known and designated as:

**“Riverbank Storm Drain Maintenance District No. 2006-01
(Heartlands)”**

Section 4 Proposed Assessment Amounts: For Fiscal Year 2015/2016, the proposed assessments for all Zones are outlined in the Engineer's Annual Levy Report.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct an annual Public Hearing concerning the levy of assessments for the Riverbank Storm Drain Maintenance District No. 2006-01 (Heartlands).

Section 6 Notice: The City Clerk shall give notice of the time and place of the Public Hearing by causing the publishing of this Resolution, once in the local paper, not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Time of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 23, 2015 at 6:00 p.m.** or as soon thereafter as feasible in the regular meeting chambers located at 6707 Third Street, Riverbank, California.

Section 8 Adjustments to the Assessment Roll: The City's Finance Administrator is hereby authorized to make changes to the Assessment Roll prior to the final posting of the assessments to the County tax roll, in response to appeals from property owners, or otherwise to achieve a correct match of the assessments with the assessor's parcel numbers finally utilized by the County in sending out property tax bills or in order to correct errors that may, from time to time, arise in the application of the assessments to particular parcels.

Section 9 Filing the Assessment Roll: In order to have the assessments collected in the next assessment collection period and thus be available to finance the costs of maintaining streets and roads within the District, the Finance Administrator shall deliver the Assessment Roll to the Director of Finance of the County of Stanislaus by the deadline established by the County for inclusion on the tax roll for Fiscal Year 2015/2016.

Section 10 Effective Date: This Resolution shall take effect immediately upon adoption.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the City Council of said City of Riverbank at a regular meeting of said City Council held on ____ day of ____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank



City of Riverbank

Riverbank Storm Drain District No. 2006-01 (Heartlands)

2015/2016 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: June 9, 2015
Public Hearing: June 23, 2015

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ENGINEER'S REPORT AFFIDAVIT

City of Riverbank,
County of Stanislaus, State of California

Riverbank Storm Drain District No. 2006-01 (Heartlands)

The District includes all parcels of land within the residential and commercial subdivisions known as the Heartlands, the Cottages and Crossroads Commercial Center.

This Report describes the District and all relevant zones therein including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District.

The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 27 day of May, 2015.

Willdan Financial Services
Assessment Engineer

By: Zaskia Ruiz Jones
Zaskia Ruiz Jones, Project Manager
District Administration Services

By: Richard Kopecky
Richard Kopecky
R.C.E. # 16742



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INTRODUCTION

Pursuant to the provisions of the Benefit Assessment Act of 1982, being *Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with Section 54703* (hereafter referred to as the “1982 Benefit Act”), and in compliance with the substantive and procedural requirements of the *California State Constitution, Article XIII D* (hereafter referred to as the “California Constitution”), the City Council of the City of Riverbank, County of Stanislaus, State of California (hereafter referred to as “City”), in connection with the proceedings required for the assessment of the special benefit assessment district designated as:

Riverbank Storm Drain District No. 2006-01 (Heartlands)

(hereafter referred to as “District”), to provide for the maintenance and operation of storm drain facilities and improvements associated with the development of properties therein. Said District shall include all lots and parcels of land within the City of Riverbank that receive direct and special benefits from the improvements including the residential subdivisions known as the Heartlands and the Cottages as well as the commercial development located on the north side of Claribel Road between Oakdale Road and the MID Lateral No. 6 (hereafter referred to as the “Crossroads Commercial Center”). This Engineer’s Report (hereafter referred to as “Report”) describes the District, the improvements therein, any annexations or other modifications to the District, including any substantial changes to the improvements, the method of apportionment, the boundaries of the District, and financial information including the district budgets and proposed annual assessments for Fiscal Year 2015/2016. This Report describes the District, the improvements, and the assessments to be levied on the County tax rolls to fund the costs and expenses to service and maintain storm drain improvements associated with and resulting from the development of properties within the District and for which the properties receive special benefits. This District will provide an ongoing funding source (annual assessments) for the continued operation and maintenance of storm drain improvements installed in connection with the development of properties within the District and is made pursuant to the 1982 Benefit Act and the substantive and procedural provisions of the California Constitution.

The improvements and assessments described in this Report are based on the existing and planned development of properties and storm drain infrastructure within the District and represent an estimate of the direct expenditures, incidental expenses, and fund balances that will be necessary to maintain and service the improvements. The formation of the District, the structure of the District (organization), the improvements, the method of apportionment, and assessments described herein are based on current development plans and specifications for the Heartlands, the Cottages, and the Crossroads Commercial Center developments; and by reference these plans and specifications are made part of this Report.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the Stanislaus County Assessor’s Office. The Stanislaus County Auditor/Controller uses Assessor’s Parcel Numbers and specific Fund Numbers to identify properties assessed on the tax roll for special district benefit assessments.

The assessments as approved will be submitted to the Stanislaus County Auditor/Controller to be included on the property tax roll for each parcel in Fiscal Year 2015/2016.

Pursuant to the 1982 Benefit Act, in no case shall the annual assessments exceed the maximum assessment rate (including the annual inflationary adjustment) established and approved by the property owners as part of the formation proceedings, without subsequent approval of the property owners of such new or increased assessment in accordance with the provisions of the California Constitution, *Article XIII D*. It should be noted that an increased assessment to an individual property resulting from changes in development or land use does not constitute an increased assessment.

This Report consists of five (5) parts:

Plans and Specifications: A description of the District boundaries and the improvements associated with said District. This District is a single benefit zone encompassing all properties within the territory identified as the Heartlands, the Cottages and the Crossroads Commercial Center.

Method of Apportionment: A discussion of benefits the improvements provide to properties within the District and the method of calculating each property’s proportional special benefit and annual assessment. An Assessment Range Formula described herein defines the maximum assessment that may be imposed in subsequent fiscal years without additional property owner ballot proceedings

District Budget: An estimate of the annual costs to maintain and service the storm drain improvements installed and constructed as part of the development of properties within the District. The maximum assessment and assessment range formula established for the District is based on the development plans and estimated annual cost and expenses associated with the improvements at build-out. The assessments to provide the improvements shall be based on the estimated net annual cost of operating and maintaining of the District improvements for that fiscal year. The maximum assessment (Rate per Equivalent Benefit Unit) identified in the budget of this Report establishes the initial maximum assessment for the District in Fiscal Year 2015/2016.

District Diagram: A Diagram showing the exterior boundaries of the District is provided in this Report and includes all parcels that will receive special benefits from the improvements. Parcel identification, the lines and dimensions of each lot, parcel, and subdivision of land within the District, are inclusive of all parcels as shown on the Stanislaus County Assessor’s Parcel Maps as they existed at the time of the passage of the Resolution of Intention, and shall include all subsequent subdivisions, lot line adjustments or parcel changes therein. Reference is hereby made to the Stanislaus

County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.

Assessment Roll: A listing of the assessment amount to be presented to the property owners of record. Said assessment amounts represent each parcel's proportional special benefit from the improvements and services to be provided by the District based on an initial maximum assessment rate per Equivalent Benefit Unit (EBU). The maximum assessment rate has been established based on the planned development of properties within the District and the net annual cost to maintain and service the improvements as outlined in the District budget and method of apportionment described herein.

PART I - PLANS AND SPECIFICATIONS

A. DESCRIPTION OF THE DISTRICT

The territory within the District consists of all lots, parcels and subdivisions of land within the residential and commercial subdivisions known as the Heartlands, the Cottages and the Crossroads Commercial Center, which encompass an area of land totaling approximately eighty-eight acres (88.11 acres) of which approximately four acres (4.01 acres) is the drainage basin area, twenty-two acres (22.22 acres) that represents the area of residential development consisting of one hundred fifty-two (152) planned single-family residential units and approximately sixty-two acres (61.88 acres) that represents the area of commercial development. The residential area includes the subdivisions of the Heartlands and the Cottages representing 96 and 56 single-family residential homes, respectively. The District and parcels therein are generally located:
East of Oakland Road,
North of Claribel Road, and
South and West of the M.I.D Lateral No. 6.

The parcels within the District at the time of the Resolution of Intention are identified by the Stanislaus County Assessor's Office as:

Parcel number 075-097-043 for the drainage basin area, which is located on the northwest corner of the District;

All parcels within Book 075 Pages 096, 097 and 098 for the residential subdivisions known as the Heartlands and the Cottages, which are located along the northern areas of the District; and

All parcels within Book 075 Page 093 for the commercial area referred to as the Crossroads Commercial Center that is located south of the planned residential development within the District, with the exception of parcel number 075-093-026-000 which is the Hetch Hetchy 110' R O W.

B. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.

- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

C. DESCRIPTION OF IMPROVEMENTS AND SERVICES

The purpose of this District is to ensure the ongoing maintenance, operation and servicing of storm drain improvements established or installed in connection with development of properties within the District. The improvements may consist of all or a portion of the storm drain infrastructure and appurtenant facilities within and associated with the development of properties within the residential subdivisions known as the Heartlands and the Cottages, and the commercial development located on the north side of Claribel Road between Oakdale Road and the MID Lateral No. 6, referred to as the Crossroads Commercial Center. The District improvements generally include but are not limited to inlets, catch basins, storm-drain-pipes, outlets, pumps, filters, drainage basins, and appurtenant facilities. The special benefit assessments to be levied for this District are intended to provide a revenue source for the ongoing maintenance and servicing of these District improvements including, but not limited to the materials, equipment, labor and administrative expenses. However, the assessments are not intended to fund reconstruction or major renovations of the improvements and facilities.

Development of each of the properties within the District to their full potential required the construction and installation of the four-acre drainage basin area located in the northwest section of the District and related storm drain infrastructure within the District to address water run-off from these properties. The construction and installation of these improvements and facilities were only necessary for the development of these properties and the ongoing maintenance and servicing of these improvements provided by this District are only necessary to ensure the integrity of these improvements and facilities associated with those properties. The facilities and services to be funded through the District assessments are generally described as:

Improvements and Facilities

The Storm Drain improvements and facilities to be maintained by the District include the four-acre drainage basin site constructed in the northern portion of the District (Assessor's Parcel Number 075-097-043) and the related facilities and infrastructure located within that site (referred to here as basin-site improvements), as well as the pipes, catch basins, inlets and related drainage facilities within the residential and commercial development areas that collect and direct water flow to this drainage basin (referred to here as property-site improvements). The facilities and infrastructure to be funded through the District assessments generally include:

Basin-site Improvements

A 2.95 acre drainage basin facility with 4 inch concrete reinforced side slopes and a soil composition floor that will naturally become vegetated through volunteer native plants;
Approximately one acre of “upland” area surrounding the 2.95 acre drainage basin that is primarily constructed of compacted aggregate base material;

A 6 foot high chain link fence along the perimeter of the “upland” area surrounding the drainage basin;

An 8 inch concrete reinforced access ramp to the basin floor;

Drainage infrastructure facilities within the drainage basin site that include but are not limited to:

A twenty foot wide rip-rap swale made up of 4-6” angular rock with a perforated sub-drain underneath the rip-rap to remove silt and sediment from the water runoff entering the basin (required by the Modesto Irrigation District);

Screened inlets and galvanized steel storm drain grates;

A lift/pump station;

Four (4) catch basins;

Two (2) cleanouts;

One (1) manhole; and

Approximately 1,005 linear feet of drain pipe including:

437 linear feet of 10” PVC gravity line.

168 linear feet of 10” PVC forced main line from the pump station to the MID canal.

143 linear feet of 12” perforated PVC.

199 linear feet of 18” RCP.

58 linear feet of 54” RCP (from basin inlet to Oakdale Road RW).

Property-site Improvements

The overall storm drain system to be maintained by the District includes various pipes, catch basins, inlets and other facilities within public right-of-ways and easements that collect and direct water flow from the residential and commercial properties of the District to the drainage basin. These improvements generally include:

73 storm drain manholes;

80 catch basins; and

123,057 lineal feet of piping tributary to the basin.

A detailed description of the storm drain improvement plans associated with the various property developments within the District are on file with the City Engineer and by reference these plans and specifications are made part of this Report.

Maintenance and Services

Annual inspection and stencil maintenance of inlets & catch basins;

Cleaning and maintenance of catch basins, cleanouts, manholes, inlet structure and outlet structure as needed, including permits and documentation requirements;

Periodic cleaning of storm drain pipes, including permits and documentation requirements;

Annual landscape maintenance and rodent control of the drainage basin area;

Periodic vegetation and debris control within the drainage basin;

Cleaning, debris removal and de-silting of drainage basin and/or biofilter areas as needed;
Minor repair of the storm drain outlets if damaged or any other damaged facilities caused by flooding (major repairs or reconstruction are excluded);
Regular operational costs to maintain and clean drainage basin pump and filters, including electrical costs (major repairs or replacement are excluded);
Annual maintenance and repair of the fencing around the drainage basin.

PART II - METHOD OF APPORTIONMENT

A. BENEFIT ANALYSIS

The 1982 Act permits the establishment of assessment districts by agencies for the purpose of providing for the maintenance, operation and servicing of drainage and flood control improvements. The 1982 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

“The amount of the assessment imposed on any parcel of property shall be related to the benefit to the parcel which will be derived from the provision of the service”.

Furthermore:

“The annual aggregate amount of the assessment shall not exceed the estimated annual cost of providing the service, except that the legislative body may, by resolution, determine that the estimated cost of work authorized ... is greater than can be conveniently raised from a single annual assessment and order that the estimated cost shall be raised by an assessment levied and collected in installments.... The revenue derived from the assessment shall not be used to pay the cost of any service other than the service for which the assessment was levied.

The method of apportionment described in this Report for allocation of special benefit assessments utilizes commonly accepted engineering practices in compliance with the provisions of the 1982 Act and the California Constitution. The formulas used for calculating assessments reflects the composition of parcels within the District and the improvements and services provided, to fairly apportion the costs based on the special benefits to each parcel.

Each of the improvements and services, and the associated costs and assessments, have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the 1982 Act and the California Constitution. The storm drain improvements associated with this District were necessary and essential requirements for the development of the properties within the District to their full potential, consistent with the development plans and applicable portions of the City General Plan. As such, the ongoing operation, servicing and maintenance of those improvements would otherwise be the direct financial obligation of each individual property owner. Since the

parcels to be assessed within the District would not have been developed in the absence of these improvements and facilities, each parcel has a direct investment in the proper maintenance of the various improvements that is over and above any general benefits that may be conferred by such improvements and services.

The ongoing maintenance and servicing of the District improvements is an integral part of the use and preservation of the properties within the District. Such services to be funded by annual assessments confer a particular and distinct special benefit to those parcels. The proper maintenance and servicing of the storm drain system ensures proper water flow and control of excess water during periods of rain, which is essential to the preservation and protection of private property. The storm drain system contributes to a specific enhancement of the parcels within the District and the absence of adequate maintenance and servicing of these improvements could eventually have a negative impact on those properties.

Although the improvements may include storm drain facilities that connect to similar facilities outside the District boundaries, it is clear that the construction and installation of these improvements were only necessary for the development of properties within the District. As such, it has been determined that the ongoing maintenance, servicing, and operation of the District improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District. Any improvement or portion thereof (particularly off-site storm drain facilities) that may be considered general benefit shall be funded by other revenue sources and not included as part of the special benefit assessments allocated to properties within this District. However, the costs associated with installation or improvement of any future off-site facilities that benefit the parcels within this District as well as other properties (shared benefit) may be allocated to the parcels within the District based on their proportional special benefit from such improvements.

B. ASSESSMENT METHODOLOGY

All costs associated with the improvements and services shall be fairly distributed among the parcels based upon the special benefit received by each parcel. Additionally, in compliance with the *California Constitution Article XIID, Section 4*, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within the District as well as the actual or planned development of each property as compared to other parcels that benefit from the improvements.

While the parcels within this District include both planned residential development and commercial development, they share a common need to control water runoff associated with their property. It has therefore been determined that the overall acreage of property development (gross acreage) within the District and each parcel's proportional share of that acreage provides a direct correlation to the special benefit each property receives from the improvements and services because it provides a fair and reasonable

correlation to each parcel's proportional water runoff and demand on the storm drain infrastructure. Although the specific development of each property may have some impact on the amount of water runoff associated with that property due to variations in the surface area (natural or landscaped surfaces versus building footprint or asphalt area), the need for a well maintained storm drain system is essential to all property development and variations in the development of each property is considered inconsequential to the benefits associated with that storm drain system.

The following table provides a summary of the development acreage within the District that will benefit from the improvements and services to be provided through the revenues collected through the District's annual assessments.

Acreage by Land Use		
Land Use	Acreage	Percentage of
Planned Residential Development	22.22	26.42%
Planned Commercial Development	61.88	73.58%
Total	84.10	100.00%

Equivalent Benefit Units

Based on the preceding discussion, each property within the District is assigned an Equivalent Benefit Unit ("EBU") that is reflective of the parcel's proportional acreage, special benefit and assessment obligation.

Commercial Properties — Include all developed commercial properties and properties planned for commercial development within the area identified as the Crossroads Commercial Center within the District. Each of these parcels is assigned an EBU based on the parcel's net acreage. Each taxable property shall be assessed on the County tax roll, their proportionate share of the net annual costs based on this assigned EBU. Properties planned for commercial development have been assigned an aggregate 61.88 EBU. Non-taxable properties (parcels the County does not generate a tax bill for) shall be hand-billed for their proportional annual assessment if applicable, but should such assessments not be collected; the City shall make a contribution to the District to offset the lost revenue.

Residential Properties — While the overall EBU established for the District is based on the total acreage of benefiting properties, it has been determined that the benefit to each of the single-family residential properties developed in the District is identical and that the most appropriate allocation of special benefit is reflected by the total acreage associated with the residential subdivisions within the District divided by the total number of approved residential units. (22.22 acres divided by 152 approved units, equals approximately 0.15 EBU per residential unit). Therefore, each single-family residential parcel shall be assigned 0.15 EBU and residential properties that have not been fully subdivided, shall be assigned an EBU that reflects 0.15 EBU for each planned residential unit to be developed on the property.

Exempt Properties — This land use identifies properties that are not assessed and are assigned 0.00 EBU. This land use classification may include but is not limited to any lot or parcel identified as public streets and other roadways (typically not assigned an APN by the County); and the four-acre detention basin site that represents much of the District's improvements, or any other public easement, utility right-of-way or other publicly owned properties that are part of the District improvements or may provide other benefits to private properties within the District.

These types of parcels are considered to receive no benefit from the improvements because they are also generally required as part of developing the residential and commercial properties within the District. These properties are exempted from assessment, but shall be reviewed annually by the assessment engineer to confirm the parcels' current development status. Government owned properties or public properties are not necessarily exempt properties and shall be subject to special benefit assessment unless it qualifies for an exempt status.

The following formulas are used to calculate each parcel's annual assessment (proportional benefit):

The total number of Equivalent Benefit Units for the District is the sum of all individual EBUs applied to parcels that receive special benefit from the improvements.

$$\text{All Residential Property EBUs} + \text{Commercial Property EBU's} = \text{Total Parcels' EBU}$$

An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total net annual cost budgeted for the improvements and dividing that amount by the total number of EBU's.

$$\text{Total Balance to Levy} / \text{Total EBUs} = \text{Assessment Rate per EBU}$$

This Rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and annual assessment obligation for the improvements.

$$\text{Assessment Rate per EBU} \times \text{Each Parcel's Assigned EBU} = \text{Parcel's Levy Amount}$$

C. ASSESSMENT RANGE FORMULA

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (*California Constitution, Articles XIII C and XIII D*), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an assessment range formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly

noticing and mailing procedures, which could add to the District costs and assessments. As part of the District formation, balloting of property owners is required pursuant to the *California Constitution, Article XIII D, Section 4*. As part of the District formation, the notice and assessment ballots presented to the property owners for approval, included a maximum assessment amount for Fiscal Year 2006/2007 (initial maximum assessment), identification of the corresponding maximum assessment rate and a summary of the assessment range formula described herein.

The assessment range formula for this District shall be applied to all future assessments and is generally defined, if the annual assessment (levy per EBU) for the upcoming fiscal year is less than or equal to the adjusted Maximum Assessment, then the annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the (Initial) Maximum Assessment established for fiscal year 2006/2007 adjusted annually by the annual percentage change in the Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area for All Urban Consumers. The Maximum Assessment for Fiscal Year 2014/2015 was \$633.54/EBU. The CPI for 2015 is 2.53% increasing the Maximum Assessment to \$649.57/EBU.

Beginning in the second fiscal year (Fiscal Year 2007/2008) and each fiscal year thereafter, the Maximum Assessment will be recalculated and a new Maximum Assessment established for that fiscal year. The Maximum Assessment shall be adjusted annually and is calculated independent of the District's annual budget and annual assessment. Any annual assessment (rate per EBU) less than or equal to this Maximum Assessment is not considered an increased assessment, even if the assessment is much greater than the assessment applied in the prior fiscal year.

PART III – 2015/2016 DISTRICT BUDGET

The Maximum Assessment per EBU is shown within the following budget and is based on the cost of providing the District improvements. As outlined in the method of apportionment, all the improvements are considered special benefit and there are no improvement costs that have been identified as general benefit.

Heartlands Storm Drain District No 06-01		Total District
DIRECT COSTS		
Annual Maintenance		
Inspection & Abatement: Drainage Basins		\$1,500
Landscape Maintenance: Drainage Basins (Including Utilities)		5,100
Annual Maintenance: Drainage Basin/Channelway Fencing		1,000
Annual Inspection & Docs: Inlets, Manholes, Outlets, Drywells, Pumps, Etc.		884
Annual Maintenance & Cleaning: Inlets, Manholes, Outlets, Drywells, Pumps, Etc.		1,500
Annual Inspection & Maintenance: Storm Drain Pipes		5,000
Annual Pump Operation (Including Electricity)		2,000
Annual Maintenance Expenses: Storm Drains		\$16,984
Periodic Maintenance		
Periodic Desilting, Brush Removal & Landscape Repairs: Drainage Basins		\$500
Periodic Repairs or Rehabilitation: Storm Drain Fencing		700
Periodic Repairs/Rehabilitation: Inlets, Manholes, Outlets, Drywells, Pumps, Etc.		2,000
Periodic Repairs/Rehabilitation: Storm Drain Pipes		2,000
Annual Periodic Maintenance Collection: Storm Drains		\$5,200
Total Annual Direct Costs: Storm Drain Improvements		\$22,184
ADMINISTRATION EXPENSES		
City Annual Administration & Overhead		\$4,100
Professional Fees & Services		2,500
County Administration Fee		120
Miscellaneous Administration Expenses		335
Total Annual Administration Costs		\$7,055
LEVY BREAKDOWN		
Total Direct & Administration Costs		\$29,239
Reserve Collection/(Transfer)		(8,004)
City Loan — Repayment/(Advance)		0
Total Levy Adjustments		(\$8,004)
BALANCE TO LEVY		\$21,235
DISTRICT STATISTICS		
Total Parcels		175
Parcels Levied		175
Total EBU		84.67
Levy per EBU		\$250.80
Maximum Levy per EBU		\$649.57
FUND BALANCE INFORMATION		
Beginning Reserve Fund Balance		\$117,830
Reserve Collection		(8,004)
Ending Reserve Fund Balance		\$109,826

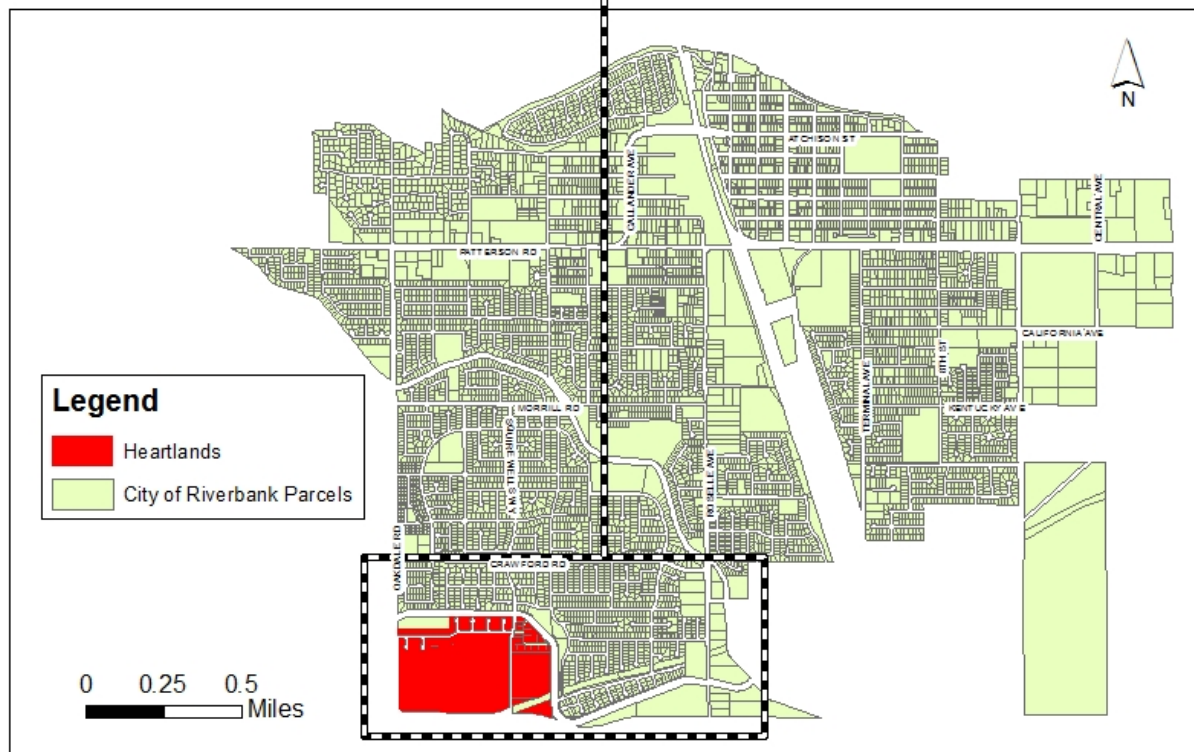
PART IV - DISTRICT DIAGRAMS

The parcels within the Riverbank Storm Drain District No. 2006-01 (Heartlands) consist of all lots, parcels and subdivisions of land located in the planned residential development known as Heartlands. The District covers approximately ninety and one-half acres (90.54 acres).

The following District Diagram is based on the Stanislaus County Assessor's Maps and the Stanislaus County Assessor's Secured Roll and identifies all the parcels of land within the District. The combination of this map and the Assessment Roll contained in this report constitute the District Assessment Diagram.



City of Riverbank Storm Drain Maintenance District No. 2006-1 (Heartlands)



PART V – 2015/2016 ASSESSMENT ROLL

Parcel identification for each lot or parcel within the District shall be the parcel as shown on the Stanislaus County Secured Roll for the year in which the Engineer's Report is prepared and reflective of the Assessor's Parcel Maps. A listing of the lots and parcels to be assessed within this District along with the assessment amounts is provided on the following pages.

Non-assessable lots or parcels may include but are not limited to public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas, right-of-ways, common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has little or no value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate described in this Report and approved by the City Council. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

APN	EBU	Charge
075-093-024-000	0.36	90.28
075-093-025-000	2.11	529.18
075-093-030-000	10.96	2,748.76
075-093-031-000	10.00	2,508.00
075-093-034-000	1.81	453.94
075-093-035-000	0.90	225.72
075-093-036-000	1.08	270.86
075-093-037-000	0.73	183.08
075-093-038-000	1.35	338.58
075-093-039-000	1.14	285.90
075-093-040-000	0.95	238.26
075-093-041-000	6.57	1,647.74
075-093-043-000	1.45	363.66
075-093-044-000	1.09	273.36
075-093-045-000	1.25	313.50
075-093-047-000	0.84	210.66
075-093-049-000	1.28	321.02
075-093-051-000	6.21	1,557.46
075-093-052-000	4.68	1,173.74
075-093-053-000	1.63	408.80
075-093-054-000	1.43	358.64
075-093-055-000	2.62	657.08
075-093-058-000	1.43	358.64
075-096-001-000	0.15	37.62
075-096-002-000	0.15	37.62
075-096-003-000	0.15	37.62
075-096-004-000	0.15	37.62
075-096-005-000	0.15	37.62
075-096-006-000	0.15	37.62
075-096-007-000	0.15	37.62
075-096-008-000	0.15	37.62
075-096-009-000	0.15	37.62
075-096-010-000	0.15	37.62
075-096-011-000	0.15	37.62
075-096-012-000	0.15	37.62
075-096-013-000	0.15	37.62
075-096-014-000	0.15	37.62
075-096-015-000	0.15	37.62
075-096-016-000	0.15	37.62
075-096-017-000	0.15	37.62
075-096-018-000	0.15	37.62
075-096-019-000	0.15	37.62
075-096-020-000	0.15	37.62
075-096-021-000	0.15	37.62
075-096-022-000	0.15	37.62
075-096-023-000	0.15	37.62
075-096-024-000	0.15	37.62
075-096-025-000	0.15	37.62

APN	EBU	Charge
075-096-026-000	0.15	37.62
075-096-027-000	0.15	37.62
075-096-028-000	0.15	37.62
075-096-029-000	0.15	37.62
075-096-030-000	0.15	37.62
075-096-031-000	0.15	37.62
075-096-032-000	0.15	37.62
075-096-033-000	0.15	37.62
075-096-034-000	0.15	37.62
075-096-035-000	0.15	37.62
075-096-036-000	0.15	37.62
075-096-037-000	0.15	37.62
075-096-038-000	0.15	37.62
075-096-039-000	0.15	37.62
075-096-040-000	0.15	37.62
075-096-041-000	0.15	37.62
075-096-042-000	0.15	37.62
075-096-043-000	0.15	37.62
075-096-044-000	0.15	37.62
075-096-045-000	0.15	37.62
075-096-046-000	0.15	37.62
075-096-047-000	0.15	37.62
075-096-048-000	0.15	37.62
075-096-049-000	0.15	37.62
075-096-050-000	0.15	37.62
075-096-051-000	0.15	37.62
075-096-052-000	0.15	37.62
075-096-053-000	0.15	37.62
075-096-054-000	0.15	37.62
075-097-001-000	0.15	37.62
075-097-002-000	0.15	37.62
075-097-003-000	0.15	37.62
075-097-004-000	0.15	37.62
075-097-005-000	0.15	37.62
075-097-006-000	0.15	37.62
075-097-007-000	0.15	37.62
075-097-008-000	0.15	37.62
075-097-009-000	0.15	37.62
075-097-010-000	0.15	37.62
075-097-011-000	0.15	37.62
075-097-012-000	0.15	37.62
075-097-013-000	0.15	37.62
075-097-014-000	0.15	37.62
075-097-015-000	0.15	37.62
075-097-016-000	0.15	37.62
075-097-017-000	0.15	37.62
075-097-018-000	0.15	37.62
075-097-019-000	0.15	37.62
075-097-020-000	0.15	37.62

APN	EBU	Charge
075-097-021-000	0.15	37.62
075-097-022-000	0.15	37.62
075-097-023-000	0.15	37.62
075-097-024-000	0.15	37.62
075-097-025-000	0.15	37.62
075-097-026-000	0.15	37.62
075-097-027-000	0.15	37.62
075-097-028-000	0.15	37.62
075-097-029-000	0.15	37.62
075-097-030-000	0.15	37.62
075-097-031-000	0.15	37.62
075-097-032-000	0.15	37.62
075-097-033-000	0.15	37.62
075-097-034-000	0.15	37.62
075-097-035-000	0.15	37.62
075-097-036-000	0.15	37.62
075-097-037-000	0.15	37.62
075-097-038-000	0.15	37.62
075-097-039-000	0.15	37.62
075-097-040-000	0.15	37.62
075-097-041-000	0.15	37.62
075-097-042-000	0.15	37.62
075-098-001-000	0.15	37.62
075-098-002-000	0.15	37.62
075-098-003-000	0.15	37.62
075-098-004-000	0.15	37.62
075-098-005-000	0.15	37.62
075-098-006-000	0.15	37.62
075-098-007-000	0.15	37.62
075-098-008-000	0.15	37.62
075-098-009-000	0.15	37.62
075-098-010-000	0.15	37.62
075-098-011-000	0.15	37.62
075-098-012-000	0.15	37.62
075-098-013-000	0.15	37.62
075-098-014-000	0.15	37.62
075-098-015-000	0.15	37.62
075-098-016-000	0.15	37.62
075-098-017-000	0.15	37.62
075-098-018-000	0.15	37.62
075-098-019-000	0.15	37.62
075-098-020-000	0.15	37.62
075-098-021-000	0.15	37.62
075-098-022-000	0.15	37.62
075-098-023-000	0.15	37.62
075-098-024-000	0.15	37.62
075-098-025-000	0.15	37.62
075-098-026-000	0.15	37.62

APN	EBU	Charge
075-098-027-000	0.15	37.62
075-098-028-000	0.15	37.62
075-098-029-000	0.15	37.62
075-098-030-000	0.15	37.62
075-098-031-000	0.15	37.62
075-098-032-000	0.15	37.62
075-098-033-000	0.15	37.62
075-098-034-000	0.15	37.62
075-098-035-000	0.15	37.62
075-098-036-000	0.15	37.62
075-098-037-000	0.15	37.62
075-098-038-000	0.15	37.62
075-098-039-000	0.15	37.62
075-098-040-000	0.15	37.62
075-098-041-000	0.15	37.62
075-098-042-000	0.15	37.62
075-098-043-000	0.15	37.62
075-098-044-000	0.15	37.62
075-098-045-000	0.15	37.62
075-098-046-000	0.15	37.62
075-098-047-000	0.15	37.62
075-098-048-000	0.15	37.62
075-098-049-000	0.15	37.62
075-098-050-000	0.15	37.62
075-098-051-000	0.15	37.62
075-098-052-000	0.15	37.62
075-098-053-000	0.15	37.62
075-098-054-000	0.15	37.62
075-098-055-000	0.15	37.62
075-098-056-000	0.15	37.62
Total	84.67	\$21,235.10

*Total may differ from budget due to rounding.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.M
SECTION 3: CONSENT CALENDAR

Meeting Date: June 9, 2015

Subject/ Title: **Resolutions** – Riverbank Storm Drain Maintenance District No. 05-01 (Sterling Ridge):

- 1) Resolution of the City of Riverbank, California, City Council Ordering the Levy and Collection of Assessments within the Riverbank Storm Drain District No. 05-01 (Sterling Ridge) for Fiscal Year 2015/2016

From: Jill Anderson, City Manager

Submitted by: Marisela Garcia, Director of Finance
Kathleen Cleek, Development Services Admin. Manager

RECOMMENDATION:

It is recommended that the City Council adopt Resolution Declaring the City's Intention to Levy and Collect Annual Assessments within the Riverbank Storm Drain District No. 05-01 (Sterling Ridge) for Fiscal Year 2015/2016.

STAFF SUMMARY:

Pursuant to the provisions of the Benefit Assessment Act of 1982, Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California commencing with Section 54703, a special benefit assessment district was formed and designated as the Riverbank Storm Drain District No. 05-01 (Sterling Ridge). The assessments from this District provide for the maintenance and operation of storm drain facilities and improvements. The special benefit District includes the Sterling Ridge, Elmwood Estates Unit 1, and Elmwood Estates Unit 2.

The attached resolution represents the first of two steps in the annual levy of assessments on the district for fiscal year 2015/2016. A Public Hearing to consider adoption of the report and annual levy of assessments is scheduled for June 23, 2015.

Therefore, it is recommended that the City Council adopt Resolution Declaring the City's Intention to Levy and Collect Annual Assessments within the Riverbank Storm Drain District No. 05-01 (Sterling Ridge) for Fiscal Year 2015/2016.

FISCAL IMPACT:

The annual assessments for parcels in the Riverbank Storm Drain District No. 05-01 (Sterling Ridge) for Fiscal Year 2015/2016 are as follows:

	<u>FY 14/15</u>	<u>FY 15/16</u>	<u>Change in Assessment</u>
Annual Parcel Assessments	\$65.22	\$65.22	\$0.00

Costs for the district are paid through assessments upon property owners within the District; hence, there is no fiscal impact to the City.

ATTACHMENTS:

1. Engineer's Annual Report Riverbank Storm Drain District No. 05-01 (Sterling Ridge) Engineer's Report for Fiscal Year 2015/2016
2. Resolution

CITY OF RIVERBANK
RESOLUTION NO. 2015-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS WITHIN RIVERBANK STORM DRAIN DISTRICT NO. 05-01 (STERLING RIDGE) FOR FISCAL YEAR 2015/2016

The City Council of the City of Riverbank, California (hereinafter referred to as the "City"), does resolve as follows:

WHEREAS, the City Council of the City of Riverbank has, by previous Resolution number 2005-034, formed the Riverbank Storm Drain District No. 05-01 (Sterling Ridge) (hereinafter referred to as the "District"), pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of Part 1 of Division 2, Article 4 of the Government Code of California, beginning with Section 54703* (hereinafter referred to as the "Act") and as provided by Article XIII D of the California Constitution, to levy and collect assessments against the lots or parcels of land within such district to pay for the costs and expenses of operating, maintaining and servicing improvements and facilities located within public places within the boundaries of the District; and,

WHEREAS, pursuant to section 54718 of the Government Code of the State of California, the assessments shall be collected by County of Stanislaus in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes, subject to all other conditions set forth in the Engineer's Report; and

WHEREAS, an Assessment Roll for Fiscal Year 2015/2016 (the "Assessment Roll"), which has been prepared in accordance with the method described in the Engineer's Report, has been submitted to the Council and is on file with the City Clerk;

WHEREAS, summary information regarding the assessments to be levied for Fiscal Year 2015/2016 is outlined in the Engineer's Annual Levy Report;

WHEREAS, the Council has determined to levy the assessments specified in the Assessment Roll;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF RIVERBANK, FOR THE STERLING RIDGE BENEFIT ASSESSMENT DISTRICT that:

Section 1 Recitals: The foregoing recitals are true and correct and this City Council so finds and determines.

Section 2 Levy of Assessments: The City Council hereby levies the assessments specified in the Assessment Roll.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District. The District contains all parcels located in the Sterling Ridge Project. The District is known and designated as

“Riverbank Storm Drain District No. 05-01 (Sterling Ridge)”

Section 4 Proposed Assessment Amounts: For Fiscal Year 2015/2016, the proposed assessments for all Zones are outlined in the Engineer's Annual Levy Report.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct an annual Public Hearing concerning the levy of assessments for the District.

Section 6 Notice: The City Clerk shall give notice of the time and place of the Public Hearing by causing the publishing of this Resolution, once in the local paper, not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Time of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 23, 2015 at 6:00 p.m.** or as soon thereafter as feasible in the regular meeting chambers located at 6707 Third Street, Riverbank, California.

Section 8 Adjustments to the Assessment Roll: The City's Finance Administrator is hereby authorized to make changes to the Assessment Roll prior to the final posting of the assessments to the County tax roll, in response to appeals from property owners, or otherwise to achieve a correct match of the assessments with the assessor's parcel numbers finally utilized by the County in sending out property tax bills or in order to correct errors that may, from time to time, arise in the application of the assessments to particular parcels.

Section 9 Filing the Assessment Roll: In order to have the assessments collected in the next assessment collection period and thus be available to finance the costs of maintaining streets and roads within the District, the Finance Administrator shall deliver the Assessment Roll to the Director of Finance of the County of Stanislaus by the deadline established by the County for inclusion on the tax roll for Fiscal Year 2015/2016.

Section 10 Effective Date: This Resolution shall take effect immediately upon adoption.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF ____, 2015.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS ss.
CITY OF RIVERBANK

I, _____, City Clerk of the City of Riverbank, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the City Council of said City of Riverbank at a regular meeting of said City Council held on the ____ day of ____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

_____,
Richard D. O'Brien, Mayor
City of Riverbank

_____,
Annabelle Aguilar, City Clerk
City of Riverbank



City of Riverbank

Riverbank Benefit Assessment District No. 05-01 (Sterling Ridge)

2015/2016 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: June 9, 2015
Public Hearing: June 23, 2015

27368 Via Industria
Suite 200
Temecula, CA 92590
T 951.587.3500 | 800.755.6864
F 951.587.3510

www.willdan.com/financial



AFFIDAVIT FOR THE ENGINEER'S ANNUAL LEVY REPORT

City of Riverbank
Stanislaus County, State of California

Riverbank Storm Drain District No. 05-01 (Sterling Ridge)

This Report describes the District and all relevant zones therein including the improvements, budgets, parcels and assessments to be levied for Fiscal Year 2015/2016, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District.

The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this 27 day of May, 2015.

Willdan Financial Services
Assessment Engineer

By: Zaskia Ruiz-Jones
Zaskia Ruiz-Jones, Project Manager
District Administration Services

By: Richard Kopecky
Richard Kopecky
R.C.E. # 16742



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INTRODUCTION

Pursuant to the provisions of the *Benefit Assessment Act of 1982*, being *Chapter 6.4, Division 2, Title 5 of the Government Code of the State of California* commencing with *Section 54703* (hereafter referred to as the “1982 Benefit Act”), and in compliance with the substantive and procedural requirements of the *California State Constitution, Article XIII D* (hereafter referred to as the “California Constitution”), the City Council of the City of Riverbank, County of Stanislaus, State of California (hereafter referred to as “City”), in connection with the proceedings required for the assessment of the special benefit assessment district designated as:

Riverbank Storm Drain District No. 05-01 (Sterling Ridge)

(hereafter referred to as “District”), which includes all lots and parcels of land within the residential subdivision known as Sterling Ridge, within the City limits of Riverbank. This Engineer’s Report (hereafter referred to as “Report”) has been prepared in connection with the levy and collection of annual assessments related thereto for Fiscal Year 2015/2016, as set forth pursuant to the 1982 Benefit Act.

This Report describes the District, the improvements, and the assessments to be levied on the County tax rolls to fund the costs and expenses to service and maintain storm drain improvements associated with and resulting from the development of properties within the District and for which the properties receive special benefits. The annual assessments of this District will provide an ongoing funding source (annual assessments) for the continued operation and maintenance of storm drain improvements installed in connection with the development of properties within the District and are made pursuant to the 1982 Benefit Act and the substantive and procedural provisions of the California Constitution.

The improvements and assessments described in this Report are based on the planned development of properties within the District and represent an estimate of the direct expenditures, incidental expenses, and fund balances that will be necessary to maintain and service the improvements. The structure of the District (organization), the improvements, the method of apportionment, and assessments described herein are based on current development plans and specifications for the Sterling Ridge residential development; and by reference these plans and specifications are made part of this Report.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the Stanislaus County Assessor’s Office. The Stanislaus County Auditor/Controller uses Assessor’s Parcel Numbers and specific Fund Numbers to identify properties assessed on the tax roll for special district benefit assessments.

The City Council shall conduct a noticed annual public hearing to consider all public comments and written protests regarding the District. Following the annual public hearing and review of the Engineer's Annual Levy Report, the City Council may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report and confirmation of the assessments contained therein, the City Council will, by resolution, order the improvements to be made and confirm the levy and collection of assessments, and approve the levy and collection of assessments for Fiscal Year 2015/2016. In such case, the assessments as approved will be submitted to the Stanislaus County Auditor/Controller to be included on the property tax roll for each parcel in Fiscal Year 2015/2016.

Pursuant to the 1982 Benefit Act, in no case shall the annual assessments exceed the maximum assessment rate (including the annual inflationary adjustment) established and approved by the property owners as part of the formation proceedings, without subsequent approval of the property owners of such new or increased assessment in accordance with the provisions of the California Constitution, *Article XIII D*. It should be noted that an increased assessment to an individual property resulting from changes in development or land use does not constitute an increased assessment.

This Report consists of five (5) parts:

Plans and Specifications: A description of the District boundaries and the improvements associated with said District. This District is a single benefit zone encompassing all properties within the territory identified as the residential subdivision of Sterling Ridge.

Method of Apportionment: A discussion of benefits the improvements provide to properties within the District and the method of calculating each property's proportional special benefit and annual assessment. An Assessment Range Formula described herein defines the maximum assessment that may be imposed in subsequent fiscal years without additional property owner ballot proceedings.

District Budget: An estimate of the annual costs to maintain and service the storm drain improvements installed and constructed as part of the development of properties within the District. The maximum assessment and assessment range formula established for the District are based on the development plans and annual cost and expenses associated with the improvements at build-out. The assessments to provide the improvements shall be based on the estimated net annual cost of operating and maintaining of the District improvements for that fiscal year. The maximum assessment (Rate per Equivalent Benefit Unit) identified in the budget of this Report establishes the maximum assessment for the District in Fiscal Year 2015/2016.

District Diagram: A Diagram showing the exterior boundaries of the District is provided in this Report and includes all parcels receiving special benefits from the improvements. Parcel identification, the lines and dimensions of each lot, parcel and subdivision of land within the District, are inclusive of all parcels as shown on the Stanislaus County Assessor's Parcel Maps as they existed at the time of the passage of the Resolution of Intention, and shall include all subsequent subdivisions, lot line adjustments or parcel changes therein. Reference is hereby made to the Stanislaus County Assessor's maps

for a detailed description of the lines and dimensions of each lot and parcel of land within the District.

Assessment Roll: A listing of the assessment amount to be presented to the property owners of record. Said assessment amounts represent each parcel's proportional special benefit from the improvements and services to be provided by the District based on an initial maximum assessment rate per Equivalent Benefit Unit (EBU). The maximum assessment rate has been established based on the planned development of properties within the District and the net annual cost to maintain and service the improvements as outlined in the District budget and method of apportionment described herein.

PART I — PLANS AND SPECIFICATIONS

A. DESCRIPTION OF THE DISTRICT

The territory within the District consists of all lots, parcels and subdivisions of land within the residential subdivision known as the Sterling Ridge, Elmwood Estates Unit 1 and Unit 2.

- **Sterling Ridge:** encompasses an area of land totaling approximately forty-six (46) acres. This residential subdivision includes one hundred eighty-three (183) single-family residential homes. The subdivision is generally located east of Roselle Avenue; south of Talbot Avenue; north of Minnear Road; and west of the AT & SF Railroad.
- **Elmwood Estates Unit 1:** This residential tract encompasses an area generally east of Roselle Avenue and south of Pocket Avenue. The tract includes ninety-two (92) residential parcels within the subdivision known as Elmwood Estates Unit 1, identified on Book 75 Page 04 of the Stanislaus County Assessor's Parcel Maps. The parcels within the development are identified by the Stanislaus County Assessor's Office as Assessor's Parcel Numbers 075-049-001-000 through 075-049-092-000.
- **Elmwood Estates Unit 2:** This residential tract encompasses an area located east of Aspen Lane and south of Pocket Avenue and includes eighty-six (86) single-family residential lots. The parcels within this development are identified by the Stanislaus County Assessor's Office as Assessor's Parcel Numbers 075-095-001-000 through 075-095-086-000.

B. IMPROVEMENTS AUTHORIZED BY THE 1972 ACT

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.
- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.

- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.
- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Furthermore, the 1972 Act specifies that where the cost of improvements (other than maintenance and operations) is greater than can be conveniently raised from a single annual assessment, an assessment to be levied and collected in annual installments. In that event, the governing body may choose to do any of the following:

- Provide for the accumulation of the moneys in an improvement fund until there are sufficient moneys to pay all or part of the cost of the improvements.
- Provide for a temporary advance to the improvement fund from any available and unencumbered funds of the local agency to pay all or part of the cost of the improvements and collect those advanced moneys from the annual installments collected through the assessments.

- Borrow an amount necessary to finance the estimated cost of the proposed improvements. The amount borrowed, including amounts for bonds issued to finance the estimated cost of the proposed improvements.

C. DESCRIPTION OF IMPROVEMENTS AND SERVICES

The purpose of this District is to ensure the ongoing maintenance, operation and servicing of storm drain improvements established or installed in connection with development of properties within the District. The improvements may consist of all or portion of the storm drain infrastructure and appurtenant facilities within and associated with the development of properties within the Sterling Ridge residential subdivision. The District improvements generally include but are not limited to inlets, catch basins, storm drain pipes, outlets, pumps, filters, drainage basins and appurtenant facilities. The special benefit assessments to be levied for this District are intended to provide a revenue source for the ongoing maintenance and servicing of these District improvements including, but not limited to, the materials, equipment, labor and administrative expenses. However, the assessments are not intended to fund reconstruction or major renovations of the improvements and facilities. The improvements to be maintained and funded entirely or partially through the District assessments are generally described as:

- Annual inspection and stencil maintenance of inlets & catch basins;
- Cleaning and maintenance of catch basins as needed, including permits and documentation requirements (twenty-two catch basins are within the development);
- Periodic cleaning of storm drain pipes, including permits and documentation requirements (approximately 8,630 linear feet of pipe);
- Annual landscape maintenance and rodent control of the 2.74 acre drainage basin (portion of the costs);
- Cleaning, debris removal and de-silting of drainage basin and/or biofilter areas as needed;
- Minor repair of the storm drain outlets if damaged or any other damaged facilities caused by flooding (major repairs or reconstruction are excluded);
- Regular operational costs to maintain and clean drainage basin pump and filters, including electrical costs (major repairs or replacement are excluded); and,
- Annual maintenance and repair of the fencing around the 2.74 acre drainage basin (portion of the costs).

PART II — METHOD OF APPORTIONMENT

A. BENEFIT ANALYSIS

The 1982 Benefit Act permits the establishment of assessment districts by agencies for the purpose of providing for the maintenance, servicing and operation of drainage improvements and appurtenant facilities. The 1982 Benefit Act further requires that the

cost of these improvements and activities and the corresponding assessments shall be related to the benefit derived and the annual aggregate amount of the assessment shall not exceed the estimated annual cost of providing such improvements and the service.

The method of apportionment described in this Report for allocation of special benefit assessments utilizes commonly accepted engineering practices and have been established pursuant to the 1982 Benefit Act and the provisions of the California Constitution. The formula used for calculating assessments for the District reflects the composition of the parcels and the improvements provided to fairly apportion the costs based on special benefits to each parcel. Furthermore, pursuant to the *Constitution Article XIII D, Section 4*, a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel and a parcel may only be assessed for special benefits received.

All improvements and services associated with the District have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential and consistent with the proposed development plans and the City's General Plan. As such, these improvements would be necessary and required of individual property owners for the development of such properties and the ongoing operation, servicing and maintenance of the improvements and facilities would be the financial obligation of those properties. Therefore, the storm drain facilities and infrastructure, and the annual costs of ensuring the maintenance and operation of these improvements provide special benefits to the properties within the District. However, it is also recognized that a portion of the District improvements and services provides some benefits to properties outside the District boundaries or to the public at large and are therefore considered general benefit. Specifically, the drainage basin and related facilities including the drainage basin landscaping, fencing and pumps benefit developments in the area. All District costs have been identified as special benefit and shall be allocated to each property in proportion to the special benefits received.

B. ASSESSMENT METHODOLOGY

The method of apportionment for the District calculates the receipt of special benefit from the respective improvements based on the actual or proposed land use of the parcels within the District. The special benefit received by each lot or parcel is equated to the overall land use of parcels within the District based on the parcel's actual land use or proposed development.

It has been determined that each of the residential parcels within the District receives special benefits from all the improvements to be funded by annual assessments and, based on the planned property development, a single zone of benefit is appropriate for the allocation of the assessments and proportional benefit. At the writing of this Report, the parcels within the District had not been fully subdivided, based on available parcel information from the County Assessor's Office. Therefore, the parcels within the District may be identified by one of the following land use classifications and is assigned a weighting factor known as an Equivalent Benefit Unit (EBU) that best reflects both the current and proposed use of each parcel. The EBUs calculated for a specific parcel

defines that parcel's proportional special benefits from the proposed District improvements, facilities and services.

Equivalent Benefit Units

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of all other properties within the District. The EBU method of apportioning assessments uses the single-family home site as the basic unit of assessment. A single-family home site equals one EBU. All other land uses are converted to EBUs based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site.

The EBU method of apportioning special benefits is typically seen as the most appropriate and equitable assessment methodology for districts formed under the 1982 Benefit Act, as the benefits to each parcel from the improvements are apportioned as a function of land use type, size, and development. Although the EBU method of apportioning special benefit is commonly used and applied to districts that have a wide range of land use classifications (residential and non-residential use), this District is comprised of only residential properties and the following apportionment analysis of special benefit addresses only residential land uses. Not all land use types described in the following are necessarily applicable to the development of properties within this District, but are presented for comparison purposes to support the proportional special benefit applied to those land use types within the District:

EBU Application by Land Use:

Single-Family Residential — This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.00 EBU per lot or parcel. This EBU is the base value that all other properties are compared and weighted against.

Multi-Family Residential — This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property. This land use typically includes apartments, duplexes, triplex etc. It does not typically include condominiums, town-homes or mobile home parks. Based on average population densities and size of the structure as compared to a typical single-family residential unit, multi-family residential parcels shall be proportionately assessed for the parcel's total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single-family residential property, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single-family residence (Sample Sources: Institute of Transportation Engineers Informational Report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Edition). These various studies indicate that most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as

the density (number of units) increases; the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations and the improvements provided by this District, it has been determined that an appropriate allocation of special benefit for multi-family residential properties is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 5 units; 0.50 EBU per unit for units 6 through 50; and 0.25 EBU per unit for all remaining units.

Condominium/Town-home Units — Condominiums and town-homes tend to share attributes of both single-family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single-family residential properties, these properties are not usually considered rental property and generally the County assigns each unit a separate APN or assessment number. However, condominiums and town-homes often have similarities to multi-family residential properties - they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors it has been determined that an appropriate allocation of special benefit for condominiums, town-homes and similar residential properties is best represented by an assignment of 0.75 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to an APN. There is no adjustment for parcels with more than five units.

Planned-Residential Development — This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the District. This land use classification oftentimes involves more than a single parcel (e.g. the approved tract map encompasses more than a single APN). Each parcel that is part of the approved tract map shall be assessed proportionately for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out. The EBU assigned to each parcel shall represent the combination of single-family, condominium, multi-family units to be developed.

Vacant Residential — This land use is defined as property currently zoned for residential development, but a tentative or final tract map for the property has not yet been approved. Based upon the opinions of professional appraisers who appraise market property values for real estate in Southern California, the land value portion of a property typically ranges from 20 to 30 percent of the total value of a developed residential property (the average is about 25 percent). Therefore it has been determined that a reasonable allocation of special benefit for this type of property would parallel the twenty-five percent (25%) apportionment of property value and the number of single-family residential units typically developed per acre (an average of 4 units per acre). Based on these factors this land use shall be assigned 1.0 EBU per acre (4 units per acre x 25%). Parcels less than one acre shall be assigned a minimum of 1.0 EBU (similar to a vacant lot within a residential tract). Recognizing that the full and timely utilization of vacant property is reduced as the size of

the property increases, it has been determined that the maximum EBU assigned to a vacant residential parcel shall not exceed 25.0 EBU (parcels in excess of 25 acres are assigned 25.0 EBU).

Exempt Parcels — This land use identifies properties that are not assessed and are assigned 0.00 EBU. This land use classification may include but is not limited to:

- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County);
- Dedicated public easements including open space areas, utility rights-of-way, greenbelts, parkways, parks or other publicly owned properties that are part of the District improvements or that have little or no improvement value;
- Private properties that cannot be developed independently from an adjacent property, such as common areas, sliver parcels, or bifurcated lots or properties with very restrictive development use.

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

Special Cases — In many districts where multiple land use classifications are involved, there is usually one or more properties that the standard land use classifications or usual calculation of benefit will not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a Vacant Residential property, however only a small percentage of the parcel's total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel. The following table provides a summary of land use types and the Equivalent Benefit Unit factors used to calculate each parcel's individual EBU as outlined above.

Land Uses and Equivalent Benefit Units

Property Type	Equivalent Benefit Units	Multiplier
Single-family Residential	1.00	Per Unit/Lot/Parcel
Multi-family Residential	0.75	Per Unit for the First 5 Units
	0.50	Per Unit for Units 6-50
	0.25	Per Unit for all remaining units
Condominium/Town-home	0.75	Per Unit
Planned-Residential Development	1.00	Per Planned SF Residential Lot
	0.75	Per Planned Condominium
	0.25	Per Unit for all remaining units
Vacant	1.00	Per Acre
Exempt Parcels	0.00	Per Parcel

The following formula is used to calculate each parcel's EBU (proportional benefit):

Parcel Type EBU x Acres or Units = Parcel EBU

The total number of EBUs is the sum of all individual EBUs applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total cost of the improvements and dividing that amount by the total EBUs of all the parcels benefiting from the improvements. This Rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and assessment obligation for the improvements.

Total Balance to Levy / Total EBU = Levy per EBU**Levy per EBU x Parcel EBU = Parcel Levy Amount****C. ASSESSMENT RANGE FORMULA**

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (California Constitution Articles XIIC and XIID), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an assessment range formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District formation, balloting of property owners was required pursuant to the *California Constitution, Article XIID, Section 4*.

The assessment range formula for this District shall be applied to all future assessments and is generally defined as: if the proposed annual assessment (levy per EBU) for the upcoming fiscal year is less than or equal to the adjusted Maximum Assessment, then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the (Initial) Maximum Assessment established for Fiscal Year 2005/2006 adjusted annually by the annual percentage change in the Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area for All Urban Consumers. The Maximum Assessment Rate for Fiscal Year 2014/2015 was \$167.31 per EBU, the CPI for February 2015 is 2.53%. The adjusted Maximum Assessment Rate for Fiscal Year 2015/2016 is \$171.54 per EBU.

Beginning in the second fiscal year (Fiscal Year 2006/2007) and each fiscal year thereafter, the Maximum Assessment is recalculated and a new Maximum Assessment established for that fiscal year. The Maximum Assessment shall be adjusted annually and is calculated independent of the District's annual budget and proposed annual assessment. Any proposed annual assessment (rate per EBU) less than or equal to this Maximum Assessment is not considered an increased assessment, even if the proposed assessment is much greater than the assessment applied in the prior fiscal year.

PART III — DISTRICT BUDGET

Storm Drain District No. 05-01 (Sterling Ridge)	General Benefit	Special Benefit	Total Budget
DIRECT COSTS			
<i>Annual Maintenance</i>			
Inspection & Abatement: Drainage Basins	\$1,265	\$1,335	\$2,600
Landscape Maint: Drainage Basins (incl utilities)	1,946	2,054	4,000
Annual Maint: Drainage Basins/Channelway fencing	487	513	1,000
Annual Inspc/Docs: Inlets, Manholes, Outlets, Etc	12	988	1,000
Annual Maint & Cleaning: Inlets, Manholes, Outlets, Etc	26	2,074	2,100
Annual Inspection & Maint: Storm Drain pipes	32	2,468	2,500
Annual pump operation (include electricity)	1,703	1,797	3,500
Annual Maintenance Expenses: Storm Drains	\$5,471	\$11,229	\$16,700
<i>Periodic Maintenance</i>			
Periodic Landscape Repairs: Drainage Basin	\$486	\$514	\$1,000
Periodic Repairs or Rehab: Storm Drain Fencing	485	515	1,000
Periodic Repairs or Rehab: Manholes, Outlets, Etc.	18	1,482	1,500
Periodic Repairs or Rehab: Storm Drain Pipes	36	2,964	3,000
Annual Periodic Maint Collection: Storm Drains	\$1,025	\$5,475	\$6,500
	\$6,496	\$16,704	\$23,200
Total Annual Direct Costs	\$6,496	\$16,704	\$23,200
ADMINISTRATION COSTS			
City Administration & Overhead	\$0	\$4,100	\$4,100
Professional Fes & Services	0	2,300	2,300
County Administration Fee	0	102	102
Miscellaneous/Other Admin Fees	0	338	338
Total Annual Administration Costs	\$0	\$6,840	\$6,840
TOTAL DIRECT AND ADMIN COSTS	\$6,496	\$23,544	\$30,040
COLLECTIONS/(CREDITS) APPLIED TO LEVY			
Reserve Collection/(Transfer)	\$0	\$0	\$0
Capital Improvement Fund Collection/(Transfer)	0	0	0
Other Revenues/General Fund (Contributions)	(6,496)	0	(6,496)
TOTAL ADJUSTMENTS	(\$6,496)	\$0	(\$6,496)
BALANCE TO LEVY	\$0	\$23,544	\$23,544
DISTRICT STATISTICS			
Total Parcels			361
Parcels Levied			361
Total EBU			361.00
Levy per EBU			\$65.22
Maximum Levy per EBU			\$171.54
FUND BALANCE INFORMATION			
Beginning Reserve Fund Balance			\$133,546
Reserve Collection			0
Ending Reserve Fund Balance			\$133,546

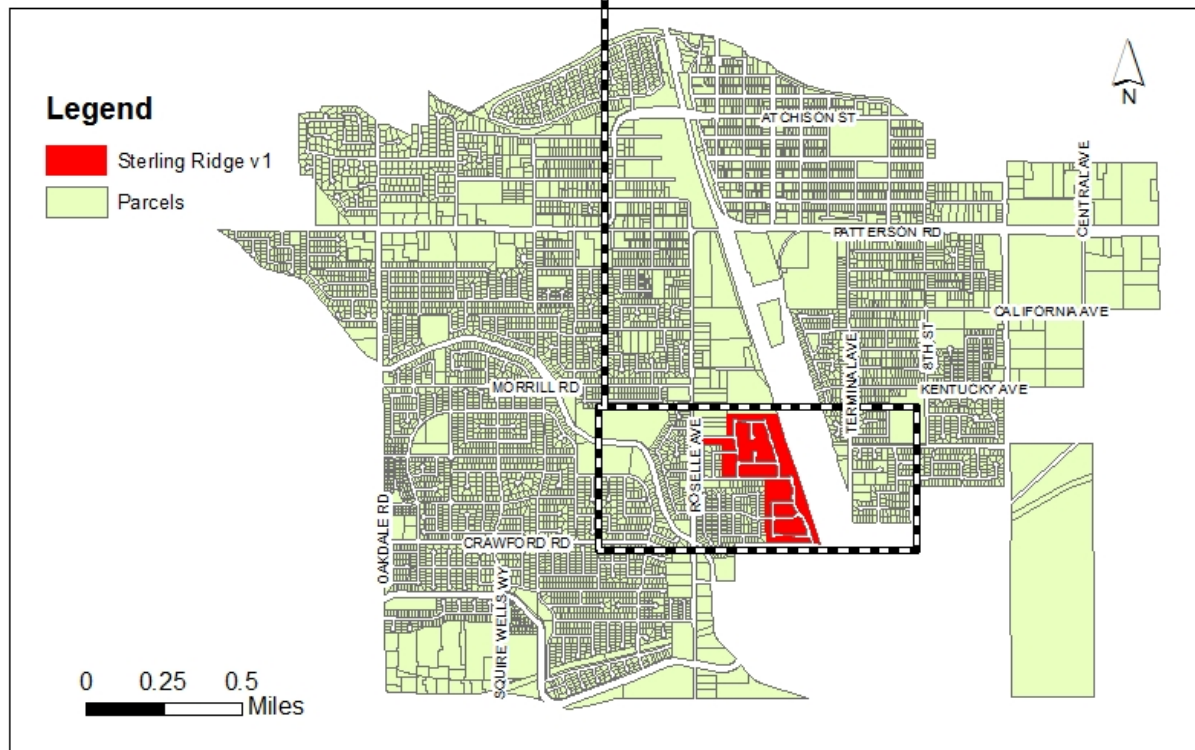
PART IV — DISTRICT BOUNDARY MAPS

The parcels within the Riverbank Storm Drain District No. 05-01 (Sterling Ridge) consist of all lots, parcels and subdivisions of land located in the planned residential development known as Sterling Ridge. The District covers approximately forty-six (46) acres.

The following District Diagram is based on the Stanislaus County Assessor's Maps and the Stanislaus County Assessor's Secured Roll (as of July 2004) and identifies all the parcels of land within the proposed District. The combination of this map and the Assessment Roll contained in this Report constitute the District Assessment Diagram.

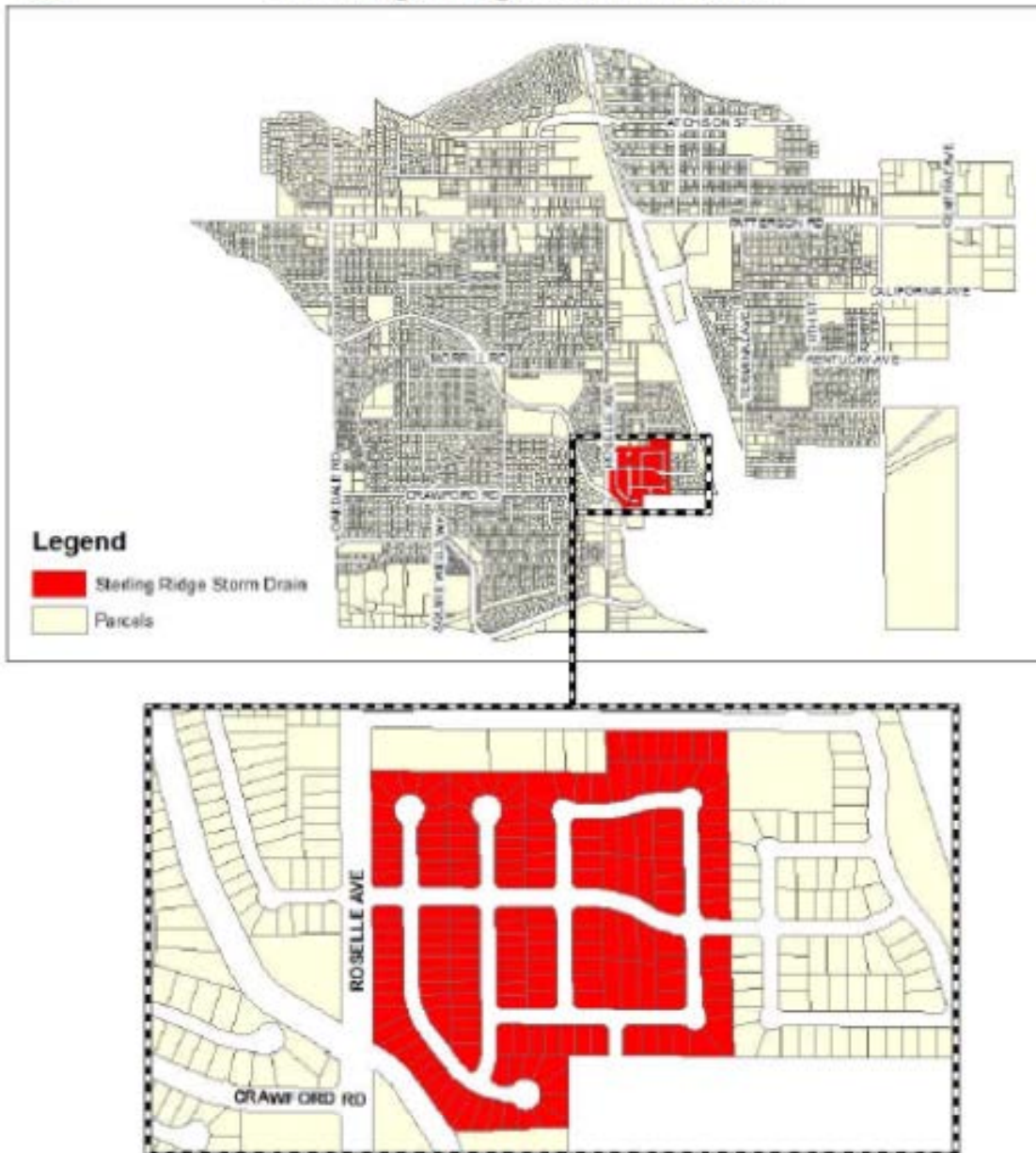


City of Riverbank Sterling Ridge Benefit Assessment District





Riverbank Sterling Ridge Storm Drain



PART V — 2015/2016 ASSESSMENT ROLL

Parcel identification for each lot or parcel within the District shall be the parcel as shown on the Stanislaus County Secured Roll for the year in which the Engineer's Report is prepared and reflective of the Assessor's Parcel Maps. A listing of the proposed lots and parcels to be assessed within this District along with the assessment amounts is provided herein.

Non-assessable lots or parcels may include but are not limited to public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas, right-of-ways, common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has little or no value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate described in this Report and approved by the City Council. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

APN	EBU	Charge
075-049-001-000	1.0	\$65.20
075-049-002-000	1.0	65.20
075-049-003-000	1.0	65.20
075-049-004-000	1.0	65.20
075-049-005-000	1.0	65.20
075-049-006-000	1.0	65.20
075-049-007-000	1.0	65.20
075-049-008-000	1.0	65.20
075-049-009-000	1.0	65.20
075-049-010-000	1.0	65.20
075-049-011-000	1.0	65.20
075-049-012-000	1.0	65.20
075-049-013-000	1.0	65.20
075-049-014-000	1.0	65.20
075-049-015-000	1.0	65.20
075-049-016-000	1.0	65.20
075-049-017-000	1.0	65.20
075-049-018-000	1.0	65.20
075-049-019-000	1.0	65.20
075-049-020-000	1.0	65.20
075-049-021-000	1.0	65.20
075-049-022-000	1.0	65.20
075-049-023-000	1.0	65.20
075-049-024-000	1.0	65.20
075-049-025-000	1.0	65.20
075-049-026-000	1.0	65.20
075-049-027-000	1.0	65.20
075-049-028-000	1.0	65.20
075-049-029-000	1.0	65.20
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075-049-031-000	1.0	65.20
075-049-032-000	1.0	65.20
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075-049-048-000	1.0	65.20
075-049-049-000	1.0	65.20
075-049-050-000	1.0	65.20

APN	EBU	Charge
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075-088-006-000	1.0	65.20
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075-088-008-000	1.0	65.20

APN	EBU	Charge
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075-088-050-000	1.0	65.20
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075-088-053-000	1.0	65.20
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075-088-056-000	1.0	65.20
075-088-057-000	1.0	65.20
075-088-058-000	1.0	65.20

APN	EBU	Charge
075-088-059-000	1.0	65.20
075-088-060-000	1.0	65.20
075-088-061-000	1.0	65.20
075-088-062-000	1.0	65.20
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075-089-001-000	1.0	65.20
075-089-002-000	1.0	65.20
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075-089-026-000	1.0	65.20
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075-089-035-000	1.0	65.20
075-089-036-000	1.0	65.20
075-089-037-000	1.0	65.20
075-089-038-000	1.0	65.20
075-089-039-000	1.0	65.20
075-089-040-000	1.0	65.20
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075-089-044-000	1.0	65.20
075-089-045-000	1.0	65.20

APN	EBU	Charge
075-089-046-000	1.0	65.20
075-089-047-000	1.0	65.20
075-089-048-000	1.0	65.20
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Total	361.0	\$23,537.20

*Total may differ from budget due to rounding.

**RIVERBANK LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 3.N**

SECTION 3: CONSENT CALENDAR

Meeting Date:	June 9, 2015
Subject:	Out of State Travel Request to Attend an ADC 2015 Defense Communities National Summit June 22-24, 2015 in Washington DC
From:	Jill Anderson, City Manager
Submitted by:	Debbie Olson, Executive Director

It is recommended that the Local Redevelopment Authority Board approve the out-of-state travel request for the Executive Director of the LRA to attend a Defense Communities National Summit in Washington, D.C.

SUMMARY

The Executive Director will be attending the ADC board meeting, attend conference sessions, meet and discuss issues pertaining to BRAC with other BRAC-site staff around the country, meet with representatives of the Army and plan a meeting with the military liaison of our Congressional representative.

STRATEGIC PLAN ALIGNMENT

This activity promotes professionalism and provides educational opportunities for LRA staff. Additionally, the location of the conference allows for attendance by key Washington decision makers and the conference itself provides numerous opportunities to strengthen strategic alliances which are beneficial to the conveyance process.

FINANCIAL IMPACT

No impact on the General Fund. Travel expenses will be covered 100% through grant funds and lease revenues.

ATTACHMENT

None

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.1

SECTION 5: PUBLIC HEARING

Meeting Date:	June 9, 2015
Subject:	First reading and Introduction by Title Only of an Ordinance of the City Council of the City of Riverbank, California, Title IX: General Regulations; Amending Sections Chapter 91: Animals, and Chapter 94: Park Regulations, of the City of Riverbank Code of Ordinances
From:	Jill Anderson, City Manager
Submitted by:	Sue Fitzpatrick, Department of Parks and Recreation Director Annabelle Aguilar, CMC, City Clerk

RECOMMENDATION

It is recommended that the City Council conduct the first reading and introduction by title only of the proposed ordinance and consider its approval as presented, which will then be scheduled for its seconding reading to consider its adoption at the June 23, 2015, regular City Council meeting.

SUMMARY

The City seeks to amend the Riverbank Municipal Code (RMC), Animal Control ordinance to remove old language that referred to the former referenced Stanislaus County Animal Services ordinance, and to add language that reflects what the City of Riverbank deems necessary for its community in conjunction with the referenced City of Oakdale's Animal Control ordinance.

In addition, the City seeks to revise the RMC to ensure that staff has a mechanism for regulating dogs and other animals in public areas, including parks. The Animal Control regulations are currently enforced through a contract with the City of Oakdale. On occasion, City staff or contracted security personnel are in a better position to immediately respond to animal control issues ensuring the safety of park patrons. The RMC revisions will ensure that City staff or designee has the ability to enforce these regulations when staff from the City of Oakdale is unavailable or delayed.

Amendments to Chapter 91: Animals and Chapter 94: Park Regulations have been reviewed by the City of Oakdale's Animal Control Unit, which will enhance the cooperative efforts of Animal Control between both Cities.

The amendments to the RMC will also provide flexibility to the park hours for Jacob Myers Parks due to the size and different components of the park. Currently, the City's Code states that all parks are open from 6:00 a.m. until one (1) hour after dusk. The proposed ordinance will change the hours so that Jacob Myers Park will be open from 7:00 a.m. until 8:00 p.m., with the trail area closing at 7:30 p.m. during the months of April through September, and will change from 7:00 a.m. until 6:00 p.m., with the trail area closing at 5:30 p.m. during the months of October through March.

The final amendment to the Code will be to change a number of rules regarding the use and requirements of conduct in City parks and the penalties for violating those rules. The ordinance clarifies that City staff and police officers may issue citations to individuals for violations. This minor addition is important to ensure that the City's rules and regulations are more than guidelines on paper and can actually be enforced. Notification of all new park rules and regulations will be posted at each park.

BACKGROUND

As part of an agreement with the City of Oakdale for animal control services, the City has adopted and incorporated the City of Oakdale's animal control ordinance. However, animal control issues occasionally arise at the parks, which require immediate action to ensure the health and safety of park patrons. To make certain that the City can immediately address issues of unleashed animals, dangerous animals, or sanitation issues related to animals in City parks, it is important that the City have its own authority to enforce violations. This Ordinance will allow City personnel to enforce the rules.

The RMC states that all City parks are open from 6:00 a.m. until one hour after dusk. However, due to the large size of Jacob Myers Park, staff has found that it is logistically difficult to ensure the park is prepared for use by 6:00 a.m., and staff finds it difficult to realistically close the park at the time stated in the current code. Changing the ordinance provides better hours for staff to review the parks condition, and address any health or safety issues prior to opening, and also ensures all patrons have exited the park at a reasonable time.

The City of Riverbank currently hosts fifteen (15) parks within the City limits, all with varying characteristics and amenities. City staff encounters various issues that require immediate attention to ensure the well-being of all park patrons and staff. The proposed ordinance changes to Chapter 93: Park Regulations seeks to improve the quality of the City park experience by giving the City the appropriate tools to respond to issues that arise in its parks and to prevent any unbecoming acts.

FINANCIAL IMPACT

The Ordinance will allow the City to issue citations for park violations, thereby allowing the City to collect penalties. The City may incur additional expenses to provide individuals with an administrative appeal process. However, some if not all of this expense should be offset by the penalties the City collects. Additionally, the City may

be able to reduce its costs to the City of Oakdale regarding animal control issues by responding to some of those types of issues itself.

ATTACHMENT

1. Proposed Ordinance.

CITY OF RIVERBANK

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AMENDING TITLE IX: GENERAL REGULATIONS; CHAPTER 91: ANIMALS, AND CHAPTER 94: PARK REGULATIONS, OF THE CITY OF RIVERBANK CODE OF ORDINANCES

WHEREAS, the City of Riverbank's (the "City") parks and areas of recreation are a vital attribute to the City and serve an important role in shaping community character; and

WHEREAS, the City currently contracts with the City of Oakdale for animal control services; and

WHEREAS, on occasion City staff is in a better position to immediately respond to an incident occurring at a City park, ensuring disturbances at City parks are limited and controlled; and

WHEREAS, in order to address the wide range of issues that arise at City parks, it is important that the City better define prohibited behavior to provide enforcement officials with guidelines and to provide notice to park patrons; and

WHEREAS, the City's rules and regulations regarding animals in city parks would be more beneficial to the City if the mechanisms for enforcing such provisions, such as the City's administrative citation process, were more clearly defined.

SECTION 1:

THE CITY COUNCIL OF THE CITY OF RIVERBANK DOES ORDAIN AS FOLLOWS:

Title IX: General Regulations, Chapter 91: Animals, of the Riverbank Municipal Code of Ordinances shall be repealed in its entirety and substituted with a new Chapter 91: Animal Control, which shall read as follows:

CHAPTER 91: ANIMAL CONTROL

Section

- 91.01 Animal Control Ordinance adopted by reference
- 91.02 Prohibitions
- 91.03 Penalty
- 91.04 Authority to Enforce
- 91.05 City Parks
- 91.06 Amendments to the referenced City of Oakdale ordinance
- 91.07 Severability

Cross-reference:

Interference with police dogs, see § 130.04

§ 91.01 ANIMAL CONTROL ORDINANCE ADOPTED BY REFERENCE.

The City of Oakdale Animals and Fowl Ordinance, which is codified in Chapter 4, Animals and Fowl, of the City of Oakdale Municipal Code, is hereby incorporated by reference and made a part of this code the same as if set forth in full herein, subject to the amendments and modifications provided herein. A copy of the full text of the ordinance is available at the Office of the City Clerk.

§ 91.02 PROHIBITION.

No person shall violate the City of Oakdale Animals and Fowl Ordinance, as adopted and amended by this Chapter while within the City of Riverbank. Any violation of such ordinance will be a violation of this code.

§ 91.03 PENALTY.

Any violation of this chapter shall be punishable by fines in an amount established by the City of Oakdale. Such fines shall be imposed pursuant to the procedures outlined in the City of Oakdale Animals and Fowl Ordinance.

§ 91.04 AUTHORITY TO ENFORCE.

It shall be the duty of the Police Services Commanding Officer as defined in Section 94.01 of the City Code of Riverbank, such deputies as he or she may appoint for such purpose, any individual or company the city contracts with for such services, or

any agency designated to do so by a joint powers agreement entered into by the city to enforce the provisions of this chapter.

§ 91.05 CITY PARKS.

Any animals and fowl code violations of this chapter within a city park shall be deemed a park violation pursuant to chapter 94 of the code and shall be enforceable pursuant to Chapter 99 of the Municipal Code of Riverbank.

§ 91.06 AMENDMENTS TO THE CITY OF OAKDALE ANIMALS AND FOWL ORDINANCE.

As it applies to the City of Riverbank, the following sections are added to the City of Oakdale Animals and Fowl Ordinance:

Section 4-19.1 Animal Wastes.

(A) It shall be unlawful for any person owning or having charge, care, control, or custody of any dog, cat or other animal to allow animal waste or fecal matter produced by said animal to accumulate or remain on the ground or about the premises or property for more than three (3) days without said animal waste or fecal matter being placed in an airtight bag or other container and removed from the property and disposed of within seven (7) days of it being collected and contained.

(B) Notwithstanding the above, any person owning or having charge, care, control, or custody of any dog, cat or other animal shall at all times prevent urine and/or feces odors of said animal's waste from hindering, hampering, impeding, interfering with, infringing upon, or detracting from another person's enjoyment of their real or personal property.

Section 4-19.2 Removal of Animal Defecation.

(A) It shall be unlawful for any person owning or being in charge, care, control, or custody of dog, cat, or other animal to permit, either willfully or through failure to exercise due care or control, such animal to defecate and to allow the feces to remain upon a public park, sidewalk, roadway or any public street, or on any property not owned or possessed by the owner or person in charge, care, control, or custody of the animal. The person owning or in charge, care, control, or custody of any animal shall immediately and securely enclose all feces deposited by such animal in a bag, wrapper, or other container, and dispose of it in a sanitary manner.

(B) Failure of any person owning or being in charge, care, control, or custody of any dog, cat, or other animal to remove such feces immediately from the above-described property shall constitute a violation of this section and shall be punishable as an infraction.

(C) The provisions of this section shall not apply to individuals with disabilities who have the charge or control of a certified guide or assistance dog.

(D) Violation of this section shall be an infraction punishable by a fine as set forth by a resolution of the City of Oakdale for Section 4-19 of the referenced ordinance. An administrative citation issued for a violation under Chapter 94 for city parks of the code, shall be punishable as noted by that chapter.

§ 91.07 SEVERABILITY.

The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this chapter, or the invalidity of the application thereof to any person or circumstances, shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.

SECTION 2:

THE CITY COUNCIL OF THE CITY OF RIVERBANK DOES ORDAIN AS FOLLOWS:

Title IX: General Regulations, Chapter 94: Park Regulations, of the Riverbank Municipal Code of Ordinances shall be amended as follows:

CHAPTER 94: PARK REGULATIONS

Section

- 94.01 Definitions
- 94.02 Permit for public gathering
- 94.03 Closing hours
- 94.04 Rules and regulations
- 94.05 Glass containers prohibited
- 94.06 Alcoholic beverages prohibited
- 94.07 Acts prohibited
- 94.08 Animals in City parks

- 94.09 Order closing city parks
- 94.10 Order to leave city parks
- 94.11 Skate park facility
- 94.12 Bounce houses and other inflatable devices
- 94.13 Enforcement
- 94.14 Notice
- 94.15 Penalty

Section 94.01 of Chapter 94 Park Regulations of Title IX General Regulations is amended to read as follows:

§ 94.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AT LARGE. *An animal off the premises of its owner and not under restraint by a leash.*

DANGEROUS DOG. *Any dog, except one assisting a peace officer engaged in law enforcement duties, which demonstrates any of the following behavior, is presumed dangerous:*

(A) *An attack which requires a defensive action by any person to prevent bodily injury or property damage when such person is conducting himself or herself peacefully and lawfully.*

(B) *An attack which results in property damage or in an injury to a person when such a person is conducting himself or herself peacefully and lawfully.*

(C) *An attack on another animal, livestock, or poultry which occurs on property other than that of the owner of the attacking dog.*

(D) *Any behavior which constitutes a threat of bodily harm to a person when such person is conducting himself or herself peacefully and lawfully.*

DOG LICENSE. *A license tag required to be obtained annually for each individual dog.*

LIVESTOCK. *Any domesticated cattle, goats, swine, sheep, and equine which are kept in captivity or under the control or ownership of any person for any purpose.*

PARKS. All parks owned by the city.

POLICE SERVICES COMMANDING OFFICER. The city's Police Services Commanding Officer and his or her authorized representative.

Section 94.02 of Chapter 94 Park Regulations of Title IX General Regulations is amended to read as follows:

§ 94.02 PERMIT FOR PUBLIC GATHERING.

It shall be unlawful for any person, association, society or company to hold any picnic, celebration, service, exercise or assembly for 100 or more persons, or to which the general public is admitted or invited to attend, unless a permit in writing therefor is obtained from the Director of Parks and Recreation or designee pursuant to the permit requirements established and amended from time to time by the Director of Parks and Recreation.

Section 94.03 of Chapter 94 Park Regulations of Title IX General Regulations is amended to read as follows:

§ 94.03 CLOSING HOURS.

(A) With the exception of Jacob Myers Park, all city parks shall be open to the public from 6:00 a.m. until one hour after dusk, except for a city-sanctioned function or event. Each park shall have the closing hours posted at the entrance or at some other prominent place in the park.

(B) Jacob Myers Park shall have the following hours:

(1) April through September the Jacob Myers Park will be open from 7:00 a.m. until 8:00 p.m., with the trail area in the park closing at 7:30 p.m.

(2) October through March the Jacob Myers Park will be open from 7:00 a.m. until 6:00 p.m., with the trail area in the park closing at 5:30 p.m.

(C) At all other times, aside from the hours designated herein, all city parks shall be closed to the public. Visiting or entering a city park at a time that it is closed to the public is a violation of this chapter.

[...]

Section 94.07 of Chapter 94 Park Regulations of Title IX General Regulations is amended to read as follows:

§ 94.07 ACTS PROHIBITED.

It is unlawful for any person to do any of the following:

(A) To drive or operate any motor vehicle in any park at a speed in excess of fifteen (15) miles per hour.

(B) To commit in riotous, boisterous, threatening, or indecent conduct or language or to otherwise make noises in such a manner as to disturb any picnic, meeting, sporting event, or reasonable person.

(C) To disturb or interfere with any employee of the city or designee acting within the scope of his or her employment, or to disturb or interfere with any spectator or participant in any event or activity conducted in any city park, or to enter any park for the purpose of committing any such disturbance or interference.

(D) To smoke in any city park area designated as a tobacco free zone.

(E) To consume alcoholic beverages within any city park or within fifteen (15) feet of an abutting edge of any city park or parking lot of any city park.

(F) To enter or remain in a park while under the influence of intoxicating liquor or any drug.

(G) To litter, soil, or defile restrooms. No person over the age of six (6) years shall use restrooms designated for the opposite sex.

(H) To move or remove from one location to another any equipment used for park maintenance or to tamper with any park equipment.

(I) To climb onto any building or structure in a park not designated for such activity.

(J) To offer any article of food or drink for sale; or station or place any stand, cart or vehicle for the transportation, sale or display of any such article of food or drink in the park or on public property adjacent to such park without a permit issued by the Director of Parks and Recreation.

(K) To fail to obey all posted signs regulating park use.

(L) To fail to obey the lawful order of any peace officer, or city employee or other individual authorized to enforce the rules and regulations as set forth herein.

(M) To fail to obey all traffic regulations concerning the use of vehicles or caution, stopping, parking and all other signs posted for control or to safeguard life and property.

(N) To park a vehicle in a park in any place other than an established or designated parking area or use a parking area in a manner not in accordance with the posted directions or the instructions of a designated city representative or peace officer who may be present.

(O) To deface or vandalize City property or the property of others within a park.

(P) To dig or otherwise disturb any park area or in any way injure or impair the natural beauty or usefulness of any park area.

(Q) To violate any provision of chapter 91, Animal Control, of the code or this chapter within a city park.

Section 94.08 of Chapter 94 Park Regulations of Title IX General Regulations is repealed and replaced with a new Section 94.08, which shall read as follows:

§ 94.08 ANIMALS IN CITY PARKS.

(A) Animals in city parks are subject to the requirements of chapter 91 of the code and subject to the provisions of this chapter when animal control issues arise in a city park. The person owning, controlling or having custody of such animal shall be jointly and severally responsible for all damages caused by such animal.

(B) For purposes of this chapter, livestock or domesticated fowl, birds, and reptiles are prohibited in city parks except under the direction of the city's Director of Parks and Recreation related to community special events.

(C) For purposes of providing immediate safety and health measures to city park patrons and personnel, in addition to those authorized to enforce chapter 91, Animal Control, of the code, any authorized city staff member or contracted security services personnel designated by the city's Director of Parks and Recreation can enforce the following provisions and issue an administrative citation for said violations within city parks.

(D) It shall be unlawful for the owner or any person having charge, care, custody, or control of any dog, whether licensed or unlicensed:

(1) To enter a city park with a dog that is not restrained with a leash of no more than six feet (6') in length and of suitable strength.

(2) To enter a city park without a current dog license tag attached to the dog's collar, harness, or other dog restraining device and keep the license displayed at all times. A warning citation may be issued for the violation of this provision.

(3) To enter a city park with a vicious or dangerous dog which demonstrates threatening or aggressive behavior towards people or other animals or that has a known history of such behavior.

(4) To suffer, permit, or allow the dog to run at large in any city park.

(5) To allow a dog to remain upon the open bed or areas of any truck, trailer, or vehicle, without being securely and safely restrained by a substantial chain or leash that prevents said dog from expending any part of its body past the edge of the bed or open area of the truck, trailer, or vehicle, and which prevents said dog from causing any harm to itself or any park patron or personnel.

(6) To leave a dog alone and unattended in a vehicle, truck, or trailer or on the premises of a city park.

(7) To permit, either willfully or through failure to exercise due care or control, such dog to defecate and to allow the feces to remain upon a public park, and fail to immediately and securely enclose all feces deposited by such dog in a bag, wrapper, or other container, and dispose of it in a sanitary manner.

(8) This provision shall not apply to individuals with disabilities who have the charge or control of a certified guide or assistance dog.

(9) To permit, either willfully or through failure to exercise due care or control, such dog to urinate upon city playground equipment, a facility or facility equipment, or upon the property of patrons in a city park.

(10) To remain on the premises of a city park with a dog that has demonstrated threatening or aggressive behavior towards people or other animals, or that has attacked, bitten, scratched, or harassed people or other animals without provocation.

(11) To permit a dog to create a public nuisance threatening the safety and health of people or other animals or disturbing the peace in a city park.

(E) Any person violating any of these provisions may be cited and ordered to leave the park.

(F) *Procedures upon a dog bite.* In the event that any dog shall bite any person or shall attack another animal on the premises of a city park, the designated city personnel or contracted security services personnel shall have the authority, as appropriate:

(1) To determine whether such incident requires an emergency call to the city's animal control services, police services, and medical responders.

(2) To complete an incident report and provide a copy of the report to the City Manager for follow up with the city's contracted animal control services.

(3) To request the dog license information of such dog.

(4) To inform the owner or any person having charge, care, custody, or control of such dog, to deliver such dog to the Oakdale animal shelter.

(5) To issue an administrative citation for violations under this chapter.

(6) To request the owner or any person having charge, care, custody, or control of such dog to leave the city park with such dog.

Section 94.09 of Chapter 94 Park Regulations of Title IX General Regulations is repealed and replaced with a new Section 94.09, which shall read as follows:

§ 94.09 ORDER CLOSING CITY PARKS.

(A) Peace officers, or as designated by the Director of Parks and Recreation, contracted security services personnel, and other authorized employees, may at any time order that all or part of a city park, either temporarily or at regular intervals be closed. It shall be a misdemeanor for any person to remain in the area after such an order has been given.

(B) The individual giving the order to close the park shall, on the next regular city workday, submit to the City Manager a detailed report of the reasons for the order.

Section 94.10 of Chapter 94 Park Regulations of Title IX General Regulations is repealed and replaced with a new Section 94.10, which shall read as follows:

§ 94.10 ORDER TO LEAVE CITY PARKS.

As a further measure to protect the health, safety, and welfare of persons using a city park, any person violating a provision of this chapter or, while in a city park, any provision of state or local law may be ordered by a peace officer, employee, or any agent of the city authorized to enforce the provisions of this chapter to leave all or part of a city park and not to reenter such area for any period up to 24 hours. Failure to obey such order shall be an infraction, in addition to the original violation.

Section 94.11 of Chapter 94 Park Regulations of Title IX General Regulations is repealed and replaced with a new Section 94.11, which shall read as follows:

§ 94.11 SKATE PARK FACILITY.

(A) It is unlawful for any person to use or operate a skateboard, inline skates, or similar device on or in a public skate park facility located within the city, unless that person is, at all times, wearing properly fitted and fastened protective devices consisting of a helmet, knee pads, wrist guards, and elbow pads, which are commercially manufactured and designed specifically for the designated activity. The only coasting devices permitted within a public skate park facility are skateboards, roller skates, and

inline skates. Bicycles, coasters, scooters, or other rolling or wheeled devices are strictly prohibited.

(B) It shall be unlawful to use or possess tobacco products of any kind, including but not limited to, chewing tobacco, cigars, cigarettes, and smoking vapor devices in or upon any city skate park facility or within fifty (50) feet of the exterior boundaries of such facilities and to discard lighted or unlighted cigars, cigarettes, or smoking vapor devices, in said areas.

(C) Alcohol and other controlled substances are prohibited anywhere within fifty (50) feet of the skate park.

(D) No person under the age of twelve (12) years of age will use the skate park without the supervision of a parent or legal guardian.

(E) Any person violating any of the provisions of this section is guilty of an infraction punishable in accordance with the provisions of the Riverbank Municipal Code.

(F) The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this section shall be jointly and severally liable with the minor for any fines imposed pursuant to this section.

Chapter 94 Park Regulations of Title IX General Regulations is amended to add a new Section 94.12, which shall read as follows:

§ 94.12 BOUNCE HOUSES AND OTHER INFLATABLE DEVICES.

(A) It is unlawful to have bounce houses or any similar inflatable device on city park premises or other city property without a city issued permit. The permit requires compliance with the manufacturer's operating procedures for the specific bounce house or inflatable device. The fee for the permit shall be established by City Council resolution.

(B) The bounce house or inflatable device company used is required to have a Riverbank Business License and provide a Certificate of Insurance of \$1,000,000 and name the City of Riverbank as additional insured as well as any other insurance terms the city may require.

(C) The city will specify where the bounce house or similar inflatable device is to be located at each park in order to eliminate damage to sprinkler heads, lawn area, etc.

(D) Vehicles are prohibited to drive onto any park area to load or unload the bounce house or similar inflatable device.

(E) Bounce houses or any similar inflatable device shall be operated by a generator to avoid cords causing a tripping hazard.

(F) Water bounce houses and two-story bounce houses or any similar inflatable devices are prohibited.

(G) Bounce houses or any similar inflatable devices are prohibited at Jacob Myers Park.

Chapter 94 Park Regulations of Title IX General Regulations is amended to add a new Section 94.13, which shall read as follows:

§ 94.13 ENFORCEMENT.

Any violation of this chapter shall be enforceable pursuant to Chapter 99 of the Municipal Code of Riverbank. Peace officers, or as designated by the city's Director of Parks and Recreation, contracted security services personnel, or any authorized city employee, may enforce this chapter. The Director of Parks and Recreation or designee shall have the authority to regulate the activities in park areas, when necessary, to prevent congestion, secure the safety and health of patrons, and to secure maximum use of the park facilities for the comfort and convenience of all. In addition, the Director or designee, may limit the length of time such facilities, including picnic facilities are used to avoid crowding. Visitors shall comply with any directions given to achieve this end.

Chapter 94 Park Regulations of Title IX General Regulations is amended to add a new Section 94.14, which shall read as follows:

§ 94.14 NOTICE.

The City shall cause this ordinance and any other park rules and regulations to be posted at each city park to give park patrons notice of park rules and regulations.

Chapter 94 Park Regulations of Title IX General Regulations is amended to add a new Section 94.15, which shall read as follows:

§ 94.15 PENALTY.

(A) Unless otherwise classified as a misdemeanor in this code, the violation of any provision or failure to comply with any mandatory requirement of this chapter is an infraction.

(B) Unless otherwise noted, any person violating these provisions shall be guilty of an infraction, which shall be punishable by:

(1) A fine not exceeding one hundred dollars (\$100) for the first offense; and

(2) A fine not exceeding two hundred dollars (\$200) for a second violation of the same offense within one year of the first offense; and

(3) A fine not exceeding five hundred dollars (\$500) for each additional violation of the same offense thereafter.

(C) An issued Administrative Citation under this chapter may be changed to a warning citation at the discretion of the Director of Parks and Recreation and with the approval of the City Manager. Any further violation of the same offense shall invoke the penalties of a fine.

SECTION 3:

This Ordinance shall become effective thirty (30) days from and after its final passage and adoption (on _____), provided it is published in a newspaper of general circulation at least fifteen (15) days after its adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Riverbank duly held on June 9 2015. Said ordinance was given its second reading at the regular City Council meeting on _____, 2015.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Riverbank at a regular meeting on _____, 2014; motioned by Councilmember _____, seconded by Councilmember _____, moved the ordinance for adoption by a City Council roll call vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

Annabelle H. Aguilar, CMC
City Clerk

APPROVED:

Richard D. O'Brien
Mayor

APPROVED AS TO FORM:

Tom P. Hallinan, City Attorney

PROPOSED

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.2

SECTION 5: PUBLIC HEARING

Meeting Date: June 9, 2015

Subject: First Reading and Introduction by Title Only of an **Ordinance** of the City Council of the City of Riverbank, California, to Amend Title V: Public Works, by repealing in its entirety Chapter 53: Stormwater Management and Discharge Control and Substituting in its place a new Chapter 53 of the City of Riverbank Municipal Code of Ordinances

From: Jill Anderson, City Manager

Submitted by: Marisela Garcia, Director of Finance
Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION:

Approve the Ordinance of the City Council of the City of Riverbank, California, to Amend Title V: Public Works, by repealing in its entirety Chapter 53: Stormwater Management and Discharge Control and Substituting in its place a new Chapter 53 of the City of Riverbank Municipal Code of Ordinances. The revisions to the Ordinance incorporate the requirements of the Small MS4 General Permit to ensure the City has the legal authority to implement the permit requirements to reduce storm water discharges and urban run-off pollution to the maximum extent practicable.

BACKGROUND:

In March of 2006, the Riverbank City Council approved a Storm Water Management and Discharge Control Ordinance. The purpose of the Ordinance is to protect the health, safety and general welfare of the citizens of Riverbank by controlling non-storm water discharges to the storm water conveyance system from spills, dumping or disposal of materials other than storm water, and by reducing pollutants in urban storm water discharges to the maximum extent practicable. The intent of the Ordinance is to protect and enhance the water quality of watercourses, water bodies and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act, by reducing pollutants in storm water discharges to the maximum extent practicable.

In July 2013, the City of Riverbank complied with the Small MS4 General Permit and filed a Notice of Intent and a Guidance Document that specifies actions and activities

over the next five (5) years necessary to reduce the discharge of pollutants in storm water to the maximum extent practicable and for compliance with the General Permit. The regulations specify six (6) minimum control measures to be developed and implemented over the next four (4) years including Public Education and Outreach, Public Participation/Involvement, Illicit Discharge Detection and Elimination, Construction Site Runoff Control, Post-Construction Runoff, and Pollution Prevention/Good Housekeeping.

One of the tasks identified in the second year of the General Permit is to review and revise relevant ordinances or other regulatory mechanisms to obtain adequate legal authority to control pollutant discharges into and from the storm drain system and to meet the requirements of the General Permit. The proposed revisions to the Ordinance will meet these requirements and further protect the general health, safety, and welfare of the citizens of Riverbank.

PURPOSE OF ORDINANCE & REVISIONS:

The scope of the Ordinance and the revisions provides for the control and regulation of discharges to the MS4 and receiving waters, through a program of education and enforcement of general and specific prohibitions and requirements. This chapter and the revisions made applies to all dischargers and places of discharge located within the City of Riverbank that discharge storm water or non-storm water into any MS4 or receiving waters.

The revisions to the Ordinance seek to protect and promote the public health, safety, and general welfare of the citizens of Riverbank with the implementation of the following objectives:

- To comply with all federal and state laws, lawful standards, and orders applicable to storm water and urban runoff pollution control;
- To prohibit and reasonably control discharge that may interfere with the operations of, or cause any damage to the MS4, or impair the beneficial uses of the receiving waters;
- To prohibit illicit discharges to the MS4;
- Reduce storm water runoff rates and volumes, soil erosion and non-point source pollution wherever feasible, through storm water management controls and to ensure that these management controls are properly maintained;
- To reduce pollutants in storm water and urban runoff;
- To reduce unauthorized non-storm water discharges to the MS4 to the maximum extent practicable;
- To develop and implement effective educational outreach programs designed to educate the public on issues of storm water and urban runoff pollution;
- To establish adequate legal authority to carry out all inspection, surveillance and monitoring, or other procedures necessary to ensure compliance with this chapter.

SUMMARY OF KEY REVISIONS:

- 1) **53.06 Exceptions to Discharge Prohibition.** (C) Conditional Exemptions from Discharge Prohibition consist of the following non-storm water discharges to the MS4 are exempt, and may be allowed subject to all appropriate BMPs and prior written authorization by the Public Works Superintendent:
 - a. De-chlorinated and non-salt water swimming pool discharges where the water cannot be readily discharged to the sanitary sewer system or allowed to completely percolate into the ground;
 - b. Discharges from charity vehicle washing;
 - c. Street, driveway, and sidewalk washing
- 2) **53.09 Illicit Connections Prohibited.** It is unlawful for any person to establish, use, or maintain any illicit connection to the storm water conveyance system. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. A person is considered to be in violation of this chapter if the person connects a line conveying sewage to a storm water conveyance system, or allows such a connection to continue.
- 3) **53.12 Reduction of Pollutants in Storm Water.**
 - (B) **Construction.**
 - 1) Any person performing construction activities in the City shall prevent pollutants from entering the storm water conveyance system and comply with all applicable Federal, State and local laws, ordinances or regulations. All construction projects, regardless of size, having soil disturbance or activities exposed to storm water must, at a minimum, implement BMPs for erosion and sediment controls, soil stabilization, dewatering, source controls, pollution prevention measures, and prohibited discharges.
 - 2) Any person subject to a construction activity NPDES storm water discharge permit shall comply with all provisions of such permit and show proof of compliance. For projects with less than an acre of soil disturbance or not subject to the Construction General Permit, an erosion and sediment control plan and worksheet must be submitted to the City.
 - 3) As required by its Phase II MS4 NPDES Permit, the City will conduct storm water compliance inspections at applicable construction sites that have areas of soil disturbance exposed to storm water. The inspections will evaluate the construction site's compliance to the City's storm water ordinances.

(C) Development

1) Proponents of all applicable development and redevelopment projects will be required to meet the requirements and design standards specified in the current Phase II MS4 NPDES Permit.

2) At the earliest planning stages, project proponents shall assess and evaluate how site conditions, such as soil, vegetation, and flow paths will influence the placement of buildings and paved surfaces. All site design measures, source controls, treatment controls, and hydromodification measures must be selected, sized, and situated in accordance with the guidance provided in the current MS4 permit. Documentation of the site's post-construction storm water design measures must be submitted to the City's Planning Department for review and approval prior to the commencement of the project.

3) Project proponents must sign an operation and maintenance agreement in which they legally bind themselves to maintain the installed post-construction design measures in an effective and good operational condition until the property ownership is transferred. A written operation and maintenance plan for the proposed storm water design measures is required to be submitted to and approved by the City with the signed agreement.

(D) Compliance with Industrial or Construction Activity Storm Water Permit.

1) Any person subject to the State's current Industrial NPDES General Permit for storm water discharge shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official upon inspection of the facility.

2) Any person subject to the State's current Construction NPDES General Permit for storm water discharge shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to or a condition of a subdivision map, site plan, building permit, and development or improvement plan.

2) Every person or entity undertaking any activity or use of premises that may cause or contribute to storm water pollution or contamination or illicit discharges shall comply with best management practices (BMPs) consistent with the California Storm Water Quality Association (CASQA) guidelines.

3) 53.14 INSPECTION AUTHORITY

(B) Photographs. The Enforcement Official may, in the course of inspection, photograph the premises to memorialize the inspection as it relates to regulation by this chapter or any other local, state, or federal law. Photographs may be

taken of any facility, mechanism, apparatus, means or method thought to contribute to or facilitate a suspected violation.

Tonight staff is recommending that the City Council Approve the Ordinance of the City Council of the City of Riverbank, California, to Amend Title V: Public Works, by repealing in its entirety Chapter 53: Stormwater Management and Discharge Control and Substituting in its place a new Chapter 53 of the City of Riverbank Municipal Code of Ordinances.

FINANCIAL IMPACT:

The full fiscal impacts of the implementation of the MS4 requirements cannot fully be determined at this time. This will be the first time such requirements have been imposed on smaller Cities like Riverbank. The implementation of the second phase of the MS4 permit issued to the City of Riverbank is another example of an unfunded mandate by the State of California. Implementation of the proposed ordinance will undoubtedly create an obligation for monitoring, reporting and tracking all storm water conveyance systems City-wide. These obligations will create a daily personnel demand on the Development Services Department both with field verification as well as administrative support staff in the monitoring of all storm water permit progress to the State of California. In addition, staff support will be necessary to prepare and administer correspondence to support the permit requirements imposed by the State of California. City staff does not currently have the staffing resources necessary to manage these new obligations. This proposed Ordinance will have an impact on the General Fund and will create an obligation to hire staff to handle the workload associated with the MS4 obligations and enable the City to meet the demands of the permit. In reviewing the requirements, it is strongly recommended that one (1) full time field inspector with the appropriate certification from CASQA, and one (1) part time administrative position for staff support and reporting. Anticipated Fiscal Impact could be approximately \$140,000 in salary and benefits.

ATTACHMENTS:

1. Resolution
2. Ordinance

CITY OF RIVERBANK

ORDINANCE NO. 2015-

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, TO AMEND TITLE V: PUBLIC WORKS, BY REPEALING IN ITS
ENTIRETY CHAPTER 53: STORMWATER MANAGEMENT AND DISCHARGE
CONTROL AND SUBSTITUTING IN ITS PLACE A NEW CHAPTER 53 OF THE CITY
OF RIVERBANK MUNICIPAL CODE OF ORDINANCES**

THE CITY COUNCIL OF THE CITY OF RIVERBANK DOES ORDAIN AS FOLLOWS:

Title V: Public Works, Chapter 53: Storm Water Management and Discharge Control shall be repealed in its entirety and substituting in its place a new Chapter 53 to comply with regulations detailed in the MS4 Phase II Storm Water Permit which will read as follows:

CHAPTER 53: STORMWATER MANAGEMENT AND DISCHARGE CONTROL

Section:

53.01	Title
53.02	Purpose and intent
53.03	Definitions
53.04	Conflicts with other laws
53.05	Discharge of non-storm water prohibited
53.06	Exceptions to discharge prohibition
53.07	Groundwater discharges
53.08	Discharge in violation of permit
53.09	Illicit connections prohibited
53.10	Concealment and abetting
53.11	Acts potentially resulting in violation of Federal Clean Water Act
53.12	Reduction of pollutants in storm water
53.13	Containment and notification of spills
53.14	Inspection authority
53.15	Enforcement authority
53.16	Abatement by City
53.17	Charging Cost of Abatement - Liens
53.18	Violations
53.19	Remedies not exclusive
53.20	Appeal
53.21	Disclaimer of Liability
53.22	City Authority
53.23	Judicial Review

§ 53.01 TITLE.

This chapter shall be known as the city “Storm Water Management and Discharge Control Ordinance,” of the City of Riverbank and may be cited as such. (Ord. 2006-002, passed 3-13-06)

§ 53.02 PURPOSE AND INTENT.

(A) The purpose of this chapter is to protect and promote the health, safety and general welfare of the citizens of the city by controlling non-storm water discharges to the storm water conveyance system from spills, dumping, or disposal of materials other than storm water, and by reducing pollutants in urban storm water discharges to the maximum extent practicable.

(B) This chapter is intended to assist in the protection and enhancement of the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act (Clean Water Act, 33 USC Section 1251 et seq.) by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges into the storm drain system.

(C) The scope provides for the control and regulation of discharges to the MS4 and receiving waters, through a program of education and enforcement of general and specific prohibitions and requirements. This chapter applies to all dischargers and places of discharge located within the City of Riverbank that discharge storm water or non-storm water into any MS4 or receiving waters.

Through a program employing watershed-based approaches that balance environmental and economic considerations, the City seeks to protect and promote the public health, safety, and general welfare of its citizens with the implementation of the following objectives:

- (1) To comply with all federal and state laws, lawful standards, and orders applicable to storm water and urban runoff pollution control;
- (2) To prohibit and reasonably control any discharge that may interfere with the operation of, or cause any damage to the MS4, or impair the beneficial uses of the receiving waters;
- (3) To prohibit illicit discharges to the MS4;
- (4) Reduce storm water runoff rates and volumes, soil erosion and non-point source pollution wherever feasible, through storm water management controls and to ensure that these management controls are properly maintained;
- (5) To reduce pollutants in storm water and urban runoff;

(6) To reduce unauthorized non-storm water discharges to the MS4 to the maximum extent practicable;

(7) To develop and implement effective educational outreach programs designed to educate the public on issues of storm water and urban runoff pollution;

(8) To establish adequate legal authority to carry out all inspection, surveillance and monitoring, or other procedures necessary to ensure compliance with this chapter.

§ 53.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Best management practices” means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and education practices, maintenance procedures, and other management practices to prevent or reduce to the maximum extent practicable the discharge of pollutants directly or indirectly to waters of the United States. “Best management practices” also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage.

“City” means the City of Riverbank.

“California Storm Water Quality Association” or “CASQA” shall mean the California Storm Water Quality Association, a professional member association dedicated to information sharing and the advancement of storm water quality management.

“Clean Water Act” means the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), and any subsequent amendments thereto.

“Construction activity” means activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating and demolition.

“Development” means the building or placement of any structure or portion thereof. “Development” includes excavation and grading.

“Public Works Superintendent” means the Public Works Superintendent of the City of Riverbank.

“Employee training program” means a documented employee training program which may be required to be implemented by a business pursuant to a storm water pollution prevention plan for the purpose of educating its employees on methods of reducing discharge of pollutants to the storm water conveyance system.

“Enforcement agency” means the City of Riverbank.

“Enforcement official” means the Director of Public Works or his or her designee or any agent of the city authorized to enforce compliance with this chapter.

“Hazardous materials” means any material, including any substance, waste or combination thereof, which because of its quality, concentration or physical, chemical or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property or the environment when improperly treated, stored, or transported, disposed of or otherwise managed (California Health and Safety Code 25117).

“Illegal discharge” means any discharge to the storm water conveyance system that violates this chapter, or is prohibited by federal, state, or local laws, or which degrades the quality of receiving waters in violation of any plan standard.

“Illicit connections” means any physical connection to the storm water conveyance system, which is not authorized by the City of Riverbank and the Regional Water Quality Control Board Central Valley Region.

“Industrial activity” means activities subject to NPDES industrial permits as defined in 40 CFR, Section 122.26 (b)(14).

“National pollution discharge elimination system (NPDES) permit” means a permit issued by the Regional Water Quality Control Board or the State Water Resources Control Board pursuant to Division 7, Chapter 5.5 of the California Water Code (commencing with Section 13370) to control discharges from point sources to waters of the United States.

“Noncommercial vehicle washing” means the washing and rinsing of passenger vehicles on private property in which no commercial enterprise is being conducted in the washing of those vehicles.

“Non-storm water discharge” means any discharge to the storm water conveyance system that is not entirely composed of storm water.

“Person” means any person, firm, corporation, business entity, or public agency, whether principal, agent, employee, or otherwise.

“Plan standard” means any or all applicable requirements of the basin plan or any other approved plan.

“Pollutant” means any contaminant, which can degrade the quality of the receiving water in violation of any plan standard.

“Premises” means any contaminant, which can degrade the quality of the receiving water in violation of any plan standard.

“Storm water” means surface runoff and drainage associated with storm events, which is free of pollutants to the maximum extent practicable.

“Storm water conveyance system” means those artificial and natural facilities within the City of Riverbank, whether publicly or privately owned, by which storm water may be conveyed to a watercourse or waters of the United States, including any roads with drainage systems, streets, catch basins, natural and artificial channels, aqueducts, stream beds, gullies, curbs, gutters, ditches, open fields, parking lots, impervious surfaces used for parking, and natural and artificial channels or storm drains.

“Storm water pollution prevention plan” means a document which describes the best management practices to be implemented by the owner or operator of a business to eliminate non-storm water discharges and/or reduce to the maximum extent practicable pollutant discharges to the storm water conveyance system.

“Watercourse” means any natural stream, whether flowing continuously or not, that is fed from permanent or natural sources, and includes, without limitation to rivers, creeks, runs, and rivulets.

Any term(s) defined in the Federal Clean Water Act, as amended, and/or defined in the regulations for the storm water discharge permitting program issued by the Environmental Protection Agency, as amended, and which are not specifically defined in subsection A of this section shall, when used in this chapter, have the same meaning as set forth in said act or regulation.

§ 53.04 CONFLICTS WITH OTHER LAWS.

In the event of any conflict between this chapter and any federal or state law, regulation, order, or permit, that requirement which establishes the higher standard for public health or safety shall govern. To the extent permitted by law, nothing in this chapter shall preclude enforcement of any other applicable law, regulation, order, or permit.

§ 53.05 DISCHARGE OF NON-STORM WATER PROHIBITED.

(A) Except as provided in Section 53.06 of this chapter, it is unlawful for any person to make or cause to be made any non-storm water discharge. Notwithstanding the exemptions provided by Section 53.06 of this chapter, if the Regional Water Quality Control Board or the enforcement official determines that any otherwise exempt discharge causes or significantly contributes to violations of any plan standard, or conveys significant quantities of pollutants to surface water(s) or watercourse(s), or is a danger to public health or safety, such discharge shall be prohibited from entering the storm water conveyance system.

§ 53.06 EXCEPTIONS TO DISCHARGE PROHIBITION.

Subject to the authority granted to the Regional Water Quality Control Board and the enforcement official in Section 53.05 of this chapter, the following discharges to the storm water conveyance system are exempt from the prohibition set forth in Section 53.05 of this chapter.

(A) Any discharge of connections regulated under a NPDES permit issued to the discharger and administered by the State of California pursuant to Division 7, Chapter 5.5 of the California Water Code, provided that the discharger is in compliance with all requirements of the permit and all other applicable laws and regulations;

(B) Discharges from the following activities, which do not cause or contribute to the violation of any NPDES permit:

- (1) Water line flushing and other discharges from potable water sources;
- (2) Incidental runoff from landscaped areas defined as unintended amounts (volume) of runoff, such as unintended, minimal over-spray from sprinklers that escape the area of intended use;
- (3) Rising ground waters or springs;
- (4) Passive foundation and footing drains;
- (5) Water from crawl space pumps and basement pumps;
- (6) Air conditioning condensation;
- (7) Noncommercial vehicle washing;
- (8) Natural flows from riparian habitats and wetlands;
- (9) Dechlorinated swimming pool discharges;
- (10) Flows from fire suppression activities, including fire hydrant flows;
- (11) Waters not otherwise containing wastes as defined in California Water code Section 13050(d) and California Health and Safety Code Section 25117;
- (12) Diverted stream flows;
- (13) Uncontaminated ground water infiltration to separate storm sewers;
- (14) Any discharge, which the enforcement official, the local health officer, or the Regional Water Quality Control Board determines in writing is necessary for the protection of the public health and safety;
- (15) Any discharge caused by flooding or other natural disaster, which could not have been reasonably foreseen or mitigated for in advance by the discharger, as determined by the enforcement official.

(C) Conditional Exemptions from Discharge Prohibition consist of the following non-storm water discharges to the MS4 are exempt from the prohibition set forth in § 6-8-201(a) and may be allowed to be discharged into the MS4, subject to all appropriate BMPs and prior written authorization by the Director. The "Conditionally Exempt Discharges" are as follows:

(a) De-chlorinated and non-salt water swimming pool discharges where the water cannot be readily discharged to the sanitary sewer system or allowed to completely percolate into the ground;

(b) Discharges from charity vehicle washing;

(c) Street, driveway, and sidewalk washing; and

(d) Other categories approved by the Executive Officer of the Regional Water Board, or an authorized representative.

§ 53.07 GROUNDWATER DISCHARGES.

Discharges of pumped groundwater not subject to a NPDES permit may be permitted to discharge to the storm water conveyance system upon written approval from the city and in compliance with conditions of approval set forth by the city.

§ 53.08 DISCHARGE IN VIOLATION OF PERMIT.

It is unlawful for any person to cause either individually or jointly any discharge to the storm water conveyance system, which results in or contributes to a violation.

§ 53.09 ILLICIT CONNECTIONS PROHIBITED.

It is unlawful for any person to establish, use, or maintain any illicit connection to the storm water conveyance system. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. A person is considered to be in violation of this chapter if the person connects a line conveying sewage to a storm water conveyance system, or allows such a connection to continue.

§ 53.10 CONCEALMENT AND ABETTING.

It is unlawful and a violation for any person causing, permitting, aiding, abetting or concealing a violation of any provision of this chapter.

§ 53.11 ACTS POTENTIALLY RESULTING IN VIOLATION OF FEDERAL CLEAN WATER ACT AND/OR PORTER-COLOGNE ACT.

Any person who violates any provision of this chapter, any provision of any permit issued pursuant to this chapter, or who discharges waste or wastewater which causes pollution, or who violates any cease and desist order, prohibition, or effluent limitation, may also be in violation of the Federal Clean Water Act (33 USC 1251 et seq.) and/or Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) and may be subject to the sanctions of those Acts including civil and criminal penalties.

§ 53.12 REDUCTION OF POLLUTANTS IN STORM WATER

Any person engaged in activities which may result in pollutants entering the storm water conveyance system shall, to the maximum extent practicable, undertake the measures set forth below to reduce the risk of non-storm water discharge and/or pollutant discharge.

(1) Business Related Activities.

(1) *Storm water pollution prevention plan.*

a) The enforcement official may require any business in the city that is engaged in activities which may result in pollutant discharges to develop and implement a storm water pollution prevention plan, which must include an employee training program.

b) Business activities which may require a storm water pollution prevention plan include, but are not limited to, maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading or fueling, or cleanup procedures which are carried out partially or wholly out of doors.

(2) *Coordination with hazardous materials release response plans and inventory.* Any business requiring a hazardous materials release response and inventory plan under Chapter 6.95 (commencing with Section 25500) of Division 20 of the California Health and Safety Code, shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting non-storm water discharges and illegal discharges, and requiring the release of pollutants to be reduced to the maximum extent practicable.

(3) *Coordination with hazardous waste generator contingency plan and emergency procedures.* Any business requiring a hazardous waste generator contingency plan and emergency procedures pursuant to California Code of Regulations, Title 22, Sections 66265.51 to 66265.56, shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting non-storm water discharge and illegal discharges, and requiring the release of pollutants to be reduced to the maximum extent practicable.

(B) Construction.

(1) Any person performing construction activities in the City shall prevent pollutants from entering the storm water conveyance system and comply with all applicable Federal, State and local laws, ordinances or regulations, including but not limited to, the current California NPDES General Permit for storm water discharges associated with construction activity (Construction General Permit) and the City Storm water Management and Discharge Control Ordinance. All construction projects, regardless of size, having soil disturbance or activities exposed to storm water must, at a minimum, implement BMPs for erosion and sediment controls, soil stabilization, dewatering, source controls, pollution prevention measures, and prohibited discharges.

(2) Any person subject to a construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to, or as a condition of, a subdivision map, site plan, building permit, grading permit, or development or improvement plan, upon inspection of the facility, during any enforcement proceeding or action, or for any other reasonable cause. Prior to issuance of a construction permit or approval of the proposed improvement plans, for projects subject to the State's current Construction NPDES General Permit, the WDID

number and the SWPPP shall be submitted to the City. For projects with less than an acre of soil disturbance or not subject to the Construction General Permit, an Erosion and Sediment Control Plan (ESCP) and the ESCP Worksheet must be submitted to the City.

(3) As required by its Phase II MS4 NPDES Permit, the City will conduct storm water compliance inspections at applicable construction sites that have areas of soil disturbance exposed to storm water. The inspection will be conducted by a City inspector or agent working for the City who is a Qualified SWPPP Practitioner (QSP) or is supervised by a QSP. The inspection will evaluate the construction site's compliance to the City's storm water ordinances. Inspections will be billed by the City to the project owner. The following is the risk rating system and inspection frequency the City will use, which is analogous to the risk rating used by the California Construction General Permit.

- Projects not subject to the CGP or that have an Erosivity Waiver will have a pre-soil disturbance inspection and a project completion inspection.
- Projects that are Risk 1 / LUP Type 1 or Risk 2 / LUP Type 2 will have a pre-soil disturbance inspection, monthly inspections, and a project completion inspection.
- Projects that are Risk 3 / LUP Type 3 will have a pre-soil disturbance inspection, bi-monthly (twice per month) inspections, and a project completion inspection.

If a project has been issued two consecutive notices of violation or does not correct a previously issued notice of violation by the due date set by the inspector, the project's "threat to water quality" will be elevated by the City to the next highest category. This elevation of risk will not affect the risk rating for the Construction General Permit.

(C) Development

(1) The enforcement official may develop controls as appropriate to minimize the long-term, post construction discharge of storm water pollutants from new development(s) or modifications to existing development(s). Controls may include source control measures to prevent pollution of storm water and/or treatment controls designed to remove pollutants from storm water, low impact development measures, and/or hydromodification measures to offset the difference between the pre and post-construction peak flow runoff rates and volumes. Proponents of all applicable development and redevelopment projects will be required to meet the requirements and design standards specified in the current State of California Phase II MS4 NPDES permit.

(2) At the earliest planning stages, project proponents shall assess and evaluate how site conditions, such as soils, vegetation, and flow paths will influence the placement of buildings and paved surfaces. The evaluation will be used to

optimize the site layout to meet the goals of capturing and treating runoff. Each project proponent will submit a map of the project dividing the site into discrete drainage management areas to show in each how runoff will be managed using site design measures, source controls, treatment controls, and hydromodification measures as defined by the current MS4 permit. All site design measures, source controls, treatment controls, and hydromodification measures must be selected, sized, and situated in accordance with the guidance provided in the current MS4 permit. Documentation of the site's post-construction storm water design measures must be submitted to the City's Planning Department for review and approval prior to the commencement of the project.

(3) Project proponents must sign an operation and maintenance agreement in which they legally bind themselves to maintain the installed post-construction design measures in an effective and good operational condition until the property ownership is transferred. A written operation and maintenance plan for the proposed storm water design measures is required to be submitted to and approved by the City with the signed agreement. The agreement will be recorded with the deed by the County Clerk making it transferrable to the new owner; or, when there are multiple property owners responsible for the maintenance of the control measures, the agreement will consist of a legally binding covenant between the City and the homeowners association or maintenance district. The owner or association responsible for the maintenance of the control measures may be required by the City to submit an annual self-certification that the storm water control measures are effective and are being maintained in accordance with the submitted and approved Operation and Maintenance Plan.

(D) Compliance with Industrial or Construction Activity Storm Water Permit.

(1) Any person subject to the State's current Industrial NPDES General Permit for storm water discharge shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

(2) Any person subject to the State's current Construction NPDES General Permit for storm water discharge shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to or as a condition of a subdivision map, site plan, building permit, and development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

(3) Compliance with Best Management Practices. Every person or entity, including the above-listed categories, undertaking any activity or use of premises that may cause or contribute to storm water pollution or contamination or illicit discharges shall comply with best management practice (BMPs) consistent with the California Storm Water Quality Association (CASQA) Best Management Practice Handbooks or

equivalent guidelines.

§ 53.13 CONTAINMENT AND NOTIFICATION OF SPILLS .

Any person owning or occupying a premises who has knowledge of any release of pollutants or non-storm water discharge from or across those premises which might enter the storm water conveyance system, other than a release or discharge that is permitted by this chapter, shall immediately take all reasonable action to contain and abate the release of pollutants or non-storm water discharge, and shall notify the enforcement agency within twenty-four (24) hours of the release of pollutants or non-storm water discharge. For the purpose of containment, all vehicles within 100 feet of a storm water management facility shall be stored and parked on a paved surface that is capable of containing all reasonably expected discharges from vehicles to the satisfaction of the Director of Public Works.

§ 53.14 INSPECTION AUTHORITY.

(A) Right of entry.

(1) Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever an authorized enforcement official has reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a violation of this chapter, the enforcement official may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the officer by this chapter.

(2) Any request for entry shall state that the property owner or occupant has the right to refuse entry and that in the event such entry is refused, inspection may be made upon issuance of a warrant issued by a court of competent jurisdiction.

(3) In the event the owner or occupant refuses entry after such request has been made, the enforcement official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

(B) Photographs. The Enforcement Official may, in the course of inspection, photograph the premises to memorialize the inspection as it relates to regulation by this chapter or any other local, state, or federal law. Photographs may be taken of any facility, mechanism, apparatus, means or method thought to contribute to or facilitate a suspected violation.

(C) Sampling Authority. Inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including but not limited to, random sampling and/or sampling in areas with evidence of storm water contamination, illegal discharge, non-storm water discharge to the storm water conveyance system, or similar factors.

(D) Sampling Methods.

(1) During any inspection, the enforcement official may take samples as necessary in order to implement and enforce the provisions of this chapter.

(2) This authority may include the installation of sampling and metering devices on private property, or requiring the person owning or occupying the premises to supply samples.

(E) Monitoring, Analysis and Reporting Authority.

(1) The enforcement official may require monitoring, analysis and reporting of discharges from any premises to the storm water conveyance system.

(2) Upon service of written notice by the enforcement official, the burden, including cost, of these activities, analyses and reports, incurred in complying with the requirement shall, to the extent permitted by law, be borne by the property owner or occupant of the facility or activity for which testing and monitoring has been requested. (Ord. 2006-002, passed 3-13-06)

§ 53.15 ENFORCEMENT AUTHORITY.

(A) General enforcement authority.

(1) Except as otherwise provided herein, the Director of Public Works shall administer, implement, and enforce the provisions of this chapter.

(2) Any powers granted to or duties imposed upon the Director of Public Works may be delegated by the Director of Public Works to other City personnel. (Ord. 95-05, passed 4-10-95).

(B) Administrative Enforcement Powers. The enforcement official may also exercise any of the following supplemental enforcement powers as may be necessary or advisable in the enforcement official's judgment under the circumstances:

(1) Notice of Violation (NOV).

a) Whenever the enforcement official finds that any person owning or occupying a premises has violated or is violating this chapter or order issued hereunder, the enforcement official may serve a written NOV upon such person, by personal service, or by registered or certified mail.

b) Within thirty (30) days of the receipt of this notice, or shorter period as may be prescribed in the NOV, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, which shall include specific required actions, shall be submitted to the enforcement official.

c) Submission of this plan shall in no way relieve the person of liabilities for violations occurring before or after receipt of the NOV.

(2) Cease and Desist Orders.

a) The enforcement official may require any person owning or occupying a premises to cease and desist all activities that may cause or contribute to discharge in violation of this chapter.

b) This order may also require such person to:

1. Comply with the applicable provisions of the chapter within a designated period of time or;
2. Take appropriate remedial or preventative action to keep the violation from recurring.

(3) Notice to Clean and Abate.

a) The enforcement official may require any person owning or occupying a premises to clean up and abate any release of pollutants on those premises which may result in a violation of this chapter.

b) The enforcement official may also order abatement of activities or practices, which may reasonably result in such a violation.

(4) Mitigation. The enforcement official shall have authority to order the mitigation of circumstances, which may result in or contribute to illegal discharges.

(5) Storm Water Pollution Prevention Plan. The enforcement official shall have the authority to establish elements of a storm water pollution prevention plan, and to require any business to adopt and implement such a plan, as may be reasonably necessary to fulfill the purposes of this chapter.

(6) Best Management Practices. The enforcement official may establish the requirements of best management practices for any premises.

(7) Violations constituting Misdemeanors. In addition to civil penalties provided for in this chapter, any violation of this chapter may be punishable as a misdemeanor.

(8) Violations Deemed a Public Nuisance.

a) In addition to the penalties hereinbefore provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to the public health, safety or welfare and is thus deemed a nuisance.

b) Any such nuisance may be summarily abated and/or restored by any authorized to pursue civil action(s) pursuant to subsection B of this section to abate, enjoin, or otherwise compel the cessation of the nuisance.

(9) *Cost Recovery.*

a) The cost of the abatement and restoration shall be borne by the owner of the property and the cost therefore shall be invoiced to the owner of the property.

b) If the invoice is not paid within sixty (60) days, the enforcement official shall have the authority to place a lien upon and against the property.

c) If the lien is not satisfied within three months, the enforcement official is authorized to take all legal measures as are available to enforce the lien as a judgment, including, without limitation, enforcing the lien in an action brought for a money judgment or by delivery to the county assessor of a special assessment against the property in accordance with Government Code Section 38773.5.

(10) Seasonal and Recurrent Nuisance.

a) If any violation of this chapter constitutes a seasonal and recurrent nuisance, the enforcement official shall so declare.

b) Thereafter such seasonal and recurrent nuisance shall be abated every year without the necessity of any further hearing.

(11) Costs of Enforcement.

a) If the city prevails in any administrative, civil, or criminal proceeding initiated under this chapter, the city shall be entitled to seek reimbursement for all costs incurred in connection with said proceeding.

b) Such reimbursable expenses may include, but are not limited to, costs of investigation, administrative overhead, out-of-pocket expenses, costs of administrative hearings, and costs of suit.

c) If any such costs are granted to the city, said costs shall be recoverable pursuant to subsections (A)(9) of this section.

(C) Civil Action.

(1) In addition to any other remedies provided in this chapter, any violation of this chapter may be enforced by civil action brought by the city attorney.

(2) Monies recovered under this subsection shall be paid to the city to be used exclusively for costs associated with monitoring and establishing storm water discharge pollution control systems and/or implementing or enforcing the provisions of this chapter.

(3) In any such action, the city may seek, as appropriate, any or all of the following remedies:

- a) A temporary and/or permanent injunction;
- b) Assessment of the violator for the costs of any investigation, inspection, or monitoring survey which led to the establishment of the violation, and for the reasonable costs of preparing and bringing legal action under this subsection;
- c) Costs incurred in removing, correcting, or terminating the adverse effects resulting from the violation;
- d) Compensatory damages for loss or destruction to water quality, wildlife, fish and aquatic life.

(D) Emergency Orders and Abatements.

- (1) The enforcement official may order the abatement of any discharge from any source to the storm water conveyance system when, in the opinion of the enforcement official, the discharge causes or threatens to cause a condition which presents an imminent danger to the public health, safety, or welfare, or the environment, or a violation of a NPDES permit.
- (2) In emergency situations where the property owner or other responsible party is unavailable and time constraints are such that service of a notice and order to abate cannot be effected without presenting an immediate danger to the public health, safety, or welfare, or the environment or a violations of NPDES permit, the city may perform or cause to be performed such work as shall be necessary to abate said threat or danger.
- (3) The costs of any such abatement shall be borne by the owner and shall be collectable in accordance with the provisions of subsection (A)(9) of this section.

(E) Contents of Notice. Any NOV, cease and desist order, or other civil notice or civil order issued by the enforcement official pursuant to this chapter shall include a copy of Section 53.20 of this chapter outlining appeal rights. (Am. Ord. 2006-002, passed 3-13-06)

§ 53.16 ABATEMENT BY CITY.

(A) If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal under Section 53.20, within ten days of the decision of the City Manager upholding the decision of the public works director, then the city or a contractor designated by the Public Works Superintendent shall enter

upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property.

(B) It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the city or designated contractor to enter upon the premises for the purposes set forth above. (Ord. 95-05, passed 4-10-95; Am. Ord. 2006-002, passed 3-13-06).

§ 53.17 CHARGING COST OF ABATEMENT—LIENS.

(A) Within 30 days after abatement of the nuisance by city, the Public Works Superintendent shall notify the property owner of the property of the cost of abatement, including administrative costs.

(B) Within 15 days, the property owner may file with the City Clerk a written protest objecting to the amount of the assessment

1) The City Clerk shall set the matter for public hearing by the city council.

2) The decision of the City Council shall be set forth by resolution and shall be final.

(C) If the amount due is not paid within ten days of the decision of the city council or the expiration of the time in which to file an appeal under this section the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

(D) A copy of the resolution shall be turned over to the county auditor so that the auditor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the tax collector shall include the amount of the assessment on the bill for taxes levied against the parcel of land. (Ord 95-05, passed 4-10-95; Am. Ord. 2006-002, passed 3-13-06).

§ 53.18 VIOLATIONS.

(A) It shall be unlawful for any person to violate any provision of this chapter or fail to comply with any of the requirements.

(B) A violation of or failure to comply with any of the requirements of this chapter shall constitute an infraction and therefore shall be subject to the following fines:

(1) \$500 upon the first offense;

(2) \$1,000 upon the second offense;

(3) \$3,000 upon the third and each subsequent offense.

(C) If any violation is continued, each day's violation shall be deemed a separate violation. (Ord. 95-05, passed 4-10-95; Am. Ord. 2006-002, passed 3-13-06).

§ 53.19 REMEDIES NOT EXCLUSIVE.

(A) Remedies under this chapter are in addition to and do not supersede or limit any and all other remedies, civil or criminal.

(B) The remedies provided for herein shall be cumulative and not exclusive.

§ 53.20 APPEAL.

(A) Any person served with a NOV, who is subject to a cease and desist order, who is subject to an abatement order, who is required to perform monitoring, analyzes, reporting and/or corrective activities by an authorized enforcement official, or who is otherwise grieved by the decision of the authorized enforcement official, may appeal the decision to the Public Works Superintendent within ten (10) days following the effective date of the decision by filing a written appeal with the Public Works Superintendent.

(B) The Public Works Superintendent shall request a report and recommendation from the authorized enforcement official and shall set the matter for hearing at the earliest practical date.

(1) Due notice of the hearing shall be provided to the person appealing the decision of the authorized enforcement official.

(2) At the hearing, the Public Works Superintendent may hear additional evidence, and may reject, affirm or modify the authorized enforcement official's decision.

(3) The Public Works Superintendent decision shall be final. (Ord. 2006-002, passed 3-13-06)

§ 53.21 DISCLAIMER OF LIABILITY.

(A) The degree of protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific, engineering, and other relevant technical considerations.

(B) The standards set forth herein are minimum standards and this chapter does not imply that compliance will ensure that there will be no unauthorized discharge of pollutants into the waters of the United States.

(C) This chapter shall not create liability on the part of the city, any officer or employee thereof for any damages that result from reliance on the code or any administrative decision lawfully made thereunder. (Ord. 2006-002, passed 3-13-06)

§ 53.22 CITY AUTHORITY.

The enforcement official is authorized to make any decision on behalf of the city required or called for by this chapter.

§ 53.23 JUDICIAL REVIEW.

The provisions of California Code of Civil Procedure Section 1094.5 and Section 1094.6 are applicable to judicial review of city decisions pursuant to this chapter. (Ord. 2006-002, passed 3-13-06)

This Ordinance shall become effective thirty (30) days (____) from and after its final passage and adoption, provided it is published pursuant to GC § 36933 in a newspaper of general circulation and published within fifteen (15) days after its passage.

The foregoing ordinance was given it first reading and introduced by title only at a regular meeting of the City Council of the City of Riverbank on June 9, 2015. Said ordinance was given a second reading by title only and adopted by the City Council.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Riverbank at a regular meeting on the ____ day of ____, 2015; motioned by Councilmember _____, seconded by Councilmember _____, moved said ordinance by a City Council roll call vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

Annabelle H. Aguilar, CMC
City Clerk

APPROVED:

Richard D. O'Brien
Mayor

APPROVED AS TO FORM:

Tom P. Hallinan, City Attorney

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date:	June 9, 2015
Subject:	Presentation of Revised Sewer and Water Rate Increase Proposals and Establish Proposition 218 Public Hearing Date for August 11, 2015
From:	Jill Anderson, City Manager
Submitted by:	Marisela H. Garcia, Director of Finance Michael Riddell, Public Works Superintendent

RECOMMENDATION

It is recommended that the City Council:

1. Receive a presentation regarding the revised Sewer and Water Rate Increase proposal,
2. Provide feedback to staff regarding preferred rate proposal, and
3. Establish a Proposition 218 Public Hearing date for August 11, 2015.

SUMMARY

At the May 12, 2015 meeting the City Council received a presentation from Bartle Wells Associates regarding proposed increases to Water and Sewer Rates. At that time, it was requested that Bartle Wells prepare alternative proposals that would smooth the rate increases over a period of time so that our residents would not be immensely impacted in the first year. The revised rates have been prepared and are being presented tonight.

BACKGROUND

Thorough rate studies that would take into consideration not only current maintenance needs but also future capital needs have been prepared in order for the City to have the necessary documentation to perform a Proposition 218 protest vote for rate increases. The assistance of Bartle Wells Associates was essential in developing user rates that would be fair and equitable and that would provide sufficient funding for necessary improvements.

After receiving the presentation from Bartle Wells Associates on May 12, 2015 regarding the proposed rates, it was recommended that revised rates be developed that would gradually increase over the five-year period.

PROPOSED WATER RATE INCREASE

The original rates proposed to the City Council that would provide sufficient funding for all of the Capital Improvement Projects listed was as follows:

	Budget 2014/15	Annual % Increase	Five Year Projection (Prop 218)				
			2015/16	2016/17	2017/18	2018/19	2019/20
Typical SFR Bill (20 ccf (15,000 gal) per month)	19.75		29.92	34.41	37.16	39.02	40.97
Year Over Year % Increase to SFR Bill			51%	15%	8%	5%	5%
Fixed Charge (for 1,000 ccf of water) [1]	14.65		19.77	22.74	24.56	25.78	27.07
Variable Charge (per 100 cubic feet)							
Base			0.46	0.53	0.57	0.60	0.63
Drought Surcharge (Conservation Mandate)			0.22	0.25	0.27	0.28	0.30
Total Variable Charge[2]	0.34		0.68	0.78	0.84	0.88	0.93

The table below shows the updated rate changes to the Water enterprise, per the City Council's request. This projection reflects the City Council accepted scenario of Full CIP. The water rates have been modified to increase gradually over the 5-year projection. The 5 year projection still meets the debt service coverage each projected fiscal year. The minimum reserve requirement will be exceeded from FY2016/17 to FY2019/20.

	Budget 2014/15	Annual % Increase	Five Year Projection (Prop 218)				
			2015/16	2016/17	2017/18	2018/19	2019/20
Typical SFR Bill (20 ccf (15,000 gal) per month)	19.75		26.66	31.69	35.47	39.00	40.95
Year Over Year % Increase to SFR Bill			35%	19%	12%	10%	5%
Fixed Charge (for 1,000 ccf of water) [1]	14.65		19.77	22.74	24.56	25.78	27.07
Variable Charge (per 100 cubic feet)							
Base			0.46	0.53	0.57	0.60	0.63
Drought Surcharge (Conservation Mandate)			-	0.07	0.16	0.28	0.30
Total Variable Charge[2]	0.34		0.46	0.60	0.73	0.88	0.92

In order for Single Family Residential bills to remain stable, certain capital projects were eliminated. The new Projected CIP list along with the eliminated projects are listed below. The Water Meter Project remains unchanged, per the request of the city.

Water Utility	Project #	0	1	2	3	4	5	Total Projected Capital Cost FY2015-2020
		FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	
Project Name								
High-Priority CIP								
Water Projects (Fund 116)								
Central Avenue Water Line Installation	WTR-087	113,000						113,000
Line Replacement Third St. Alley Sierra/Patterson	WTR-075		89,000					89,000
Main Replacement Alley between 3rd and 8th	WTR-063		389,000					389,000
Water Conservation -Implementation of DMMs	WTR-078		25,000	25,000	25,000			75,000
Line Replacement Prospector's to Claribel/Roselle	WTR-074		105,000					105,000
Water Main - Oakdale Road	WTR-022		150,000					150,000
Novi Drive Well Site - Enclosure	WTR-077			300,000				300,000
Talbot/Kentucky Connection (1,330 LF of 12-in pipe)	WTR-079				515,000			515,000
Water Meters [1]		50,000						50,000
Fund 116 Capital Cost		163,000	758,000	325,000	540,000	-		1,786,000
Water Connection Projects (Fund 157)								
Water Meter Reading System [2]			4,700,000					4,700,000
Fund 157 Capital Cost		-	4,700,000	-	-	-		4,700,000
Total High Priority CIP		163,000	5,458,000	325,000	540,000	-	-	6,486,000
Additional Water CIP								
Mechanic shop with parts & equipment			500,000					500,000
Novi well enclosure for equipment and sound control			75,000					75,000
Water line replaced on Sierra from Patterson to SR 108			75,000					75,000
Water line installation 2800 Block to Santa Fe			50,000					50,000
Water line on 8th Topeka to SR 108			60,000					60,000
Water line on Claus from SR 108 to Santa Fe			75,000					75,000
12 in water line on Santa Fe from 8th to 4th Streets				325,000				325,000
12 in water line in Sierra Alley from 3rd to 8th Street				350,000				350,000
Water line in alley on Riverside from Corp yard to 4th St				325,000				325,000
Water line in Topeka Alley from 1st to Cannery Site				150,000				150,000
Water line on 7th to dead end.					75,000			75,000
Water line in alley on Orange from 2nd to Burneyville					100,000			100,000
Replace all transit water lines					1,250,000			1,250,000
Waterline on 7th from Nevada to Arizona					40,000			40,000
Loop all dead end waterline in Crossroads					500,000			500,000
Install pump to waste on 8th, River Heights & Jackson Wells					150,000			150,000
Install covers on 2nd St. storage tank motors						25,000		25,000
Install SCADA system antenna for 2nd St. storage tank						50,000		50,000
Paint 2nd St. Storage tank						50,000		50,000
Install covers on Crossroads storage tank motors						25,000		25,000
New block wall fences at Crossroads, Jackson & Pioneer wells						200,000		200,000
Install flushing valve on Lane Avenue							2,000	2,000
New chlorine pumps & analyzers at well sites							1,000,000	1,000,000
Install flushing valves or hydrants at all dead end systems							500,000	500,000
Total Additional Water CIP		-	835,000	1,150,000	2,115,000	350,000	1,502,000	5,952,000
Total of all Capital Projects (Full CIP)								12,438,000

Source: City of Riverbank 2014-2019 Capital Improvement Plan

[1] From City of Riverbank FY2014/15 Water Annual Budget, (Fund 114; Dept. 433; Account 707.119)

[2] Phone call with City Staff, 8/21/2014. Funding TBD.

Eliminated CIP

Water line on 6th St from Sierra Alley to Santa Fe			125,000					125,000
Water line in Sierra Alley to High Street			125,000					125,000
Paint Crossroads storage tank						50,000		50,000
Replace BFP on Vandusen, Minniear & Davis subdivisions						150,000		150,000
Water line in alley between Stanislaus & Sierra from 3rd to 4th					75,000			75,000
Water line loop on 3rd from Patterson to Sierra					75,000			75,000

PROPOSED SEWER RATE INCREASE

The original rates proposed to the City Council that would provide sufficient funding for all of the Capital Improvement Projects listed was as follows:

	Budget	Annual %	Five Year Projection (Prop 218)				
	2014/15	Increase	2015/16	2016/17	2017/18	2018/19	2019/20
Monthly Residential Charge	20.15		28.21	39.49	45.02	46.37	47.77
% Change			40%	40%	14%	3%	3%

The table below shows the updated rate changes to the Sewer enterprise. This projection reflects the City Council accepted scenario of Full CIP. The sewer rates have been modified to increase gradually over the 5-year projection. The 5-year projection still meets the debt service coverage from FY17 to FY20. The minimum reserve requirement will be exceeded from FY19 to FY20.

	Budget	Annual %	Five Year Projection (Prop 218)				
	2014/15	Increase	2015/16	2016/17	2017/18	2018/19	2019/20
Monthly Residential Charge	20.15		25.79	33.01	40.28	47.12	49.48
% Change			28%	28%	22%	17%	5%

In order for billings to remain stable, several Capital Improvement Projects (CIP) were eliminated from the original listing. The table below reflects the CIP as well as eliminated projects:

Sanitary Sewer Utility	Project #	0	1	2	3	4	5	Total Projected Capital Cost FY 2011-2020
		FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	
Project Name								
High Priority Projects								
Utility Service Separation	SS-013	36,000						36,000
Cross Connection Reduction	SS-012		200,000	200,000	200,000	200,000		800,000
Biolac System	WWTP-020	3,549,843						3,549,843
Equipment Protection -Overhead Structure	WWTP-023		10,000					10,000
Road Improvements Entering WWTP	WWTP-024		100,000					100,000
Resurface Entry Road to WWTP [1]			110,000					110,000
Finish Pond 9 at WWTP [1]				98,000				98,000
Total High Priority Projected Capital Cost		3,585,843	420,000	298,000	200,000	200,000	-	4,703,843
Additional CIP								
6" SS, Stanislaus - Sierra Alley from 1st to 3rd			75,000					75,000
6" SS, Sierra - Patterson Alley from 1st to 8th			275,000					275,000
6" SS, Topeka - 108 Alley 4th to 5th			50,000					50,000
6" SS, Topeka - Santa Fe Alley 7th to 8th			50,000					50,000
6" SS, Santa Fe - Stanislaus Alley 7th to 8th			50,000					50,000
6" SS, Terminal from Kentucky to Castle Park Drive				85,000				85,000
6" SS, Texas - Kansas Alley from 8th to Chief Tucker				80,000				80,000
8" SS, Galaxy to Jackson Ave.					50,000			50,000
6" & 8" SS, 7 State Streets from Terminal to 8th						1,000,000		1,000,000
8" SS, Oakdale Road from Patterson to Cedarwood						150,000		150,000
6" SS in Cedarwood from Oakdale Road to Wood Haven						125,000		125,000
6" SS, Orange Ave from Bruneyville to 2nd St.							1,000,000	1,000,000
Crawford Lift Station project upgrades and force main							250,000	250,000
CCTV all sanitary sewer lines city wide							250,000	250,000
Upgrade all electrical panes on SS lift stations							1,000,000	1,000,000
Survey all lift stations							50,000	50,000
Total Additional CIP		-	500,000	165,000	50,000	1,275,000	2,550,000	4,540,000
Total Capital Projects		3,585,843	920,000	463,000	250,000	1,475,000	2,550,000	9,243,843

Source: City of Riverbank 2014-2019 Capital Improvement Plan
[1] E-mail from Staff, 10.6.2014

Eliminated CIP

6" & 8" SS, Riverside from 108 to 7th	250,000	250,000
6" SS, Morrill Ave from Jackson to Roselle		250,000
6" SS, Jackson Ave Ross to Morrill		250,000
6" SS, Stanislaus - Sierra Alley from 4th to 8th	250,000	250,000

NEXT STEPS

1. Provide direction to staff on preferred rate alternative for Water and Sewer Rate Increases.
2. Proposition 218 Public Notice will be mailed to all property owners and tenants receiving water and sewer services by June 26, 2015.
3. Public Hearing to be held on August 11, 2015.

FINANCIAL IMPACT

There is no financial impact associated with the receiving of this report. Future costs will include the preparation of a Proposition 218 Public Notice for all residents.

STRATEGIC PLAN

This report has been prepared to accomplish the following strategic objective established at the September 30, 2014 meeting and the March 31, 2015 meeting:

“Present to the City Council for action potential rate changes for water and sewer”

ATTACHMENT

1. Revised Water Rate Increase Proposal
2. Revised Sewer Rate Increase Proposal
3. Draft Proposition 218 Public Notice

Water

Summary of Rate Changes City of Riverbank

Table 1 shows the updated rate changes to the Water enterprise, per the City Council's request. This projection reflects the City Council accepted scenario of Full CIP. The water rates have been modified to increase gradually over the 5-year projection. The 5 year projection still meets the debt service coverage each projected fiscal year. The minimum reserve requirement will be exceeded from FY2016/17 to FY2019/20. The original rates proposed to City Council can be found in **table 2**. The full budget reflecting new rates can be shown in **table 3**.

In order for SFR bills to remain stable, certain capital projects were eliminated. **Table 4** lists the new Projected CIP list along with the eliminated projects. The Water Meter Project remains unchanged, per the request of the city.

Table 1: Water Rate Changes: Gradual Increase with Full CIP
Water Enterprise
City of Riverbank

	Budget	Annual %	Five Year Projection (Prop 218)				
	2014/15	Increase	2015/16	2016/17	2017/18	2018/19	2019/20
Typical SFR Bill (20 ccf (15,000 gal) per month)	19.75		26.66	31.69	35.47	39.00	40.95
Year Over Year % Increase to SFR Bill			35%	19%	12%	10%	5%
Fixed Charge (for 1,000 ccf of water) [1]	14.65		19.77	22.74	24.56	25.78	27.07
Variable Charge (per 100 cubic feet)							
Base			0.46	0.53	0.57	0.60	0.63
Drought Surcharge (Conservation Mandate)			-	0.07	0.16	0.28	0.30
Total Variable Charge[2]	0.34		0.46	0.60	0.73	0.88	0.92

Table 2: Original Rates Proposed to City Council
Water Enterprise
City of Riverbank

	Budget	Annual %	Five Year Projection (Prop 218)				
	2014/15	Increase	2015/16	2016/17	2017/18	2018/19	2019/20
Typical SFR Bill (20 ccf (15,000 gal) per month)	19.75		29.92	34.41	37.16	39.02	40.97
Year Over Year % Increase to SFR Bill			51%	15%	8%	5%	5%
Fixed Charge (for 1,000 ccf of water) [1]	14.65		19.77	22.74	24.56	25.78	27.07
Variable Charge (per 100 cubic feet)							
Base			0.46	0.53	0.57	0.60	0.63
Drought Surcharge (Conservation Mandate)			0.22	0.25	0.27	0.28	0.30
Total Variable Charge[2]	0.34		0.68	0.78	0.84	0.88	0.93

Table 3: Water Rate Changes: Gradual Increase
Water Enterprise
City of Riverbank

	Budget 2014/15	Annual % Increase	Five Year Projection (Prop 218)				
			2015/16	2016/17	2017/18	2018/19	2019/20
Typical SFR Bill (20 ccf (15,000 gal) per month)	19.75		26.66	31.69	35.47	39.00	40.95
Year Over Year % Increase to SFR Bill			35%	19%	12%	10%	5%
Fixed Charge (for 1,000 ccf of water) [1]	14.65		19.77	22.74	24.56	25.78	27.07
Variable Charge (per 100 cubic feet)							
Base			0.46	0.53	0.57	0.60	0.63
Drought Surcharge (Conservation Mandate)			-	0.07	0.16	0.28	0.30
Total Variable Charge[2]	0.34		0.46	0.60	0.73	0.88	0.92
% Change in Total Variable Charge			35%	30%	22%	21%	5%
Projected Variable Consumption (ccf)			1,046,302	1,051,534	1,056,792	1,062,076	1,067,386
Revenues							
Water Service Charges							
Meter Charge Revenue Estimate	1,149,000	0.5%	1,557,000	1,798,000	1,951,000	2,058,000	2,171,000
Volumetric Revenue Estimate [3]							
Base			482,000	557,000	604,000	637,000	672,000
Drought Surcharge (Conservation Mandate)			-	72,000	167,000	300,000	317,000
Total Variable Charge	523,000	0.5%	482,000	629,000	771,000	937,000	989,000
Backflow Inspections	300		1,000	1,000	1,000	1,000	1,000
Fines, Forfeitures, Penalties	46,100	1%	47,000	48,000	49,000	50,000	51,000
Interest Income [4]	2,400		20,000	9,000	44,000	30,000	31,000
Misc. Revenues	500		1,000	1,000	1,000	1,000	1,000
Total Operating Revenues	1,721,300		2,108,000	2,486,000	2,817,000	3,077,000	3,244,000
Debt Proceeds							
Loan Issue FY2016			4,800,000				
Bond Issue FY2017				4,600,000			
Bond Issue FY2018					1,000,000		
Total Financing Revenue			4,800,000	4,600,000	1,000,000		
Total Revenue	\$1,721,300		\$6,908,000	\$7,086,000	\$3,817,000	\$3,077,000	\$3,244,000
Expenses							
Water Collection							
Employee Salaries	300,900	3%	310,000	319,000	329,000	339,000	349,000
Employee Benefits	158,400	3%	163,000	168,000	173,000	178,000	183,000
Supplies and Materials	37,250	4%	39,000	41,000	43,000	45,000	47,000
Utilities	300,000	5%	315,000	331,000	348,000	365,000	383,000
Services	193,000	3%	199,000	205,000	211,000	217,000	224,000
Communications	1,000		1,000	1,000	1,000	1,000	1,000
Misc. Expenses and Allowances	60,000	4%	62,000	64,000	67,000	70,000	73,000
Meter Replacements	55,000		55,000	55,000	55,000	55,000	55,000
Transfers Out Management Fee	530,900	3%	547,000	563,000	580,000	597,000	615,000
Transfers Out Misc.	51,500		52,000	52,000	52,000	52,000	52,000
Total Water Operations	\$1,687,950		\$1,743,000	\$1,799,000	\$1,859,000	\$1,919,000	\$1,982,000
Net Operating Revenues	\$33,350		\$5,165,000	\$5,287,000	\$1,958,000	\$1,158,000	\$1,262,000
Water Debt Service							
Loan Issue FY 2016 [5]				429,000	429,000	429,000	429,000
Bond Issue FY2016 [6]					298,000	298,000	298,000
Bond Issue FY2018 [7]						65,000	65,000
Total Annual Debt Service				\$429,000	\$727,000	\$792,000	\$792,000
Debt Service Coverage [8]				1.60	2.69	1.46	1.59
Water Capital							
Fund 116 Expenditures	163,000		758,000	325,000	540,000		
Fund 157 Expenditures			4,700,000				
Water Division CIP			835,000	1,150,000	2,115,000	350,000	1,502,000
Transfers In [9]	(51,700)		(55,000)	(55,000)	(55,000)	(55,000)	(55,000)
Total Capital Expenditures	\$111,300		\$6,238,000	\$1,420,000	\$2,600,000	\$295,000	\$1,447,000
ENDING BALANCE							
Water Fund Total	\$1,994,000		\$921,000	\$4,359,000	\$2,990,000	\$3,061,000	\$2,084,000
Target Balance [10]	\$1,844,000		\$1,872,000	\$1,900,000	\$1,930,000	\$1,960,000	\$1,991,000
	yes		no	yes	yes	yes	yes

Source: Budget FY2014/15, Audit FYE 2013, and Capital Improvement Program FY2014-2019

[1] Minimum charge for 1,000 cubic feet for 2 months (bi-monthly) for 5/8"-1" residential meters is \$29.29. Water usage exceeding 1,000 cubic feet is \$.34 per 100 cubic feet.

[2] Volumetric Rate is Uniform for FY2016 onwards

[3] Based on a 32% reduction in consumption due to Governor's mandate.

[4] Interest Income is 1% of the Beginning Fund Balance if fund balance is positive.

[5] \$4,800,000, 15-year loan with semi-annual payments and an interest rate of 4%

[6] \$4,600,000, 30-year bond with semi-annual payments and an interest rate of 5%

[7] \$1,000,000, 30-year bond with semi-annual payments and an interest rate of 5%

[8] Net operating revenue (less financing revenue) must equal at least 1.2x total annual debt service to fulfill Debt Service Coverage

[9] Includes 'Transfers In' and 'Interest Income' revenue. Assumes \$51,700 for FY2014/15 and \$55,000 for FY2015-2017.

[10] Reserve Fund targets are 50% of O&M and \$1,000,000 for capital projects

Table 4: Updated Capital Improvement List
Water Enterprise
City of Riverbank

Water Utility	Project #	0	1	2	3	4	5	Total Projected Capital Cost FY2015-2020
		FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	
Project Name								
High-Priority CIP								
Water Projects (Fund 116)								
Central Avenue Water Line Installation	WTR-087	113,000						113,000
Line Replacement Third St. Alley Sierra/Patterson	WTR-075		89,000					89,000
Main Replacement Alley between 3rd and 8th	WTR-063		389,000					389,000
Water Conservation -Implementation of DMMs	WTR-078		25,000	25,000	25,000			75,000
Line Replacement Prospector's to Claribel/Roselle	WTR-074		105,000					105,000
Water Main - Oakdale Road	WTR-022		150,000					150,000
Novi Drive Well Site - Enclosure	WTR-077			300,000				300,000
Talbot/Kentucky Connection (1,330 LF of 12-in pipe)	WTR-079				515,000			515,000
Water Meters [1]		50,000						50,000
Fund 116 Capital Cost		163,000	758,000	325,000	540,000	-	-	1,786,000
Water Connection Projects (Fund 157)								
Water Meter Reading System [2]			4,700,000					4,700,000
Fund 157 Capital Cost		-	4,700,000	-	-	-	-	4,700,000
Total High Priority CIP		163,000	5,458,000	325,000	540,000	-	-	6,486,000
Additional Water CIP								
Mechanic shop with parts & equipment			500,000					500,000
Novi well enclosure for equipment and sound control			75,000					75,000
Water line replaced on Sierra from Patterson to SR 108			75,000					75,000
Water line installation 2800 Block to Santa Fe			50,000					50,000
Water line on 8th Topeka to SR 108			60,000					60,000
Water line on Claus from SR 108 to Santa Fe			75,000					75,000
12 in water line on Santa Fe from 8th to 4th Streets				325,000				325,000
12 in water line in Sierra Alley from 3rd to 8th Street				350,000				350,000
Water line in alley on Riverside from Corp yard to 4th St				325,000				325,000
Water line in Topeka Alley from 1st to Cannery Site				150,000				150,000
Water line on 7th to dead end.					75,000			75,000
Water line in alley on Orange from 2nd to Burneyville					100,000			100,000
Replace all transite water lines					1,250,000			1,250,000
Waterline on 7th from Nevada to Arizona					40,000			40,000
Loop all dead end waterline in Crossroads					500,000			500,000
Install pump to waste on 8th, River Heights & Jackson Wells					150,000			150,000
Install covers on 2nd St. storage tank motors						25,000		25,000
Install SCADA system antenna for 2nd St. storage tank						50,000		50,000
Paint 2nd St. Storage tank						50,000		50,000
Install covers on Crossroads storage tank motors						25,000		25,000
New block wall fences at Crossroads, Jackson & Pioneer wells						200,000		200,000
Install flushing valve on Lane Avenue							2,000	2,000
New chlorine pumps & analyzers at well sites							1,000,000	1,000,000
Install flushing valves or hydrants at all dead end systems							500,000	500,000
Total Additional Water CIP		-	835,000	1,150,000	2,115,000	350,000	1,502,000	5,952,000
Total of all Capital Projects (Full CIP)								12,438,000

Source: City of Riverbank 2014-2019 Capital Improvement Plan

[1] From City of Riverbank FY2014/15 Water Annual Budget, (Fund 114; Dept. 433; Account 707.119)

[2] Phone call with City Staff, 8/21/2014. Funding TBD.

Eliminated CIP

Water line on 6th St from Sierra Alley to Santa Fe			125,000					125,000
Water line in Sierra Alley to High Street			125,000					125,000
Paint Crossroads storage tank						50,000		50,000
Replace BFP on Vandusen, Minniear & Davis subdivisions						150,000		150,000
Water line in alley between Stanislaus & Sierra from 3rd to 4th					75,000			75,000
Water line loop on 3rd from Patterson to Sierra					75,000			75,000

Sewer**Summary of Rate Changes****City of Riverbank**

Table 5 shows the updated rate changes to the Sewer enterprise. This projection reflects the City Council accepted scenario of Full CIP. The sewer rates have been modified to increase gradually over the 5-year projection. The 5-year projection still meets the debt service coverage from FY17 to FY20. The minimum reserve requirement will be exceeded from FY19 to FY20. The original rates proposed to City Council can be found in **table 6**. The full budget reflecting new rates can be shown in **table 7**.

In order to fund all capital projects without increasing SFR bills, certain capital projects have been eliminated, as listed in **table 8**. The biolac system remains unchanged, per the request of the city.

Table 5: Sewer Rate Changes: Gradual Increase with Full CIP**Sewer Enterprise****City of Riverbank**

	Budget	Annual % Increase	Five Year Projection (Prop 218)				
	2014/15		2015/16	2016/17	2017/18	2018/19	2019/20
Monthly Residential Charge	20.15		25.79	33.01	40.28	47.12	49.48
% Change			28%	28%	22%	17%	5%

Table 6: Original Rates Proposed to City Council**Sewer Enterprise****City of Riverbank**

	Budget	Annual % Increase	Five Year Projection (Prop 218)				
	2014/15		2015/16	2016/17	2017/18	2018/19	2019/20
Monthly Residential Charge	20.15		28.21	39.49	45.02	46.37	47.77
% Change			40%	40%	14%	3%	3%

Table 7: Sewer Rate Changes: Gradual Increase
Sewer Enterprise
City of Riverbank

	Budget 2014/15	Annual % Increase	Five Year Projection (Prop 218)				
			2015/16	2016/17	2017/18	2018/19	2019/20
BEGINNING BALANCE							
Fund 106 (Operations)	\$318,694		\$634,000	\$1,434,000	\$2,879,000	\$4,985,000	\$7,723,000
Fund 107 (Debt)	924,834		141,000	(643,000)	(1,427,000)	(2,140,000)	(2,849,000)
Fund 108 (Projects)	3,788,173		202,000	(718,000)	(1,181,000)	(1,431,000)	(2,906,000)
Fund 158 (Connection)	<u>240,128</u>		<u>270,000</u>	<u>285,000</u>	<u>300,000</u>	<u>315,000</u>	<u>330,000</u>
Wastewater Fund Total	5,271,829		1,247,000	358,000	571,000	1,729,000	2,298,000
Monthly Residential Charge	20.15		25.79	33.01	40.28	47.12	49.48
% Change			28%	28%	22%	17%	5%
Revenues							
Sewer Service Charges	1,871,900	0.5%	2,405,000	3,090,000	3,785,000	4,447,000	4,692,000
Fines, Forfeitures, Penalties	34,500	1.0%	35,000	35,000	35,000	35,000	35,000
Interest Income [1]	3,000		6,000	14,000	29,000	50,000	77,000
Industrial Permits	34,300	1.0%	35,000	35,000	35,000	35,000	35,000
Misc. Revenues	250		1,000	1,000	1,000	1,000	1,000
Transfers In	<u>117,700</u>		<u>120,000</u>	<u>120,000</u>	<u>120,000</u>	<u>120,000</u>	<u>120,000</u>
Total Revenues	\$2,061,650		\$2,602,000	\$3,295,000	\$4,005,000	\$4,688,000	\$4,960,000
Expenses							
<i>Wastewater Collection</i>							
Employee Compensation	\$147,500	3.0%	\$152,000	\$157,000	\$162,000	\$167,000	\$172,000
Supplies and Materials	9,250	3.0%	10,000	10,000	10,000	10,000	10,000
Utilities	25,000	5.0%	26,000	27,000	28,000	29,000	30,000
Services	85,000	3.0%	88,000	91,000	94,000	97,000	100,000
Communications	2,000		2,000	2,000	2,000	2,000	2,000
Misc. Expenses and Allowances	14,550	4.0%	15,000	16,000	17,000	18,000	19,000
Transfers Out Management Fee	<u>539,900</u>		<u>550,000</u>	<u>550,000</u>	<u>550,000</u>	<u>550,000</u>	<u>550,000</u>
<i>Total Wastewater Collection</i>	<i>\$823,200</i>		<i>\$843,000</i>	<i>\$853,000</i>	<i>\$863,000</i>	<i>\$873,000</i>	<i>\$883,000</i>
<i>Wastewater Treatment</i>							
Employee Salaries	201,900	3.0%	208,000	214,000	220,000	227,000	234,000
Employee Benefits	118,900	3.0%	122,000	126,000	130,000	134,000	138,000
Supplies and Materials	6,500		7,000	7,000	7,000	7,000	7,000
Utilities	400,000	5.0%	420,000	441,000	463,000	486,000	510,000
Communications	850		1,000	1,000	1,000	1,000	1,000
Services	132,500	3.0%	136,000	140,000	144,000	148,000	152,000
Misc. Expenses and Allowances	<u>62,550</u>	4.0%	<u>65,000</u>	<u>68,000</u>	<u>71,000</u>	<u>74,000</u>	<u>77,000</u>
<i>Total Wastewater Treatment</i>	<i>\$923,200</i>		<i>\$959,000</i>	<i>\$997,000</i>	<i>\$1,036,000</i>	<i>\$1,077,000</i>	<i>\$1,119,000</i>
Total Wastewater Operations	\$1,746,400		\$1,802,000	\$1,850,000	\$1,899,000	\$1,950,000	\$2,002,000
Net Operating Revenues	\$315,250		\$800,000	\$1,445,000	\$2,106,000	\$2,738,000	\$2,958,000
Wastewater Debt Service							
Existing Long-Term Debt	\$784,000		\$784,000	\$784,000	\$713,000	\$709,000	\$709,000
Total Annual Debt Service	\$784,000		\$784,000	\$784,000	\$713,000	\$709,000	\$709,000
Debt Service Coverage	0.40		1.02	1.84	2.95	3.86	4.17
Wastewater Capital [2]							
Wastewater	\$3,585,843		\$420,000	\$298,000	\$200,000	\$200,000	\$0
Sewer Division CIP	<u>0</u>		<u>500,000</u>	<u>165,000</u>	<u>50,000</u>	<u>1,275,000</u>	<u>2,550,000</u>
Total Capital Expenditures	\$3,585,843		\$920,000	\$463,000	\$250,000	\$1,475,000	\$2,550,000
ENDING BALANCE							
Fund 106 [3]	\$633,944		1,434,000	2,879,000	4,985,000	7,723,000	10,681,000
Fund 107 [4]	140,834		(643,000)	(1,427,000)	(2,140,000)	(2,849,000)	(3,558,000)
Fund 108 [5]	202,330		(718,000)	(1,181,000)	(1,431,000)	(2,906,000)	(5,456,000)
Fund 158 [6]	<u>270,128</u>		<u>285,000</u>	<u>300,000</u>	<u>315,000</u>	<u>330,000</u>	<u>345,000</u>
Wastewater Fund Total	1,247,236		358,000	571,000	1,729,000	2,298,000	2,012,000
Change from prior fund balance			(889,236)	213,000	1,158,000	569,000	(286,000)
Target Balance [7]	1,873,000		1,901,000	1,925,000	1,950,000	1,975,000	2,001,000
	no		no	no	no	yes	yes

Source: Budget FY2014/15, Audit FYE 2013, and Capital Improvement Program FY2011/12-FY2020/21

[1] Interest Income is 1% of the Beginning Fund 106 Balance if fund balance is positive.

[2] Assumes that the City will complete all Sewer projects

[3] Fund 106 Ending Balance equals Beginning Balance plus Total Operating Revenues less Total Wastewater Operations

[4] Fund 107 Ending Balance equals Beginning Balance plus Total Fund 107 (Debt) Revenue less Total Annual Debt Service

[5] Fund 108 Ending Balance equals Beginning Balance less Total Capital Expenditures

[6] Fund 158 Ending Balance assumes \$30,000 in revenues from Sewer Connection Fees in FY2014/15 and \$15,000 for each subsequent fiscal year.

[7] Reserve Fund targets are 50% of O&M and \$1,000,000 for capital projects

Table 8: Updated Capital Improvement List
Sewer Enterprise
City of Riverbank

Sanitary Sewer Utility	Project #	0	1	2	3	4	5	Total Projected Capital Cost FY 2011-2020
		FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	
Project Name								
High Priority Projects								
Utility Service Separation	SS-013	36,000						36,000
Cross Connection Reduction	SS-012		200,000	200,000	200,000	200,000		800,000
Biolac System	WWTP-020	3,549,843						3,549,843
Equipment Protection -Overhead Structure	WWTP-023		10,000					10,000
Road Improvements Entering WWTP	WWTP-024		100,000					100,000
Resurface Entry Road to WWTP [1]			110,000					110,000
Finish Pond 9 at WWTP [1]				98,000				98,000
Total High Priority Projected Capital Cost		3,585,843	420,000	298,000	200,000	200,000	-	4,703,843
Additional CIP								
6" SS, Stanislaus - Sierra Alley from 1st to 3rd			75,000					75,000
6" SS, Sierra - Patterson Alley from 1st to 8th			275,000					275,000
6" SS, Topeka - 108 Alley 4th to 5th			50,000					50,000
6" SS, Topeka - Santa Fe Alley 7th to 8th			50,000					50,000
6" SS, Santa Fe - Stanislaus Alley 7th to 8th			50,000					50,000
6" SS, Terminal from Kentucky to Castle Park Drive				85,000				85,000
6" SS, Texas - Kansas Alley from 8th to Chief Tucker				80,000				80,000
8" SS, Galaxy to Jackson Ave.					50,000			50,000
6" & 8" SS, 7 State Streets from Terminal to 8th						1,000,000		1,000,000
8" SS, Oakdale Road from Patterson to Cedarwood						150,000		150,000
6" SS in Cedarwood from Oakdale Road to Wood Haven						125,000		125,000
6" SS, Orange Ave from Bruneyville to 2nd St.							1,000,000	1,000,000
Crawford Lift Station project upgrades and force main							250,000	250,000
CCTV all sanitary sewer lines city wide							250,000	250,000
Upgrade all electrical panes on SS lift stations							1,000,000	1,000,000
Survey all lift stations							50,000	50,000
Total Additional CIP		-	500,000	165,000	50,000	1,275,000	2,550,000	4,540,000
Total Capital Projects		3,585,843	920,000	463,000	250,000	1,475,000	2,550,000	9,243,843

Source: City of Riverbank 2014-2019 Capital Improvement Plan

[1] E-mail from Staff, 10.6.2014

Eliminated CIP

6" & 8" SS, Riverside from 108 to 7th	250,000	250,000
6" SS, Morrill Ave from Jackson to Roselle		250,000
6" SS, Jackson Ave Ross to Morrill		250,000
6" SS, Stanislaus - Sierra Alley from 4th to 8th	250,000	250,000

City of Riverbank Notice of Proposed Water & Sewer Rate Increase

City Council to hold Public Hearing to Discuss
Proposed Multi-Year Water and Sewer Rates on
August 11, 2015

NOTICE IS HEREBY GIVEN that the City Council of the City of Riverbank on August 11, 2015 at 6:00 pm will hold a Public Hearing in the City Council Chambers at 6707 Third Street, Riverbank, CA 95367, to consider adop. on of increases to Water and Sewer rates.

You are receiving this notice because you are either a City of Riverbank water or sewer customer or you own property that is receiving City water or sewer services. The City Council will be considering a recommendation to adopt increases to the water and sewer service charges over the next five years at a public hearing on Tuesday, August 11, 2015 at the City of Riverbank City Council Chambers. The hearing will begin at 6:00 pm or after. The new service charges, if adopted, will go into effect on or after September 1, 2015 and will increase annually over the next five years.

The purpose of the hearing is to take written and oral comments and consider all written protests against the proposed charges. Written protests must be filed with the City Clerk of the City of Riverbank.

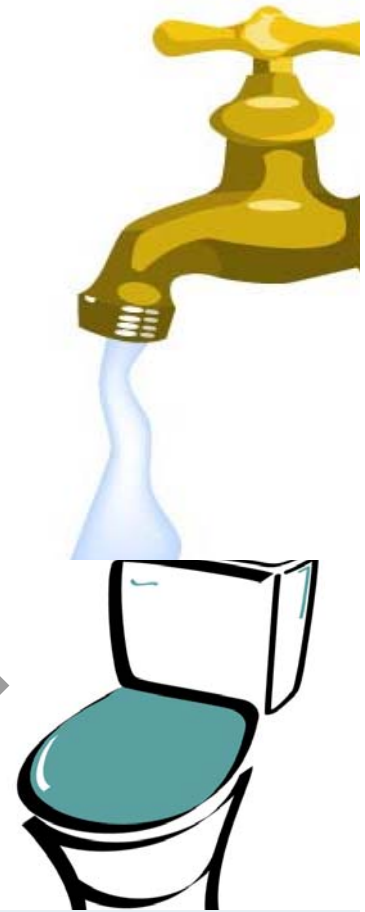
Written protests may be hand delivered or mailed to the City of Riverbank, City Clerk at 6707 Third Street, Suite A, Riverbank, CA 95367. To be valid, protests must be in writing, state opposition to proposed water and sewer rate increase, identify the customer's address or County Assessor's Parcel Number and include the original signature of the record water or sewer service customer or parcel owner.

A written protest may be submitted up to the conclusion of public testimony at the public hearing. Oral comments at the public hearing will not qualify as formal protests unless accompanied by a written protest. Upon conclusion of the public hearing the City Council will consider adopting the proposed rate increases. If written protests are not presented by a majority of the parcels upon which they are proposed to be imposed, the City Council will be authorized to adopt the rate increases. If adopted, the new Water and Sewer rates will become effective on September 1, 2015.

Why Are We Considering Rate Increases?

The City's cost of providing Water and Sewer services to all residents and businesses of Riverbank exceeds the revenues collected from current rates customers pay for services. By adjusting revenues the City can continue to:

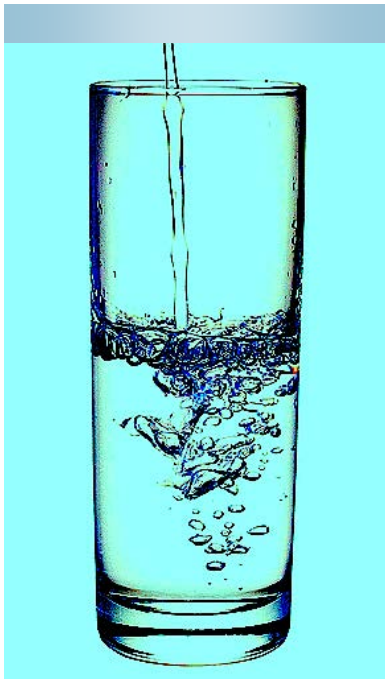
- Properly operate and maintain water and sewer pipelines, wells, pump stations, and the wastewater treatment plant.
- Meet or exceed all state and federal regulations, requirements, and standards for the safe distribution of water and the collection and treatment of sewage.



El Cónsul de la Ciudad de Riverbank escuchará una Propuesta para Incrementar las tarifas de Agua y Drenaje el día 11 de agosto del 2015

SE DA AVISO que el día 11 de Agosto del 2015 a las 6:00 de la tarde, el Cónsul de la Ciudad de Riverbank tendrá una audiencia pública en el 6707 Calle Tres, Riverbank, CA 95367, para considerar la adopción de incrementos a las tarifas vigentes de agua y drenaje.

Información sobre las propuestas tarifas y como usted puede someter su protesta a este aumento comienza en la página 4.



Water Rate Increase

The City of Riverbank is dedicated to delivering your water safely and reliably, and protecting this precious resource for future generations of Riverbank residents. The City is working towards a sustainable future based upon solid financial footing. The proposed rate changes below are being carefully considered for their ability to keep the City operating efficiently and effectively, now and in years ahead.

The City last increased their water rates in 2009. Customers are currently charged a bi-monthly flat fee based on the size of the water meter at your residence or business. This flat fee (fixed charge) is calculated to recover the City's fixed costs of operation and maintenance of the City's water facilities. The City also charges a volumetric rate based on water usage above 1,000 cubic feet.

This volumetric rate (variable charge) is calculated on the basis of the cost of providing water. Currently, this variable charge decreases as water usage increases, which is not considered a conservation-oriented billing structure.

The City is proposing a multi-year rate increase. By taking this approach to rate setting in meeting long-term infrastructure repair and improvement needs as well as delivering day-to-day services, the City can better prepare for the future and avoid significant unexpected rate increases. In addition, the Study recommends updating the current declining variable charge to a uniform variable charge.

Drought Surcharge

A drought surcharge has been developed and will be applied to all non-essential usage based on mandatory conservation mandate established by the State of California. The City of Riverbank is required to reduce its water consumption by 32%. The Drought Surcharge proposed will ensure that the City continues to have funding available for fixed costs of operations and maintenance of our water facilities. It is fully expected that when the drought ceases, the drought surcharge will no longer be in effect.

Rate Studies

A copy of the Water and Sewer Rate Study can be obtained on the City's website at www.riverbank.org, and at City Hall North at 6707 Third Street, Suite A, Riverbank, CA 95367

Proposed Rates

In May 2014 the City of Riverbank contracted with Bartle Wells Associates to conduct a Water Rate Study to determine whether revenue generated from water rates will be adequate to cover recurring operating and maintenance costs, and current and future capital costs. In order to adequately fund the costs of providing water to all residents, the rate study proposes a five-year increase in rates that will provide sufficient funding for:

- Operations and Maintenance (including day-to-day delivery of services)
- Emergency Reserves
- Capital Improvement Projects

The table below provides the recommended proposed rates for a five-year period.

	Budget	Annual % Increase	Five Year Projection (Prop 218)				
	2014/15		2015/16	2016/17	2017/18	2018/19	2019/20
Typical SFR Bill (20 ccf (15,000 gal) per month)	19.75		26.66	31.69	35.47	39.00	40.95
Year Over Year % Increase to SFR Bill			35%	19%	12%	10%	5%
Fixed Charge (for 1,000 ccf of water) [1]	14.65		19.77	22.74	24.56	25.78	27.07
Variable Charge (per 100 cubic feet)							
Base			0.46	0.53	0.57	0.60	0.63
Drought Surcharge (Conservation Mandate)			—	0.07	0.16	0.28	0.30
Total Variable Charge [2]	0.34		0.46	0.60	0.73	0.88	0.92

Capital Improvement Projects (CIP's)

The Study projects approximately \$13.03 million for capital improvements to the Water System over the next five years. These expenditures include an estimated \$4.7 million for the installation of an Automated Meter Reading system throughout the City of Riverbank. Approximately \$4 million in funds are necessary for water line replacements in older sections of Riverbank. The rate increases will provide sufficient funding to help recoup the initial cost of the capital projects and scheduled payments for loans or bonds obtained to fund these necessary projects.

Sewer Rate Increase

The City last increased their sewer rates in 2008. Residential customers are charged a fixed base rate for sewer service. Commercial businesses pay a fixed charge in addition to a variable charge for each cubic foot of water that is consumed over 1,000 cubic feet per month based on customer classification. Industrial customer service charges are calculated based on a formula that takes into account biochemical oxygen demand (BOD) and million gallons (MG) of water consumed in one year. Schools pay a separate charge based on student and staff population and whether or not they have a cafeteria.

Bartle Wells Associates is recommending the City divide the variable charge into four categories based on strength factors to ensure rate equity between customers. The classifications were developed based on State Water Resources Control Board recommended flow factors and a standard strength factor formula. A

strength factor of 1 (or Group 1 in the table below) is used for domestic use.

The City is proposing a multi-year rate increase. By taking this approach to rate-setting in meeting long-term infrastructure repair and improvement needs as well as delivering day-to-day services, the City can better prepare for the future and avoid significant unexpected rate increases.

The rates have also been developed to provide adequate funding for current debt service associated with five outstanding obligations of the Sewer System, which include: two 2014 loans which refinanced an outstanding bond from 2005 and provided funding for a Waste Water Treatment Plant Energy Efficiency Upgrade, a 2001 inter-fund loan for the Expansion of the Waste Water Treatment Plant, and two State Water Resources Control Board Loans issued in 2001 & 2002 for the Expansion of the Waste Water Treatment Plant.

Proposed Sewer Rates

In designing the proposed rates, Bartle Wells Associates recommends a five-year increase in rates that will provide sufficient funding for:

- Operations and Maintenance (including day-to-day delivery of services)
- Debt Service
- Emergency Reserves
- Capital Improvement Projects

The table below provides the recommended proposed rates for a five-year period.

	Budget	Annual %	Five Year Projection (Prop 218)				
	2014/15	Increase	2015/16	2016/17	2017/18	2018/19	2019/20
Monthly Residential Charge	20.15		25.79	33.01	40.28	47.12	49.48
% Change			28%	28%	22%	17%	5%

Variable Charge Rates based on Strength Factors (as explained above) are proposed as follows:

Commercial Grouping	Class	GPD	BOD/MGL	SS/MGL	Strength Factor	Old Rate*	New Rate**	% Change
Group 1	Low	250	130	80	0.75			
Schools w/o Cafeteria						-	0.01119	
Offices						0.01325	0.01119	-16%
Group 2	Domestic	250	200	200	1.00			
Commercial						0.01492	0.01492	0%
Hospitals						0.01492	0.01492	0%
Extended Care Facilities						0.01492	0.01492	0%
Markets (Without Delicatessens)						0.01492	0.01492	0%
Automobile Service Facilities						0.01492	0.01492	0%
Commercial Laundromats						0.01492	0.01492	0%
Group 3	Medium	250	500	300	1.45			
Schools w/ Cafeteria						-	0.02163	
Restaurants						0.01624	0.02163	33%
Short Order Facilities						0.01624	0.02163	33%
Markets (With Delicatessens)						0.01624	0.02163	33%
Group 4	High	250	1000	600	2.40			
Restaurants (With Full Kitchens)						0.02353	0.03581	52%

How To Protest The Proposed Rates

An owner or tenant of property that receives City water and sewer services may protest by mail or in person to the City of Riverbank, City Clerk, 6707 Third Street Ste. A, Riverbank, CA 95367. Written protests must be received (not postmarked) by the City before or up to the conclusion of the public hearing. Any written protest submitted by e-mail or other electronic means will not be accepted. Each protest must:

- (1) Be in writing;
- (2) State opposition to the proposed rate increases
- (3) Provide the location of the identified parcel (by assessor's parcel number or street address); and
- (4) Include the original signature of the customer submitting the protest.

Only one written protest per customer will be counted for purposes of determining whether there is a majority protest.

In rental situations where the tenant pays the utility bills, tenants must submit a written protest by the deadline specified in this notice, but only one vote per parcel shall be accepted.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.2

SECTION 6: NEW BUSINESS

Meeting Date:	June 9, 2015
Subject:	A Resolution of the City Council of the City of Riverbank, California, Approving a Law Enforcement Services Agreement with Stanislaus County for July 1, 2015 – June 30, 2020
From:	Jill Anderson, City Manager
Submitted by:	Marisela H. Garcia, Director of Finance

RECOMMENDATION

It is recommended that the City Council adopt a Resolution approving a Law Enforcement Services Agreement with Stanislaus County for July 1, 2015 – June 30, 2020.

SUMMARY

The current contract for Law Enforcement Services between the City of Riverbank and the Stanislaus County Sheriff's Office is set to expire on June 30, 2015. After several months of negotiations both parties have reached agreement on the terms of the proposed contract presented tonight.

BACKGROUND

Since 1995, the City of Riverbank has been receiving exceptional service from the Stanislaus County Sheriff's Department. The Riverbank Police Services Deputies are responsible for providing general law enforcement services as well as the protection of life and property for all city residents. In addition, the Riverbank Police Services offers investigation, traffic enforcement, records management, and community resource law enforcement services.

The City of Riverbank has benefited greatly from its on-going relationship with the Stanislaus County Sheriff's Department. When necessary, the City's services are augmented by the specialty services provided by the Sheriff's Department such as:

- SWAT Team
- Hostage Negotiations Team
- Dive Team
- Bomb Team
- Aero-Squadron
- K-9 Unit

- Special Vehicle Operations Unit
- Mounted Unit

In addition to law enforcement services, Stanislaus County also provides SR911 Dispatch Services through its call center which aides in being able to coordinate efforts with other agencies within the County.

PROPOSED AGREEMENT TERMS

Key terms of the agreement are as follows:

1. **Contract Length:** July 1, 2015 - June 30, 2020
2. **Staffing:** The County shall ensure that a minimum of one patrol deputy is on duty within the City limits at all times, except when the deputy is out of the City to transport a prisoner to the County jail, attend court, completing a traffic stop that begins and terminates out of the City limits or when providing backup or mutual aid to another law enforcement officer or at the direction of the Sheriff or designee.
 - a. Temporary staffing absences will be filled with existing Police Services deputies and if none is available, then with Sheriff deputies on straight time, and if none available, Sheriff deputies on overtime.
 - b. All personnel assigned to the City may assist with incidents outside the City limits involving critical and life threatening situations. If a critical incident occurs in the City while the personnel are assisting outside of the City limits, the County will either dispatch additional forces to the City or will release the assigned personnel to respond.
3. **Chief of Police:** The Chief of Police position will be filled in accordance with County policy. The County will provide the City with a list of Lieutenants qualified to serve as Chief of Police. The City will have the opportunity to interview and provide the County with its recommendation.
 - a. The Chief of Police will manage law enforcement activities on behalf of the City, manage and supervise the personnel assigned, attend all Council meetings, and be available to City Staff at all reasonable times.
4. **Sergeants:** The County may assign one or more Sergeants to work within the City to assist the Chief of Police in the supervision of other assigned personnel.
5. **Reporting:** County will provide reports to the City on monthly statistical crime and response and community policing information occurring within the City limits.
6. **Contract Amount:** City shall pay the County's actual cost of providing services to the City. "Actual Cost" includes costs associated with absences from work due to sick, vacation, special accrued leave time, holiday, training, and disability or other leaves; and payment made by the County to assigned personnel for accrued leave upon retirement.
7. **Administrative Cost Compensation:** Currently, the City does not compensate the County for administrative support provided (i.e. crime scene identification,

information technology, human resources, payroll, etc.). The County has included a clause in the current contract that should budgeting issues require the recapture of these costs, the County will contact the City to discuss an amendment.

8. **Booking Fees:** May be charged to the City for arrests if the County charges the booking fees to the other nine cities.

CURRENT STAFFING

Riverbank Police Services staffing is currently at the following levels:

Position	Full-Time Equivalent's
Lieutenant (Chief of Police)	1
Sergeants	2
Deputy Sheriff/Detective	15
Supervising Legal Clerk	1
Legal Clerk	2
Community Services Officer	1
Total Staff	22

Due to the City's budgetary constraints, there are currently two (2) unfunded Deputy Sheriff positions. It is the City's intention that as revenues continue to increase that we will have sufficient funding to restore these positions.

STRATEGIC PLAN

- On September 30, 2014, the City Council established a future objective to Negotiate a New Contract for Continued Services. This report addresses this matter.

FINANCIAL IMPACT

For the Fiscal Year 2015-16, the Law Enforcement Contract Services Budget is as follows:

Law Enforcement Services	\$3,531,500
Vehicle Maintenance Fees	<u>154,500</u>
Total Contract (FY 15-16)	\$3,686,000

This contract amount represents an increase of \$71,000 from the current fiscal year budget.

ATTACHMENTS

1. Resolution
2. Stanislaus County Law Enforcement Services Agreement 2015-2020

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, APPROVING A LAW ENFORCEMENT SERVICES AGREEMENT
WITH STANISLAUS COUNTY FOR JULY 1, 2015 – JUNE 30, 2020**

WHEREAS, The City of Riverbank first entered into an agreement with the County of Stanislaus for the provision of law enforcement services in 1995; and,

WHEREAS, The agreement has led to significant costs savings by the City contracting these services to the County; and,

WHEREAS, The Lieutenant, Sergeants, and Deputies serving the City of Riverbank are highly trained law enforcement personnel; and,

WHEREAS, Through this contract the City has access to a variety of County tactical squads; and,

WHEREAS, It is the desire of the City of Riverbank to continue to contract with Stanislaus County for law enforcement services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves a law enforcement services agreement with Stanislaus County for July 1, 2015 – June 30, 2020.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 9th day of June, 2015; 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, CMC
City Clerk

Richard D. O'Brien
Mayor

Attachments: Stanislaus County Law Enforcement Services Agreement

STANISLAUS COUNTY
LAW ENFORCEMENT SERVICES
AGREEMENT

City of Riverbank
2015-2020

STANISLAUS COUNTY
LAW ENFORCEMENT SERVICES

AGREEMENT

THIS AGREEMENT, is made and entered into by and between the County of Stanislaus, a political subdivision of the State of California (hereinafter referred to as "County"), and the City of Riverbank, a municipal corporation, (hereinafter referred to as "City"), (the County and City are each sometimes referred to herein as a "Party," and collectively as "Parties.")

RECITALS

WHEREAS, City desires County to perform law enforcement services and functions within its boundaries; and

WHEREAS, County agrees to perform such law enforcement services and functions as described herein and pursuant to the terms and conditions hereinafter set forth; and

WHEREAS, the parties to this Agreement have the legal authority to enter into this Agreement pursuant to the provisions of Article I, Chapter 1, Part 2, Division 1, Title 5, sections 51300, *et seq.*, and Chapter 5, Division 7, Title 1, sections 6500, *et seq.*, and section 55632 of the Government Code of the State of California.

NOW, THEREFORE, the parties hereto agree as follows:

1. Term. The Term of this Agreement shall be July 1, 2015, through June 30, 2020 (the "Term") unless sooner terminated or extended as provided for herein.
 - A. Extension. No later than six months prior to the expiration of the Term, the Parties shall meet and confer in good faith regarding the extension of the Term. If the negotiations are not completed, the Sheriff is authorized to extend this Agreement for two terms of three months each.
2. Termination. Either Party may terminate this Agreement, without cause, upon 180 days written notice to the other Party.
 - A. Termination Process.
 - i. Transition Plan. Upon expiration of the Term or upon receipt of notice of termination, the Parties may prepare and implement a transition plan that quickly and orderly transitions the law enforcement responsibilities from the County to the City. The transition plan should be completed no later than three months following the termination date. The transition plan may identify and address personnel, equipment, workload, on-going investigations, and any other issues related to the transition. The City and County shall agree to the cost of developing and implementing the transition plan and the City shall pay the agreed upon amount.

3. Law Enforcement Services.

A. County shall provide, within the corporate limits of the City, general law enforcement services and functions of the type coming within the jurisdiction of, and customarily rendered by, the Stanislaus County Sheriff under the statutes of the State of California, and under the municipal codes of City. The County shall provide only those general law enforcement services set forth in the General Law Enforcement Service Request attached hereto as Exhibit A.

B. No later than July 1 of each year, the City and the County shall sign new Exhibits A, B & C and attach them to this Agreement as an amendment. The City may request a change in the level of service at any time by submitting a written request to the County. County will meet and confer with the City to discuss the change within 30 days of the request and, if appropriate, prepare new Exhibits for signature by the Parties, which shall be attached as an amendment hereto.

C. If the City is unable to fund this Agreement in its entirety, the City will notify the County in writing at least 60 days prior to any proposed changes regarding the level of service set forth in Exhibit A. The County will make a reasonable effort to accommodate the service level changes requested by the City.

4. Reporting.

A. Activity Reports. Each month the County will provide standard reports to the City through the Chief of Police, reporting the monthly statistical crime and response and community policing information occurring within the City limits. The parties shall meet and confer regarding the content of the monthly reports.

B. Media Releases. The County will prepare news releases concerning major crime investigations within the City and will send a copy of the release to the City within a reasonable time prior to its release to news outlets.

5. Compensation.

A. Contract Amount.

- i. City shall pay the County's actual cost to provide the City the general law enforcement services set forth in Exhibits A, B, and C. The term "actual cost" includes the cost associated with absences from work due to sick, vacation, special accrued leave time (SALT), holiday, training and disability leaves or other leaves; and payments made by the County to personnel assigned to City for accrued leave time upon retirement or separation of service.

1. City acknowledges that the City historically has not directly or indirectly compensated the County for the administrative costs incurred by the County in providing the additional staff support services required to provide the services to the City and which administrative costs would not be incurred in the absence of the existence of this Agreement. These so far un-captured support services costs

include, but are not limited to; case, property and records management, crime scene identification, administration, information technology, background checks, internal affairs, human resources, payroll, financial and specialized training. Although the County is not at this time requesting the City to pay administrative costs, the County anticipates budgeting issues may require it to capture those additional costs in the future. The County's administrative costs will be charged to the City, if at all, through an amendment of the Exhibits.

- ii. The City shall compensate the County for its services under this Agreement at the rates and in the estimated annual amount forth on Exhibit C, (the "Annual Contract Amount"). At the close of each fiscal year, County shall re-establish the rates and the estimated Annual Contract Amount and revise Exhibit C accordingly.
- iii. In the event salaries, wages and benefits of the County officers and employees are changed at a time not coincident with the close of the fiscal year, the rates for salaries and wages set forth in Exhibit C and the rates and estimated Annual Contract Amount shall be readjusted to reflect the appropriate rates. In the event insurance costs for County 's liability or workers' compensation programs are changed at a time not coincident with close of the fiscal year, the reimbursement rates for County 's liability program set forth in Exhibit C shall be readjusted to reflect the appropriate amounts, which the City shall pay effective 30 days after written notification to City.
- iv. City shall pay the County's insurance costs attributable to the services provided under this Agreement, including but not limited to, general liability, self-insurance, unemployment and worker compensation.
- v. The City shall pay its share of the accumulated leave accrual of the Chief of Police upon that employee vacating the Chief of Police position for any reason. The City's share shall be defined as the percentage of time assigned to the City of the total actual leave accrual.

B. Billing.

- i. 30 days after the close of each calendar month, County shall deliver to City a statement covering 1/12 (one-twelfth) of the estimated Annual Contract Amount and City shall pay County the amount stated thereon within 30 days after receipt of the statement. At the end of each quarter (March, June September, and December) County shall calculate its actual cost to provide services under this Agreement for that quarter and provide a quarterly statement of actual costs to the City. At the close of the fiscal year the County will provide the City with a final reconciliation ("true-up") showing the amount due either party. The party owing shall pay the other party within 30 days after issuance of the final reconciliation statement.
- ii. Notwithstanding any provision of law to the contrary, including, but not limited to section 907 of the California Government Code. If any amount due to County from City is not received by County within 30 days after the date of billing, County may

satisfy such indebtedness from any and all funds of City collected by County, after giving written notice to City of County's intention to do so.

6. Revenues.

A. All revenues currently received by the City as revenue pertaining to police services or generated by police services will continue to be City revenue with the exception of Peace Officer Standards and Training (POST) reimbursement, Police Reserve revenue and individual booking fee recovery revenue. The County makes no commitment to any revenues other than that the revenues will not be diverted for County use by this Agreement, except for those excluded above.

B. Booking fees may be charged to City for arrests made by deputy sheriffs assigned to the City Police Services if the County charges Booking Fees to the other nine cities as outline in Government Code Section 29550, AB1805 – Booking Fee Solution and County Code Section 4.52.010.

C. The proceeds from incidental asset forfeitures that occur in the City by a City assigned deputy shall be allocated to the "law enforcement agency" or City pursuant to California asset forfeiture laws. Any proceeds from a planned activity that occurs in the City over which the County has full control will be shared equally between the City and Sheriff unless otherwise agreed upon in advance. The proceeds from a planned and coordinated activity that occurs in the County jurisdiction, from an incident that originates within the City will be shared equally between the County and City. If assistance is provided to any other law enforcement agency either in the City or outside the City, by deputies who are on duty within the City, the County will make a good faith effort to obtain a share of any forfeiture proceeds for the City to offset any use of the officers. The City agrees that all money received under this provision will be used only as authorized in sections 11470 *et seq.*, of the California Health and Safety Code.

7. Organization. County will provide the services to be performed herein through the following staffing:

A. Chief of Police.

- i. Appointment Process. The position of Chief of Police will be filled in accordance with County policy and employee collective bargaining unit contracts. The County shall provide a list of Lieutenants qualified to serve as the Chief of Police for the City. The City may interview the candidate(s) and provide the County with the City's recommendation of the candidate to be appointed as the Chief of Police. After considering the recommendations of the City, the County will assign a Lieutenant who will act as the Chief of Police (the "Chief of Police").
- ii. Replacement Process. The County may replace the Chief of Police after 90 days written notice to the City. The County will remove the Chief of Police within 30 days of receipt of a written request from the City stating the reasonable cause for said request. Upon the City's request, the County shall temporarily appoint a person as acting Chief of Police and fill a vacant Chief of Police position within 60

days of receipt of the City's request and in accordance with County policy and employee collective bargaining unit contracts as described in 7(A)(i).

- iii. Service Expectations. The Chief of Police will generally manage law enforcement activities on behalf of the City. The Chief of Police will coordinate the delivery of law enforcement services under this Agreement and manage and supervise the personnel assigned to provide law enforcement services to the City. The Chief of Police, or designee, will attend all City Council meetings and will be available to City Staff at all reasonable times. The Chief of Police will meet with City officials on a periodic basis, the frequency of which will be determined by the City, to assure local control over the quality and service and to identify goals and programs to create a safer community.

B. Assigned Sergeants. In addition to the Chief of Police, the County may assign one or more Sergeants to work within the City to assist the Chief of Police to assist with the supervision of other assigned personnel, and to provide law enforcement services to the City. The number of Sergeants assigned shall be indicated in Exhibit A.

C. Assigned Deputies. The County shall assign Deputy Sheriffs to provide law enforcement services to the City, in the number indicated in Exhibit A.

D. Other Staff. The County shall assign other departmental staff necessary to provide the law enforcement services required to be performed herein as indicated in Exhibit A.

8. Administration of Personnel.

A. Independent Contractor. The County is acting as an independent contractor under this Agreement so that:

- i. This agreement does not create any relationship of employer or employee, or principal and agent between City and County or any of County's agents or employees. All persons employed in the performance of this Agreement shall be employees of County for all purposes. No person employed by County hereunder shall have any status, right or privilege of City employees, including, but not limited to, City pension, or City civil service.
- ii. No officer, employee or department of County shall perform for City any law enforcement service or function not coming within the scope of the duties of such officer, employee or department in performing such services or functions for County.
- iii. The planning, organization, scheduling, direction, supervision, standards of performance and discipline of Sheriff's personnel and all other matters incidental to the delivery of general Law Enforcement Services to the City shall be at the sole discretion of the County and the Sheriff. The Sheriff shall retain exclusive authority over the activities of his or her personnel and equipment working in the City.

- iv. The night, day and evening patrol, supervisory and clerical shifts shall be established by the Sheriff after consultation with the City Manager.
- v. All employment matters relating to County employees assigned to the City will be handled in accordance with County policy and procedures and employee bargaining unit contracts, including, but not limited to, officer complaints, discipline, promotion and duty assignments.
- vi. Any pay for performance review of County personnel assigned to provide services under this Agreement shall follow the procedures of the County and the Stanislaus County Sheriff's Management Association (SSMA). The City may participate in the performance reviews of the assigned Chief of Police as an evaluator, by notifying the County of their assignment of one or more of the following participants or their designee: the City Manager, the Mayor, or City Council member.
- vii. The Sheriff shall give prompt consideration to all requests of the City regarding the delivery of general Law Enforcement Services. The Sheriff shall make every effort to comply with these requests if they are considered within good law enforcement practices.
- viii. In the event of a dispute between parties regarding the extent of the duties and functions to be rendered or the minimum level or manner of performance of such services, the determination made by the Sheriff shall be final and conclusive.

B. City's Right to Request Replacement Personnel. The City shall have the right to request the County to replace County personnel assigned to provide services under this Agreement, provided such request is made for reasonable cause.

C. Sick Leave Temporary Replacement. If an assigned employee is absent from duty due to illness or injury for longer than 80 consecutive hours, the County may provide a replacement if available in accordance with Exhibit A.

D. Disciplinary Temporary Replacement. If an assigned employee is absent from duty due to a disciplinary action for longer than 24 hours, the County may provide a replacement in accordance with Exhibit A.

E. Annual Leave. If an assigned employee is absent from duty for annual leave, a planned absence, or an unplanned absence, for a period of 80 consecutive hours, the County may provide a temporary replacement until such time as the assigned employee is able to return to duty.

F. Vacancies. Any vacancies will be filled using the County's procedures for filling vacancies within the Sheriff's Department as defined in Department policy or Personnel Memorandum of Understanding (MOUs). New officers assigned will receive appropriate orientation regarding special characteristics and needs of City. The term of an employee's assignment will comply with the applicable Personnel MOU.

G. Staffing. The County shall ensure that a minimum of one patrol deputy (the "Primary

Patrol”) is on duty within the City limits at all times, except when the deputy is out of the City to transport a prisoner to the County jail, attend court, completing a traffic stop that begins in and terminates out of the City limits or when providing backup or mutual aid to another law enforcement officer or at the direction of the Sheriff or designee.

- i. Temporary staffing absences of the Primary Patrol deputy will be filled with existing City Police Services deputies and if none is available, then with Sheriff deputies on straight time, and if none is available, Sheriff deputies on overtime.
- ii. All personnel assigned to the City, including the Primary Patrol deputy, may assist with incidents outside the City limits involving critical and life threatening situations. However, if a critical incident occurs in the City while the personnel are assisting outside the City limits, the County will either dispatch additional forces to the City or will release the assigned personnel to respond.

9. City Responsibilities. In support of the County providing the law enforcement services described herein, the City promises:

- A. Municipal Authority. The city hereby confers municipal police authority on such County employees as might be engaged in enforcing City ordinances within City boundaries.
- B. Criminal Justice Services. The City shall provide the criminal justice system services necessary to support this Agreement attributable to the enforcement of state and municipal laws within the City.
- C. Supplies. The City shall supply at its own cost and expense any special stationery, supplies, notices, forms, logos, insignias, name tags, badges, and/or uniforms which are to be issued in the name of the City.
- D. Facilities. The City shall furnish at its own cost and expense office space reasonably deemed necessary by the Sheriff to provide the law enforcement services herein described and all furniture and furnishings, office supplies, janitorial service, HVAC, upkeep and maintenance, and utilities.

10. Equipment and Vehicles.

A. Vehicles.

- i. Pursuant to the first contract between the County and City for law enforcement services, the City transferred title to certain vehicles and installed equipment to the County. The original vehicles and their replacements, are identified in the Property Inventory attached hereto as Exhibit B.
- ii. Upon termination of this Agreement the County will transfer to the City title for vehicles similar to those identified as the vehicles originally transferred to the County in Exhibit B, excluding any enhancements added to the vehicle and paid for by the County. Similar vehicles are defined as a vehicle having the same

functionality, upgrades and mileage within $\pm 5,000$ miles of the current mileage of the vehicle in use. Any vehicle being leased by the County at the time of termination that is assigned to City, will not be replaced but the City will be provided the option of taking over the lease from County if no other similar vehicle is available.

- iii. Any vehicles purchased using City funds during the Term of this Agreement shall be added to Exhibit B. Exhibit B shall be reviewed annually by the Parties and if necessary will be updated to reflect the deletion of vehicles no longer needed for law enforcement service and returned to the City and the addition of any vehicles provided by City or purchased with City funds.
- iv. Vehicles shall be used to provide to law enforcement services at the discretion of the Sheriff or designee and in compliance with the Sheriff's Department policies.
- v. The City shall reimburse the County for the actual cost to operate any vehicle used in the performance of the law enforcement services provided herein, (herein after the "Vehicle Cost Reimbursement"). The cost included in the Vehicle Cost Reimbursement amount includes, but is not limited to: fuel, maintenance, replacement costs, financing costs, fleet services and costs of insurance.
- vi. County shall invoice City monthly for the estimated Vehicle Cost Reimbursement. The estimated Vehicle Cost Reimbursement will be computed annually on a cost per mile basis and will be the same as the vehicle operating costs calculated for other County vehicles in the same class, plus an additional charge for the cost of insurance. The actual Vehicle Cost Reimbursement will be calculated quarterly (March, June, September, and December). The Parties will "true-up" the estimated cost with the actual cost at the close each fiscal year. The current estimated Vehicle Cost Reimbursement rates are shown in Exhibit C and shall be updated each fiscal year by the County.
- vii. City shall provide to, or reimburse County for, any decals or special signage that is used to distinguish the vehicles with City markings.
- viii. The estimated Vehicle Cost Reimbursements shall be billed separately and trued-up at the end of each quarter per Section B, Billing.
- ix. Vehicles will be replaced according to the County's General Services Agency Fleet Services Policy, as approved and adopted by the Board of Supervisors from time to time. The March 12, 2013, Fleet Services Policy established the following minimum guidelines consistent with current/historical trend analysis to quantify planning for the replacement of County Vehicles.

Vehicle Type	Years	Miles
Patrol vehicles	5	100,000
Sedan, passenger minivans (Detectives/Chief)	8	100,000

Light truck/van, medium truck	10	100,000
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- x. Other factors used in evaluating replacement include vehicle condition, maintenance/cost history, and suitability for current use. With respect to necessary repairs, consideration will be given to the cost of such repairs and impact on the vehicle's useful life, compared with the cost of acquiring a new vehicle in order to determine the most cost-effective option. Specialty vehicles will be evaluated on a case-by-case basis. The Fleet Manager may extend the life of a vehicle on a year-to-year basis so long as the vehicle is safe and reliable, and meets all required emission standards. Upon termination of this Agreement, the City shall not be entitled to that portion of the Vehicle Cost Reimbursement collected from the City allocated to the replacement of the vehicles.

B. Motorcycles.

- i. If the City desires to have motorcycle officer(s) assigned to the City, the City will fund 100% of the purchase, equipment, repair, maintenance, and insurance. The County will not charge a per mile replacement fee for the motorcycle(s). At the end of the motorcycle(s)' useful life, should the City wish to continue motorcycle operations, the City will fund 100% of a replacement motorcycle(s).
- ii. Motorcycle(s) will be taken out of service following minimum guidelines consistent with current/historical trend analysis to quantify planning for the replacement of motorcycle(s) at approximately 40,000 miles or end of manufactures warranty.
- iii. The motorcycle will be registered to the County. County agrees that upon termination of this agreement the County will transfer ownership of motorcycle(s). Excluded are any enhancements added to the vehicle and paid for by the County.
- iv. The County through County's Fleet Manager will maintain the service records of the motorcycle(s) and assign a County vehicle number. County may use a certified motorcycle service center to make the repairs and maintenance of the motorcycle(s). County shall invoice City at least quarterly for each motorcycle(s) providing police services to City. Said cost will include gasoline, repairs, and maintenance and insurance costs of each motorcycle. City agrees to provide to, or reimburse, County for any decals or special signage that is used to distinguish the motorcycle(s) with City markings. Actual motorcycle(s) costs for gasoline, repairs and maintenance will be "trued up" quarterly (March, June, September and December). This "true-up" method will be utilized to close each fiscal year for those items listed in Exhibit C.
- v. The County will provide a certified employee who will be assigned as the City's motor officer. Motorcycle(s) shall be used to provide to law enforcement services at the discretion of the Sheriff or designee and in compliance with County, Sheriff's Department and City policies.

C. Equipment.

- i. The County shall purchase those supplies, equipment, services and materials needed for the performance of law enforcement services within the City limits, and the City shall reimburse the County for the cost to procure.
- ii. Equipment purchased by the County at the cost of the City shall be placed on the Property Inventory attached hereto as Exhibit B. The City has provided to the County certain police equipment, which is included in the Property Inventory shown on Exhibit B. Exhibit B shall be reviewed annually and if necessary will be updated to reflect the deletion of items no longer needed for law enforcement service and returned to the City and the addition of any equipment provided by City and all other equipment purchased at the City's expense.
- iii. Any equipment purchased using City funds will be used in performance of the law enforcement services in the City and will not be used for non-City functions, except for mutual aid situations, unless authorized by the City Manager. City equipment will be maintained in a manner, and replaced at the City's cost and expense at a point in time that is consistent with the customary maintenance and replacement schedule for like equipment provided by the County in policing the unincorporated areas.
- iv. Upon termination, and subject to the Transition Plan referred to in paragraph 2 of this Agreement, the County will return to the City those items identified in Exhibit B, or equipment of equal or similar value, except those items that have reached the end of their useful life or is non-serviceable.
- v. County will advise City when any item listed in Exhibit B is no longer needed or becomes non-serviceable.

11. Liability and Indemnification.

A. County's Obligation. City, its officers and employees, by this Agreement, shall not assume any liability for the direct payment of any salary or wages to any County officer or employee performing services hereunder for City, nor for the direct payment of compensation or indemnity to any County officer or employee for any injury to or illness of such officer or employee arising out of their employment by County, and County shall hold harmless, defend and indemnify City, its officers and employees, against any and all costs, expenses, claims, suits and liability for bodily and personal injury to or death of any person and for injury to or loss of any property resulting therefrom or arising out of or in any way connected with any negligent or wrongful acts or omissions of County, its officers and employees, in performing or authorizing the performance of or in failing to perform or authorize the performance of any work, services or functions provided for, referred to in or in any way connected with any work, services or functions to be performed under this Agreement.

B. City's Obligation. County, its officers and employees, by this Agreement, shall not assume any liability for the negligent or wrongful acts or omissions of City, nor of any

officer or employee thereof, nor for any dangerous condition of the streets, public work, or property of City, and City shall hold harmless, defend and indemnify County, its officers and employees, against any and all costs, expenses, claims, suits and liability for bodily and personal injury to or death of any person and for injury to or loss of any property resulting therefrom or arising out of or in any way connected with any negligent or wrongful acts or omissions of City, its officers and employees, in performing or authorizing the performance of or in failing to perform or authorize the performance of any work, services or functions provided for, referred to in or in any way connected with any work, services or functions to be performed under this Agreement.

C. City Ordinances. Notwithstanding the forgoing, the County does not assume liability or responsibility for or in any way release the City from any liability or responsibility that arises in whole or in part from the enforcement of City ordinances, rules or regulations. In any case, claim, suit, action or administrative proceeding in which the enforceability and/or validity of any such City ordinance, rule or regulation is at issue, the City shall defend and indemnify and hold harmless the County, and its officers and employees, against any and all costs, expenses, claims, suits and liability that arises in whole or in part from enforcement of City ordinances, rules or regulations.

D. Injuries to County Employees. Notwithstanding the forgoing, County warrants that it is insured, or is permissibly self-insured, for workers' compensation coverage and agrees that its employees providing services to City pursuant to this Agreement will be covered by County's workers' compensation program or insurance for all injuries arising out of or occurring in the course and scope of their employment. Furthermore, County shall not pursue any action against City, including, but not limited to an action for subrogation, if a County employee performing service pursuant to this Agreement obtains worker's compensation benefits which may be or are attributable to the conduct or alleged negligent or wrongful act or omission of City, its officers and or employees, or dangerous conditions of the street or property of City.

12. Default.

A. Cure. In the event a party to this Agreement fails to perform pursuant to the terms and conditions of this Agreement, the party to whom an obligation is owed will provide the non-performing party with at least 30 days prior written notice of said non-performance, upon which the non-performing party will have the opportunity to comply with the request for performance, or in the event of continued non-performance, the parties shall have the right to then pursue any and all available legal remedies.

B. Failure to give Notice. Failure to give, or delay in giving, Notice of Default shall not constitute a waiver of any obligation, requirement or covenant required to be performed hereunder. Except as otherwise expressly provided in this Agreement, any failure or delay by either Party in asserting any rights and remedies as to any breach shall not operate as a waiver of any breach or of any such rights or remedies. Delay by either Party in asserting any of its rights and remedies shall not deprive such Party of the right to institute and maintain any action or proceeding which it may deem appropriate to protect, assert or enforce any such rights or remedies.

13. Attorney Fees. In the event that a party to this Agreement commences litigation to enforce the performance of this Agreement, the prevailing party shall be entitled to an award of its costs of litigation, including the cost of expert and attorneys' fees.

14. Notices.

A. Any notice or notices provided for by this Agreement to be given or served upon the County shall be given or served by letter deposited in the United States Mail, postage prepaid and addressed to:

Stanislaus County Sheriff's Department
250 E. Hackett Rd
Modesto, CA 95358

B. Any notice or notices provided for by this Agreement to be given or served upon the City shall be given or served by letter deposited in the United States Mail, postage prepaid and addressed to:

City of Riverbank
6707 Third Street
Riverbank, CA 95367

15. Audits.

A. Pursuant to Government Code section 8546.7, City and County shall be subject to examination and audit by the State Auditor for a period of 3 years after final payment by City to County under this Agreement. City and County shall retain all records relating to the performance of this Agreement for said 3 year period as a minimum.

B. County agrees that relevant records shall be made available to the City to audit and examine if the City requests such audit and examination by contacting the Sheriff or his representative at least 10 working days prior to the commencement of the audit and examination.

16. Necessary Acts. The parties to this Agreement hereby authorize their respective officers and employees to do all things reasonably necessary to accomplish the purposes of this Agreement.

17. Designations. County designates the Sheriff of Stanislaus County, or his designee, to represent County in all matters pertaining to the administration of this Agreement. The City designates its City Manager, or his designee, to represent City in all matters pertaining to the administration of this Agreement. Both City and County will provide the full cooperation and assistance of its officers, agents, and employees to each other in performance of this Agreement.

18. Modification Only in Writing. This Agreement may not be modified, amended, changed,

added to, or subtracted from by the mutual consent of the parties hereto if such amendment or change is not in written form and executed with the same formalities as this Agreement and attached to the original Agreement to maintain continuity. Notwithstanding anything to the contrary, no oral agreement or directive from or between either Party, or their designees shall operate to amend or change the terms of this Agreement.

19. Entire Agreement. This Agreement contains the entire Agreement of the parties, and no representations, inducements, promises, or agreements otherwise between the parties, not embodied herein, or incorporated herein by reference shall be of any force or effect. Notwithstanding anything to the contrary, no term or provision hereof may be changed, waived, discharged, or terminated unless the same is in writing executed by the parties above.
20. Severability. If any portion of this Agreement or application thereof to any person or circumstance shall be declared invalid by a court of competent jurisdiction, or if it is found in contravention of any federal, state or County statute, ordinance or regulation, the remaining provisions of this Agreement or the application thereof shall not be invalidated thereby and shall remain in full force and effect to the extent that the provisions of this Agreement are severable.
21. Precedence. The contract documents consist of this Agreement and Exhibits A, B and C. In the event of a conflict between or among the contract documents, the order of precedence shall be the Exhibits and then the provisions of the main body of this Contract, i.e., those provisions set forth in the recitals and articles of this Agreement.
22. No Third Party Beneficiary. This Agreement shall not confer third party beneficiary status on any non-party, including the citizens of either Party.
23. Successors and Assigns. This Agreement shall be binding on and enforceable by and against the parties to it and their respective heirs, legal representatives, successors and assigns.
24. Duplicate Counterparts. This Agreement may be executed in any number of counterparts, and each such counterpart, executed telecopy, fax or photocopy shall be deemed to be an original instrument, but all of which together shall constitute one and the same Agreement.
25. Legal Requirements. The Parties shall comply with all applicable federal, state, and local laws in performing this Agreement.
26. Venue. The laws of the State of California shall apply to the construction and enforcement of this Agreement. Any action at law, suit in equity, or judicial proceedings for the enforcement of this Agreement or any provision hereto shall be in the Superior Court of Stanislaus County.

Signatures on following page:

IN WITNESS WHEREOF, the Parties have executed the Agreement in the County of Stanislaus, State of California.

COUNTY OF STANISLAUS

CITY OF RIVERBANK

By: _____
Terry Withrow,
Chairman

By: _____
Richard O'Brien
Mayor

Date: _____

Date: _____

ATTEST:
Christine Ferraro Tallman,
Clerk

ATTEST:

By: _____
Liz King,
Clerk

By: _____
Annabelle Aguilar,
City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

By: _____
Adam Christianson,
Sheriff

By: _____
Jill Anderson,
City Manager

APPROVED AS TO FORM:
John P. Doering
County Counsel

APPROVED AS TO FORM:
CITY ATTORNEY

By: _____
Rob Taro,
Deputy County Counsel

By: _____
Tom Hallinan
City Attorney

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.3

SECTION 6: NEW BUSINESS

Meeting Date: June 9, 2015

Subject: A **Resolution** of the City Council of the City of Riverbank, California, Approving a Memorandum of Understanding with the Riverbank Miscellaneous Employees Bargaining Unit for the Term of January 3, 2015 to June 30, 2017, Regarding the Salaries, Benefits, Hours, and Other Terms and Conditions of Employment

From: Jill Anderson, City Manager

Submitted by: Marisela H. Garcia, Director of Finance
Katie Lemons, Human Resource Manager
Alvaro Zamora, Human Resource Analyst

RECOMMENDATION

It is recommended that the City Council adopt a Resolution approving the Memorandum of Understanding between the City of Riverbank and the Riverbank Miscellaneous Employees Bargaining Unit.

SUMMARY

An agreement has been reached between the City of Riverbank and the Miscellaneous Employees Bargaining Unit. This Memorandum of Understanding (MOU) has been reached by mutual consent and through the good-faith negotiating efforts of both parties. The MOU details the terms and conditions of employment for the term of January 3, 2015 through June 30, 2017.

BACKGROUND

The Miscellaneous Employees Bargaining Unit was first established in 1972. It is currently composed of 28 employees, and includes clerical and field personnel.

In August 2014, the City contacted the Miscellaneous Employees Bargaining Unit to inform them that the MOU then in effect, was set to expire on January 2, 2015. The City expressed its desire to commence good-faith labor negotiations with their bargaining team. An initial labor negotiations meeting was held in September 2014 to discuss negotiations protocol, ground rules, and scheduling of future meetings. Through the negotiation process, it became clear to both parties that the City's financial status would

weigh heavily on the results of the negotiations. Providing the group with accurate financial information was a goal that the City wanted to achieve so that both parties could negotiate in good-faith regarding the wages, hours, and other terms and conditions of employment with the Miscellaneous Employees Bargaining Unit.

During the subsequent negotiation meetings several proposals were exchanged between the City and the Miscellaneous Employees Bargaining Unit. There were significant discussions between the negotiating teams regarding Cost of Living Adjustments, the reinstatement of suspended benefits (i.e. sick leave cash-out), and proposed benefit adjustments. By March 2015, both parties were not able to reach agreement and mutually agreed to request the assistance of the Public Employment Relations Board (PERB). PERB assigned a mediator to assist and on May 14, 2015 both parties renewed negotiations. On this day both parties reached mutual consent on a Tentative Agreement. The City's bargaining team strongly believes that the agreed upon Tentative Agreement is the most fair and affordable agreement given our current economic status. This Tentative Agreement was ratified by the employees of the Miscellaneous Bargaining Unit on May 27, 2015.

As such, the two parties are requesting that the City Council consider the approval of the January 3, 2015 – June 30, 2017 Memorandum of Understanding between the City of Riverbank and the Miscellaneous Employees Bargaining Unit. The proposed agreement includes the same cost-of-living adjustments over the same length of time, January 3, 2015 to June 30, 2017, as the City's agreement with the Riverbank Mid-Management Employees Association that was approved by the City Council on February 10, 2015.

KEY TERMS OF AGREEMENT WITH THE MISCELLANEOUS UNIT

The elements that comprise the Tentative Agreement are as follows:

1. **Term of the agreement:** January 3, 2015 to June 30, 2017.
2. **Compensation:** Salary
 - a. Following ratification and approval, a retroactive adjustment to January 5, 2015 of one and one half percent (1.5%) across the board salary increase.
 - b. Effective in the first full pay period of January 2016 a one and one half percent (1.5%) across the board salary increase.
 - c. Effective in the first full pay period of July 2016 a one and one half percent (1.5 %) across the board salary increase.
3. **Benefits:** Status Quo.

4. **Sick Leave Cash Out:** This benefit will be reinstated automatically. The employees will have the ability to cash-out 25 hours of sick leave provided that they have a minimum of 200 hours accrued.
5. **Tuition Reimbursement:** The tuition reimbursement program is reinstated automatically.
6. **Boot Allowance:** The City agrees to increase the boot allowance reimbursement by \$50 and process current fiscal year reimbursements under this modified program.
7. **Me-Too Clause.** This language had a sunset clause to end January 2, 2015 and will be removed from the MOU.
8. **Cell Phone Stipend/Reimbursement:** The City agrees to update and provide a revised cellphone reimbursement policy to the bargaining unit no later than October 1, 2015. The City agrees to provide the draft policy to the bargaining team for review and input no later than September 1, 2015.
9. **Uniforms:** The City will provide the addition of two coveralls for specified job classifications with chemical exposure (the parties will identify those positions together.) The City agrees to have such coveralls laundered consistent with current policy. The City will also provide the jeans and coveralls to employees required to wear such uniforms.
10. **All other terms:** All terms of the MOU not changed by TA's remain status quo.

OTHER UPDATES/REVISIONS

Retirement: Updated LIUNA National Industrial Pension Fund contribution rate. The updates were necessary to comply with the LIUNA Funding Rehabilitation Plan agreement dated March 23, 2011. Effective July 1, 2015 the LIUNA Pension contribution rate increased to \$1.53 per hour and effective July 1, 2016 the contribution rate will increase to \$1.69 per hour.

FINANCIAL IMPACT

The financial impact associated with the Tentative Agreement with the Miscellaneous Bargaining Unit for January 3, 2015 – June 30, 2017 is as follows:

Total Cost: \$83,600

Fund Impacts:

General Fund:	\$23,600
Gas Tax:	\$6,300
Sewer Fund:	\$16,500
LTF:	\$2,400
Water Fund:	\$19,400
Code Enforcement Fund:	\$3,300

Equipment Pool Fund: \$3,500
Landscape & Lighting/Storm Drain: \$1,800
LRA: \$3,000
Grants: \$3,800

The costs will be budgeted on an annual basis through the budget preparation process and the costs associated with the proposed contract have been included in the proposed FY 2015-2016 Budget that was reviewed by the City Council on June 2, 2015.

ATTACHMENTS

The following items are attached to this report:

1. Resolution
2. January 3, 2015 – June 30, 2017 Memorandum of Understanding

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE RIVERBANK MISCELLANEOUS EMPLOYEES BARGAINING UNIT FOR THE TERM OF JANUARY 3, 2015 TO JUNE 30, 2017, REGARDING THE SALARIES, BENEFITS, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT

WHEREAS, the provisions of Title 4, Section 36506 of the Government Code of the State of California provide that the salaries of employees of General Law cities may be fixed or increased by resolution; and

WHEREAS, Title I, Chapter 35 of the Riverbank City Code provides that the City Council may from time to time by resolution, change the compensation of employees of the City and may by resolution adopt salary and wage scales ; and

WHEREAS, A Memorandum of Understanding regarding salaries, benefits, hours, and other terms and conditions of employment has been approved and executed by the authorized representatives of the Riverbank Miscellaneous Employees Bargaining Unit, and the City Manager; and

WHEREAS, the City Council of the City of Riverbank desires to adopt such Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Riverbank hereby approve and ratify the Memorandum of Understanding attached hereto as Exhibit A and made a part hereof; and

BE IT FURTHER RESOLVED, that the provisions contained herein pertaining to salaries, employee benefits, hours, and other terms and conditions of employment are, by this Resolution, made operable and updates to the City of Riverbank Compensation Plan are approved.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 9TH day of June, 2015; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

Annabelle H. Aguilar, CMC
City Clerk

APPROVED:

Richard D. O'Brien
Mayor

MEMORANDUM OF UNDERSTANDING

between

THE CITY OF RIVERBANK

AND

THE REPRESENTATIVES OF THE
NORTHERN CALIFORNIA DISTRICT
COUNCIL OF LABORERS AND ITS
AFFILIATE,
CONSTRUCTION, PRODUCTION &
MAINTENANCE LABORERS
LOCAL UNION, AFL:CIO #1130

JANUARY 3, 2015 – JUNE 30, 2017

**RIVERBANK MUNICIPAL EMPLOYEE ASSOCIATION
MEMORANDUM OF UNDERSTANDING**

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Agreement Between CITY OF RIVERBANK AND RIVERBANK MUNICIPAL EMPLOYEES ASSOCIATION

SECTION 1.00 – MEMORANDUM OF UNDERSTANDING

1.01 – Parties Of Understanding

This Memorandum of Understanding hereinafter referred as “MOU” is between the authorized representatives of the City of Riverbank, hereinafter referred to as the “City”, and the authorized representatives of the Northern California District Council of Laborers and its affiliate, Construction, Production & Maintenance Laborers Local Union, AFL:CIO #1130, hereinafter referred to as the “Union”, the recognized employee organization for the classifications listed in Appendix “A” of this MOU.

This MOU complies with the provisions of the State of California Public Employees Representation Law, as contained in Section 3500 of the Government Code of the State of California, in that the Employer-Employee representatives noted herein did meet and confer in good faith and did reach agreement on those matters within the scope of representation.

This MOU also complies with Ordinance No. 72-04 relating to Employer-Employee relations, as adopted and amended by the City Council of the City of Riverbank.

1.02 – General Conditions

This MOU does not modify or change the provisions of the Personnel Rules and Regulations of the City of Riverbank unless specific reference is made herein to modify or add to the existing Personnel Rules and Regulations.

This MOU does not modify existing salaries, benefits, hours and terms and conditions of employment contained in the currently adopted Pay and Classification Plan, except as noted herein. Such benefits and terms of employment remain unmodified and shall continue in full force and effect throughout the term of this MOU.

1.03 – Terms of Agreement

This MOU embodies all modifications on salaries, hours, employee benefits, and other terms and conditions of employment for a **two and one-half (2.5) year** term. **This MOU is retroactive to January 3, 2015 continuing through 11:59 p.m., June 30, 2017** at which time the MOU terminates.

SECTION 2.00 – UNION RIGHTS

2.01 – Agency Shop Agreement

A. Agency Shop Condition

Effective July 9, 2001, the Employer (City of Riverbank) agrees, in accordance with California State Law (SB-739 – Government Code 3500-3510) to require all bargaining unit employees to either:

1. Join the Union and pay normal dues and initiation fees; or
2. Pay and “agency fee” in the amount of dues for representation by the Union in accordance with State Law.

B. Exclusions

The Agency Shop arrangement shall not apply to Management, confidential, or supervisory employees of the Employer.

C. Conscientious Objectors

Any employee who is a member of a bona fide religion, body, or sect that has historically held conscientious objections to joining or financially supporting public employee organizations shall not be required to join or financially support public employee organizations, or shall not be required to join or support any public employee organization as a condition of employment.

D. Service Fee

The employee who is a conscientious objector may be required, in lieu of periodic dues, initiation fees, or agency shop fees, to pay sums equal to the dues, initiation fees, or agency shop fees to nonreligious, non-labor charitable fund exempt from taxation under Section 501 c (3) of the Internal Revenue Code, chosen by the employee from the following list of 3:

1. The United Way
2. The Salvation Army
3. San Joaquin County Food Bank

Proof of the payments shall be made on a monthly basis to the public agency as a condition of continued exemption from the requirement of financial support to the public employee organization.

E. Challenge of Fees

The employee organization must provide an explanation for the basis of the fees, a reasonable prompt opportunity for fee payers to challenge the fee amount before an impartial decision-maker, and an escrow account for amounts reasonably in dispute while a challenge is pending.

F. Record of Financial Transactions

The recognized employee organization shall keep an adequate itemized record of its financial transactions and shall make available annually, to the public agency and to the employees who are members of the organization, within sixty (60) days after the end of the fiscal year, a detailed written financial report thereto in the form of a balance sheet and an operating statement, by a certified public accountant. An employee organization required to file financial reports under the Labor-Management Disclosure Act of 1959 or required to file financial reports under Section 3546.5 may satisfy the financial reporting requirement of this section by providing the public agency with a copy of the financial reports.

G. Duration of Obligation

Agency fee obligations, including, but not limited to, dues or agency fee deductions on behalf of a recognized employee organization, shall continue in effect as long as the employee organization is the recognized bargaining representative, notwithstanding the expiration of any agreement between the City of Riverbank and the recognized employee organization.

H. Hold Harmless

The Union shall indemnify and hold the City, its officers and employees harmless from any and all liability resulting from any claims, demands, lawsuits, or other action arising from compliance with the provisions of the Agency Shop agreement.

SECTION 3.00 – MANAGEMENT RIGHTS

3.01 – Management Rights

It is the exclusive right of the City to direct its employees, take disciplinary for proper cause, relieve its employees from duty because of lack of work or for other legitimate reason, classify and reclassify positions, and determine the methods, means, and personnel by which the City of Riverbank's operations are to be conducted. In no event shall the exercise of these rights be contrary to any other applicable provision of the law.

SECTION 4.00 – HOURS OF WORK

4.01 – Standard Work Periods

The standard workday, exclusive of lunchtime, shall be eight (8) hours, and the standard workweek shall be forty (40) hours, to be worked within five (5) consecutive days. The workday for part-time employees shall be established as directed by the Department Head.

4.02 – Exceptions to Standard Work Periods

The City Manager is hereby authorized to designate other work periods and working hours for employees when, in his/her opinion, the best interest of the City may be served by such adjustment of the standard work periods and hours. The procedure for making adjustment in the standard work periods and hours shall be consistent with the provisions of §3504.5 of the Government Code. *(Government Code Section 3504.5 provides that, except in cases of emergency, notice and an opportunity to meet and confer shall be given prior to enacting any ordinance, rule, resolution or regulation directly relating to matters within the scope of representation.) The City has the right to re-open on the subject of a 9/80 work schedule during the term of this Agreement.*

4.03 – Pay Periods

The pay period for all employees shall be bi-weekly and salaries will be paid every other Thursday of each month.

Except for employees being terminated, salaries will be paid only on regular pay days, unless early payment is approved by the Chief Personnel Officer. Employees leaving the municipal service will be paid by the following payroll period following the date of termination, retirement, or resignation. Before the employee receives the final check, the Finance Director will have written clearance from the Department concerned that said employee has returned all City-owned tools, clothing, keys, and equipment.

The method of distributing payroll checks shall be established by the Chief Personnel Officer.

SECTION 5.00 –SALARY AND COMPENSATION

5.01 – Salary Adjustments

During the term of this agreement the City agrees to adjust salary ranges of all job classification covered by this MOU as follows:

- Following ratification and approval of this MOU the salary ranges shall be increased as provided in Appendix A to reflect a one and a half percent (1.5%) cost of living adjustment (COLA). *This salary adjustment shall be retroactive to January 5, 2015.*

- Effective in the first full pay period of January 2016 the salary ranges shall be increased as provided in Appendix B to reflect a one and a half percent (1.5%) cost of living adjustment (COLA).
- Effective in the first full pay period of July 2016 the salary ranges shall be increased as provided in Appendix C to reflect a one and a half percent (1.5%) cost of living adjustment (COLA).

A one-time off schedule bonus of \$500 will be paid in the first full pay period in December 2013. A one-time off schedule bonus of \$500 will be paid in the first full pay period in July 2014.

5.02 – Employee Compensation Plan

An Employee Compensation Plan shall be established to provide salary schedules, salary rates, salary ranges, and steps and time intervals for salary review. Each class in the City Classification Plan shall be assigned a salary range or a rate established by the Compensation Plan. All persons employed by the City shall be compensated in accordance with the Compensation Plan then in affect and appended hereto as Appendix “A”, “B”, and “C”.

5.03 – Computation of Salary

Salary rates for all authorized City positions are set forth in the Employee Compensation Plan. In the conversion table included in the Plan, hourly rates are based on 2,080 hours per year.

5.04 – Application of Salary Ranges and Rates

A. Appointment

All initial appointments to classes assigned a pay range in the City Compensation Plan shall be at the first step of the salary range, provided that the Chief Personnel Officer may make an appointment to a position at an appropriate higher salary step when in his/her opinion, it is difficult to obtain qualified personnel at the starting salary, or when the education or experience of a proposed employee is substantially superior to that required of the class and justifies a beginning salary in excess of the first step.

B. Promotion

Any employee receiving a promotion shall start on the first step of the salary range of the class to which he/she is promoted and be eligible for merit increases as elsewhere provided, unless his/her present salary level is equal to or exceeds the first step of the class to which he/she is promoted. In that event, the employee shall be assigned to the step in the salary range to which he/she is promoted that is the equivalent of at least a five percent (5%) increase in salary.

When the promotion includes the assigned responsibility of supervision over other employees, the salary level shall be increased by assigning the promoted employee to a higher step within the salary range to allow his/her annual salary to be a minimum of five percent (5%) above the salary of those he/she supervises.

C. Transfer

A transfer does not affect an employee's salary level.

D. Advancement Within Salary Range

An employee shall be considered for salary advancement in accordance with the time intervals established in the Employee Compensation Plan and the following provisions.

- 1) Automatic for Successful Completion of Probationary Period: Advancement to Step "B" in a salary range shall be automatic and effective on the first day of the payroll period following satisfactory evaluation of six (6) months of service. Failure of Management to evaluate the employee within six months will automatically cause the employee to become a full-time regular employee with the City of Riverbank.
- 2) Merit: Advancement to Steps "C", "D", and "E" in a salary range shall be granted for continued improvement and efficient and effective service by the employee in the performance of his/her duties. Such merit advancement shall be made only upon recommendations of the Department Head after an annual evaluation.

Nothing herein prohibits the granting of a merit salary advancement prior to the normal time intervals established in the Employee Compensation Plan. All merit salary advancements shall be effective on the first day of the payroll period immediately following the employee's salary anniversary date.

Salary adjustments resulting from an employee's promotion or demotion shall become effective on the first day of the payroll period following the employee's promotion or demotion.

5.05 – Deductions

Deductions from employee's pay shall be made in accordance with prevailing laws, contract and administrative rules, and procedures established by the Chief Personnel Officer.

5.06 – Overtime Policy

Overtime is defined as the time worked beyond the normal eight (8) hours in a workday, or forty (40) hours in a workweek.

Until an employee accumulates 100 hours of compensatory time, the employee will determine whether overtime work is to be compensated for by "compensatory time" or "paid overtime".

Non-Standard Work Periods

Overtime for employees assigned to non-standard work periods and working hours as provided in §3.02 herein, shall be defined as follows:

Overtime shall be any time worked over 40 hours in a given workweek and any time worked in excess of eight (8) hours in a given day when 40 hours have been paid during the workweek.

A. Overtime Compensation

Overtime may be compensated for either by compensatory time off at one and one-half (1½) times the hours worked, or by payment at one and one-half (1½) times the employee's basic hourly salary rate. Compensatory time off shall be granted only upon approval by the employee's Department Head.

All employees may accrue compensatory time off to a maximum of one hundred (100) hours.

B. Overtime – Compensation Exception: Cheese & Wine Festival

Public Works Personnel shall not be required to work overtime as a result of the Cheese and Wine Festival. Any Public Works employee who agrees to work overtime for the Cheese and Wine Festival will be paid at the rate of one and a half (1½) time the regular compensation except Sunday call outs which will be reimbursed at (2) times the regular compensation. Any person called out will be paid a minimum of four (4) hours compensation.

5.08 – Compensatory Time

A. Compensatory Time Cash-Out

Compensatory time may be “cashed in” once a year for a total of forty (40) hours only if the employee has at least forty (40) hours of compensatory time on the books. Employees separating themselves from the City service shall be allowed to use compensatory time earned prior to the effective separating date.

Compensatory time earned by an employee who is required to work in excess of the normal workweek, shall be recorded by the immediate supervisor of the employee on the time card.

B. Compensatory Time Off

Use of compensatory time earned must be scheduled at least twenty-four (24) hours in advance and requires the concurrence of the Department Head for the requested time off.

Employees shall not be required to give reason for requesting compensatory time off. Exceptions to this procedure will be made only upon written authorization by the Chief Personnel Officer.

5.09 – Callback Compensation

Employees who are called to work overtime from their day off or other off-duty hours, except for disciplinary purposes, shall be compensated for a minimum of two (2) hours work at time and one-half (1½), or as provided in §4.09.

Overtime shall commence at the time an employee reaches the place where he/she is directed to report and shall continue until he/she is released or the work is completed, whichever is the earlier.

5.10 – On-Call Compensation

Compensation for regularly established emergency on-call service shall be in the amount set forth in the Employee Compensation Plan.

Compensation for regularly established on-call service shall be an additional five (5) hours per week at time and one-half (1½).

Presently compensation is set at time and a half for regular working days and double time for Sundays and Holidays. Employees called out will receive a minimum of two hours time. Employees on call will be provided a City vehicle to take home in order to facilitate response to emergency service request.

5.11 – Attendance of Training Courses

City employees should feel free to attend training courses available during days off if they so desire. However, compensation for attendance at training courses held during days off (weekends), vacations, or holidays, will be authorized only where employees have been directed by their Department Head to attend such.

5.12 – Longevity Pay

Longevity Pay is to recognize long term employees of the City and designed to provide eligible employees, compensation in addition to their regular base pay. Regular full-time employees eligible for longevity pay shall be paid as follows:

<u>Year of Service</u>	<u>Longevity Pay Rate</u>
10 but less than 13	2.5%
13 +	additional 2.5%

The total longevity pay increase any employee can receive during their term of employment is five percent.

SECTION 6.00 – PROBATIONARY PERIOD

6.01 – Probationary Period

All original and promotional appointments to regular municipal service positions shall be tentative and subject to a probationary period of not less than six (6) months. The probationary period may be extended with the approval of the Chief Personnel Officer for a period not to exceed an additional six months, upon the recommendation of the Department Head that unusual conditions justify such extension.

6.02 – Objective of Probationary Period

The probationary period shall be regarded as a part of the testing process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his/her position, and for rejecting any probationary employees whose performance does not meet the acceptable standards of the work.

6.03 – Rejection of Probationer

The Chief Personnel Officer or any department head may suspend, demote, or terminate a probationer under his/her control from their position at any time without cause and without the right of appeal or to submit a grievance.

6.04 – Rejection Following Promotion

Any employee rejected during the probationary period following a promotional appointment shall be reinstated to the position from which he/she was promoted or a comparable position, unless charges are filed and he/she is discharged in the manner provided in Section 10.00 herein.

Employees who elect a voluntary demotion after the six (6) month probationary period for a promotional appointment may be reinstated to the position from which he/she was promoted or to a comparable position.

SECTION 7.00 – BENEFITS

7.01 – Health Benefits

During the term if this MOU the City shall continue to provide group health benefits to employees covered by this MOU and their eligible dependents as provided below. As used in this sections group health benefits shall include medical, dental and vision insurance. During the term of this agreement, the City has the right to change group health benefits providers and the parties shall meet regarding any such change.

A. Medical

The City currently offers a High-Deductible Health Plan (HDHP) and a Health Maintenance Organization (HMO) Plan to eligible employees and their eligible dependents. The employees and eligible dependents will be enrolled in the plan chosen by the employee.

During the term of this agreement the City shall pay 100% of the premium cost for employees and their dependents enrolled in the HDHP plan. In addition the City shall pay 100% of the plan's annual deductible by depositing said amounts into each employee's HSA. The annual deductible for the current plan is \$3,000 for family coverage and \$1,500 for single coverage per calendar year. As permitted by the HDHP the City shall establish a Health Saving Account on behalf of each eligible employee of the City.

Employees enrolled in the HDHP shall be responsible for 100% of their respective annual out-of-pocket maximum, only in the event that an employee exhausts his/her annual deductible for that calendar year. The annual out-of-pocket maximum for the current HDHP plan is \$2,000 for family coverage and \$1,500 for single coverage.

During the term of this agreement the City shall pay 100% of the premium cost for employees and their dependents enrolled in the HMO plan. Employees shall be responsible for all copays as required by the HMO plan.

Family coverage consists of the employee plus one or more dependents and single coverage consists of the employee only.

The effective date of coverage for new employees shall be the first of the month following a thirty-day waiting period, provided the employee properly submits a completed enrollment form within 31 days of the eligibility date. Coverage shall terminate at 12:00 midnight on the last day of the month in which the employee is on paid status prior to separation from employment with the City.

Medical Insurance Allowance

Any employee covered by this MOU who has medical insurance coverage through their spouse, or who has medical insurance coverage as an eligible dependent of a person employed elsewhere, may request that their medical plan coverage as an employee of the City be terminated. Those employees who waive the medical insurance coverage shall be eligible to receive taxable cash in the amount of \$250.00 per month. To participate in this program, the employee shall sign a waiver, provided by the City, and provide proof of other medical insurance coverage which shall be provided to the Human Resources Department. Once coverage is waived the employee can only reenroll in the City medical insurance plan during open enrollment or as allowed by law. (Eff_07/01/07)

B. Dental

During the term of this agreement the City shall pay 100% of the premium cost for employees and their dependents.

The City contracts with Stanislaus Foundation for Medical and Dental Care (SFMDC) to provide dental insurance to employee and their eligible dependents. Dental benefits shall be provided as outlined on the SFMDC Benefits Outline sheet.

The effective date of coverage for new employees shall be the first of the month following the a thirty-day waiting period, provided the employee properly submits a completed enrollment form within 31 days of the eligibility date. Coverage shall terminate at 12:00 midnight on the last day of the month in which the employee is on paid status prior to separation from employment with the City.

C. Vision

During the term of this agreement the City shall pay 100% of the premium cost for employees and their dependents.

Employees and eligible dependents shall be provided vision insurance subject to the terms and conditions of the City's contract with Vision Service Plan (VSP). Vision benefits shall be provided as stated in the "Enhanced Plan B" of VSP.

The effective date of coverage for new employees shall be the first of the month following the a thirty-day waiting period, provided the employee properly submits a completed enrollment form within 31 days of the eligibility date. Coverage shall terminate at 12:00 midnight on the last day of the month in which the employee is on paid status prior to separation from employment with the City.

7.02 – Health Benefits CAP

During the term of this labor agreement, employees enrolled in the single plan for medical coverage as of June 30, 2005 shall receive a credit of \$250.00 per month. Employees whose coverage status changes from single coverage to family coverage will not be eligible for the \$250.00 credit.

Employees who change their coverage status after July 1, 2005 from family coverage to single coverage will not be eligible for the \$250 credit.

New employees with single medical coverage hired after July 1, 2005 will not be eligible for the \$250 credit.

Eligible employees may use their credit for deferred compensation, health club membership fees, PERS buyback (re-deposits), supplemental insurance benefits (AFLAC), college expenses (tuition, books), or United Way donations. At no time may an employee receive cash payment in lieu the credit.

7.03 – PERS Retirement

The City contracts with the California Public Employee's Retirement System (PERS) to provide retirement benefits to eligible employees. Retirement benefits and/or options shall include the following:

- 2% @ 55 retirement formula
- 2% @ 60 retirement formula (employees hired on or after 04/09/11)
- 2% @ 62 retirement formula (employees hired on or after 01/01/13)
- Sick Leave Credit
- Military Service Credit
- Retired Death Benefit
- Final compensation three (3) years
- COLA 2%
- Death Benefit Continues - Remarriage
- Prior Service Credit

During the term of this agreement employees covered by this MOU shall pay the total PERS member contribution rate of seven percent (7%) of the employee's salary subject to retirement contributions.

Retirement from the municipal service shall be subject to the terms and conditions of the City's contract with the Public Employee's Retirement System.

7.04 – Life Insurance

Subject to the terms and conditions of the City's contract with the provider the City shall provide term life insurance coverage for the eligible employees in a total policy amount of fifty thousand dollars (\$50,000.00). This policy also provides accidental death and dismemberment benefit for the employee in an amount not to exceed fifty thousand dollars (\$50,000.00). The City shall pay all premiums for such policy during the term of the agreement.

The effective date of coverage shall be the first of the month following the a thirty-day waiting period, provided the employee properly submits a completed enrollment form within 31 days of the eligibility date. Coverage shall terminate at 12:00 midnight on the last day of the month in which the employee is on paid status prior to separation from employment with the City.

7.05 – Employee Assistance Program

The City shall provide an Employee Assistance Program (EAP) to all eligible employees and their dependents. The employee and/or dependents are entitled to eight (8) sessions per fiscal year (July – June) for counseling and assistance as stated in the EAP plan.

7.06 – Deferred Compensation

The City contracts with ICMA Retirement Corporation to offer a deferred compensation plan. Subject to the terms and conditions of ICMA on a voluntary basis eligible employees may defer a portion of their salary into his/her account until the employee's retirement, permanent disability, death, or as allowed by ICMA. The City and Union agree that the City shall make no contributions to this plan on behalf of the enrolled employees.

7.07 – LIUNA National (Industrial) Pension Fund

During the term of this agreement the City shall make contributions to the LIUNA National (Industrial) Pension Fund (Pension Fund) on behalf of the employees covered by this MOU. Contributions to the Pension Fund shall be as follows:

- Effective July 1, 2014 the contribution rate shall be \$1.39 per hour.
- Effective July 1, 2015 the contribution rate shall be \$1.53 per hour.
- Effective July 1, 2016 the contribution rate shall be \$1.69 per hour.
- Contributions shall be paid monthly to the Pension Fund, to an address specified by MEA.
- The monthly contributions are based on the hours an employee is on paid status up to 40 hours per week. The amount shall be prorated for employees working less than forty (40) hours per week.
- The City shall not make contributions for hours in excess of forty hours per week.

This MOU provision shall not be construed to create a vested right that can be asserted against the City and shall not be construed to guarantee any future funding for the LIUNA pension fund beyond the term of this MOU. Future funding shall be subject to negotiations.

Unless specifically amended by the terms of this Understanding, all other terms and conditions of employment remain as previously established. The terms and conditions set forth in this Agreement represent the full and complete understanding and commitment between the parties. The terms and conditions may be altered, changed, added to, deleted from, or modified only through the voluntary and mutual consent of the parties in a written amendment to the Agreement. During the term of this Agreement, the parties agree that neither the Union nor the City shall be obligated to reopen or renegotiate any of the provisions of this agreement.

SECTION 8.00 – REIMBURSEMENTS

8.01 – Tuition Reimbursement

The City shall reimburse regular full-time employees expenses incurred for tuition, textbooks, admission fees not to exceed \$1,500 per fiscal year and other required course materials provided the following conditions are met:

- a. The course selected must be directly related to work the employee performs or fulfilling general education requirements;
- b. Prior to enrolling, the course must be approved in advanced by the employee's Department Head and Chief Personnel Officer;
- c. The course must be offered at an accredited college or university;
- d. The employee must receive a passing grade of or equivalent to "C" or better, at the completion of the course;
- e. The class and study time shall be outside the employee's working hours.

Upon completion of a course, the employee shall submit a Tuition Reimbursement form along with paid receipt for tuition, books and materials and proof of passing grade to the Personnel Office. After verification of satisfactory completion of the course, the Personnel Office shall forward the approved tuition reimbursement form to the Finance Department for payment.

Tuition reimbursements shall be amortized over three (3) years. If an employee resigns or is terminated within three (3) years of any tuition reimbursement, the employee will required to pay the City a proportional percentage of the reimbursed amounts. (Eff. 07/01/07)

8.02 – Mileage Reimbursement

City employees may receive compensation for use of their personal vehicle in business. Approval must be obtained by the Department Head if employee decides to use personal vehicle. If a personal vehicle is used for City business, the employee must show proof of insurance to his/her immediate Supervisor and must have the minimum liability insurance requirements for private passenger as defined by the California Insurance Code § 11580.1b.

The rate of mileage reimbursement to employees using their private vehicles for City business shall be five (5) cents less than the rate presently in effect by the Internal Revenue Service.

8.03 – Safety Boots and Winter Jacket Reimbursement

Annually, eligible employees shall be reimbursed the cost of safety boots and/or winter jacket, the jacket must be bright orange or green and have the City of Riverbank logo. Such reimbursement shall not exceed \$200.00 per fiscal year. Office employees are not eligible for this benefit.

8.04 – Personal Property Reimbursement

Damage to personal effects required by the City while in the line of duty will be reimbursed by the City upon the recommendation of the individual's immediate supervisor. Prior condition of the damaged item should be considered in determining the amount of reimbursement.

Damage to personal effects not required by the City, would be allowed under the same conditions as above.

No costs should be incurred by the City when it has demonstrated that loss or damage was due to personal negligence.

No costs should be incurred by the City in an unreasonable amount: if an employee loses a \$300 wristwatch while in the line of duty, it would not be reasonable for the City to reimburse the employee in this amount, inasmuch as he/she did not exercise good judgment in wearing an expensive instrument on a job that has certain hazards connected with it.

Definition of personal effects: Those items worn or carried by the employee in the line of duty.

SECTION 9.00 – LEAVES OF ABSENCE

9.01 – Attendance

In every case in which a regular employee is not present for duty, his/her absence shall be reported by the Department Head to the Personnel Office on the Request for Leave form. Since part-time employees are not entitled to leave, only actual time worked will be reported. Request for Leave shall be forwarded to the Personnel Office.

9.02 – Sick Leave

A. Statement of Policy

Sick leave shall not be considered as a privilege which an employee may use at his/her own discretion, but shall be granted only upon the recommendation of the Department Head. Sick leave shall be allowed and used only in case of necessity and actual personal sickness or disability, medical or dental treatment, or in case of an emergency illness in the immediate family. Immediate family shall mean the spouse, parent, child, brother, sister, or a close relative residing in the household of the employee.

B. Eligibility

Regular and probationary employees shall be eligible to accrue sick leave. Such employees shall be entitled to sick leave, as authorized in this Section, upon the completion of one (1) month of employment with the City.

In order to receive compensation while absent on sick leave, the employee shall notify his/her department at the beginning of the workday he/she is absent. The employee may be required at any time, by his/her Department Head, to file a physician's certificate, at City's expense, stating they can resume work. However, when an employee is absent due to illness or injury for more than three (3) consecutive working days, a physician's certificate may be required.

Sick leave will not be granted for an illness occurring during any leave of absence other than sick leave, with one exception: an illness or injury occurring while on vacation leave may be covered by sick leave when such illness or injury causes the employee to be hospitalized.

C. Accrual

Sick leave shall be accrued at the rate of eight (8) hours per month for all City employees and there shall be no limit to the amount of sick leave that may be accrued.

D. Deductions

Unless otherwise provided, sick leave will be deducted as follows:

- 1) All City employees shall be charged sick leave at the rate of eight (8) hours of sick leave for each full day absent. Unless exceptions are approved by the City Manager, absence less than a full day will be charged sick leave at the rate of one (1) hour sick leave for each hour absent.
- 2) Any employee scheduled to work on a holiday who reports off sick will be charged sick leave at the appropriate rate authorized above, and the holiday will be accrued.
- 3) Sick leave may be used as needed and approved to the point of depletion, at which time the employee will no longer receive pay for sick leave.

E. Depletion of Sick Leave Benefits

Upon depletion of accumulated sick leave for an injury or illness, and upon the recommendation of the employee's Department Head, an employee may be placed on medical leave of absence without pay for a period not to exceed sixty (60) days. If the employee is unable to return to work at the end of this period, he/she must request further medical leave which will be subject to approval of the Chief Personnel Officer. If further leave is granted, the employee must notify the City of his/her intent to return to work every thirty (30) days. If further leave is not granted, the employee's service with the City shall be considered terminated.

F. Forfeiture Upon Termination

Accumulated sick leave shall be forfeited by all employees upon leaving the municipal service, voluntarily or involuntarily, and whether by reason of retirement for disability, age, or for any reason whatsoever.

Accumulated sick leave may be used for the purpose of computing an employee's PERS retirement.

G. Cash-Out

Employees covered by this MOU may "cash-out" twenty-five (25) hours of sick leave once each fiscal year provided they have a minimum of 200 hours of sick leave on the books. (Eff. 07/01/07)

9.03 – Vacation

A. Use of Vacation

The purpose of annual vacation leave is to enable each eligible employee to return to his/her work refreshed. For this reason it is the intention of the City that vacation be taken, insofar as possible, in periods of one week or more.

- 1) When to be taken: The time at which an employee may use his/her accrued vacation leave and the amount to be taken at any one time, whenever an employee requests a vacation in excess of the amount of days he/she accumulates annually, shall be determined by his/her Department Head with particular regard for the needs of the City, but also, insofar as possible, considering the wishes of the employee.
- 2) Waiting period: Employees shall complete six (6) months continuous service before using accrued vacation leave.
- 3) Double compensation prohibited: Employees shall not work for the City during their vacation.

B. Eligibility

- 1) Regular employees: Regular employees shall be eligible for vacation leave in conformance with paragraph "C" below.
- 2) Part-time and probationary employees: Part-time and original appointment probationary employees shall not be eligible for vacation leave.

C. Vacation Accrual

Vacation will be accrued and credited on a bi-weekly basis when an employee is in pay status for fifty (50) percent or more of the workdays in a given month. Each eligible employee shall accrue vacation at the following rate for continuous service performed in pay status:

Years of Service	Accrual Hours Per		Max. Hrs. Accrual
	Pay-Period	Year	
New employee to completion of 5 th year	3.0769	80	400
Start of the 6 th year to completion of 10 th year.	4.6154	120	400
Start of the 11 th year to completion of 15 th year.	6.1538	160	400
Start of 16 th year and succeeding years.	7.6923	200	400

Limits of accrual: Such accrual and credit for all employees shall not exceed four hundred (400) hours.

D. Holidays Falling During Vacation

In the event a City holiday falls within an employee's vacation period which would have excused the employee from work and for which no other compensation is made, said holiday shall not be charged as a vacation day.

E. Vacation at Termination

Employees leaving the municipal service with accrued vacation leave shall be paid the amounts of accrued vacation to the date of termination.

Payments for accrued vacation shall be at the employee's current rate of pay.

Employees who terminate employment with the City and have less than six (6) months continuous service shall not be compensated for accrued vacation.

F. Vacation and Military Leave

An employee who interrupts his/her municipal service because of extended military leave shall be compensated for accrued vacation at the time the leave becomes effective.

9.04 – Paid Holidays

- A. Regular Holiday for Pay Purposes: The following holidays are recognized as municipal holidays for pay purposes and all regular and probationary employees shall have these days off, except as otherwise provided in Paragraph (b) below:

<u>Paid Holiday</u>	<u>Date</u>
1. New Year's Day	January 1 st
2. Martin Luther King Day	3 rd Monday in January
3. President's Day	3 rd Monday in February
4. Memorial Day	Last Monday in May
5. Independence Day	July 4 th
6. Labor Day	1 st Monday in September
7. Veteran's Day	November 11
8. Thanksgiving Day	4 th Thursday in November
9. Day After Thanksgiving	4 th Friday in November
10. Christmas Eve	December 24
11. Christmas Day	December 25
12. New Year's Eve	December 31
13. Floating Holiday - One (1)	Employee's Choice

When a holiday falls on a Saturday, the preceding Friday shall be deemed to be a holiday in lieu of the day named. When a holiday falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day named.

B. Compensation for Work on Paid Holidays

Regular and probationary employees assigned to work on holidays shall receive compensatory time off or pay in lieu of compensatory time off, at twice the regular rate of pay.

9.05 – Bereavement Leave

Up to five (5) days leave may be granted to a regular employee by the head of his/her department in the event of death in the employee's family. For the purposes of this section only, the employee's family shall mean the spouse, parents, children, brother, sister, grandmother, grandfather, grandchildren, brother and sister-in-law (current), and mother and father-in-law (current), legal guardian, or a close relative residing in the household of the employee. Requests for leave in excess of three (3) days for this purpose shall be subject to approval of the Chief Personnel Officer.

Leave without pay may be granted to a regular employee in the event of death to family members other than one of the immediate family; such leave to be granted in accordance with §8.12.

9.06 – Workers' Compensation Leave

Any employee who is absent from work by reason of an injury or illness covered by Workers' Compensation shall continue in pay status under the following provisions:

- A. The difference between the amount granted pursuant to such Workers' Compensation and the employee's regular rate of pay shall be deducted first from the employee's accumulated sick leave, and then from compensatory time, and when authorized by the employee, vacation days.
- B. Such an employee will continue in pay status and receive his/her regular rate of pay until his/her accumulated sick leave, compensatory time, and vacation days have been depleted to the nearest one-half (½) day.
- C. During the time the employee is in pay status while absent from work by reason of injury or illness covered by Workers' Compensation, he/she shall continue to accrue sick leave and vacation benefits as though he/she was not on leave of absence.

- D. Any employee who depletes his/her accumulated sick leave, compensatory time, holidays, and vacation days to maintain pay status while absent from work by reason of an injury or illness covered by Workers' Compensation shall be removed from pay status.

Employees who have been injured in the course and scope of their employment with the City and who are required as a result of such injury to be absent from duty to take physical examinations required by the City's Workers' Compensation insurer or the Industrial accident Commission, or to attend hearings of the Industrial Accident Commission shall be granted leave with pay for such absences by the City Manager when he/she determines such absences are in the best interest of the City and only if the employee is in pay status at the time of the scheduled examination or hearing. Applications for such leaves of absence shall be filed in advance of City of Riverbank Request for Leave form.

9.07 – Military Leave

State and other applicable laws shall govern the granting of military leaves of absence and the rights of employees returning from such absences.

9.08 – Family Leave Acts

The City shall comply with the requirements of the California Family Rights Act (CFRA) of 1991 and the Family Medical Leave Act (FMLA) of 1993, as they are in effect or may be amended during the term of this agreement.

In accordance with CFRA and FMLA employees who have worked for at least one (1) year and for 1,240 hours during the twelve (12) month period immediately preceding the commencement of leave is entitled for up to twelve weeks (480 hours) of job protected leave.

Leave may only be taken for the following reasons:

- The employee's own serious health condition;
- To care for a child, parent or a spouse who has a serious health condition; or
- To care for the employee's newborn child, or placement of adoption or foster care.

Employees requesting leave must give at least 30 days notice for foreseeable events. In unforeseeable situations the employee must notify the City as soon as practicable.

9.09 – Pregnancy Disability Leave

Pregnancy Disability Leave without pay shall be granted to employees in accordance with applicable state and federal laws.

If you are disabled by pregnancy, childbirth or related medical conditions, you are eligible to take a pregnancy disability leave. Current law provides up to 4 months of unpaid leave. Employees may also be eligible for an additional 12 weeks of leave under the California Family Rights Act (CFRA). An employee may be required to use any available sick leave during her pregnancy disability leave. At the employee's option, any accrued vacation or other accrued paid leaves may be used during such leave.

- a) An employee who plans to take a pregnancy leave must give reasonable notice (if possible, not less than four (4) weeks) before the date she expects to take the leave and the estimated duration of the leave.

9.10 – Employee's Time Off to Vote

Time off with pay to vote at any general, direct primary, or presidential primary election shall be granted as provided in the State of California Election Code, and notice that any employee desires such time off shall be given in accordance with the provisions of said Code.

9.11 – Jury Duty and Subpoenas Leave

Employees required to report for jury duty shall be granted a leave of absence with pay from their assigned duties until released by the Court, provided the employee remits to the City all fees received for such duties other than mileage or subsistence allowance within thirty (30) day from the termination of his/her jury service.

Regular employees who are subpoenaed to appear as witnesses in behalf of the State of California or any of its agencies shall be granted leaves of absence with pay from their assigned duties until released. The employee shall remit all fees received for such appearances to the City within thirty (30) days from the termination of his/her services. Compensation for mileage or subsistence allowance shall not be considered as a fee and shall be retained by the employee.

9.12 – Leave of Absence Without Pay

Leave of absence without pay may be granted in cases of emergency or where such absence would not be contrary to the best interest of the City. Such leave is not a right, but a privilege. Employees on authorized leave of absence without pay may not extend such leave without express approval of the Chief Personnel Officer. No vacation or sick leave benefits shall be used for illness occurring during such leave.

Leave of absence without pay may be granted by the Chief Personnel Officer depending on the merit of the individual case.

9.13 – Absence Without Leave

Absence without leave shall be considered to be without pay and reductions in the employee's pay shall be made accordingly. Absence without leave for more than three (3) consecutive workdays may result in termination of employment. Such termination shall not be subject to appeal.

SECTION 10.00 – PERSONNEL PRACTICES

10.01 – Performance Appraisals

A. Regular Employee

A performance appraisal of each regular employee shall be made annually on the anniversary date of their completion of the probationary period.

B. Probationary Employee

A performance appraisal of each probationary employee shall be made by the Department Head on "City of Riverbank Employee Performance Appraisal" forms according to the directions thereon and forwarded to the Personnel Office. The Employee Performance Appraisal form shall be filed by the Department Head upon the completion of the employees' third, and sixth month of service with the City.

In those cases where the probationary period extends to twelve (12) months or longer, the Employee Performance Evaluation form shall be required from the Department Head at the conclusion of each six-month interval.

C. Appeal

Within five (5) days after receiving the performance appraisal, the employee may request in writing, a review of the appraisal with the Chief Personnel Officer. Within five days after said review, the Chief Personnel Officer shall either accept the original performance appraisal, a modified appraisal, or cause a new appraisal to be prepared which shall be entered into the personnel file as the official performance appraisal. The official appraisal shall bear the Chief Personnel Officer's signature. The decision of the Chief Personnel Officer shall be final.

10.02 – Transfers

Any employee may be transferred from one department or division to another.

10.03 – Promotions

Because it is the policy of the City of Riverbank to encourage the advancement of personnel within the organization, promotional examinations for vacancies will be conducted as the needs of the City require. Promotional opportunities (available to City employees) will be posted on bulletin boards selected by the Personnel Office at least five (5) working days before the selection is made.

A. Flexible Staffing

Employees assigned to a flexible staffed position may be promoted in accordance with "Appendix D" of this MOU.

10.04 – Demotions

The Chief Personnel Officer or Department Head may demote an employee whose ability to perform his/her required duties falls below acceptable standards, for disciplinary reasons set forth in §10.02, when the need for the position which an employee fills no longer exists, or when an employee requests such demotion. No employee shall be demoted to a classification for which he/she does not possess minimum qualifications. When the action is initiated by the Department Head, written notice of demotion shall be given an employee at least five (5) days before the effective date of the demotion. An employee may appeal such action in the manner provided in §10.04, et seq.

10.05 – Reinstatement

The Chief Personnel Officer may reinstate any suspended employee for good cause and may, upon such reinstatement, compensate, in whole or in part, such employee for the time lost.

10.06 – Terminations

A. Resignation

An employee wishing to leave the service of the City in good standing, either by resignation or retirement, shall give the Department Head concerned at least two (2) weeks notice when practical.

B. Lack of Work or Funds

An employee may be terminated by the Personnel Officer because of changes in duties or organization, abolishment of position, shortage of work or funds, or completion of work. In cases involving regular employees only, notice of such termination will be given to the employee at least two (2) weeks prior to the effective date of termination. Such termination shall not be subject to appeal.

In any such reduction in personnel caused by lack of work or funds, seniority shall be observed, except in supervisory or management positions. The order of termination shall be in the reverse order of total cumulative time the employee has served in municipal service. Supervisory or management employees shall be eligible for lower rated positions based upon their seniority but non-supervisory or non-management personnel may not take supervisory or management positions solely based upon seniority.

For the purpose of determining termination, total cumulative time shall include the employee's time served in probation and regular status, and time served on military leave of absence.

C. Non-Disciplinary Action

Part-time and probationary employees may be terminated by the Chief Personnel Officer at any time, with or without notice, for cause or for the convenience of the City. Regular employees terminated by the Chief Personnel Officer for cause or for the convenience of the City shall be given a written statement of the reasons for such termination and may appeal such action in the manner provided in §1004 et seq. Such cause may be other than cause for disciplinary action set forth in §1002, et seq. and may include, but not be limited to, inefficiency and incompetency.

10.07 – Reappointments

Reappointments after termination will be considered new employment. However, reappointments made within six (6) months from the termination date may be made with reinstatement of prior seniority, sick leave, and pay rate.

SECTION 11.00 – DISCIPLINARY PROCEEDINGS

11.01 – Disciplinary Action; Definition

As used in this Section, "Disciplinary Action" shall mean discharge, demotion, reduction in salary, disciplinary probation, or suspension.

11.02 – Cause For Disciplinary Action

Causes for disciplinary action against any employee may include, but shall not be limited to, the following:

- a) Fraud in securing appointment.
- b) Inexcusable neglect of duty.
- c) Insubordination.
- d) Dishonesty.
- e) Drunkenness on duty.
- f) Inefficiency.
- g) Addiction to the use of controlled substances.
- h) Inexcusable absence without leave.

- i) Conviction of a felony, or conviction of a misdemeanor, involving moral turpitude. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, to a charge of a felony or any offence involving moral turpitude is deemed to be a conviction within the meaning of this Section.
- j) Immorality.
- k) Discourteous treatment of the public or other employees.
- l) Improper political activity as defined by State Law.
- m) Repeated violation of safety procedures.
- n) Misuse of City property.
- o) Violation of any of the provisions of these working Rules and Regulations or departmental rules and regulations.
- p) Other failure of good behavior either during or outside of duty hours which is of such a nature that causes discredit to the City.
- q) Refusal to take or subscribe to any oath or affirmation, which is required by law in connection with his/her employment.
- r) Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, mental disability, physical disability, marital status, sex, or age, against the public or other employees while acting in the capacity of a District employee.
- s) Unlawful retaliation against any other District Officer or employee or member of the public who in good faith reports, discloses, divulges, or otherwise brings to the attention of the Attorney General, or any other appropriate authority, any facts or information related to actual or suspected violation of any law of this State or the United States occurring on the job or directly related thereto.

11.03 – Persons By Whom Disciplinary Action May Be Taken, Notice, Service, Contents

The Chief Personnel Officer or any Department Head may take disciplinary action against an employee under his/her control for one or more of the causes for discipline specified in this Section by written notice to the employee of the proposed disciplinary action and the cause for which the proposed disciplinary action is to be taken, which shall allow the employee a period of five (5) days to respond to the person proposing the disciplinary action. The notice may be served upon the employee, either personally or by certified mail, and shall include:

- a) A statement of the nature of the disciplinary action.
- b) The effective date of the penalty.
- c) A statement of the causes therefore.
- d) A statement in ordinary and concise language of the act or omissions upon which the causes are based.
- e) A statement notifying the employee that he/she has five (5) days in which to respond orally or in writing regarding the proposed disciplinary action.

If the employee responds, either orally or in writing, to the notice of proposed disciplinary action, the Chief Personnel Officer or Department Head, as the case may be, shall thereafter amend or withdraw the proposed disciplinary action or proceed with its implementation.

11.04 – Right Of Appeal: Form

Any regular employee shall have the right of appeal to the Chief Personnel Officer from any disciplinary action taken by his/her Department Head under §10.03. Such appeal shall be in writing and must be filed with the Chief Personnel Officer within ten (10) working days after receipt of written notice of such disciplinary action. Failure to file an appeal within such period constitutes a waiver of right to appeal.

The Chief Personnel Officer shall conduct a hearing as provided in this Section. Neither the provisions of this section or this Section shall apply to reductions in force or reductions in pay, which are part of a general plan to reduce or adjust salaries and wages.

In the event the Chief Personnel Officer institutes the disciplinary action, he/she shall be disqualified. Should the Chief Personnel Officer be disqualified, or should he/she disqualify himself/herself as hearing officer, the City Council shall appoint a hearing officer who shall have the same power, authority, and responsibility as the Chief Personnel Officer would have as a hearing officer.

11.05 – Hearing

The Chief Personnel Officer shall conduct a hearing on an appeal filed in accordance with §10.04 within thirty (30) days after receipt thereof. The Chief Personnel Officer may continue the hearing either for the convenience of the City or upon written application of the appellant, for a period not to exceed an additional thirty (30) days from the receipt of the appeal. Written notice of the time and place of the hearing shall be conducted in accordance with the provisions of §11513 of the Government Code of the State of California, except that the appellant and other persons may be examined as provided in §19580 of said Government Code, and the parties may submit all proper and competent evidence against, or in support of the causes.

11.06 – Representation

Any City employee other than those appointed to supervisory, management, and confidential classifications as provided in §1208 of the Personnel Rules and Regulation, shall be permitted to represent another City employee or group of City employees at the hearing of the appeal. The appellant may appear in person or be represented by counsel.

11.07 – Notices To Witnesses: Cost

The Chief Personnel Officer shall issue notice for the appearances of witnesses for the appellant upon his/her written request and at his/her cost. The Chief Personnel Officer may require such cost to be prepaid.

11.08 – Failure Of Employee To Appear At Hearing

Failure of the appellant to appear at the hearing shall be deemed a withdrawal of his/her appeal and the action of the Chief Personnel Officer or Department Head shall be final.

11.09 – Decisions

The Chief Personnel Officer shall render a written decision within thirty (30) days after concluding the hearing. The Chief Personnel Officer's decision shall be final and conclusive, except when an employee is suspended for more than three (3) days or discharged. A copy of such decision shall be forwarded to the appellant. If the disciplinary action taken against the employee is reversed or modified by the Chief Personnel Officer, the employee may be compensated, in whole or in part, for the time lost as determined by the Chief Personnel Officer.

In cases involving suspending an employee for more than three (3) days or discharging an employee, a copy of such decision shall be forwarded to the employee and the association on behalf of the employee may, within ten (10) working days after receipt of written notice of the Chief Personnel Officer's decision, give notice to the Chief Personnel Officer that the association representing the grievated employee may submit the matter to binding arbitration. The arbitration board shall consist of one retired superior court judge and the cost of arbitration shall be borne equally between the City and the employee. The arbitration hearing shall be held within thirty (30) days from the date of the request

by employee to submit to arbitration. The parties may agree to continue the date of the arbitration hearing by mutual agreement.

11.10 – Effect of Certain Disciplinary Actions

- A. Oral reprimand. Employee receiving an oral reprimand may have it noted in their departmental record by the Department Head.
- B. Written reprimand. Employees receiving a written reprimand shall have a copy of the reprimand filed in their permanent record for future reference. Each employee's permanent record is his/her personnel jacket kept in the Chief Personnel Officer's Office.
- C. Disciplinary Probation. Employees placed on disciplinary probation shall not accrue earned time for salary review while on such probation.
- D. Suspension. Employees suspended from the municipal service shall forfeit all rights, privileges, and salary while on such suspension with the exception of group health and life insurance benefits.
- E. Discharge. Employees terminated pursuant to §9.06 C of this MOU shall be paid salary accumulated to the effective date of termination only, and shall be paid for accumulated vacation, accumulated compensatory time, and paid days in lieu of holidays.

SECTION 12.00 – GRIEVANCE PROCEDURES

12.01 – Purpose

Grievance procedures for employees are provided herein:

- A. To promote improved employer-employee relations by establishing grievance procedures on matters for which appeal or hearing is not provided by other regulations.
- B. To afford employees individually and through qualified employee organizations a systematic means of obtaining further considerations of problems after every other reasonable effort has failed to resolve them through discussions.
- C. To provide that grievances shall be settled as near as possible to the point of origin.
- D. To provide that grievances shall be heard and settled as informally as possible.

12.02 – Matters Subject to Grievance Procedure

Any City employee shall have the right to present a grievance regarding wages, salaries, hours and working conditions for which appeal is not provided or is not prohibited under the provisions of Section 11.00.

12.03 – Informal Grievance Procedure

An employee should first attempt to resolve a grievance or complaint through discussion with his/her immediate supervisor without undue delay. If, after such discussion, the employee does not believe the problem has been satisfactorily resolved, he/she shall have the right to discuss it with his/her supervisor's immediate superior, if any. Every effort should be made to find an acceptable solution by informal means at the most immediate level of supervision. If the employee is not in agreement with the decision reached through such discussion, he/she shall then have the right to file a formal grievance in writing within ten (10) calendar days after receiving the informal decision of his/her superior or superiors. An informal grievance shall not be taken above the Department Head.

12.04 – Formal Grievance Procedure

Formal grievance procedure after exhaustion of the informal grievance procedure shall proceed as follows:

- A. Department review. The grievance shall be presented in writing to the employee's Department Head who shall discuss the grievance with the employee, his/her representative, if any, and with other appropriate persons. The Department Heads shall render his/her decision and comments in writing and return them to the employee within fifteen (15) calendar days after receiving the grievance. If the employee does not agree with the decision reached, or if no answer has been received within fifteen (15) calendar days, he/she may present the grievance in writing to the Chief Personnel Officer. Failure of the employee to take further action within ten (10) calendar days after receipt of the decision, or within a total of twenty-five (25) calendar days if no decision is rendered, will constitute withdrawal of the grievance.
- B. Chief Personnel Officer Review. Upon receiving the grievance, the Chief Personnel Officer shall discuss the grievance with the employee, his/her representative, if any, and with all other appropriate persons. The Chief Personnel Officer shall render a decision in writing to the employee within twenty (20) calendar days after receiving the grievance. The decision of the Chief Personnel Officer shall be final, however, in cases where disciplinary action results in termination of the employee. This action is subject to ratification by the City Council as provided in §31.03(H)(3) of the Riverbank City Code.

12.05 – Conduct Of Grievance Procedure

- A. The time limits specified above may be extended to a definite date by mutual agreement of the employee and the reviewer concerned.
- B. The employee may request the assistance of another person of his/her choosing in preparing and presenting his/her grievance at any level of review.
- C. Employees shall be free from reprisal for using the grievance procedure.
- D. Any reasonable award resulting from the application of this provision shall be binding and final on the parties unless arbitrary and capricious.

SECTION 13.00 – EMPLOYER – EMPLOYEE RELATIONS

13.01 – Purpose

It is the purpose of the City of Riverbank to promote full communications with its employees by providing a reasonable method of resolving disputes between it and employee organizations regarding wages, hours, and other terms and conditions of employment.

It is also the purpose of the City of Riverbank to promote the improvement of personnel management and employer-employee relations by providing a uniform basis for recognizing the right of public employees to join organizations of their own choice and be represented by such organizations in their employment relationships with the City of Riverbank.

Nothing contained in this Section shall be deemed to supersede the provisions of existing State Law and the Ordinances and Rules and Regulations of the City of Riverbank which establish and regulate a merit personnel system or which provide for other methods of administering employer-employee relationships.

This Section is intended, instead, to strengthen merit and other methods of administering employer-employee relationships through the establishment of uniform and order methods of communication between employees and the City of Riverbank.

13.02 – Definitions

City Council shall mean the City Council of the City of Riverbank.

Chief Personnel Officer shall mean the City Manager of the City of Riverbank.

Bargaining Representative shall mean the Chief Personnel Officer and his/her representatives and/or the duly authorized representatives of an employee organization that has been granted formal recognition by the City Council as representing the employees of a representation unit.

Consult or Consultation in Good Faith shall mean to communicate verbally or in writing for the purpose of presenting and obtaining view or advising of intended actions.

Employee Organization shall mean any organization which includes employees of the City of Riverbank and which has one of its primary purposes representing such employees in their employment relations with the City of Riverbank.

Mediation shall mean any effort by an impartial third party to assist in reconciling a dispute regarding wages, hours, and other terms and conditions of employment between representatives of the City of Riverbank and the recognized employee organization or recognized employee organizations, through interpretation, suggestion, and advice.

Meet and Confer in Good Faith shall mean that the City of Riverbank by and through its Chief Personnel Officer and his/her representatives, and representatives or recognized employee organizations, shall have the mutual obligation personally to meet and confer in order to exchange freely information, opinions, and proposals, and to endeavor to reach agreement on matters within the scope of representation.

Miscellaneous Employees shall mean all regular City employees who are referred to as "miscellaneous members" by the California Public Employees' Retirement System (§20018 of the Government Code).

Recognized Employee Organization shall mean an employee organization which has been acknowledged by the City Council as an employee organization that represents employees of the City of Riverbank. The rights accompanying recognition are either:

- 1) Formal Recognition which is the right to meet and confer in good faith as the conference representative in a representational unit; or
- 2) Informal Recognition which is the right to consultation in good faith by all recognized employee organizations.

Representational Unit shall mean a unit as established by §12.03(B) of this Section.

13.03 – Designation and Recognition of Bargaining Representative

- A. The Chief Personnel Officer and his/her representative shall be the Bargaining Representatives for the City of Riverbank for the purpose of meeting and conferring in good faith pursuant to Government Code §3500 - §3511 inclusive.
- B. There shall be not more than two (2) representational units of employees for purposes of extending formal recognition to, and meeting and conferring in good faith with, the conference representative of the City of Riverbank. If the City employees request more than one (1) representational unit, said additional unit(s) shall be established as follows:

- 1) Management and Supervisory employees and
- 2) Miscellaneous employees

- C. Every regular authorized position identified in the Employee Compensation unit may choose a single organization as its bargaining representative, which shall be formally recognized by the City Council as the unit's bargaining representative in compliance with applicable State Law, as it now exists, or as it may hereafter be amended. Such choice shall be made by means of a secret ballot representational election, with a ballot containing the names of all employee organizations petitioning to represent a representational unit, and a choice of having no bargaining representation. Upon presentation to the Chief Personnel Officer of a petition, signed by at least thirty (30) percent of the employees in the representational unit, asking that an election be held and that a named organization be placed on the ballot, a representational election shall be held.
- D. Each employee representational unit may choose a single organization as its bargaining representative, which shall be formally recognized by the City Council as the unit's bargaining representative in compliance with applicable State law, as it now exists, or as it may hereafter be amended. Such choice shall be made by means of a secret ballot representational election, with a ballot containing the names of all employee organizations petitioning to represent a representational unit, and a choice of having no bargaining representation. Upon presentation to the Chief Personnel Officer of a petition, signed by at least thirty (30) percent of the employees in the representational unit, asking that an election be held and that a named organization be placed on the ballot, a representational election shall be held.

Elections shall be decided on the basis of a majority vote of the employees in the representational unit voting at such election.

- E. Each employee representational unit shall be represented by no more than one recognized employee organization, although this shall not preclude an employee who is not a member of a recognized employee organization from representing himself/herself.

A recognized employee organization shall remain representative of a particular unit for a minimum of one full calendar year and no other organization shall represent employees of the representation unit during that time with regard to matters within the scope of representation as set forth herein.

- F. In cases where there is no recognized employee organization for an employee representational unit, an organization elected by representational unit, shall become the formally recognized employee organization and bargaining representative on the day such organization is formally recognized by the City Council.

In cases where an incumbent formally recognized employee organization is decertified by another employee organization, the newly elected organization shall be recognized by the City Council immediately upon the certification of the election results.

13.04 – Bargaining Procedure

- A. Within the first sixty (60) days of each calendar year, each formally recognized employee organization and the Chief Personnel Officer, or his/her representative, shall mutually exchange written proposals on salaries, fringe benefits, and other terms and conditions of employment to affect each representational unit during the coming year. Following such exchange, representatives of each formally recognized employee organization shall meet at mutually agreeable times and places, with the Chief Personnel Officer or his/her representative(s) for the purpose of conferring in good faith regarding wages, hours, and other terms and conditions of employment. The parties, in conferring, shall consider, but are not limited to consideration of prevailing rates and standards in

private business and other public employment, cost of living, internal salary relationships in the City of Riverbank, and the financial condition of the City of Riverbank.

- B. If agreement is reached by the Chief Personnel Officer and his/her representatives and the formally recognized employee organization representative, they shall jointly prepare a written Memorandum of Understanding, which shall not be binding; sign it, and present it to the City Council for its determination. The City Council may approve or reject the Memorandum of Understanding and enact such Ordinances or Resolutions necessary to implement said Memorandum of Understanding.
- C. If, after a reasonable period of time, representatives of the City of Riverbank and the formally recognized employee organization fail to reach agreement, the City of Riverbank and the formally recognized employee organization together may agree upon the appointment of a mediator mutually agreeable to the parties. Cost of mediation shall be divided one-half to the City of Riverbank and one-half to the formally recognized employee organization.
- D. All Memorandum of Understanding regarding cost items shall be submitted to the City Council by May 1st of each year for consideration at the annual budget hearings, or as requested by the City Council at other times.
- E. The City Council shall cause written notice to be provided to each recognized employee organization concerning matters described in Government Code §3504.5.

13.05 – Scope of Representation

Conference representatives may meet and confer in good faith and execute a written Memorandum of Understanding on any matter of employer-employee relations, except, however, that the scope of representation shall not include consideration of the merits, necessity, or organization of any service or activity provided by law or Executive Order.

13.06 – Rights and Duties of Conference Representatives and Recognized Employee Organizations

- A. Each employee organization which seeks recognition from the City Council shall file a petition with the City Council containing the following information and documentation:
 - 1. Name and address of the employee organization.
 - 2. Names and titles of its officers.
 - 3. Names of employee organization representatives who are authorized to speak on behalf of its members.
 - 4. A statement that the employee organization has one of its primary purposes, representing employees in their employment relations with the City.
 - 5. A statement whether the employee organization is a chapter or local of, or affiliated directly or indirectly in any manner with a regional or state or national or international organization.
 - 6. Certified copies of the employee organization's Constitution and Bylaws.
 - 7. A designation of those persons, not exceeding two in number, and their addresses, to whom notice sent by regular United States mail will be deemed sufficient notice on the employee organization for any purpose. In addition, any employee organization seeking informal recognition shall file with the City Council a statement that the employee organization has in its possession written proof, dated within six months of the date upon which the petition is filed, to establish that employees have designated the employee organization to represent them in their employment relations with the City. Such written proof shall be submitted for confirmation to the Chief Personnel Officer.

- B. Conference representative of either party shall have the right to meet with conference representatives of the other part, upon reasonable notice, to discuss any problem regarding employer-employee relations arising within the representational unit, or any problems arising under a written Memorandum of Understanding between the parties.
- C. The City of Riverbank shall allow a reasonable number of employee representatives of a formally recognized employee organization reasonable time off without loss of compensation or other benefits when formally meeting and conferring with the Chief Personnel Officer or his/her representatives regarding matters within the scope of representation, or for the purpose of consultation in good faith.
- D. The City of Riverbank shall provide reasonable space on bulletin boards at places of work for the use of recognized employee organizations to inform employees about organizational activities and affairs.
- E. Agents shall be allowed to visit places of City employment where employees it represents are at work, for the purpose of observing conditions of work, or consulting with members regarding immediate grievances or job problems. Such visits shall not be permitted to interfere with the orderly flow of work, nor cause an unsafe condition.

13.07 – No Discrimination

- A. There shall be no discrimination by the City of Riverbank in employment conditions or treatment of employees on the basis of race, sex, creed, color, national origin, ancestry, or membership, non-membership, or participation in the activities of any lawful organization.
- B. There shall be no discrimination by any employee organization in treatment of its members on the basis of race, sex, creed, color, national origin, ancestry, membership, non-membership, or participation in the activities of any lawful organization.

13.08 – Classifications Restricted from Representing Recognized Employee Organizations

The Chief Personnel Officer, elected officials, and department heads shall be restricted from representing a recognized non-management employee organization to avoid potential conflicts of interest.

Nothing herein prohibits employees from joining an employee organization; however, restrictions are placed upon certain employees in representing the organization.

13.09 – Savings Clause

If, at any time, any part of this Section should be found to be unconstitutional, or contrary to applicable law as it now exists, or as it may hereafter be amended, the remainder of the Section will not be affected thereby.

SECTION 14.00 – MISCELLANEOUS PROVISIONS

14.01 – Outside Employment

Any regular employee desiring to engage in outside employment shall first obtain non-City conflict job approval from his/her Department Head. The Employee shall submit a statement to his/her Department Head on a standard City form, naming the prospective employer, his/her address and telephone number, and outlining the proposed duties and the hours of work. Approval may be denied if, in the opinion of the Department Head, such outside employment is incompatible with the proper discharge of

the employee's official duties. All such approvals shall be subject to review by the Chief Personnel Officer, and shall be re-submitted prior to January 10th each year to maintain a valid, continuous authorization.

14.02 – Uniforms

The City shall provide and maintain uniforms to regular full-time employees assigned to work in the field and facility maintenance. The City will report to CalPERS the monetary value for providing and maintaining the employee's required uniforms. The City will report the uniform allowance on an annual basis to CalPERS in June of each year. The uniform allowance amount reported to CalPERS will derive from the City's total fiscal year budgeted amount for providing and maintaining the employees' uniforms, not to exceed \$300 per year, per employee.

Rain Gear

Rain gear consisting of waterproof boots, pants, coat and hat, will be provided to all employees assigned to work in the field at City expense.

14.03 – Contracting Unit Work

During the term of this MOU the City agrees not to contract out work of any position, and will not terminate any existing employee as a result of subcontracting of any work that has been performed by the members of the Bargaining Unit. Vacant positions that have not been filled may be contracted out for not more than one (1) year.

SECTION 15.00 – AGREEMENT

15.01 – Entire Agreement

Except as otherwise specifically provided herein, this MOU fully and completely incorporates the understanding of the parties hereto and constitutes the sole and entire agreement between the parties in any and all matters subject to meet and confer. Any prior or existing Agreement between the parties whether formal or informal, regarding any such matters is hereby superseded and terminated in its entirety.

In the event that any provision of this MOU is found to be in conflict with a City rule, regulation, or resolution, the provision of this MOU shall prevail over such conflicting rule, regulation or resolution.

15.02 – Severability of Provisions

Should any part of this MOU is for any reason held to be invalid by a court of competent jurisdiction or by reason of any existing or subsequently enacted legislation, such part shall be suspended and superseded by such applicable law or regulations, and the remainder of this MOU shall remain in full force and effect for the duration of this MOU.

15.03 – Modifications, Amendments and Revisions

The terms and conditions of this MOU may be modified, amended or revised, only through the voluntary and mutual consent of both parties.

15.04 – Ratification

This Agreement shall be in full force and effect upon adoption by the City Council of the City and implementation of its terms and conditions by appropriate ordinance, resolution, or other lawful action.

Subject to the foregoing, this Agreement is hereby executed by the authorized representatives of the City and the Union.

SIGNATURES

For the City of Riverbank

Jill Anderson
City Manager

For the Union; Northern California District
Council of Laborers' and Construction,
Production & Maintenance Laborers',
Local Union #1130; AFL:CIO

Dave Gorgas
Business Manager

Ilda Saldana
Shop Steward

Chris Smith
Shop Steward

Appendix A

City of Riverbank Employee Compensation Plan Effective January 5, 2015

		MONTHLY SALARY STEP				
TITLE	RNG	A	B	C	D	E
Account Clerk I	43	3,017.10	3,167.96	3,326.36	3,492.68	3,667.31
Account Clerk II	53	3,332.74	3,499.38	3,674.35	3,858.07	4,050.97
Administrative Analyst I	75	4,148.29	4,355.70	4,573.49	4,802.16	5,042.27
Administrative Assistant	66	3,792.96	3,982.61	4,181.74	4,390.83	4,610.37
Administrative Clerk	30	2,651.02	2,783.57	2,922.75	3,068.89	3,222.33
Assistant Mechanic	56	3,433.72	3,605.41	3,785.68	3,974.96	4,173.71
Assistant Planner	81	4,403.50	4,623.68	4,854.86	5,097.60	5,352.48
Associate Planner	91	4,864.19	5,107.40	5,362.77	5,630.91	5,912.46
Building Inspector I	76	4,189.78	4,399.27	4,619.23	4,850.19	5,092.70
Building Inspector II	86	4,628.11	4,859.52	5,102.50	5,357.63	5,625.51
City Mechanic	70	3,946.98	4,144.33	4,351.55	4,569.13	4,797.59
Community Development Specialist I	43	3,017.10	3,167.96	3,326.36	3,492.68	3,667.31
Community Development Specialist II	53	3,332.74	3,499.38	3,674.35	3,858.07	4,050.97
Construction Inspector I	86	4,628.11	4,859.52	5,102.50	5,357.63	5,625.51
Construction Inspector II	96	5,112.31	5,367.93	5,636.33	5,918.15	6,214.06
Deputy City Clerk	66	3,792.96	3,982.61	4,181.74	4,390.83	4,610.37
Engineer Technician I	61	3,608.87	3,789.31	3,978.78	4,177.72	4,386.61
Engineer Technician II	71	3,986.44	4,185.76	4,395.05	4,614.80	4,845.54
Facilities Maintenance Worker I	43	3,017.10	3,167.96	3,326.36	3,492.68	3,667.31
Facilities Maintenance Worker II	47	3,139.60	3,296.58	3,461.41	3,634.48	3,816.20
Housing & Economic Development Specialist I	66	3,792.96	3,982.61	4,181.74	4,390.83	4,610.37
Housing & Economic Development Specialist II	76	4,189.78	4,399.27	4,619.23	4,850.19	5,092.70
Human Services Specialist	73	4,066.58	4,269.91	4,483.41	4,707.58	4,942.96
Maintenance Worker I	37	2,842.25	2,984.36	3,133.58	3,290.26	3,454.77
Maintenance Worker II	47	3,139.60	3,296.58	3,461.41	3,634.48	3,816.20
Neighborhood Improvement Officer I	56	3,433.72	3,605.41	3,785.68	3,974.96	4,173.71
Neighborhood Improvement Officer II	66	3,792.96	3,982.61	4,181.74	4,390.83	4,610.37
Park Maintenance Worker I	37	2,842.25	2,984.36	3,133.58	3,290.26	3,454.77
Park Maintenance Worker II	47	3,139.60	3,296.58	3,461.41	3,634.48	3,816.20
Project Coordinator	76	4,189.78	4,399.27	4,619.23	4,850.19	5,092.70
Recreation Coordinator	42	2,987.22	3,136.58	3,293.41	3,458.08	3,630.98
Senior Facilities Maintenance Worker	56	3,433.72	3,605.41	3,785.68	3,974.96	4,173.71
Senior Maintenance Worker	56	3,433.72	3,605.41	3,785.68	3,974.96	4,173.71
Senior Park Maintenance Worker	56	3,433.72	3,605.41	3,785.68	3,974.96	4,173.71
Senior Wastewater Treatment Plant Operator	68	3,869.21	4,062.67	4,265.80	4,479.09	4,703.04
Senior Water Utility Worker	64	3,718.23	3,904.14	4,099.35	4,304.32	4,519.54
Transportation Coordinator	53	3,332.74	3,499.38	3,674.35	3,858.07	4,050.97

Wastewater Treatment Plant Operator I	49	3,202.71	3,362.85	3,530.99	3,707.54	3,892.92
Wastewater Treatment Plant Operator II	59	3,537.76	3,714.65	3,900.38	4,095.40	4,300.17
Wastewater Treatment Plant Operator-In-Training	43	3,017.10	3,167.96	3,326.36	3,492.68	3,667.31
Water Utility Worker I	45	3,077.72	3,231.61	3,393.19	3,562.85	3,740.99
Water Utility Worker II	55	3,399.73	3,569.72	3,748.21	3,935.62	4,132.40

Appendix B

City of Riverbank Employee Compensation Plan Effective January 8, 2016

		MONTHLY SALARY STEP				
TITLE	RNG	A	B	C	D	E
Account Clerk I	43	3,062.36	3,215.48	3,376.25	3,545.06	3,722.31
Account Clerk II	53	3,382.73	3,551.87	3,729.46	3,915.93	4,111.73
Administrative Analyst I	75	4,210.51	4,421.04	4,642.09	4,874.19	5,117.90
Administrative Assistant	66	3,849.85	4,042.34	4,244.46	4,456.68	4,679.51
Administrative Clerk	30	2,690.79	2,825.33	2,966.60	3,114.93	3,270.68
Assistant Mechanic	56	3,485.23	3,659.49	3,842.46	4,034.58	4,236.31
Assistant Planner	81	4,469.55	4,693.03	4,927.68	5,174.06	5,432.76
Associate Planner	91	4,937.15	5,184.01	5,443.21	5,715.37	6,001.14
Building Inspector I	76	4,252.63	4,465.26	4,688.52	4,922.95	5,169.10
Building Inspector II	86	4,697.53	4,932.41	5,179.03	5,437.98	5,709.88
City Mechanic	70	4,006.18	4,206.49	4,416.81	4,637.65	4,869.53
Community Development Specialist I	43	3,062.36	3,215.48	3,376.25	3,545.06	3,722.31
Community Development Specialist II	53	3,382.73	3,551.87	3,729.46	3,915.93	4,111.73
Construction Inspector I	86	4,697.53	4,932.41	5,179.03	5,437.98	5,709.88
Construction Inspector II	96	5,188.99	5,448.44	5,720.86	6,006.90	6,307.25
Deputy City Clerk	66	3,849.85	4,042.34	4,244.46	4,456.68	4,679.51
Engineer Technician I	61	3,663.00	3,846.15	4,038.46	4,240.38	4,452.40
Engineer Technician II	71	4,046.24	4,248.55	4,460.98	4,684.03	4,918.23
Facilities Maintenance Worker I	43	3,062.36	3,215.48	3,376.25	3,545.06	3,722.31
Facilities Maintenance Worker II	47	3,186.69	3,346.02	3,513.32	3,688.99	3,873.44
Housing & Economic Development Specialist I	66	3,849.85	4,042.34	4,244.46	4,456.68	4,679.51
Housing & Economic Development Specialist II	76	4,252.63	4,465.26	4,688.52	4,922.95	5,169.10
Human Services Specialist	73	4,127.58	4,333.96	4,550.66	4,778.19	5,017.10
Maintenance Worker I	37	2,884.88	3,029.12	3,180.58	3,339.61	3,506.59
Maintenance Worker II	47	3,186.69	3,346.02	3,513.32	3,688.99	3,873.44
Neighborhood Improvement Officer I	56	3,485.23	3,659.49	3,842.46	4,034.58	4,236.31
Neighborhood Improvement Officer II	66	3,849.85	4,042.34	4,244.46	4,456.68	4,679.51
Park Maintenance Worker I	37	2,884.88	3,029.12	3,180.58	3,339.61	3,506.59
Park Maintenance Worker II	47	3,186.69	3,346.02	3,513.32	3,688.99	3,873.44
Project Coordinator	76	4,252.63	4,465.26	4,688.52	4,922.95	5,169.10
Recreation Coordinator	42	3,032.03	3,183.63	3,342.81	3,509.95	3,685.45
Senior Facilities Maintenance Worker	56	3,485.23	3,659.49	3,842.46	4,034.58	4,236.31
Senior Maintenance Worker	56	3,485.23	3,659.49	3,842.46	4,034.58	4,236.31
Senior Park Maintenance Worker	56	3,485.23	3,659.49	3,842.46	4,034.58	4,236.31
Senior Wastewater Treatment Plant Operator	68	3,927.25	4,123.61	4,329.79	4,546.28	4,773.59
Senior Water Utility Worker	64	3,774.00	3,962.70	4,160.84	4,368.88	4,587.32
Transportation Coordinator	53	3,382.73	3,551.87	3,729.46	3,915.93	4,111.73

Wastewater Treatment Plant Operator I	49	3,250.75	3,413.29	3,583.95	3,763.15	3,951.31
Wastewater Treatment Plant Operator II	59	3,590.83	3,770.37	3,958.89	4,156.83	4,364.67
Wastewater Treatment Plant Operator-In-Training	43	3,062.36	3,215.48	3,376.25	3,545.06	3,722.31
Water Utility Worker I	45	3,123.89	3,280.08	3,444.08	3,616.28	3,797.09
Water Utility Worker II	55	3,450.73	3,623.27	3,804.43	3,994.65	4,194.38

Appendix C

City of Riverbank Employee Compensation Plan Effective July 8, 2016

		MONTHLY SALARY STEP				
TITLE	RNG	A	B	C	D	E
Account Clerk I	43	3,108.30	3,263.72	3,426.91	3,598.26	3,778.17
Account Clerk II	53	3,433.47	3,605.14	3,785.40	3,974.67	4,173.40
Administrative Analyst I	75	4,273.67	4,487.35	4,711.72	4,947.31	5,194.68
Administrative Assistant	66	3,907.60	4,102.98	4,308.13	4,523.54	4,749.72
Administrative Clerk	30	2,731.15	2,867.71	3,011.10	3,161.66	3,319.74
Assistant Mechanic	56	3,537.51	3,714.39	3,900.11	4,095.12	4,299.88
Assistant Planner	81	4,536.59	4,763.42	5,001.59	5,251.67	5,514.25
Associate Planner	91	5,011.21	5,261.77	5,524.86	5,801.10	6,091.16
Building Inspector I	76	4,316.42	4,532.24	4,758.85	4,996.79	5,246.63
Building Inspector II	86	4,767.99	5,006.39	5,256.71	5,519.55	5,795.53
City Mechanic	70	4,066.27	4,269.58	4,483.06	4,707.21	4,942.57
Community Development Specialist I	43	3,108.30	3,263.72	3,426.91	3,598.26	3,778.17
Community Development Specialist II	53	3,433.47	3,605.14	3,785.40	3,974.67	4,173.40
Construction Inspector I	86	4,767.99	5,006.39	5,256.71	5,519.55	5,795.53
Construction Inspector II	96	5,266.82	5,530.16	5,806.67	6,097.00	6,401.85
Deputy City Clerk	66	3,907.60	4,102.98	4,308.13	4,523.54	4,749.72
Engineer Technician I	61	3,717.95	3,903.85	4,099.04	4,303.99	4,519.19
Engineer Technician II	71	4,106.93	4,312.28	4,527.89	4,754.28	4,991.99
Facilities Maintenance Worker I	43	3,108.30	3,263.72	3,426.91	3,598.26	3,778.17
Facilities Maintenance Worker II	47	3,234.49	3,396.21	3,566.02	3,744.32	3,931.54
Housing & Economic Development Specialist I	66	3,907.60	4,102.98	4,308.13	4,523.54	4,749.72
Housing & Economic Development Specialist II	76	4,316.42	4,532.24	4,758.85	4,996.79	5,246.63
Human Services Specialist	73	4,189.49	4,398.96	4,618.91	4,849.86	5,092.35
Maintenance Worker I	37	2,928.15	3,074.56	3,228.29	3,389.70	3,559.19
Maintenance Worker II	47	3,234.49	3,396.21	3,566.02	3,744.32	3,931.54
Neighborhood Improvement Officer I	56	3,537.51	3,714.39	3,900.11	4,095.12	4,299.88
Neighborhood Improvement Officer II	66	3,907.60	4,102.98	4,308.13	4,523.54	4,749.72
Park Maintenance Worker I	37	2,928.15	3,074.56	3,228.29	3,389.70	3,559.19
Park Maintenance Worker II	47	3,234.49	3,396.21	3,566.02	3,744.32	3,931.54
Project Coordinator	76	4,316.42	4,532.24	4,758.85	4,996.79	5,246.63
Recreation Coordinator	42	3,077.51	3,231.39	3,392.96	3,562.61	3,740.74
Senior Facilities Maintenance Worker	56	3,537.51	3,714.39	3,900.11	4,095.12	4,299.88
Senior Maintenance Worker	56	3,537.51	3,714.39	3,900.11	4,095.12	4,299.88
Senior Park Maintenance Worker	56	3,537.51	3,714.39	3,900.11	4,095.12	4,299.88
Senior Wastewater Treatment Plant Operator	68	3,986.16	4,185.47	4,394.74	4,614.48	4,845.20
Senior Water Utility Worker	64	3,830.61	4,022.14	4,223.25	4,434.41	4,656.13

Transportation Coordinator	53	3,433.47	3,605.14	3,785.40	3,974.67	4,173.40
Wastewater Treatment Plant Operator I	49	3,299.51	3,464.49	3,637.71	3,819.60	4,010.58
Wastewater Treatment Plant Operator II	59	3,644.69	3,826.92	4,018.27	4,219.18	4,430.14
Wastewater Treatment Plant Operator-In-Training	43	3,108.30	3,263.72	3,426.91	3,598.26	3,778.17
Water Utility Worker I	45	3,170.75	3,329.29	3,495.75	3,670.54	3,854.07
Water Utility Worker II	55	3,502.49	3,677.61	3,861.49	4,054.56	4,257.29

Appendix D

Flexible Staffing Program

Purpose

The purpose of flexible staffing is to provide non-competitive promotional opportunities to employees assigned to certain classifications. The program establishes criteria for promotion from the entry-level I position, to the journey level (II, Sr.). The program serves to increase worker skills and encourage cross training in related fields in order to provide more effective use of available resources.

Program Guidelines

The following guidelines shall apply to all classifications, which are a part of the flexible staffing program:

1. The employee must receive an overall rating in his/her performance appraisal of an average of "three" or better for two years prior to promotion and have no ratings of "one" in those two years.
2. The employee must have exhibited that he/she can satisfactorily perform the duties and exhibit knowledge and abilities contained in his/her current job description prior to being eligible to promote.
3. The employee must meet experience, education, certification(s) and driver's license criteria established for promotion to the next higher-level class to be considered for promotion.
4. Employees must be able to demonstrate their ability to perform a range of practical skills related to actual job requirements and pass a written examination.
5. A minimum of three years experience as a regular full-time employee at the entry-level I position is required prior to promotion.

Flexible Staff Positions

Public Works Department

Maintenance Worker
Senior Maintenance Worker

**RIVERBANK LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 6.4**

SECTION 6: NEW BUSINESS

Meeting Date:	June 9, 2015
Subject:	Workshop on Fiscal Year 2015-2016 Local Redevelopment Authority (LRA) Budget
From:	Jill Anderson, City Manager
Submitted by:	Debbie Olson, Executive Director Melissa Holdaway, Administrative Analyst II

RECOMMENDATION

It is recommended that the Local Redevelopment Authority (LRA) Board of Directors (Board) receive a presentation on the proposed Fiscal Year 2015-2016 LRA Budget.

SUMMARY

Attached you will find the proposed Fiscal Year LRA budget for 2015-2016. The budget statement provides a short-term look at the LRA's fiscal accountability and compliance with restrictions on the use of certain financial resources. This report includes all funds as a whole to assess the LRA's financial condition.

BACKGROUND:

A recap of the revenue/expenditures is shown below including updated budgetary numbers received since the last discussion. We have highlighted any changes for ease of reading.

RESERVE PROJECTIONS

Estimated Beginning Cash-on-hand/Reserve (July 1, 2015)	\$ 840,618
FY 2015-16 Estimated Revenues	\$3,683,420
FY 2015-16 Estimated Expenditures	\$2,486,865
Reserve to Budget	82%
Anticipated Ending Cash-on-hand/Reserve (June 30, 2016)	\$2,037,173

These numbers reflect an anticipated \$3,683,420 in revenues. This is a reduction (4%) over the previous year which can be attributed to the one-time funds we received from the Environmental Services Cooperative Agreement (ESCA) in the previous fiscal year.

The budget proposes \$2,486,865 of expenditures this fiscal year. You'll note this is a 37% reduction in expenditures from last year due to the completion of ESCA 1 and the completion of a sizable capital improvement in the electrical infrastructure.

Site Revenue Projections

Revenues in this category are made up of Rents, Sale of Personal Property, Department of Defense (DoD) Caretaker Revenue, Utility Revenue and Miscellaneous Revenue.

FY 2014-15 Budget	FY 2015-16 Budget	Difference	% Change
\$2,514,014	\$2,973,338	\$459,324	18%

Several factors are worth noting:

1. Tenant revenues are projected to increase by 10% +/- in the FY 2015-16 due to tenant CPI increases and additional tenant revenue from planned expansions.
2. During this time, the Memorandum of Agreement (MOA) to the Economic Development Conveyance is anticipated to be signed which will provide the LRA with bills of sale for personal property. Once in hand, the LRA will have the legal authority to receive the intangible personal property, sell equipment currently being leased by tenants as well as sell any non-contaminated personal property set aside for sale during ESCA 1.
3. DOD Caretaker Revenue is included through March 30, 2015. Note: this funding may cease once the Memorandum of Agreement (MOA) to the economic development conveyance (EDC) is signed.
4. Utility Revenues are expected to increase due to planned tenant expansions, fuller site utilization and new equipment purchases.
5. Miscellaneous Revenue increased due to the expected settlement of the Marten Transport lawsuit and payment of a claim for damages.

Site Expenditure Projections

Site expenditures are costs associated with facility operations and maintenance, facility management, security and also includes the OEA grant match. These costs are projected to decrease in FY 2015-16, as noted below.

FY 2014-15 Budget	FY 2015-16 Budget	Difference	% Change
\$2,454,700	\$1,773,003	-\$681,697	-28%

Site maintenance expenditures in the next fiscal year show a significant decrease over the previous year due primarily to the completion of a large capital improvement to the electrical system in FY 2014-15 and other projected cost reductions.

Grant Revenue Projections

Grant revenue includes revenue from ESCA #1 and funding from Office of Economic Adjustment. It is expected to decrease for the fiscal year as follows:

FY 2014-15 Budget	FY 2015-16 Budget	Difference	% Change
\$1,316,611	\$710,082	-\$606,529	-46%

Grant Expenditure Projections

Grant expenditures are expected to decrease for the fiscal year as follows:

FY 2014-15 Budget	FY 2015-16 Budget	Difference	% Change
\$1,316,611	\$392,699	-\$923,912	-70%

Grant expenditures are the sum of remaining ESCA #1 expenditures and total revenue received from the Office of Economic Adjustment Grant (OEA).

Additional Budget Items of Note

The LRA staff, Army and Regulatory Agencies are working on a second ESCA but at the time of writing this staff report, there is no signed agreement. As a result, you will note that, while there is a place holder in the budget, the revenue and expenses associated with that project are not included in this budget. The remediation project will result in significant increases to both revenues and expenditures. When and if this is executed in this fiscal year, there will be an amendment to the budget requested for approval.

In addition, while the money shown as "OEA Grants" has been applied for, the grant funding from OEA for FY 2014-15 is not yet approved, so this number may change. The actual OEA grant funding will also be handled as an adjustment in the next quarter or as part of the mid-year budget adjustment, as has been the practice in years past.

FINANCIAL IMPACT

As noted in the staff report, the proposed budget will increase reserves by more than \$1,196,553 and leave an 82% reserve.

STRATEGIC PLANNING ALIGNMENT

The presentation of the LRA's FY 2015-16 budget supports the City's mission and reinforces the City's core values of transparency and fiscal responsibility.

ATTACHMENT

1. FY 2015-16 Budget worksheet

LRA Proposed Fiscal Year 2015-2016 Budget					
	<u>2014-15 Budget</u>	<u>2015-16 Budget</u>	<u>Difference</u>	<u>% Change</u>	
REVENUES					
OEA Grants	493,099	364,501	-128,598	-26%	
Rents	1,320,000	1,456,800	136,800	10%	
Sale of Personal Property	500,000	500,000	0		
DOD Caretaker Revenue	74,014	98,685	24,671	33%	
ED Bank - Specific Plan	0	0	0		
Utility Revenue from Tenants	600,000	725,000	125,000	21%	
Miscellaneous Revenue	20,000	192,853	172,853	36%	
ESCA #1	823,512	345,581	-477,931	-58%	
ESCA #2					
Total Revenue	3,830,625	3,683,420	-147,205	-4%	
EXPENDITURES					
Salaries and Fringe					
Salaries	293,049	245,338	-47,711	-16%	
Fringe	131,028	128,836	-2,192	-2%	
Administrative Expenses					
Travel	4,500	3,000	-1,500	-33%	
Equipment	3,800	0	-3,800	-100%	
Office Supplies/Legal Ads	6,780	2,710	-4,070	-60%	
Phones	4,700	5,220	520	11%	
Copier	6,060	4,560	-1,500	-25%	
Postage	500	500	0	0%	
Janitorial	2,640	2,000	-640	-24%	
Marketing/Branding	5,000	10,000	5,000	100%	
Professional Services					
Legal	200,000	200,000	0	0%	
Other Services	35,000	19,950	-15,050	-43%	
Insurance Premiums	130,000	100,000	-30,000	-23%	
Facility Operations & Maintenance					
Well maintenance	1,500	1,500	0	0%	
Permits	4,000	6,000	2,000	50%	
Water Testing	5,000	7,000	2,000	40%	
Electrical PM	140,000	70,000	-70,000	-50%	
Electrical Infrastructure Upgrade/Repair	610,000		-610,000	-100%	
Fire Supression Maintenance	60,000	5,000	-55,000	-92%	
Landscaping	8,000	8,000	0	0%	
Propane	3,000	3,000	0	0%	
Repairs	100,000	112,853	12,853	13%	
Fire Assessment Fees*	0	200	200	100%	
Common Area Costs (electric, water, garbage)	750,000	860,000	110,000	15%	
Infrastructure Improvements	0	0	0		
Future Grant Match	0	0	0		
Tenant Improvements	0	20,000	20,000	100%	
Facility Mgmt/Security Services Contracts					
Security	168,000	168,000	0	0%	
Facility Management	475,000	475,000	0	0%	
ESCA #1					
Weston Contract ESCA #1	166,149	28,198	-137,951	-83%	
Fixed Cost	313,000	0	-313,000	-100%	
SJES Contract ESCA #1	45,254	0	-45,254	-100%	
Administrative Expenses	4,597	0	-4,597	-100%	
ED Bank	294,512	0	-294,512	-100%	
Total Expenditures	3,971,069	2,486,865	-1,484,204	-37%	
Net Revenues Less Expenditures	-140,444	1,196,555	1,336,999		

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.5

SECTION 6: NEW BUSINESS

Meeting Date:	June 9, 2015
Subject:	Adopt the Post-Construction Standards Plan for the City of Riverbank
From:	Jill Anderson, City Manager
Submitted by:	Marisela Garcia, Director of Finance Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION:

It is recommended that the City Council of the City of Riverbank Adopt the Post-Construction Standards Plan as a guidance document on storm water post-construction design measures for developers and plan checkers.

BACKGROUND:

In July 2013, the City of Riverbank complied with the Small MS4 General Permit and filed a Notice of Intent and a Guidance Document that specifies actions and activities over the next five (5) years necessary to reduce the discharge of pollutants in storm water to the maximum extent practicable and for compliance with the General Permit. The regulations specify six (6) minimum control measures to be developed and implemented over the next four (4) years. As a result, in year two (2) municipalities are required to develop and implement a post-construction standards plan as a guidance document on storm water post-construction design measures for developers and plan checkers. This plan is a guide for project proponents and municipal plan checkers through the various site design requirements of the Phase II Municipal Separate Storm Water System (MS4) Permit.

To meet this requirement, the City collaborated with WGR, Environmental, Health & Safety Consultants, and 17 different Central Valley municipalities to share the cost in developing a standardized plan that developers can follow to meet the Phase II MS4 requirements. Collaboration on this plan also allows for regional training of plan checkers on this common plan saving more cost and time for each municipality.

PURPOSE OF THE PLAN:

The Federal Clean Water Act is the driving force behind all of the new regulations to manage storm water discharges from new development and redevelopment projects. The State issues National Pollutant Discharge Elimination System (NPDES) permits for discharges of storm water from construction, industrial and municipal entities to Waters of the United States. Small municipalities have been identified by the State to obtain permit coverage under the Phase II General NPDES Permit for MS4. Through this permit the City of Riverbank is required to implement various storm water management programs, one of which is to require certain new development and applicable redevelopment projects to incorporate post-construction storm water control measures into their design that include LID and hydromodification techniques. According to the California State Water Resource Control Board, urban storm water runoff is listed as the primary source of impairment for ten percent of all rivers, lakes and reservoirs, and seventeen percent of the estuaries in California. Increasing urbanization through new development and redevelopment has been shown to cause more frequent storm water discharge events, higher peak flow velocities, and larger volumes of storm water runoff. These conditions affect water quality by mobilizing greater and more frequent loads of pollutants such as sediment, organic material, trash, nutrients, pathogens, heavy metals, and other toxic substances. These conditions contribute to drainage system erosion, and deposition of sediment and pollutants in deltas and basins. The deterioration of the waterways has a direct impact on municipalities by causing them to perform more maintenance on existing systems and to develop new drainage systems with higher capacities.

This plan is designed to provide developers and municipal plan checkers with information on how to meet the State Water Board's requirements for mitigating the negative impact of increase in storm water runoff caused by new development and redevelopment. The document includes information on Low Impact Development (LID) standards, which mitigates excessive runoff by the use of control measures that utilize evapo-transpiration, infiltration, capture, reuse, and biotreatment to mimic the runoff of a natural environment. Hydromodification techniques are used to design development sites so that post-construction runoff flow rates do not exceed those of the pre-construction conditions.

Developers will be equipped with information in the plan to submit a package to the City as a part of its permitting or plan check process that will adequately demonstrate how the project will meet the LID and hydromodification requirements. Plan checkers will be able to use the plan to objectively and sufficiently condition discretionary projects with the required post-construction storm water design requirements.

OVERVIEW OF THE POST-CONSTRUCTION REQUIREMENTS:

The Phase II MS4 Permit requires the City of Riverbank to condition certain small projects with implementing one or more Site Design Measures that "treat" storm water runoff using methods to evapo-transpire, infiltrate, harvest and reuse, or biotreat.

Proponents of larger projects will need to implement one or more Site Design Measures and are required to implement into their design, and on-going activities, specific Source

Control Measures to minimize the impact of pollutant-generating activities. Larger projects will also need to incorporate into its design specific Low Impact Development (LID) Standards and Hydromodification Management Measures that slow and minimize the amount of runoff.

The role of the municipal plan checker is to verify that applicable projects have been properly conditioned with the post-construction standards. The project proponent's role is to incorporate into their design completed development post-construction measures that reduce the volume of runoff and mitigate pollutants in runoff. Design measures will need to be selected that are appropriate for the project and will adequately meet the goals of the Post-Construction Standards Plan.

The contents of the plan details the Applicability of a developer's project the Submittal and Review Process, Requirements for Small Projects (2,500 to 5,000 ft), Regulated Projects (create or replace 5,000 ft. or more of impervious surface), Operation and Maintenance of Post-Construction Measures, and Municipal-Specific Information.

The Appendix includes a Glossary, Acronyms, Section E.12 of the Phase II MS4 Permit, Post-Construction Management Flow Chart, State of California Post-Construction Calculator, Volumetric Sizing Tool for Treatment Controls, Design Standard References, Post-Construction Project Worksheet, O & M Plan and Certificate of Responsibility Form, and a List of Collaborating Municipalities.

FINANCIAL IMPACT:

The Post-Construction Standards Plan is a new plan that is part of the second phase of the MS4 requirements imposed on the smaller Cities. At this time educating the Developers and City Staff on the requirements is a big part of implementing the plan, and will require staff time. This obligation will create a daily personnel demand on the Development Services Department Construction Inspector and administrative personnel in meeting this requirement of the permit.

ATTACHMENT:

1. Post-Construction Standards Plan

City of Riverbank
6707ThirdStreet
Riverbank, CA 95367
Tel (209) 863-7127
www.riverbank.org



POST- CONSTRUCTION STANDARDS PLAN

A GUIDANCE DOCUMENT ON STORM WATER
POST-CONSTRUCTION DESIGN MEASURES FOR
DEVELOPERS AND PLAN CHECKERS

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INTRODUCTION AND REGULATORY REQUIREMENTS

1 Introduction and Regulatory Requirements

This Post-Construction Standards Plan was prepared for the City of Riverbank to guide project proponents and municipal plan checkers through the various site design requirements of the Phase II Municipal Separate Storm Water Sewer System (MS4) Permit. This opening section describes the purpose of the plan; a background summary of the Federal and State regulations; the regional collaborative approach taken by many Central Valley municipalities; an overview of the post-construction site design requirements; and, finally, the roles and responsibilities of the plan checker and project proponent.

1.1 PURPOSE OF THE PLAN

According to the California State Water Resource Control Board (Water Board), urban storm water runoff is listed as the primary source of impairment for ten percent of all rivers, lakes and reservoirs, and seventeen percent of all estuaries in California.¹ While these numbers may not seem significantly large, considering that urban areas cover only six percent of the land mass of California², the impact that runoff from urban areas have on California's surface waters is disproportionately large. When the Water Board uses the term "urbanization", it is referring to the development of land through which the imperviousness percentage increases; meaning that buildings and hardscapes prevent water from infiltrating into the ground, thereby, causing it to flow off of the property. Increased urbanization through new development and redevelopment has been shown to cause more frequent storm water discharge events, higher peak flow velocities, and larger volumes of storm water runoff. These conditions, if not properly managed, can



Figure 1 - Channels, streams, and drainage ways are over taxed by increases in runoff caused by increased development and impervious surfaces.

affect water quality by mobilizing greater and more frequent loads of pollutants such as sediment, organic material, trash, nutrients, pathogens, heavy metals, and other toxic substances. These conditions also over tax existing natural and man-made drainage systems, causing accelerated erosion of channels and deposition of sediment and pollutants in estuaries, deltas, and basins. Conditions such as these could cause flooding and deterioration of waterways that, at one time, may have been adequate to handle expected runoff. This has a direct impact on municipalities by causing them to

perform more maintenance on existing systems and to develop new drainage systems with higher capacities. Urbanization and the resulting runoff can also impact

¹ Fact Sheet of the Phase II MS4 Permit, Order No. 2013-0001-DWQ, p. 33 - 34

² U.S. Department of Agriculture, 2009

INTRODUCTION AND REGULATORY REQUIREMENTS

the State's ability to realize the full potential of the beneficial uses of its surface waters.

Low Impact Development – A sustainable practice that benefits water supply and contributes to water quality protection. Unlike traditional storm water management, which collects and conveys storm water runoff through storm drains, pipes, or other conveyances to a centralized storm water facility, Low Impact Development (LID) takes a different approach by using site design and storm water management to maintain the site's pre-development runoff rates and volumes. The goal of LID is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall. LID has been a proven approach in other parts of the country and is seen in California as an alternative to conventional storm water management.

Source: Phase II MS4 Permit Glossary

The purpose of this document is to provide developers and municipal plan checkers with information on how to meet the State Water Board's requirements for mitigating the negative impact of increases in storm water runoff caused by new development and redevelopment. This document accomplishes this goal through the incorporation of Low Impact Development standards and hydromodification management techniques. Low Impact Development (LID) mitigates excessive runoff by the use of control measures that utilize evapo-transpiration, infiltration, capture / reuse, and biotreatment to mimic the runoff of a natural environment. Hydromodification techniques are used to design development sites so that post-construction runoff flow rates do not exceed those of the pre-construction conditions.

Using this document, developers will be equipped to provide a submittal package to the municipality as a part of its permitting or plan check process to adequately demonstrate how the project will meet the LID and hydromodification requirements.

Plan checkers will be able to use this document to objectively and sufficiently condition discretionary projects with the required post-construction storm water design requirements.

1.2 FEDERAL AND STATE REGULATORY REQUIREMENTS

The Federal Clean Water Act is the impetus behind all of these regulations to manage storm water discharges from new development and redevelopment projects. The Clean Water Act delegates authority to the States to issue National Pollutant Discharge Elimination System (NPDES) permits for discharges of storm water from construction, industrial, and municipal entities to Waters of the United States. Large and medium size municipalities were issued individual municipal NPDES permits in the first phase (Phase I) of the process. Subsequently, small municipalities identified by the State of California were required to obtain permit coverage under the Phase II General NPDES Permit for Municipal Separate Storm Water Sewer Systems (MS4). These Phase II MS4s (municipalities) are required to implement various storm water management programs, one of which is to require certain new development and applicable redevelopment projects to incorporate post-construction storm water control measures into their design that include LID and hydromodification techniques. The City of Riverbank is one of the municipalities specified in the current Phase II MS4 Permit that must comply with these post-construction requirements, which are contained in Section E. 12 of Order No. 2013-0001-DWQ. (Refer to [Appendix 3](#) for copy of Section E.12 of the Phase II MS4 Permit.)

INTRODUCTION AND REGULATORY REQUIREMENTS

1.3 REGIONAL APPROACH AND MUNICIPAL COLLABORATION

The post-construction requirements are not new with this version of the Phase II MS4 Permit. The previous version of the permit also contained LID and post-construction requirements. For many years now, Phase I MS4s have been requiring development and redevelopment projects to include post-construction design measures into site designs. Even projects outside of an MS4 now have to incorporate post-construction and LID measures into their designs as required by the State's Construction General Permit. However, as this area of storm water management has grown to maturity, post-construction requirements and programs have changed significantly over the years to where there can be dramatic differences between the control measures required in two neighboring municipalities. This, obviously, can cause confusion for developers. With the roll out of the current Phase II MS4 Permit and the requirement for municipalities to, for the most part, completely overhaul their post-construction requirements to meet the Section E.12 requirements, an opportunity arose for many Phase II MS4s to work together and develop a consistent Post-Construction Storm Water Standards Plan. Collaboration on this task not only shares the cost of development with other MS4s, but also provides a standardized plan that developers will encounter in 17 different Central Valley municipalities. Another benefit is that it allows for regional training of plan checkers on this common plan, saving more cost and time for each municipality. Refer to [Appendix 10](#) for a list of the collaborating Central Valley municipalities.

1.4 OVERVIEW OF THE POST-CONSTRUCTION REQUIREMENTS

The Phase II MS4 Permit requires the City of Riverbank to condition certain small projects with implementing one or more **Site Design Measures** that “treat” storm water runoff using methods to evapo-transpire, infiltrate, harvest and reuse, or biotreat. After proponents of small projects select the Site Design Measure(s), they are required to quantify the runoff reduction achieved through the implementation of those measures. This is done using the State Water Board's Post-Construction Calculator (which can be downloaded following the information provided in [Appendix 5](#)).

Proponents of larger projects are required to implement into their design and on-going activities specific **Source Control Measures** to minimize the impact of pollutant-generating activities. For example, if the project includes a permanent trash enclosure in its design, it will be required to be designed following the California Storm Water Quality Association's (CASQA) design standard SD-32; meaning, that among other requirements, the trash enclosure will need to have a wall or screen around it and a rain proof covering or container lids. This larger project will also need to incorporate into its design specific **Low Impact Development (LID) Standards** such as

Hydromodification - Modification of hydrologic pathways (precipitation, surface runoff, infiltration, groundwater flow, return flow, surface-water storage, groundwater storage, evaporation and transpiration) that results in negative impacts to watershed health and functions.

Source Control - Land use or site planning practices, or structural or nonstructural measures, that aim to prevent runoff pollution by reducing the potential for contact with rainfall runoff at the source of pollution. Source control BMPs minimize the contact between pollutants and urban runoff.

Source: Phase II MS4 Permit Glossary

INTRODUCTION AND REGULATORY REQUIREMENTS

concentrating development on portions of the site with less permeable soils and preserving areas that can promote infiltration. As with the smaller project, the larger project will need to implement one or more **Site Design Measures** to “treat” storm water, such as with permeable pavement or a green roof. But in the case of a larger project, the Site Design Measure(s) will have to be sized following one of two specified hydraulic sizing criteria. In addition, the project will be required to be designed to incorporate into it **Hydromodification Management Measures** that slow and minimize the amount of runoff so that, ideally, and where possible, there is no net-increase of the post-construction runoff flow rate compared to the pre-construction value for a 2-year, 24-hour storm event. The project proponent or subsequent property owner is required to maintain these storm water control measures in an effective condition for perpetuity.

1.5 ROLE OF THE MUNICIPAL PLAN CHECKER

The Phase II MS4 Permit states that the municipality “shall require these post-construction standards to be applied on applicable new and redevelopment regulated projects, both private development requiring municipal permits and public projects, to the extent allowable by applicable law.” Therefore, the role of the municipal plan checker is to verify that applicable projects have been properly conditioned with the post-construction standards. The plan checker will be responsible for performing the following tasks:

- Since LID is integral with the design, communication of post-construction submittal requirements shall be included in land use permits or conditions of approval. A copy of the plan will be available by _____.
- Perform an initial review of the submitted post-construction package including the completed Post-Construction Project Worksheet (included in [Appendix 8](#)) and the Operation and Maintenance Plan and Certificate of Responsibility ([Appendix 9](#)).
- Transmit the package to the municipality’s in-house or contracted engineering staff for review of design and calculations.
- Communicate to the project proponent any required changes or modifications and request a re-submittal of information.
- Review the adequacy of the submitted Operation and Maintenance Plan for the proposed post-construction design measures and make sure that the signed Certificate of Responsibility has been received.
- Condition the project with the proposed and approved post-construction design measures.
- Maintain records of all submitted post-construction design information and plans for a minimum of 5 years.
- Entered into a database or spreadsheet information about Regulated Projects so that they can be tracked by the municipality for annual verification that the storm water treatment measures and hydromodification measures are being maintained in an effective condition.

INTRODUCTION AND REGULATORY REQUIREMENTS

1.6 ROLE OF THE PROJECT PROPONENT

The Phase II MS4 Permit and the City of Riverbank require project proponents to incorporate into its design and completed development post-construction measures that reduce the volume of runoff and mitigate pollutants in runoff. The role of the project proponent is to select design measures that are appropriate for the project and will adequately meet the goals of this Post-Construction Standards Plan. The project proponent will be responsible for performing the following tasks:

- Selecting, sizing, and engineering site design measures, source control measures, and hydromodification management techniques that are adequate in meeting the requirements of this plan.
- Providing to the municipal plan checker the required submittal package, supporting information, maps, drawings, and calculations; including plans and calculations that have been stamped by a certified and / or licensed professional.
- Providing an Operation and Maintenance Plan and a signed Certificate of Responsibility to the plan checker for the on-going maintenance of the constructed post-construction design measures.
- Providing any additional requested information to the plan checker.
- Verifying that approved site design measures and source control measures are constructed as specified on the approved plans.

APPLICABILITY

2 Applicability

In regards to the Post-Construction Standards Plan, all projects fall into one of three possible categories: small, regulated, or not applicable. If a project does not qualify under either of the two following sections, the Post Construction Standards Plan does not apply to it.

2.1 SMALL PROJECTS 2,500 TO 5,000 FT²

Small projects are defined as those that create and/or replace between 2,500 ft² and 5,000 ft² of impervious surface. This includes projects that have no net increase in the impervious footprint. Single family homes that create and / or replace 2,500 ft² or more of impervious surface and are not part of a larger plan of development are considered to be applicable small projects. Small projects would include, but not limited to, the following:

- New construction that creates between 2,500 ft² and 5,000 ft² of impervious surface;
- A demolition of a small project site and the redevelopment of that site if more than 2,500 ft² of impervious surface is replaced or created;
- The replacement of 2,500 ft² or more of a parking lot;
- The construction of a new parking lot that is less than 5,000 ft²; and
- A roadway or sidewalk project that is creating or replacing between 2,500 ft² and 5,000 ft² of impervious surface.

Linear utility projects (LUPs) are not subject to the small project Site Design Measure requirements.

2.2 REGULATED PROJECTS >5,000 FT²

For the purposes of this Post-Construction Standards Plan, a “Regulated Project” is one that will create and / or replace 5,000 ft² or more of impervious surface. Regulated Projects include new and redevelopment projects on public or private land that fall under the planning and permitting authority of the municipality. Redevelopment is defined as any land-disturbing activity that results in the creation, addition, or replacement of exterior impervious surface areas on a site on which some past development has occurred. Redevelopment



Figure 2 - A single family home that creates and / or replaces 2,500 ft² or more is a small project.

Impervious Surface - A surface covering or pavement of a developed parcel of land that prevents the land's natural ability to absorb and infiltrate rainfall/storm water. Impervious surfaces include, but are not limited to; roof tops, walkways, patios, driveways, parking lots, storage areas, impervious concrete and asphalt, and any other continuous watertight pavement or covering. Landscaped soil and pervious pavement, including pavers with pervious openings and seams, underlain with pervious soil or pervious storage material, such as a gravel layer sufficient to hold the specified volume of rainfall runoff are not impervious surfaces.

*Post-Construction Standards Plan
Source: Phase II MS4 Permit Glossary*

APPLICABILITY

projects do not include pavement grinding and resurfacing of existing roadways; construction of new sidewalks, pedestrian ramps, or bike lanes on existing roadways; or routine replacement of damaged pavement for short, non-contiguous sections of roadway.

Regulated Projects do not include the following:

- Detached single family homes that are not a part of a larger plan of development (they are considered to be a “small project” even if they exceed 5,000 ft² of impervious surface);
- Projects that are exclusively interior remodels;
- Routine maintenance or repair such as exterior wall surface replacement, pavement grinding and resurfacing within the existing footprint, and roofing replacement or repair;
- Projects consisting solely of sidewalks or bicycle lanes built as part of new streets or roads and built to direct storm water runoff to adjacent vegetated areas;
- Projects consisting solely of impervious trails built to direct storm water to adjacent non-erodible permeable areas;
- Projects consisting solely of sidewalks, bicycle lanes, or trails constructed with permeable surfaces;
- Replacement of damaged pavement or the replacement of short, non-contiguous sections of roadways; and
- Trenching, excavation, and resurfacing associated with Linear Utility Projects (LUPs) unless it has a discrete location that has 5,000 ft² or more of newly constructed contiguous impervious surface such as a pump station or maintenance facility. In such cases, only the discrete location is subject to this Post-Construction Standards Plan.

Please note that some of the above-listed projects may still be considered “small projects” even if they are exempted from being a Regulated Project.

2.2.1 The 50% Rule

If a redevelopment project results in an increase of more than 50 percent of the impervious surface of a previously existing development, runoff from the entire project, consisting of all existing, new, and / or replaced impervious surfaces, must be included in the selection and sizing of site design measures, LID design standards, and hydromodification management measures to the extent feasible. However, if the redevelopment project results in an increase of less than 50 percent of the impervious surface, only runoff from the new and /or replaced impervious surface must be included in the selection and sizing of site design measures, LID design standards, and hydromodification management measures.

APPLICABILITY

For street and road widening projects that include additional traffic lanes, where the addition of traffic lanes results in an alteration of more than 50 percent of the impervious surface, runoff from the entire project must be included in the selection and sizing of site design measures, LID design standards, and hydromodification management measures. However, if the addition of traffic lanes results in an alteration of less than 50 percent of the impervious surface, only the runoff from the new and / or replaced impervious surface is required to be included in the selection and sizing of site design measures, LID design standards, and hydromodification management measures.



Figure 3 - Capital improvement projects such as roadways must include post-construction design measures and be appropriately sized.

THE SUBMITTAL AND REVIEW PROCESS

3 The Submittal and Review Process

Projects applicable to this Post-Construction Standards Plan may originate from different sources. They may be private non-discretionary or discretionary projects, or they may be municipal-owned projects. The following sections describe how applicable projects are detected by the municipality and appropriately conditioned with post-construction design requirements. This section also summarizes the submittal requirements for each type of project.

3.1 MINISTERIAL (NON-DISCRETIONARY BUILDING PERMIT) PROJECTS

Projects that are ministerial or non-discretionary projects are those that are not required to pass through the plan check process and can be issued a building permit over the counter. Typically, these projects will either not be applicable to this Post-Construction Standards Plan or be considered “small” projects as defined in [Section 2.1](#). Specific submittal requirements for small projects are identified in [Section 4](#) of this plan. In general, proponents of non-discretionary small projects, will need to submit, at the permit counter, information about the project, the selected design measures, and a printout copy of the State Water Board’s Post-Construction Calculator.

If a ministerial project is found to be a “Regulated Project” as defined in [Section 2.2](#), the requirement for the project to include site design measures, source control measures, LID design standards, and hydromodification management techniques will necessitate that it pass through the plan check process and, thus, will make it become a discretionary project, with respect to this Post-Construction Standards Plan.

3.2 DISCRETIONARY (PLAN CHECK) PROJECTS

Discretionary projects are those that are required to pass through the plan check process and be conditioned with site-specific requirements. Discretionary projects have the potential to be classified as “small”, “regulated”, or not applicable to this Post-Construction Standards Plan. In general, proponents of discretionary projects must submit to the plan checker information about the project, which may include: the project’s applicability status to the Post-Construction Standards Plan, site design plans and specifications, a completed Post-Construction Project Worksheet form, and an O&M Plan and signed Certificate of Responsibility. The plan checker will review the post-construction submittal package for completeness and will direct it to the engineering reviewers. Once comments are received from the engineering reviewers, the project proponent will be notified by the plan checker of any required modifications or of the approval of the proposed post-construction design measures. Regulated Projects will be entered into a database or spreadsheet to be tracked by the municipality for annual verification that the storm water treatment measures and hydromodification measures are being maintained in an effective condition.

THE SUBMITTAL AND REVIEW PROCESS

3.3 CAPITAL IMPROVEMENT / MUNICIPAL-OWNED PROJECTS

Public projects, capital improvement projects (CIPs), or other municipal-owned projects typically do not pass through the plan check process, but must also be reviewed for applicability of the post-construction requirements. The following process will be implemented by the City of Riverbank in conditioning and reviewing projects for the post-construction requirements of the municipality's Phase II MS4 Permit.

1. The municipal department sponsoring the project will review and evaluate the project's applicability to the post-construction requirements and make a determination as to whether the proposed project is a "small" project as defined in [Section 2.1](#), a "regulated" project as defined in [Section 2.2](#), or is exempt from the post-construction requirements.
2. The sponsoring department will submit to the **Engineering Department** a partially completed Post-Construction Project Worksheet (included in [Appendix 8](#)) which will identify information about the project and the selection of the required post-construction design measures. The **Engineering Department**, or an engineering contractor, will provide the sizing and design criteria for the selected site design measures, source control measures, LID design standards, and hydromodification management techniques.
3. The **Engineering Department** will develop an operation and maintenance plan for the post-construction treatment and hydromodification measures.
4. The municipality will maintain records of all project-related post-construction design information and plans for a minimum of 5 years.
5. Regulated Projects will be entered into a database or spreadsheet to be tracked by the municipality for annual verification that the storm water treatment measures and hydromodification measures are being maintained in an effective condition.

REQUIREMENTS FOR SMALL PROJECTS (2,500 TO 5,000 FT²)

4 Requirements for Small Projects (2,500 to 5,000 ft²)

The following is a 3-step process required by the City of Riverbank for small projects as defined in [Section 2.1](#).

4.1 SELECT SITE DESIGN MEASURES

The first step is for the project proponent to select and implement into the project's design one or more of the following **Site Design Measures**:

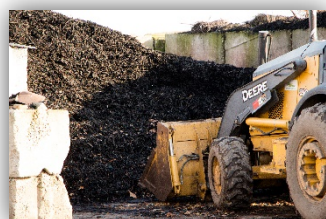


Stream Setbacks and Buffers – are vegetated areas (including trees, shrubs, riparian habitat, or herbaceous vegetation) that exist or are established to protect a stream system, lake, reservoir, or estuary. These areas provide a buffer between the development and the water body to filter out pollutants carried by storm water, provide stabilization of erodible banks and opportunities to infiltrate water prior to discharging, and help slow peak flows. The *California Storm Water Quality Association's (CASQA) Best Management Handbook (BMP) for New Development and Redevelopment* has a specification sheet (TC-31) for Vegetated Buffer Strips that contains useful information applicable to stream setbacks and buffers. It can be downloaded at:

www.casqa.org/sites/default/files/BMPHandbooks/tc-31_from_newdevelopmentredevelopment_handbook.pdf

Contra Costa County has compiled a list of Northern California and other U.S. counties who have stream buffer requirements. This list can be accessed at the following website and utilized as guidance for sizing buffer widths:

www.acgov.org/pwa/documents/Contra%20Costa%20County%20HCP%20Table%206-4%20Setbacks.pdf



Soil Quality Improvement and Maintenance – is accomplished through the addition of soil amendments and the creation of a healthy microbial community. Soils with higher organic content are less likely to erode and also provide nutrients needed to maintain healthy plants. This, in turn, means that landscaping will require less fertilizers and pesticides. Soils with more organic content or covered with a compost layer will retain moisture, requiring them to be irrigated less often. Engineered soils allow water to infiltrate and be stored below grade providing LID and hydromodification benefits. The United States Department of

REQUIREMENTS FOR SMALL PROJECTS (2,500 TO 5,000 FT²)

Agriculture's Natural Resources Conservation Service (NRCS) has a publication called the *Urban Soil Primer* which is an excellent resource in helping developers understand how healthy soils improve water quality. This resource can be downloaded at:

www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052835.pdf



Tree Planting and Preservation – includes the preservation of existing trees and the establishment of new ones. Both evergreens and deciduous trees can be utilized. Trees are beneficial to water quality in that they help stabilize erodible soil, dissipate energy of falling rain, and help slow peak flow rates.



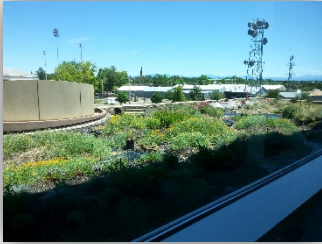
Rooftop and Impervious Area Disconnection – is where roof drains and hardscapes do not discharge directly to a storm drain inlet but are directed to permeable areas or rain water collection and harvesting mechanisms. Water, in excess of the permeable area's infiltration capacity or the capacity of the collection / harvesting system, can be directed to a drainage system. CASQA has a BMP specification sheet (SD-11) that provides information about designing roof runoff controls. It can be downloaded at:

www.casqa.org/sites/default/files/BMPHandbooks/sd-11.pdf



Porous Pavement – is pavement that allows runoff to pass through it and infiltrate into the underlying soils. Porous pavement systems are typically designed with a subsurface drainage and storage system that consists of a bed of rock and piped collection system below the porous pavement. Where soils have high infiltration rates, water is allowed to dissipate directly into the soil. Where infiltration rates are less than desirable, a sub-grade gravity collection system conveys excess water to a storm water outfall or storm water sewer system. Porous pavement includes porous asphalt and concrete, porous pavers and bricks, cobbles, reinforced grass pavement, and gravel covered surfaces.

REQUIREMENTS FOR SMALL PROJECTS (2,500 TO 5,000 FT²)



Green Roofs – is an engineered vegetative layer grown on a roof that allows a certain amount of runoff reduction by infiltration, storage, and evapo-transpiration. In 2010, the United States Environmental Protection Agency (USEPA) published a document titled: *Design Guidelines and Maintenance Manual for Green Roofs in the Semi-Arid and Arid West*. This guidance document can be downloaded at:

<http://www2.epa.gov/sites/production/files/documents/GreenRoofsSemiAridAridWest.pdf>



Vegetated Swales – are a vegetated, open-channel management practice designed specifically to treat and attenuate storm water runoff through infiltration, biotreatment, and evapo-transpiration. If they are designed with engineered soils, storage and greater infiltration can be achieved. CASQA has a BMP specification sheet (TC-30) that provides information about designing vegetated swales. It can be downloaded at:

www.casqa.org/sites/default/files/BMPHandbooks/TC-30.pdf



Rain Barrels and Cisterns – is a system that collects and stores storm water runoff from a roof or other impervious surfaces. Collected water is saved and reused for irrigation or other purposes. In 2008, the USEPA published a document titled: *Managing Wet Weather with Green Infrastructure Municipal Handbook: Rainwater Harvesting Policies*. This guidance document can be downloaded at:

http://water.epa.gov/infrastructure/greeninfrastructure/upload/gi_munichandbook_harvesting.pdf

The City of San Diego published a Rain Water Harvesting Guide, which can be downloaded at:

<http://www.sandiego.gov/water/pdf/conservation/rainwaterguide.pdf>

REQUIREMENTS FOR SMALL PROJECTS (2,500 TO 5,000 FT²)

4.2 QUANTIFY THE RUNOFF REDUCTION

The second step for small projects is for the project proponent to quantify the runoff reduction resulting from the implementation of the selected Site Design Measure(s). The Phase II MS4 Permit does not set any goals or minimum amounts of runoff reduction. Therefore, this step is only informational. To accomplish this quantification of runoff reduction, the project proponent is required to utilize the State Water Board's Post-Construction Calculator which is available on the Water Board's SMARTS website or can be accomplished through the State's Microsoft Excel™ version of the calculator. The Water Board has created an instructional video on how to populate and use the Post-Construction Calculator. Information about how to access the calculator is included in [Appendix 5](#) of this document.

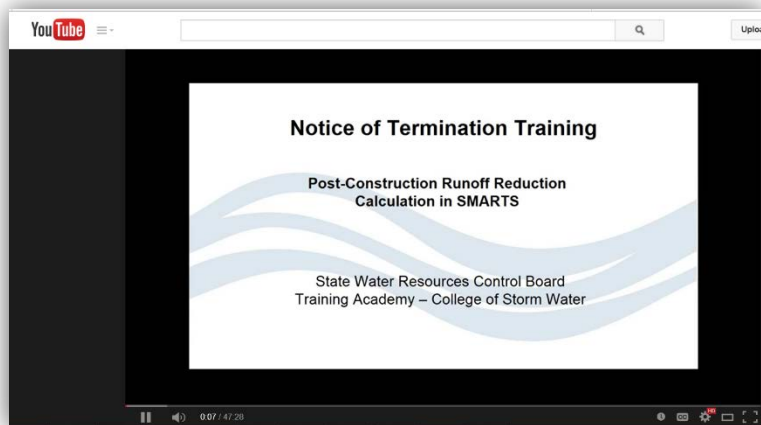


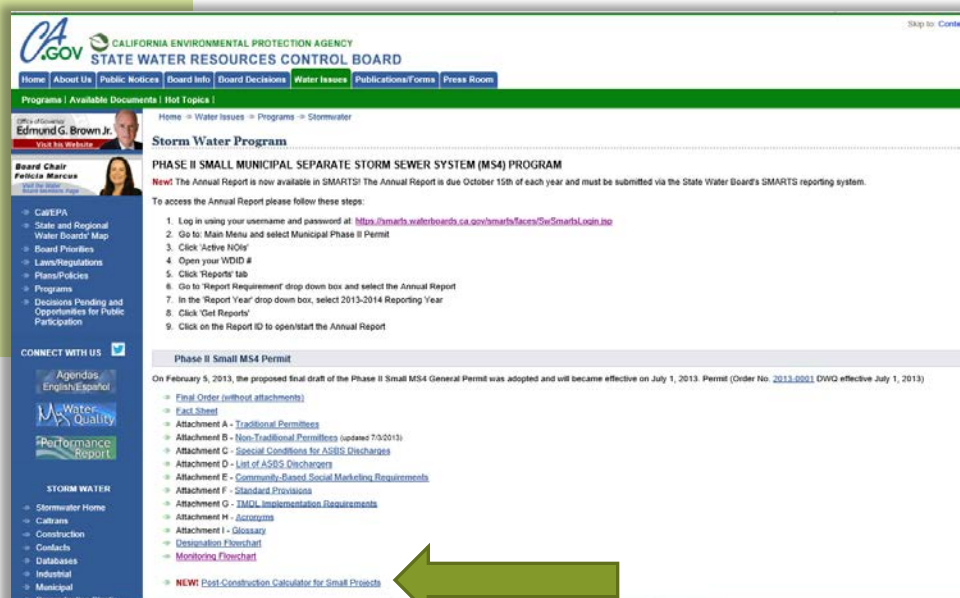
Figure 4 - The Water Board created this 47-minute video that describes how to use the Post-Construction Calculator on SMARTS. It will also help with the Excel version. Although the video was created for the Construction General Permit, it also applies to the Post-Construction Standards Plan. It can be accessed at:

<https://www.youtube.com/watch?v=W3nj4pj8WHY&feature=youtu.be>

Post-Construction Calculator for Small Projects

The Water Board has created a Microsoft Excel version of the calculator that can now be downloaded from the State Water Board's website at the following link:

http://www.swrcb.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml



REQUIREMENTS FOR SMALL PROJECTS (2,500 TO 5,000 FT²)

4.3 PREPARE THE SUBMITTAL

The third and final step for the “small” project proponent is to compile the information required to be submitted to the plan checker. This includes the following items:

- A completed Post-Construction Worksheet (obtained from [Appendix 8](#)).
- Site plans showing the selected Site Design Measure(s) (identified in [Section 4.1](#)). The plans must be stamped by a California Civil Professional Engineer if any of the following Site Design Measures were selected: rooftop and impervious area disconnection, porous pavement, or rain cisterns. The plans must be stamped by a California Structural Professional Engineer if a green roof was selected or if there is a significant structural aspect to the rain cisterns and collection system. The plans must be stamped by a California Licensed Landscape Architect if any of the following Site Design Measures were selected: stream setbacks and buffers, soil quality improvement, or vegetated swales. The Site Design Measure(s) must be clearly called out on the submitted plans.
- A printout of the results page from the Water Board’s SMARTS or Microsoft Excel™ Post-Construction Calculator.

INPUT FOR WATERSHED: Enter watershed details and click on the Compute & Save button.

I.a. Name:

I.b. County:

I.c. Closest Location:

I.d. Size(acres):

Pre-Construction INPUT

I.e. Dominant Soil Type:

I.f. Existing Dominant Non-built Land Use Type:

I.g. Existing rooftop Impervious area(acres):

I.h. Existing non-rooftop Impervious area(acres):

Post-Construction INPUT

I.i. Proposed Dominant Non-built Land Use Type:

I.j. Proposed rooftop Impervious area(acres):

I.k. Proposed non-rooftop Impervious area(acres):

OUTPUT:

O.a. Existing Runoff Curve Number:

O.b. Design Storm(Inches):

O.c. Pre-project Runoff Volume(Cubic Feet):

O.g. Post-project Runoff Volume minus Volume Credits(Cubic Feet):

O.d. Proposed Runoff Curve Number:

O.e. Net Credit of Volume Credits(Cubic feet):

O.f. Post-project Runoff Volume(Cubic Feet):

Post-project Runoff Volume minus Volume Credits <=> Pre-project Runoff Volume. No further calculation is necessary!

Volume Credit Calculator Worksheets:

Formula	Credit(Cubic Feet)
A. Porous Pavement	0
B. Tree Planting	223.772
C. Downspout Disconnection	
D. Impervious Area Disconnection	
E. Green Roof	
F. Stream Buffer	
G. Vegetative Swale	
H. Rain Barrels/Cisterns	
I. Soil Quality	2906.699

This is the runoff reduction quantity in ft³

Disregard this message

Figure 5 - The results summary from the Post-Construction Calculator is required to be provided with the submittal to the municipal plan checker. It is important to note that there is no requirement to meet any specific volume reduction, but only to quantify the reduction of the selected Site Design Measure(s). The calculator may state that the runoff volume credit has not been met; but, disregard any such message.

REQUIREMENTS FOR REGULATED PROJECTS

5 Requirements for Regulated Projects

The following is a 6-step process required by the City of Riverbank for Regulated Projects as defined in [Section 2.2](#).

5.1 SPECIFY DRAINAGE MANAGEMENT AREAS

Regulated Projects are required to provide a map or diagram that divides the development into discrete Drainage Management Areas (DMAs). These are areas of the project where the nature of the development is distinct from the other portions of the development and, therefore, require a unique approach to mitigating storm water runoff. A separate DMA would also be necessary for portions of the project where post-construction design measures are dedicated to that portion and operate independently from the other DMAs. Some projects will have multiple DMAs while other projects may have only one single DMA.

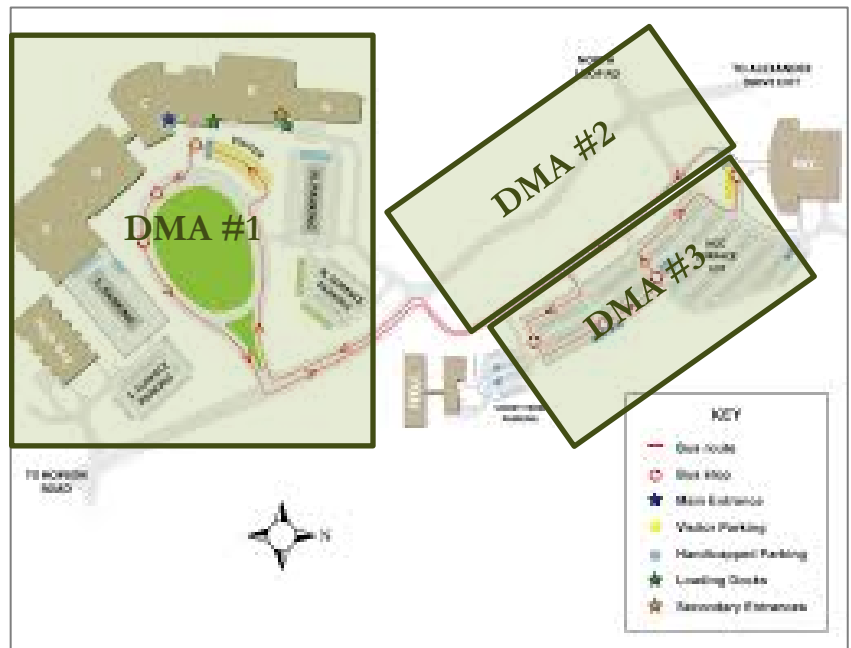


Figure 6 - Regulated Projects must submit a map with the boundaries of the various DMAs depicted.

5.2 IDENTIFY APPLICABLE SOURCE CONTROLS

The project proponent is required to identify potential sources of pollutants and to include into the design appropriate Best Management Practices / Source Controls. If a proposed Regulated Project has any of the potential pollutant-generating activities or sources identified in [Table 1](#), it must be designed and operated consistent with the recommendations provided in the CASQA Storm Water BMP Handbooks. A link is provided in [Table 1](#) to each BMP specification. The CASQA Handbooks can be accessed in their entirety at www.CASQA.org. There is an annual subscription to access the Commercial / Industrial Handbook and the Construction Handbook. At the date of this edition of the Post-Construction Standards Plan, CASQA was still offering free access to their BMP Handbooks for Municipal Operations and New Development and Redevelopment.

REQUIREMENTS FOR REGULATED PROJECTS

TABLE 1 – LIST OF SOURCE CONTROLS

Activity / Pollutant Source	CASQA BMP Handbook Link	Activity or Design-based Control Measure
Accidental spills or leaks	<u>SC-11</u>	Activity
Interior floor drains	<u>SC-10</u>	Activity and Design (connection of interior floor drains to the storm drainage system is prohibited)
Parking / storage areas and maintenance	<u>SC-43</u>	Activity
Indoor and structural pest control	<u>SC-35</u>	Activity
Landscape / outdoor pesticide use	<u>SD-10</u> <u>BG-40</u>	Activity
Pools, spas, ponds, decorative fountains, and other water features	<u>BG-63</u> <u>SC-72</u>	Activity and Design
Restaurants, grocery stores, and other food service operations	<u>BG-30</u>	Activity
Refuse areas	<u>SC-34</u> <u>SD-32</u>	Activity and Design
Industrial processes	<u>SD-35</u> <u>SD-36</u>	Design
Outdoor storage of equipment or materials	<u>SC-32</u> <u>SD-34</u>	Activity and Design
Vehicle and equipment cleaning	<u>SC-21</u> <u>SD-33</u> <u>BG-65</u>	Activity and Design
Vehicle and equipment repair and maintenance	<u>SC-22</u> <u>BG-21</u>	Activity
Fuel dispensing areas	<u>SC-20</u> <u>SD-30</u> <u>BG-22</u>	Activity and Design
Loading docks	<u>SC-30</u> <u>SD-31</u>	Activity and Design
Fire sprinkler test water	<u>SC-41</u>	Activity
Drain or wash water from boiler drain lines, condensate drain lines, rooftop equipment, drainage sumps, and other sources	<u>SC-10</u> <u>SC-41</u>	Activity
Unauthorized non-storm water discharges	<u>SC-10</u>	Activity
Building and grounds maintenance	<u>SC-41</u>	Activity

REQUIREMENTS FOR REGULATED PROJECTS

5.3 INCORPORATE LOW IMPACT DEVELOPMENT DESIGN STANDARDS

The project proponent must demonstrate how each DMA has been designed to accomplish the LID Standards listed in [Table 2](#).

TABLE 2 – LID STANDARDS

- | |
|--|
| 1. Define the development envelope and protected areas, identifying areas that are most suitable for development and areas to be left undisturbed. |
| 2. Concentrate development on portions of the site with less permeable soils and preserve areas that can promote infiltration. |
| 3. Limit overall impervious coverage of the site with paving and roofs. |
| 4. Set back development from creeks, wetlands, and riparian habitats. |
| 5. Preserve significant trees. |
| 6. Conform the site layout along natural landforms. |
| 7. Avoid excessive grading and disturbance of vegetation and soils. |
| 8. Replicate the site's natural drainage patterns. |
| 9. Detain and retain runoff throughout the site. |

In completing Post-Construction Project Worksheet (included in [Appendix 8](#)), the project proponent will be required to demonstrate for each DMA how it is accomplishing the nine LID Standards listed in [Table 2](#). This demonstration can be done through narrative description, calculations, supporting information, and / or site plans and diagrams. The municipal plan checker will review the project proponent's response to each of the nine LID Standards and may challenge unsubstantiated statements, request additional information, or request that more be done to meet the objective of one or more of these LID Standards.

5.4 SELECT AND SIZE SITE DESIGN AND TREATMENT CONTROL MEASURES

As with small projects, Regulated Projects must also select one or more Site Design Measures (also called “facilities” in the Phase II MS4 Permit) that infiltrate, evapo-transpire, harvest and reuse, or biotreat storm water runoff. Regulated Projects are required to reduce the amount of runoff by sizing each “facility” (Site Design or Treatment Control Measure) to one of two hydraulic design criteria specified in the Phase II MS4 Permit. This section of the plan discusses how project proponents select, size, and configure Site Design and Treatment Control Measures.

5.4.1 List of Site Design Measures and Associated Sizing Criteria

Many of the Site Design Measures are described in [Section 4.1](#) of this Post-Construction Standards Plan. [Table 3](#) lists these Site Design Measures along with other possible Treatment Control Measures that infiltrate, evapo-transpire, harvest and reuse, or biotreat storm water runoff. The project proponent will need to select one or more of these control measures for each DMA. For each measure listed in [Table 3](#), the appropriate hydraulic sizing criteria and specification reference is also provided.

REQUIREMENTS FOR REGULATED PROJECTS

TABLE 3 – SITE DESIGN AND TREATMENT CONTROL MEASURES

Site Design or Treatment Control Measure	Description	CASQA Specification	Sizing Criteria
Stream setbacks and vegetated buffers (Site Design Measure)	Preservation of a green strip or vegetated buffer between the development and the discharge point through which storm water runoff passes.	<u>TC-10</u>	Flow
Soil quality improvement (Site Design Measure)	Commonly used in conjunction with landscaping, bioretention, or storm water gardens. Also known as “engineered soils”, through which storm water can infiltrate. This provides additional on-site storage and reduces peak flow rates.	<u>TC-40</u>	Volume
Tree planting and preservation (Site Design Measure)	Incorporated into the site’s landscaping. Trees reduce the energy of falling rain and help to reduce peak flow rates.	<u>SD-10</u>	SMARTS Calculator
Porous pavement (Site Design Measure)	Porous asphalt, concrete, or pavers; cobbles or rock covered surfaces; typically with at least 18” of drainage rock below the porous surface covering to store and infiltrate storm water.	<u>SD-20</u>	Volume
Green roofs (Site Design Measure)	Plants and growing media permanently installed on a rooftop to allow a certain amount of storm water infiltration and storage.	<u>TC-40</u>	Volume
Vegetated swales (Site Design Measure)	Storm water conveyance swales that are vegetated to stabilize the swale and prevent erosion. Vegetated swales improve water quality by providing filtration and bio-uptake of pollutants and by promoting sedimentation of suspended particles. Often, vegetative swales are used in conjunction with “soil quality improvement” to provide greater infiltration and / or with retention or detention basins.	<u>TC-30</u>	Flow
Rain harvesting and reuse (Site Design Measure)	Large scale or small scale capture, collection and re-use of storm water runoff. Includes rain barrels used at downspouts and large cisterns and collection systems.	<u>TC-12</u>	Volume
Bioretention and rain gardens (Treatment Control Measure)	Depressed landscaped areas to which storm water runoff flows. These rain gardens are designed with engineered soils so that they facilitate infiltration and storage of storm water.	<u>TC-32</u>	Volume
Infiltration trench, Flow-through Planter, or Tree Wells (Treatment Control Measure)	Similar in concept to a French drain or a leach field, in which storm water runoff is able to drain to a trench or pit that has been filled with rock. It provides underground storage of the water until it can infiltrate into the soils.	<u>TC-10</u>	Volume and Flow
Retention and detention basins (Treatment Control Measure)	Aboveground storage of storm water runoff in a basin that allows it to infiltrate into soils and / or be stored and released at a slower flow rate. Impounded water must be infiltrated or discharged within 72 hours to avoid vector breeding problems.	<u>TC-11</u> <u>TC-12</u> <u>TC-22</u> <u>TC-40</u>	Volume

A single control measure or a combination of two or more of the control measures specified in [Table 3](#) can be used to meet the hydraulic sizing criteria for each DMA. An example of a control measure combination would be a site using engineered soils below a vegetated swale and using a rain harvesting /

REQUIREMENTS FOR REGULATED PROJECTS

collection system for roof drains that are in the same DMA. Information for on-line publicly available design references and guidance to many of the above-listed control measures are provided in [Appendix 7](#).

5.4.2 Volumetric Criteria

The Phase II MS4 Permit requires the municipality to condition applicable new development and redevelopment projects to require “facilities” designed to evapo-transpire, infiltrate, harvest/use, and biotreat storm water **and that are designated on Table 3 as a volume-based control measure** to meet at least one of the following volumetric hydraulic sizing design criteria:

- The maximized capture storm water volume for the tributary area, on the basis of historical rainfall records, determined using the formula and volume capture coefficients in the *Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87 (1998)* pages 175-178 (that is, approximately the 85th percentile 24-hour storm runoff event); **or**
- The volume of annual runoff required to achieve 80 percent or more capture, determined in accordance with the methodology in Section 5 of *CASQA's Stormwater Best Management Practice Handbook, New Development and Redevelopment (2003)*, using local rainfall data.

As a part of this Post-Construction Standards Plan, the City of Riverbank is providing the project proponent with a Microsoft Excel™ worksheet that calculates the volumetric criteria. (Refer to [Appendix 6](#) for information on how to download and use the worksheet). In this worksheet, capture volumes can be calculated using both of the above-referenced volumetric criteria methods. Both methods are described in Section 5 of the *2003 Edition of the CASQA Stormwater Best Management Practice Handbook for New Development and Redevelopment*. Section 5 of the handbook can be accessed and downloaded at the following web link:

www.casqa.org/sites/default/files/BMPHandbooks/BMP_NewDevRedev_Section_5.pdf

The project proponent can select either method to size the Site Design and Treatment Control Measures that require volumetric sizing as specified in [Table 3](#). **To satisfy the plan check requirements one or more of these control measures must be used for each DMA and sized for the total runoff area of the DMA.**

The State Water Board's Post-Construction Calculator (refer to [Appendix 5](#)) provides a discharge credit for trees by allowing an area of 218 ft² for each evergreen tree and 109 ft² for each deciduous tree. If trees are included within the DMA boundary, the project proponent may take the total area within the DMA (number of trees multiplied by the allowed area credit) multiplied by the “P” value (converted from inches to feet) as shown on Volumetric Sizing Tool in [Appendix 6](#). This will provide a volume reduction in cubic feet which may be used in meeting the overall volumetric criteria for the DMA and has been built into the Volumetric Sizing Tool.

REQUIREMENTS FOR REGULATED PROJECTS

5.4.3 Flow-Based Criteria

The Phase II MS4 Permit requires the municipality to condition applicable new development and redevelopment projects to require “facilities” designed to evapo-transpire, infiltrate, harvest/use, and biotreat storm water **and that are designated on Table 3 as a flow-based control measure** to meet at least one of the following flow-based hydraulic sizing design criteria:

- The flow of runoff produced from a rain event equal to at least 0.2 inches per hour intensity; **or**
- The flow of runoff produced from a rain event equal to at least 2 times the 85th percentile hourly rainfall intensity as determined from local rainfall records. Local rainfall records are provided in Appendix D of the *CASQA Stormwater Best Management Practice Handbook for New Development and Redevelopment* for Fresno, Sacramento, and Redding, California.³ Table 4 below provides the 85th percentile hourly rainfall intensities for these Central Valley locations as reported in the CASAQ BMP Handbook.

TABLE 4 - RAINFALL INTENSITIES AND FLOW-BASED DESIGN VALUES

Central Valley Weather Station	85 th Percentile Rainfall Intensity (inches/hour)	Flow-Based Design Value (2 x 85 th Percentile Intensity in inches/hour)
Fresno – Yosemite International Airport (3257)	0.090	0.180
Sacramento – 5 ESE (7633)	0.093	0.186
Redding – Municipal Airport (7304)	0.130	0.260

The project proponent can select either method to size the Site Design and Treatment Control Measures that require flow-based sizing as specified in Table 3. **To satisfy the plan check requirements one or more of these control measures must be used for each DMA and sized for the total runoff area of the DMA.**

5.4.4 Allowed Variations and Exceptions

Site Design and Treatment Control Measures that infiltrate or bioretain storm water into the subsurface may be altered in their design as specified on Table 5.

TABLE 5 – ALLOWED DESIGN VARIATIONS

Condition	Allowed Variation
Facilities located within 10 feet of structures or other potential geotechnical hazards established by the geotechnical expert for the project	May incorporate an impervious cutoff wall between the bioretention / infiltration facility and the structure or other geotechnical hazard

³ www.casqa.org/sites/default/files/BMPHandbooks/BMP_NewDevRedev_Appendix_D.pdf

REQUIREMENTS FOR REGULATED PROJECTS

Facilities with documented high concentrations of pollutants in underlying soil or groundwater; facilities located where infiltration could contribute to a geotechnical hazard; and facilities located on elevated plazas or other structures	May incorporate an impervious liner and may locate the underdrain discharge at the bottom of the subsurface drainage/storage layer (this configuration is commonly known as a “flow-through planter”)
Facilities located in areas of high groundwater, highly infiltrative soils or where connection of underdrain to a surface drain or to a subsurface storm drain are infeasible	May omit the underdrain
Facilities serving high-risk areas such as fueling stations, truck stops, auto repairs, and heavy industrial sites	Are required to provide additional treatment to address pollutants of concern prior to the flow reaching the infiltration facility

If the project proponent demonstrates that the use of bioretention or infiltration control measures are infeasible at the site, other types of treatment such as tree-box biofilters, compost filters, or in-vault media filters may be utilized for the following types of projects:

1. Projects creating or replacing an acre or less of impervious area, and located in a designated pedestrian-oriented commercial district (i.e., smart growth projects), and having at least 85% of the entire project site covered by permanent structures;
2. Facilities receiving runoff solely from existing (pre-project) impervious areas; and
3. Historic sites, structures or landscapes that cannot alter their original configuration in order to maintain their historic integrity.

If any of these alternate non-infiltrating treatment control measures are utilized, they must meet the following performance criteria:

- Sized to treat the volumetric criteria specified in [Section 5.4.2](#) or the flow-based criteria in [Section 5.4.3](#) as appropriate to the type of treatment control measure selected.
- Selected to effectively remove pollutants of concern associated with the new development.

The project proponent is required to support the demonstration of infeasibility of using bioretention or infiltration control measures at the project site and the selection of the alternate non-infiltration treatment control measure(s) through the opinion of a qualified expert such as a California licensed Professional Civil Engineer, a California licensed Professional Geologist, a California licensed Geotechnical Engineer, and/or an EnviroCert International, Inc. Certified Professional in Storm Water Quality (CPSWQ). If an alternate non-infiltrating treatment control measure(s) is proposed by the project proponent, a technical report, stamped and signed by any of the above-referenced experts, demonstrating infeasibility of bioretention or infiltration and the selection and sizing of the alternate treatment control measure must be submitted with the Post-Construction Project Worksheet ([Appendix 8](#)).

REQUIREMENTS FOR REGULATED PROJECTS

5.5 INCORPORATE HYDROMODIFICATION MANAGEMENT MEASURES

Storm water runoff that is not addressed with Site Design Measures must be treated with Treatment Control Measures (both of which are identified on [Table 3](#)) designed to infiltrate, evapo-transpire, and/or bioretain runoff. In other words, if the DMA is utilizing trees and a storm water capture, collection, and reuse system, **only the net runoff**, after factoring in the credit for the trees and for the amount captured / recycled, is subject to being included in the treatment control requirements. Treatment “facilities” must comply with the following design parameters:

1. Sized to treat the volumetric criteria specified in [Section 5.4.2](#) or the flow-based criteria in [Section 5.4.3](#) as appropriate to the type of treatment control measure selected;
2. Maximum surface loading rate of the infiltration facility of 5 inches per hour, based on the runoff rates calculated for the DMA;
3. Minimum surface reservoir volume equal to surface area of the infiltration facility times a depth of 6 inches;
4. Minimum planting medium depth of 18 inches. The planting medium must sustain a minimum infiltration rate of 5 inches per hour throughout the life of the project and must maximize runoff retention and pollutant removal. A mixture of sand (60%-70%) meeting the specifications of American Society for Testing and Materials (ASTM) C33 and compost (30%-40%) may be used.
5. Subsurface drainage/storage layer (typically gravel) with an area equal to the surface area and having a minimum depth of 12 inches;
6. Underdrain with discharge elevation at top of the gravel layer;
7. No compaction of soils beneath the treatment control “facility”; or if the soils had previously been compacted, they must be ripped and loosened;
8. No liners or other barriers interfering with infiltration; and
9. Appropriate plant palette for the specified soil mix and maximum available water use.

Alternatives to the above-listed nine design parameters for treatment “facilities” is allowed if **all** of the following equivalent effectiveness features are demonstrated:

- Equal or greater amount of runoff infiltrated or evapo-transpired;
- Equal or lower pollutant concentrations in runoff that is discharged after biotreatment / infiltration;
- Equal or greater protection against shock loadings and spills; and
- Equal or greater accessibility and ease of inspection and maintenance.

Regulated projects that create and / or replace one acre or more of impervious surface must have incorporated Site Design and Treatment Control Measures (from [Table 3](#)) that prevent the post-project runoff from exceeding the pre-project flow rate for a 2-year, 24-hour storm event. This does not include

REQUIREMENTS FOR REGULATED PROJECTS

projects that do not increase impervious surface area over the pre-project conditions. The 2-year, 24-hour values for a few selected Central Valley locations are shown in [Table 6](#). The 2-year, 24-hour storm event volumes for all of Northern California are included on an isopluvial map included on the last tab of the Volumetric Post-Construction BMP Sizing Tool (which can be downloaded following the instructions in [Appendix 6](#)).

TABLE 6 – 2-YEAR, 24-HOUR STORM TOTALS FOR SELECTED LOCATIONS

Location	2-Year 24-Hour Design Value
City of Redding	4.0 inches
Yuba City	2.25 inches
City of West Sacramento	2.25 inches
City of Lodi	1.8 inches
City of Modesto	1.4 inches
City of Oakdale	1.55 inches
City of Merced	1.55 inches

5.6 PREPARE THE SUBMITTAL

The sixth and final step for Regulated Projects is to compile the information required to be submitted to the plan checker. This includes the following items:

- A completed Post-Construction Worksheet is required (obtained from [Appendix 8](#)).
- A separate site plan for each DMA must be submitted. If there are multiple DMAs, a key map showing the location of the DMAs in relationship to one another and the entire site is required to be submitted. Each DMA site plan is required to show the following information:
 - ✓ DMA name and boundary;
 - ✓ The selected Site Design and Treatment Control Measures (identified in [Table 3](#));
 - ✓ The total drainage area in square feet of the DMA;
 - ✓ The pre-development peak flow rate at the point(s) of discharge;
 - ✓ The predicted post-development peak flow rate at the point(s) of discharge;
 - ✓ Areas of existing impervious surfaces (pre-development);
 - ✓ Proposed areas of impervious surfaces (post-development);
 - ✓ Setbacks from creeks, wetlands, and riparian habitats;
 - ✓ Existing topography and drainage patterns (pre-development);
 - ✓ Proposed topography and drainage patterns (post-development);

REQUIREMENTS FOR REGULATED PROJECTS

- ✓ Soil types, soil type boundaries within the DMA, and their Hydrologic Soil Group Classification rating (A, B, C, or D); and
- ✓ Trees, vegetation, and sensitive environmental areas to be protected and preserved.

Each plan must be stamped by a qualified licensed professional. The plans must be stamped by a California Civil Professional Engineer if any of the following control measures were selected: rooftop and impervious area disconnection, porous pavement, rain cisterns, bioretention or rain gardens, infiltration trench, or retention or detention basins. The plans must be stamped by a California Structural Professional Engineer if a green roof was selected or if there is a significant structural aspect to the rain cisterns and collection system. The plans must be stamped by a California licensed Landscape Architect if any of the following Site Design Measures were selected: stream setbacks and buffers, soil quality improvement, vegetated swales, bioretention and rain gardens. The selected Site Design and Treatment Control Measure(s) must be clearly called out on the submitted plans.

- Design drawings for the proposed Treatment Control Measures showing a plan view, elevation view, and subsurface cross-sections must be submitted. Sufficient detail and specifications should be included in these drawings to provide for adequate plan check review and for the construction of the treatment “facility”. Each design drawing must be stamped by a qualified licensed professional. The drawings must be stamped by a California Civil Professional Engineer if any of the following control measures were selected: rooftop and impervious area disconnection, porous pavement, rain cisterns, bioretention or rain gardens, infiltration trench, or retention or detention basins. The drawings must be stamped by a California Structural Professional Engineer if a green roof was selected or if there is a significant structural aspect to the rain cisterns and collection system. The drawings must be stamped by a California licensed Landscape Architect if any of the following Site Design Measures were selected: stream setbacks and buffers, soil quality improvement, vegetated swales, bioretention and rain gardens.
- A print out of the results page from the MS Excel™ Volumetric BMP Sizing Tool for each DMA and control measure that requires the volumetric sizing criteria is required to be submitted. (Refer to [Appendix 6](#) for information on how to download the tool.)
- Calculations stamped by the appropriate licensed individual (as described above) for each DMA and control measure that requires flow-based sizing criteria must be included with the submittal.

Soil types and Hydrologic Soil Groups (HSGs) can be identified using the USDA's online Web Soil Survey. The online tool uses aerial maps to select the area of interest. To access this online reference, go to:

<http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>

TABLE 7 – HYDROLOGIC SOIL GROUPS

Group A	Low runoff potential, high infiltration rates
Group B	Moderately low runoff potential, good infiltration rates
Group C	Moderately high runoff potential, low infiltration rates
Group D	High runoff potential, poor infiltration

For more information on the HSG classifications, go to:

<http://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=17757.wba>

REQUIREMENTS FOR REGULATED PROJECTS

- An Operation and Maintenance Plan and signed Statement of Responsibility for the proposed treatment control measures must accompany the submittal (refer to [Section 6](#)).

OPERATION AND MAINTENANCE OF POST-CONSTRUCTION MEASURES

6 Operation and Maintenance of Post-Construction Measures

Owners of the projects where post-construction treatment control measures (as identified on [Table 3](#)) were installed are required to maintain the control measures so that they operate effectively and as designed. To that effect, the project proponent during the plan check process must submit an Operation & Maintenance (O&M) Plan and a Statement of Responsibility.

6.1 LONG TERM PLAN FOR CONDUCTING REGULAR MAINTENANCE OF CONTROL MEASURES

The owner of the project where any post-construction treatment control measures were installed is required to prepare a written plan for conducting regular inspections and maintenance of the installed treatment facilities. The proposed O&M activities should be commensurate with the maintenance measures identified in the CASQA BMP specifications. (Refer to the hyperlinked references in [Table 3](#).) The O&M Plan is required to identify the following information:

- Property name and address;
- Name of the DMA(s) and Treatment Control Measure(s);
- Property owner's contact information including name, mailing address, telephone number, and email address;
- Contact information for any contracted or delegated inspectors and maintenance personnel;
- Minimum inspection frequency by the property owner or their designee;
- Conditions that require maintenance or repair of the Treatment Control Measure; and
- Preventative maintenance tasks, their frequency, and who will perform them.

The project proponent is required to use the form provided in [Appendix 9](#) for the O&M Plan submittal.

OPERATION AND MAINTENANCE OF POST-CONSTRUCTION MEASURES

6.2 STATEMENT OF RESPONSIBILITY

On the O&M Plan form (included in [Appendix 9](#)) is a Statement of Responsibility that must be accepted and signed by the property owner or the owner's duly authorized representative. The completed and signed form must be submitted during the plan check process. The statement indicates the current property owner's acceptance of responsibility for the on-going operation, inspection, and maintenance of the treatment control measures until the property and / or responsibility is legally transferred to another entity (such as the new property owner or a maintenance district). It is the responsibility of the current owner to notify the new owner or responsible party of their on-going O&M obligations. The storm water municipal code for the City of Riverbank provides the municipality with the legal authority to require any property owner to properly maintain installed storm water treatment control measures. The project proponent's signed statement accepting responsibility for the O&M of structural control measure(s) until such responsibility is legally transferred to another entity.

6.3 SELF-CERTIFICATION ANNUAL REPORTS

Each year the City of Riverbank will mail to owners of installed Treatment Control Measures an O&M self-certification form. This form is required by the municipal code to be completed annually by the owner of the property to certify that the O&M program (described in [Section 6.1](#)) is being implemented and that the Treatment Control Measure(s) is in an effective operational condition.

MUNICIPAL-SPECIFIC INFORMATION

7 Municipal-Specific Information

7.1 CONTACT INFORMATION

The City of Riverbank is subject to the State Water Board's Phase II MS4 Permit and is required to condition applicable new development and redevelopment projects with the requirements contained in this Post-Construction Standards Plan. This plan was prepared as a part of a collaborative effort with other California Central Valley municipalities which are listed in [Appendix 10](#). Although the plan is similar in content with these collaborating municipalities, it has been customized by the City of Riverbank to meet hydrologic, topographic, and geophysical conditions; local zoning and building standards; and organizational requirements specific to this municipality.

For more information on the requirements of this plan or to obtain additional guidance on how to meet the conditions of this plan, please contact:

Development Services Department
City of Riverbank
6707 Third Street
Riverbank, CA 95367
(209) 863-7127



For more information about the City of Riverbank's storm water program or to download a copy of this Post-Construction Standards Plan or related-forms and tools, go to:

www.riverbank.org

APPENDIX 1 - GLOSSARY

Glossary for the Post-Construction Standards Plan⁴

Capital Improvement Project (CIP) – A public project that is owned by the municipality. It is not subject to the plan check process but is subject to the Post-Construction Standards Plan and Section E.12 of the Phase II MS4 Permit. (Definition provided by the document publisher.)

Detached Single-family Home Project - The building of one single new house or the addition and/or replacement of impervious surface associated with one single existing house, which is not part of a larger plan of development.

Discretionary Project – A project that is subject to the municipal plan check process and discretionary review and conditioning.

Facility – For the purpose of this Post-Construction Development Standards Plan, facility refers to a Site Design Control or Treatment Control Measure and does not refer to a property, parcel, industrial plant, or place of business. (Definition provided by the document publisher.)

Hydromodification - Modification of hydrologic pathways (precipitation, surface runoff, infiltration, groundwater flow, return flow, surface-water storage, groundwater storage, evaporation and transpiration) that results in negative impacts to watershed health and functions.

Impervious Surface - A surface covering or pavement of a developed parcel of land that prevents the land's natural ability to absorb and infiltrate rainfall/storm water. Impervious surfaces include, but are not limited to; roof tops, walkways, patios, driveways, parking lots, storage areas, impervious concrete and asphalt, and any other continuous watertight pavement or covering. Landscaped soil and pervious pavement, including pavers with pervious openings and seams, underlain with pervious soil or pervious storage material, such as a gravel layer sufficient to hold the specified volume of rainfall runoff are not impervious surfaces.

Industrial Development - Development or redevelopment of property to be used for industrial purposes, such as factories, manufacturing buildings, and research and development parks.

Linear Underground/Overhead Projects (LUPs) - Include, but are not limited to, any conveyance, pipe, or pipeline for the transportation of any gaseous, liquid (including water and wastewater for domestic municipal services), liquescent, or slurry substance; any cable line or wire for the transmission of electrical energy; any cable line or wire for communications (e.g., telephone, telegraph, radio, or television messages); and associated ancillary facilities. Construction activities associated with LUPs include, but are not limited to, (a) those activities necessary for the installation of underground and overhead linear facilities (e.g., conduits, substructures, pipelines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment, and associated ancillary facilities); and include, but are not limited to, (b) underground utility mark-out, potholing, concrete and asphalt cutting and removal, trenching, excavation, boring and drilling, access road and pole/tower pad and cable/wire pull station, substation construction, substructure installation,

⁴ Definitions (unless otherwise specified) are from the Phase II MS4 NPDES General Permit, Order No. 2013-0001-DWQ, Attachment I; www.swrcb.ca.gov/water_issues/programs/stormwater/docs/phs2012_5th/att_i_glossary_final.pdf

construction of tower footings and/or foundations, pole and tower installations, pipeline installations, welding, concrete and/ or pavement repair or replacement, and stockpile/borrow locations.

Low Impact Development – A sustainable practice that benefits water supply and contributes to water quality protection. Unlike traditional storm water management, which collects and conveys storm water runoff through storm drains, pipes, or other conveyances to a centralized storm water facility, Low Impact Development (LID) takes a different approach by using site design and storm water management to maintain the site's pre-development runoff rates and volumes. The goal of LID is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall. LID has been a proven approach in other parts of the country and is seen in California as an alternative to conventional storm water management.

Ministerial Project – A project that is non-discretionary and consists of a grading or building permit that is pulled “over-the-counter” without a plan check review process. (Definition provided by the document publisher.)

Municipal Separate Storm Sewer System (MS4) - The regulatory definition of an MS4 (40 CFR 122.26(b)(8)) is "a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created to or pursuant to state law) including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges into waters of the United States. (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2." In practical terms, operators of MS4s can include municipalities and local sewer districts, state and federal departments of transportation, public universities, public hospitals, military bases, and correctional facilities. The Storm water Phase II Rule added federal systems, such as military bases and correctional facilities by including them in the definition of small MS4s.

National Pollutant Discharge Elimination System (NPDES) - A national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the CWA.

New Development - New Development means land disturbing activities; structural development, including construction or installation of a building or structure, creation of impervious surfaces; and land subdivision on an area that has not been previously developed.

Non-Discretionary Project – A project that is not subject to the municipal plan check process; also known as a ministerial project. (Definition provided by the document publisher.)

Pervious Pavement - Pavement that stores and infiltrates rainfall at a rate that exceeds conventional pavement.

Pollutants of Concern - Pollutants of concern found in urban runoff include sediments, non-sediment solids, nutrients, pathogens, oxygen-demanding substances, petroleum hydrocarbons, heavy metals, floatables, polycyclic aromatic hydrocarbons (PAHs), trash, and pesticides and herbicides.

Redevelopment - Land-disturbing activity that results in the creation, addition, or replacement of exterior impervious surface area on a site on which some past development has occurred. Redevelopment does not include trenching, excavation and resurfacing associated with LUPs; pavement grinding and resurfacing of existing roadways; construction of new sidewalks, pedestrian ramps, or bike lanes on existing roadways; or routine replacement of damaged pavement such as pothole repair or replacement of short, non-contiguous sections of roadway.

Regulated Project – Refers to projects subject to the new and redevelopment standards in Section E.12c. of the Phase II MS4 Permit and includes projects that create and / or replace 5,000 ft² or more of impervious surface.

Residential Housing Subdivision - Any property development of multiple single-family homes or of dwelling units intended for multiple families/households (e.g., apartments, condominiums, and town homes).

Riparian Areas – Plant communities contiguous to and affected by surface and subsurface hydrologic features of perennial or intermittent water bodies. Riparian areas have one or both of the following characteristics: 1) distinctively different vegetative species than adjacent areas, and 2) species similar to adjacent areas but exhibiting more vigorous or robust growth forms. Riparian areas are usually transitional between wetland and upland.

Small Project – Projects that create and / or replace between 2,500 and 5,000 ft² of impervious surface and detached single family home projects that create and / or replace more than 2,500 ft² and that are not part of a larger common plan. (Definition provided by the document publisher.)

Smart Growth Projects – Projects that produce multiple-benefits such as economic, social and environmental benefits. Smart growth projects commonly include high density development projects that result in a reduction of runoff volume per capita as a result of reduced impervious surface.

Source Control - Land use or site planning practices, or structural or nonstructural measures, that aim to prevent runoff pollution by reducing the potential for contact with rainfall runoff at the source of pollution. Source control BMPs minimize the contact between pollutants and urban runoff.

Surface Drainage - Any above-ground runoff (sheet, shallow concentrated, and open channel) that flows into the storm drain system.

Storm Drain System - The basic infrastructure in a municipal separate storm sewer system that collects and conveys storm water runoff to a treatment facility or receiving water body.

Storm Water – Storm water is generated when precipitation from rain and snowmelt events flows over land or impervious surfaces and does not percolate into the ground. As storm water flows over the land or impervious surfaces, it accumulates debris, chemicals, sediment or other pollutants that could adversely affect water quality if the storm water is discharged untreated.

Storm Water Treatment System - Any engineered system designed to remove pollutants from storm water runoff by settling, filtration, biological degradation, plant uptake, media absorption/adsorption or other physical, biological, or chemical process. This includes landscape-based systems such as grassy swales and bioretention units as well as proprietary systems.

Structural Controls - Any structural facility designed and constructed to mitigate the adverse impacts of storm water and urban runoff pollution.

Treatment - Any method, technique, or process designed to remove pollutants and/or solids from polluted storm water runoff, wastewater, or effluent.

APPENDIX 2 - ACRONYMS

Acronyms of the Post-Construction Standards Plan

ASTM	American Society for Testing and Materials
BMP	Best Management Practice
CASQA	California Storm Water Quality Association (www.CASQA.org)
CPSWQ	Certified Professional in Storm Water Quality
CIP	Capital Improvement Project
CWA	Clean Water Act
DMA	Drainage Management Area
HSG	Hydrologic Soil Group
LID	Low Impact Development
LUPs	Linear Utility Projects
MS4	Municipal Separate Storm Sewer System
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
O&M	Operation and Maintenance
PE	Professional Engineer
SMARTS	Storm Water Multi-Application, Reporting, and Tracking System (https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp)
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency

APPENDIX 3 – SECTION E.12 OF THE PHASE II MS4 PERMIT

E.12 POST CONSTRUCTION STORM WATER MANAGEMENT PROGRAM

E.12.a. Post-Construction Measures

Permittees shall regulate development to comply with the following Sections:

- E.12.b Site Design Measures
- E.12.c. Regulated Projects
- E.12.d. Source Control Measures
- E.12.e. Low Impact Development (LID) Design Standards
- E.12.f. Hydromodification Measures
- E.12.g. Enforceable Mechanisms
- E.12.h. Operation and Maintenance of Storm Water Control Measures
- E.12.i. Post-Construction Best Management Practice Condition Assessment
- E.12.j. Planning and Development Review Process
- E.12.k. Post-Construction Storm Water Management Requirements Based on Assessment and Maintenance of Watershed Processes
- E.12.l. Alternative Post-Construction Storm Water Management Program

E.12.b. Site Design Measures

- (i) **Task Description** – Within the **second year** of the effective date of the permit, the Permittee shall **require implementation of site design measures** for all projects that create and/or replace (including projects with no net increase in impervious footprint) between 2,500 square feet and 5,000 square feet of impervious surface, including detached single family homes that create and/or replace 2,500 square feet or more of impervious surface and are not part of a larger plan of development. Site design measures as specified in this section are not applicable to linear underground/overhead projects (LUPs).
- (ii) **Implementation Level** - Projects shall implement one or more of the following **site design measures** to reduce project site runoff:
 - (a) **Stream Setbacks and Buffers** - a vegetated area including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system, lake reservoir, or coastal estuarine area;
 - (b) **Soil Quality Improvement and Maintenance** - improvement and maintenance soil through soil amendments and creation of microbial community;
 - (c) **Tree Planting and Preservation** - planting and preservation of healthy, established trees that include both evergreens and deciduous, as applicable;
 - (d) **Rooftop and Impervious Area Disconnection** - rerouting of rooftop drainage pipes to drain rainwater to rain barrels, cisterns, or permeable areas instead of the storm sewer;
 - (e) **Porous Pavement** - pavement that allows runoff to pass through it, thereby reducing the runoff from a site and surrounding areas and filtering pollutants;
 - (f) **Green Roofs** - a vegetative layer grown on a roof (rooftop garden);
 - (g) **Vegetated Swales** - a vegetated, open-channel management practice designed specifically to treat and attenuate storm water runoff;
 - (h) **Rain Barrels and Cisterns** - system that collects and stores storm water runoff from a roof or other impervious surface.

Project proponents shall use the State Water Board SMARTS Post-Construction Calculator²¹, or equivalent to quantify the runoff reduction resulting from implementation of site design measures.

- (iii) **Reporting** - The Permittee shall use State Water Board SMARTS to submit a summary of the past year activities and certify compliance with all requirements of this program element. The summary shall also address the relationship between the program element activities and the Permittee's Program Effectiveness Assessment and Improvement Plan that tracks annual and long-term effectiveness of the storm water program. If a Permittee is unable to certify compliance with a requirement in this program element see Section E.16.a. for compliance directions.

E.12.c. Regulated Projects

- (i) **Task Description** – Within the **second year** of the effective date of the permit, the Permittee shall implement standards to effectively reduce runoff and pollutants associated with runoff from Regulated Projects as defined below.
- (ii) **Implementation Level** - The Permittee shall regulate all projects that create and/or replace 5,000 square feet or more of impervious surface (Regulated Projects). The Permittee shall require these Regulated Projects to implement measures for site design, source control, runoff reduction, storm water treatment and baseline hydromodification management as defined in this Order.

Regulated Projects do not include:

- Detached single family home projects that are not part of a larger plan of development;
- Interior remodels;

²¹ The State Water Board SMARTS Post-Construction Calculator can be found at:
<https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp>

- Routine maintenance or repair such as: exterior wall surface replacement, pavement resurfacing within the existing footprint.
- LUPs - Unless the LUP has a discrete location that has 5,000 square feet or more of newly constructed contiguous impervious surface. When the LUP has a discrete location that has 5,000 sq-ft or more of new contiguous impervious surface, only that specific discrete location is subject to Section E.12.c.

Regulated Projects include development projects. Development includes new and redevelopment projects on public or private land that fall under the planning and permitting authority of a Permittee. Redevelopment is any land-disturbing activity that results in the creation, addition, or replacement of exterior impervious surface area on a site on which some past development has occurred. Redevelopment does not include trenching, excavation and resurfacing associated with LUPs; pavement grinding and resurfacing of existing roadways; construction of new sidewalks, pedestrian ramps, or bike lanes on existing roadways; or routine replacement of damaged pavement such as pothole repair or replacement of short, non-contiguous sections of roadway. The following (a-c) describe specific Regulated Project requirements for redevelopment, road projects and LUPs:

- (a) Where a redevelopment project results in an increase of more than 50 percent of the impervious surface of a previously existing development, runoff from the entire project, consisting of all existing, new, and/or replaced impervious surfaces, must be included to the extent feasible.
- (b) Where a redevelopment project results in an increase of less than 50 percent of the impervious surface of a previously existing development, only runoff from the new and/or replaced impervious surface of the project must be included.
- (c) Road Projects and LUPs - Any of the following types of road projects and LUPs that create 5,000 square feet or more of newly constructed contiguous impervious surface and that are public road projects and/or fall under the building and planning authority of a Permittee shall comply with Section E.12.e. Low Impact Development Standards except that treatment of runoff of the 85th percentile that cannot be infiltrated onsite shall follow U.S. EPA guidance regarding green infrastructure to the extent feasible. Types of projects include:
 - 1) Construction of new streets or roads, including sidewalks and bicycle lanes built as part of the new streets or roads.
 - 2) Widening of existing streets or roads with additional traffic lanes.
 - a) Where the addition of traffic lanes results in an alteration of more than 50 percent of the impervious surface of an existing street or road, runoff from the entire project, consisting of all existing, new, and/or replaced impervious surfaces, must be included in the treatment system design.
 - b) Where the addition of traffic lanes results in an alteration of less than 50 percent (but 5,000 square feet or more) of the impervious surface

of an existing street or road, only the runoff from new and/or replaced impervious surface of the project must be included in the treatment system design.

- 3) Construction of linear underground/overhead projects (LUPs)
- 4) Specific exclusions are:
 - a) Sidewalks built as part of new streets or roads and built to direct storm water runoff to adjacent vegetated areas.
 - b) Bicycle lanes that are built as part of new streets or roads that direct storm water runoff to adjacent vegetated areas.
 - c) Impervious trails built to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable areas, preferably away from creeks or towards the outboard side of levees.
 - d) Sidewalks, bicycle lanes, or trails constructed with permeable surfaces.
 - e) Trenching, excavation and resurfacing associated with LUPs; pavement grinding and resurfacing of existing roadways and parking lots; construction of new sidewalks, pedestrian ramps, or bike lanes on existing roadways; or routine replacement of damaged pavement such as pothole repair or replacement of short, non-contiguous sections of roadway.

Effective Date for Applicability of Low Impact Development Runoff Standards to Regulated Projects: By the **second year** of the effective date of the permit, the Permittee shall require these Post-Construction Standards be applied on applicable new and redevelopment Regulated Projects, both private development requiring municipal permits and public projects, to the extent allowable by applicable law. These include discretionary permit projects that have not been deemed complete for processing and discretionary permit projects without vesting tentative maps that have not requested and received an extension of previously granted approvals. Discretionary projects that have been deemed complete prior to the second year of the effective date of this Order are not subject to the Post-Construction Standards herein. For the Permittee's Regulated Projects, the effective date shall be the date their governing body or designee approves initiation of the project design.

Permittee's Development Projects - The Permittee shall develop and implement an equivalent approach, to the approach used for private development projects, to apply the most current version of the low impact development runoff standards to applicable public development projects, to the extent allowable by applicable law.

E.12.d. Source Control Measures

- (i) **Task Description** – Regulated Projects with pollutant-generating activities and sources shall be required to implement standard permanent and/or operation source control measures as applicable.
- (ii) **Implementation Level** - Measures for the following pollutant generating activities and sources shall be designed consistent with recommendations from the CASQA

Stormwater BMP Handbook for New Development and Redevelopment or equivalent manual, and include:

- (a) Accidental spills or leaks
- (b) Interior floor drains
- (c) Parking/storage areas and maintenance
- (d) Indoor and structural pest control
- (e) Landscape/outdoor pesticide use
- (f) Pools, spas, ponds, decorative fountains, and other water features
- (g) Restaurants, grocery stores, and other food service operations
- (h) Refuse areas
- (i) Industrial processes
- (j) Outdoor storage of equipment or materials
- (k) Vehicle and equipment cleaning
- (l) Vehicle and equipment repair and maintenance
- (m) Fuel dispensing areas
- (n) Loading docks
- (o) Fire sprinkler test water
- (p) Drain or wash water from boiler drain lines, condensate drain lines, rooftop equipment, drainage sumps, and other sources
- (q) Unauthorized non-storm water discharges
- (r) Building and grounds maintenance

E.12.e. Low Impact Development (LID) Design Standards

- (i) **Task Description** – The Permittee shall require all Regulated Projects to implement low impact development (LID) standards designed to reduce runoff, treat storm water, and provide baseline hydromodification management to the extent feasible, to meet the Numeric Sizing Criteria for Storm Water Retention and Treatment under Section E.12.e(ii)(c).
- (ii) **Implementation Level** – The Permittee shall adopt and implement requirements and standards to ensure design and construction of development projects achieve the following LID Design Standards.

(a) Site Assessment

At the earliest planning stages, the Permittee shall require Regulated Projects to assess and evaluate how site conditions, such as soils, vegetation, and flow paths, will influence the placement of buildings and paved surfaces. The evaluation will be used to meet the goals of capturing and treating runoff and assuring these goals are incorporated into the project design. The Permittee may adopt or reference an existing LID site assessment methodology²² Permittees shall require Regulated Projects to consider optimizing the site layout through the following methods:

- 1) Define the development envelope and protected areas, identifying areas that are most suitable for development and areas to be left undisturbed.

²² Low Impact Development Manual for Southern California (Low Impact Development Center – See CASQA's LID website at: <http://www.casqa.org/LID/tabid/240/Default.aspx>.

- 2) Concentrate development on portions of the site with less permeable soils and preserve areas that can promote infiltration.
- 3) Limit overall impervious coverage of the site with paving and roofs.
- 4) Set back development from creeks, wetlands, and riparian habitats.
- 5) Preserve significant trees.
- 6) Conform the site layout along natural landforms.
- 7) Avoid excessive grading and disturbance of vegetation and soils.
- 8) Replicate the site's natural drainage patterns.
- 9) Detain and retain runoff throughout the site.

(b) Drainage Management Areas

The Permittee shall require each Regulated Project to provide a map or diagram dividing the developed portions of the project site into discrete Drainage Management Areas (DMAs), and to manage runoff from each DMA using Site Design Measures, Source Controls and/or Storm Water Treatment and Baseline Hydromodification Measures.

(c) Numeric Sizing Criteria for Storm Water Retention and Treatment

The Permittees shall require facilities designed to *evapotranspire, infiltrate, harvest/use, and biotreat* storm water to meet **at least one** of the following hydraulic sizing design criteria:

1) Volumetric Criteria:

- a) The maximized capture storm water volume for the tributary area, on the basis of historical rainfall records, determined using the formula and volume capture coefficients in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87 (1998) pages 175-178 (that is, approximately the 85th percentile 24-hour storm runoff event); or
- b) The volume of annual runoff required to achieve 80 percent or more capture, determined in accordance with the methodology in Section 5 of the CASQA's Stormwater Best Management Practice Handbook, New Development and Redevelopment (2003), using local rainfall data.

2) Flow-based Criteria:

- a) The flow of runoff produced from a rain event equal to at least 0.2 inches per hour intensity; or
- b) The flow of runoff produced from a rain event equal to at least 2 times the 85th percentile hourly rainfall intensity as determined from local rainfall records.

(d) **Site Design Measures**

The Permittee shall implement **Site Design Measures** (as defined in Section E.12.b. Site Design Measures and Section E.12.e(ii)(a) Site Assessment), site layout and design measures, based on the objective of achieving infiltration, evapotranspiration and/or harvesting/reuse of the 85th percentile 24-hour storm runoff event. Site design measures shall be used to reduce the amount of runoff, to the extent technically feasible, for which retention and runoff is required. *Any remaining runoff from impervious DMAs may then be directed to one or more bioretention facilities as specified in Section E.12.e.(ii)(f), below.*

(e) **Source Controls**

The Permittee shall implement Source Controls as defined in Section E.12.d. Source Control Measures.

(f) **Storm Water Treatment Measures and Baseline Hydromodification Management Measures**

After implementation of **Site Design Measures**, remaining runoff from impervious DMAs must be directed to one or more facilities designed to infiltrate, evapotranspire, and/or bioretain the amount of runoff specified in Section E.12.e(ii)(c) Numeric Sizing Criteria for Storm Water Retention and Treatment. *The facilities must be demonstrated to be at least as effective as a bioretention system with the following design parameters:*

- 1) Maximum surface loading rate of 5 inches per hour, based on the flow rates calculated. A sizing factor of 4% of tributary impervious area may be used.
- 2) Minimum surface reservoir volume equal to surface area times a depth of 6 inches.
- 3) Minimum planting medium depth of 18 inches. The planting medium must sustain a minimum infiltration rate of 5 inches per hour throughout the life of the project and must maximize runoff retention and pollutant removal. A mixture of sand (60%-70%) meeting the specifications of American Society for Testing and Materials (ASTM) C33 and compost (30%-40%) may be used.
- 4) Subsurface drainage/storage (gravel) layer with an area equal to the surface area and having a minimum depth of 12 inches.
- 5) Underdrain with discharge elevation at top of gravel layer.
- 6) No compaction of soils beneath the facility, or ripping/loosening of soils if compacted.
- 7) No liners or other barriers interfering with infiltration.
- 8) Appropriate plant palette for the specified soil mix and maximum available water use.

(g) **Alternative Designs** — Facilities, or a combination of facilities, of a different design than in Section E.12.e.(ii)(f) may be permitted if all of the following

measures of equivalent effectiveness are demonstrated:

- 1) Equal or greater amount of runoff infiltrated or evapotranspired;
- 2) Equal or lower pollutant concentrations in runoff that is discharged after biotreatment;
- 3) Equal or greater protection against shock loadings and spills;
- 4) Equal or greater accessibility and ease of inspection and maintenance.

(h) **Allowed Variations for Special Site Conditions** - The bioretention system design parameters in Section E.12.e.(ii)(f) may be adjusted for the following special site conditions:

- 1) Facilities located within 10 feet of structures or other potential geotechnical hazards established by the geotechnical expert for the project *may incorporate an impervious cutoff wall between the bioretention facility and the structure or other geotechnical hazard.*
- 2) Facilities with documented high concentrations of pollutants in underlying soil or groundwater, facilities located where infiltration could contribute to a geotechnical hazard, and facilities located on elevated plazas or other structures *may incorporate an impervious liner and may locate the underdrain discharge at the bottom of the subsurface drainage/storage layer* (this configuration is commonly known as a "flow-through planter").
- 3) Facilities located in areas of high groundwater, highly infiltrative soils or where connection of underdrain to a surface drain or to a subsurface storm drain are infeasible, *may omit the underdrain.*
- 4) Facilities serving high-risk areas such as fueling stations, truck stops, auto repairs, and heavy industrial sites *may be required to provide additional treatment to address pollutants of concern unless these high-risk areas are isolated from storm water runoff or bioretention areas with little chance of spill migration.*

(i) **Exceptions to Requirements for Bioretention Facilities** - Contingent on a demonstration that use of bioretention or a facility of equivalent effectiveness is infeasible, *other types of biotreatment or media filters (such as tree-box-type biofilters or in-vault media filters)* may be used for the following categories of Regulated Projects:

- 1) Projects creating or replacing an acre or less of impervious area, and located in a designated pedestrian-oriented commercial district (i.e., smart growth projects), and having at least 85% of the entire project site covered by permanent structures;
- 2) Facilities receiving runoff solely from existing (pre-project) impervious areas; and
- 3) Historic sites, structures or landscapes that cannot alter their original configuration in order to maintain their historic integrity.

By the second year of the effective date of the permit, each Permittee shall *adopt or reference appropriate performance criteria* for such biotreatment and media filters.

- (iii) **Reporting** – The Permittee shall use State Water Board SMARTS to submit a summary of the past year activities and certify compliance with all requirements of this program element. The summary shall also address the relationship between the program element activities and the Permittee's Program Effectiveness Assessment and Improvement Plan that tracks annual and long-term effectiveness of the storm water program. If a Permittee is unable to certify compliance with a requirement in this program element see Section E.16.a. for compliance directions.

E.12.f. Hydromodification Management

- (i) **Task Description** – Within the **third year** of the effective date of the permit, the Permittee shall develop and implement Hydromodification Management procedures. **Hydromodification management projects are Regulated Projects that create and/or replace one acre or more of impervious surface.** A project that does not increase impervious surface area over the pre-project condition is not a hydromodification management project.

- (ii) **Implementation Level** - The Permittee shall implement the following Hydromodification Standard:

- (a) **Post-project runoff shall not exceed estimated pre-project flow rate for the 2-year, 24-hour storm in the following geomorphic provinces (Figure 1):**

- Coast Ranges
- Klamath Mountains
- Cascade Range
- Modoc Plateau
- Basin and Range
- Sierra Nevada
- **Great Valley**

- (b) **Post-project runoff shall not exceed estimated pre-project flow rate for the 10-year, 24-hour storm in the following geomorphic provinces (Figure 1):**

- Transverse Ranges
- Peninsular Ranges
- Mojave Desert
- Colorado Desert



Figure 1. California Geomorphic Provinces

Alternatively, the Permittee may use a geomorphically based hydromodification standard or set of standards and analysis procedures designed to ensure that Regulated Projects do not cause a decrease in lateral (bank) and vertical (channel bed) stability in receiving stream channels. The alternative hydromodification standard or set of standards and analysis procedures must be reviewed and approved by the Regional Board Executive Officer.

- (iii) **Reporting** –The Permittee shall use State Water Board SMARTS to submit a summary of the past year activities and certify compliance with all requirements of this program element. The summary shall also address the relationship between the program element activities and the Permittee's Program Effectiveness Assessment and Improvement Plan that tracks annual and long-term effectiveness of the storm water program. If a Permittee is unable to certify compliance with a requirement in this program element see Section E.16.a.for compliance directions.

E.12.g. Enforceable Mechanisms

- (i) **Task Description** - Within the **third year** of the effective date of the permit, the Permittee shall develop and/or modify enforceable mechanisms that will effectively implement the requirements in Section E.12.b through f (if necessary).
- (ii) **Implementation Level** - The Permittee shall develop and/or modify enforceable mechanisms that will effectively implement the requirements in Section E.12.b through E.12.f and may include municipal codes, regulations, standards, and specifications. The Permittee shall:
 - (a) *Conduct an analysis* of all applicable codes, regulations, standards, and/or specifications *to identify modifications and/or additions necessary to fill gaps and remove impediments to effective implementation of project-scale development requirements.*
 - (b) *Approve new and/or modified enforceable mechanisms that effectively resolve regulatory conflicts and implement the requirements* in Sections E.12.b through E.12.f (if necessary)
 - (c) *Apply new and/or modified enforceable mechanisms to all applicable new and redevelopment projects. **Develop and make available specific guidance for LID BMP design***
 - (d) Complete a Tracking Report indicating the Permittee's accomplishments in education and outreach supporting implementation of LID requirements for new and redevelopment projects.

E.12.h. Operation and Maintenance of Post-Construction Storm Water Management Measures

- (i) **Task Description** - Within the **second year** of the effective date of the permit, the Permittee shall implement an **O&M Verification Program** for storm water treatment and baseline hydromodification management structural control measures defined in Section E.12.e(ii)(f). Storm Water Treatment Measures and Baseline Hydromodification Management Measures on all Regulated Projects.
- (ii) **Implementation Level** - At a minimum, the O&M Verification Program shall include the following elements:
 - (a) All Regulated Projects shall at a minimum, require *at least one of the following* from all project proponents and their successors in control of the Project or successors in fee title:
 - 1) The project proponent's signed statement accepting responsibility for the O&M of structural control measure(s) until such responsibility is legally transferred to another entity;
 - 2) Written conditions in the sales or lease agreements or deed for the project that requires the buyer or lessee to assume responsibility for the O&M of the installed treatment system(s) and hydromodification control(s) (if any) until such responsibility is legally transferred to another entity;

- 3) Written text in project deeds, or conditions, covenants and restrictions for multi-unit residential projects that require the homeowners association or, if there is no association, each individual owner to assume responsibility for the O&M of the installed treatment system(s) and hydromodification control(s) (if any) until such responsibility is legally transferred to another entity; or
 - 4) Any other legally enforceable agreement or mechanism, such as recordation in the property deed, that assigns the O&M responsibility for the installed treatment system(s) and hydromodification control(s) (if any) to the project owner(s) or the Permittee.
- (b) Coordination with the appropriate mosquito²³ and vector control agency with jurisdiction to establish a protocol for notification of installed treatment systems and hydromodification management controls. *On an annual basis, before the wet season, prepare a list of newly installed (installed within the reporting period) storm water treatment systems and hydromodification management controls to the local mosquito and vector control agency and the appropriate Regional Water Board.* The Permittee may submit the list of Regulated Projects as described in Section E.12.h.(ii)(e). This list shall include the facility locations and a description of the storm water treatment measures and hydromodification management controls installed.
 - (c) Conditions of approval or other legally enforceable agreements or mechanisms for all Regulated Projects that require the granting of site access to all representatives of the Permittee for the sole purpose of performing O&M inspections of the installed treatment system(s) and hydromodification control(s) (if any).
 - (d) A **written** implementation plan that describes O&M (including inspection) of all Regional Projects and regional controls that are Permittee-owned and/or operated.
 - (e) **A database or equivalent tabular format of all Regulated Projects** (public and private) that have installed treatment systems. This database or equivalent tabular format shall include the following information for each Regulated Project:
 - 1) Name and address of the Regulated Project;
 - 2) Specific description of the location (or a map showing the location) of the installed treatment system(s) and hydromodification control(s) (if any);
 - 3) Date(s) that the treatment system(s) and hydromodification controls (if any) is/are installed;
 - 4) Description of the type and size of the treatment system(s) and hydromodification control(s) (if any) installed;
 - 5) Responsible operator(s) of each treatment system and hydromodification control (if any);
 - 6) Dates and findings of inspections (routine and follow-up) of the treatment system(s) and hydromodification control(s) (if any) by the Permittee; and
 - 7) Any problems and corrective or enforcement actions taken.

²³ California Department of Public Health. (2012). Best Management Practices for Mosquito Control in California. Retrieved on July 20, 2012 from <http://www.westnile.ca.gov/resources.php>

- 8) **Maintenance Approvals:** The Permittee shall ensure that systems and hydromodification controls installed at Regulated Projects are properly operated and maintained for the life of the projects. In cases where the responsible party for a treatment system or hydromodification control has worked diligently and in good faith with the appropriate state and federal agencies and the Permittee to obtain approvals necessary to complete maintenance activities for the treatment system or hydromodification management control, but these approvals are not granted, the Permittee shall be deemed to be in compliance with this Provision.
- (iii) **Reporting** – The Permittee shall use State Water Board SMARTS to submit a summary of the past year activities and certify compliance with all requirements of this program element. The summary shall also address the relationship between the program element activities and the Permittee's Program Effectiveness Assessment and Improvement Plan that tracks annual and long-term effectiveness of the storm water program. If a Permittee is unable to certify compliance with a requirement in this program element see Section E.16.a.for compliance directions.

E.12.i. Post-Construction Best Management Practice Condition Assessment

- (i) **Task Description** – Within the **third year** of the effective date of the permit, the Permittee shall inventory and assess the maintenance condition of structural post-construction BMPs (including BMPs used for flood control) within the Permittee's jurisdiction.
- (ii) **Implementation Level** – *The Permittee shall develop and implement a plan to inventory, map, and determine the relative maintenance condition of structural post-construction BMPs. Maintenance condition shall be determined through a self-certification program where Permittees require annual reports from authorized parties demonstrating proper maintenance and operations.* The plan shall include:
- (a) An inventory and map of existing structural post-construction BMPs, in GIS if available.
 - (b) Assessments of the self-certification program annual reports. Assessment shall include a ranking of structural BMPs and verification that BMPs are operating to remove pollutants as designed. Regional BMPs should receive higher priority than lot-scale BMPs, and BMPs designed to remove pollutants for which receiving water is impaired should receive priority attention over other BMPs.
 - (c) Appropriate escalating enforcement based on the Permittee Enforcement Response Plan to ensure proper maintenance of BMPs and submittal of self-certification annual reports.
 - (d) Self-Certification Annual Reports. At a minimum, the self-certification annual reports shall include:
 - 1) Field observations to determine the effectiveness of the structural post construction BMPs in removing pollutants of concern from storm water runoff and/or reducing hydromodification impacts as designed.

- 2) Long-term plan for conducting regular maintenance of BMPs, including the frequency of such maintenance.
- (iii) **Reporting** – The Permittee shall use State Water Board SMARTS to submit a summary of the past year activities and certify compliance with all requirements of this program element. The summary shall also address the relationship between the program element activities and the Permittee's Program Effectiveness Assessment and Improvement Plan that tracks annual and long-term effectiveness of the storm water program. If a Permittee is unable to certify compliance with a requirement in this program element see Section E.16.a. for compliance directions.

E.12.j. Planning and Development Review Process

- (i) **Task Description** – The Permittee shall review their planning and permitting process to assess any gaps or impediments impacting effective implementation of these post-construction requirements specified in Section E.12, and where these are found to exist, seek solutions to promote implementation of these requirements within the context of public safety and community goals for land use. The Permittee shall prioritize review of the landscape code (code detailing landscaping requirements and considerations which should be implemented to protect environmental quality) to correct gaps and impediments impacting effective implementation of post-construction requirements.
- (ii) **Implementation Level** – During years 1 – 3, the Permittee shall conduct the review using an existing guide or template already developed for MS4s (such as the Municipal Regulatory Update Assistance Program (MRUAP)²⁴ conducted by AHBL, Inc. for the Low Impact Development Initiative (LIDI) on the Central Coast). By the fourth year of the effective date of the permit, any changes to the planning and permitting process will be completed to effectively administer these provisions. Priority shall be placed on review of the landscape code, with the following implementation level.
 - (a) Within the first year of the effective date of this permit, the Permittee shall conduct an analysis of the landscape code to correct gaps and impediments impacting effective implementation of post-construction requirements.
 - (b) Within the second year of the effective date of the permit, the Permittee shall complete any changes to the landscape code to effectively administer post-construction requirements.
- (iii) **Reporting** – By the second year Annual Report and annually thereafter, complete and have available a summary of the review process, and any proposed or completed changes to the Permittee's program.

²⁴ <http://www.casqa.org/LIDDemo/LIDTraining/tabid/246/Default.aspx>

E.12.k. Post-Construction Storm Water Management Requirements Based on Assessment and Maintenance of Watershed Processes

Small MS4s subject to Section E of this Order, *in place of complying with the requirements set forth in Section E.12*, except for Sections E.12.j. Planning and Development Review Process and E.12.e(ii)(e) Source Control Requirements, *shall comply* with post-construction storm water management requirements based on a watershed-process approach developed by Regional Water Board that include the following:

- Completion of a comprehensive assessment of dominant watershed processes affected by urban storm water
- LID site design and runoff reduction measures, numeric runoff treatment and retention controls, and hydromodification controls that will maintain watershed processes and protect water quality and beneficial uses.
- A process by which Regional Board staff will actively engage Permittees to adaptively manage requirements as determined by the assessment of watershed processes.
- An annual reporting program that involves Regional Board staff and State Board staff to inform statewide watershed process based criteria.

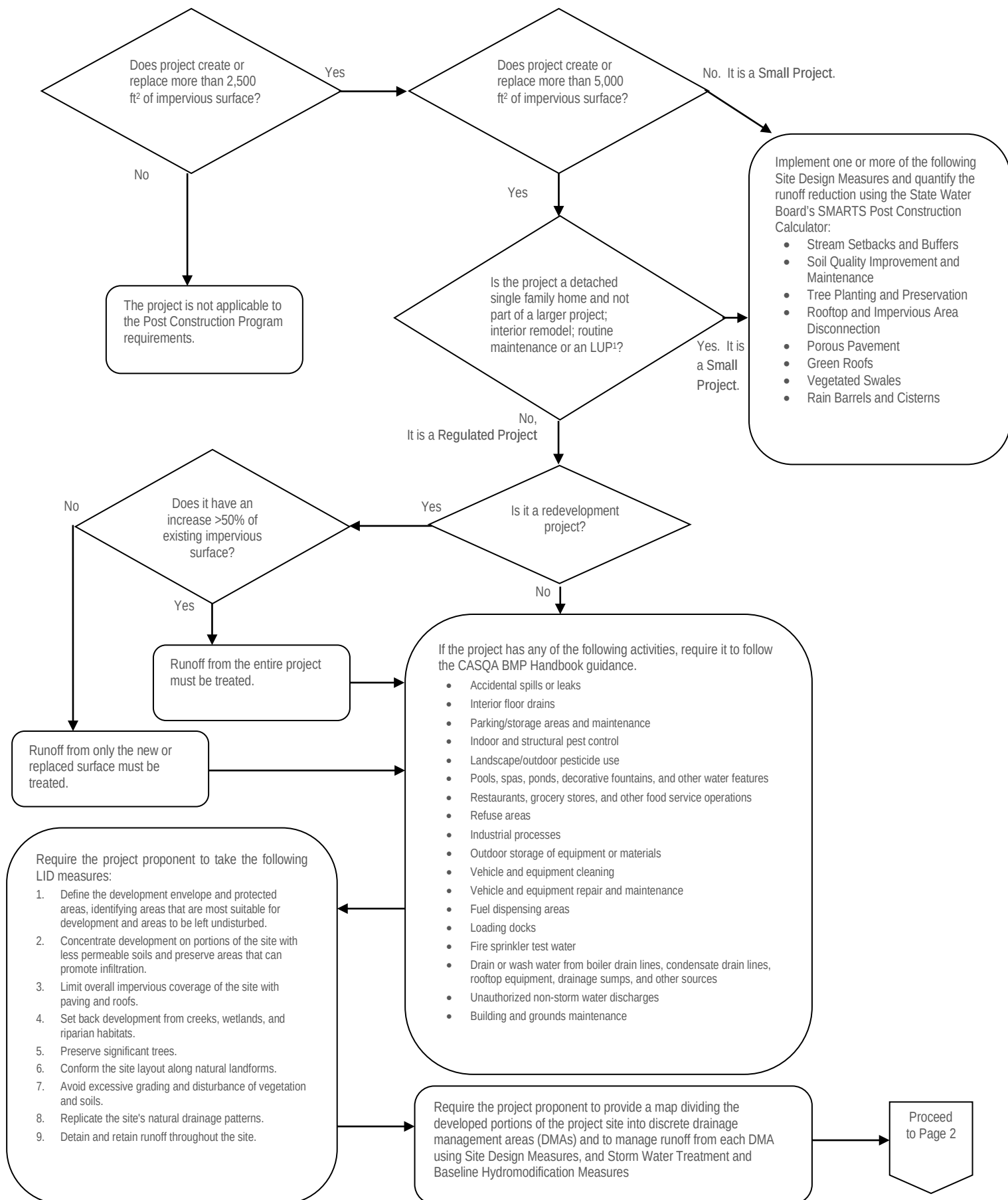
The regional watershed-process based approach must be approved by the Regional Water Board following a public process.

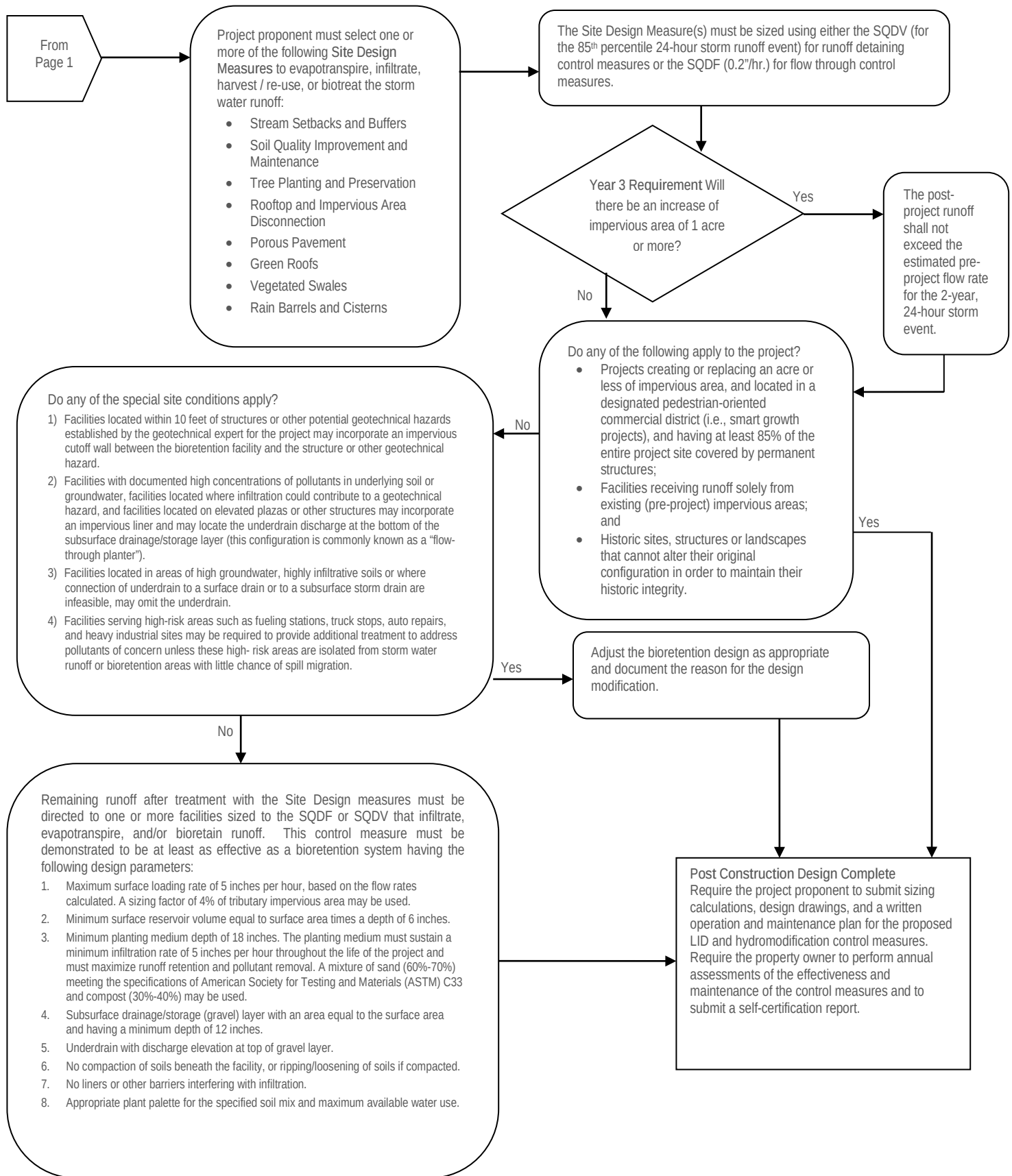
E.12.l. Alternative Post-Construction Storm Water Management Program

A Permittee may propose alternative post-construction measures *in lieu of some or all of Section E.12. requirements* for multiple benefit projects. Multiple-benefit projects include projects that may address any of the following, in addition to water quality: water supply, flood control, habitat enhancement, open space preservation, recreation, climate change. Multiple-benefit projects may be applied at various scales including project site, municipal or sub-watershed level. Multiple-benefit projects may include, but are not limited to, projects developed under Watershed Improvement Plans (Water Code §16100 et seq.), IRWMP implementation and green infrastructure projects. Multiple benefit projects must be equally or more protective of water quality than Section E.12. requirements.

The Regional Water Board or the Executive Officer, may approve alternative post-construction measures for multiple-benefit projects, as described above, after an opportunity for public comment, if the Regional Water Board or Executive Officer finds that the alternative measures are consistent with the MEP standard.

APPENDIX 4 – POST-CONSTRUCTION MANAGEMENT FLOW CHART

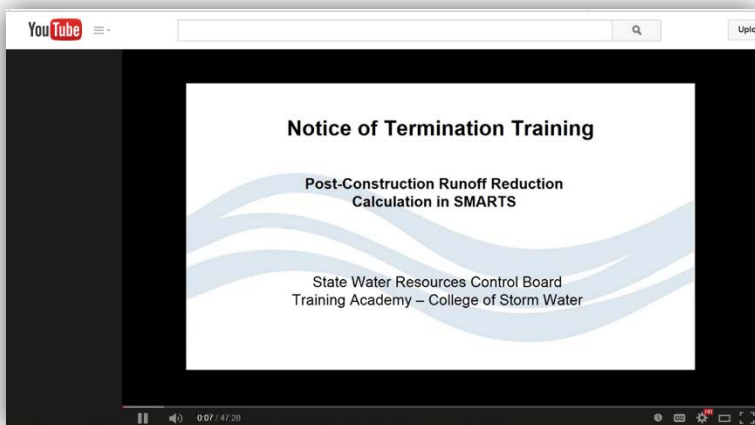




APPENDIX 5 – STATE OF CALIFORNIA POST-CONSTRUCTION CALCULATOR

Instructions on the Download and Use of the State of California's Post-Construction Calculator

Post-Construction Calculator which is available on the Water Board's SMARTS website or can be accomplished through the State's Microsoft Excel™ version of the calculator. The Water Board has created an instructional video on how to populate and use the Post-Construction Calculator.



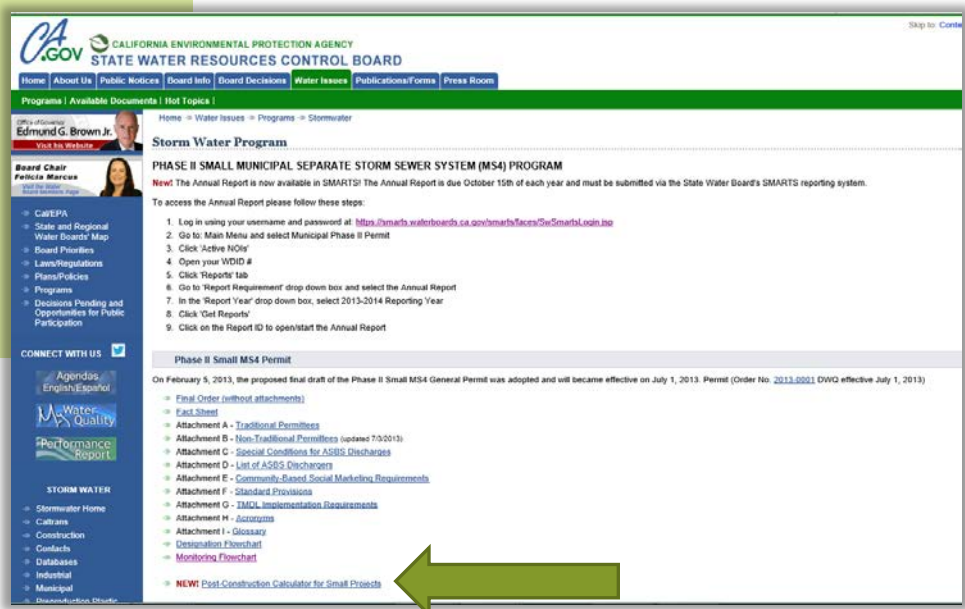
The Water Board created this 47-minute video that describes how to use the Post-Construction Calculator on SMARTS. It will also help with the Excel version. Although the video was created for the Construction General Permit, it also applies to the Post-Construction Standards Plan. It can be accessed at:

<https://www.youtube.com/watch?v=W3nj4pj8WHY&feature=youtu.be>

Post-Construction Calculator for Small Projects

The Water Board has created a Microsoft Excel version of the calculator that can now be downloaded from the State Water Board's website at the following link:

http://www.swrcb.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml



APPENDIX 6 – VOLUMETRIC SIZING TOOL FOR TREATMENT CONTROLS

Instructions on the Download and Use of the Volumetric Sizing Tool for Treatment Control Measures

The Phase II MS4 Permit requires the municipality to condition applicable new development and redevelopment projects to require facilities designed to *evapo-transpire, infiltrate, harvest/use, and biotreat* storm water to meet at least one of the following hydraulic sizing design criteria:

Volumetric Criteria:

- The maximized capture storm water volume for the tributary area, on the basis of historical rainfall records, determined using the formula and volume capture coefficients in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87 (1998) pages 175-178 (that is, approximately the 85th percentile 24-hour storm runoff event); or
- The volume of annual runoff required to achieve 80 percent or more capture, determined in accordance with the methodology in Section 5 of the CASQA's Stormwater Best Management Practice Handbook, New Development and Redevelopment (2003), using local rainfall data.

A Microsoft Excel™ worksheet has been created to assist the project proponent to calculate the capture volumes using both of these volumetric criteria methods. Both methods are described in Section 5 of the 2003 edition of the *CASQA Stormwater Best Management Practice Handbook for New Development and Redevelopment*. Section 5 of the handbook can be accessed and downloaded for free at the following web link:

www.casqa.org/sites/default/files/BMPHandbooks/BMP_NewDevRedev_Section_5.pdf

The Volumetric Sizing Tool Worksheet can be downloaded from:

www.riverbank.org

Instructions:

1. Start by entering the data on the “Volume Calculation” tab in the white boxes. It may be necessary to split up the project site into discrete drainage management areas (DMAs) where different “treatment” methods will be used. An example of this would be for a medical complex development where runoff from the parking lot is infiltrated through porous pavement and bioswales; runoff from the building roofs are infiltrated into rain gardens built into the landscaping; and a large undeveloped vegetated area has been graded to act as a retention area. In this case, it would be appropriate to have at least three different DMAs. Provide a name for each DMA and, in Step 1, enter the total area (in square feet) for the DMA.
2. Calculate the percentage of the DMA for completed project that will be impervious to storm water (i.e. hardscape such as building, asphalt, concrete, etc.) and enter it into the white box in Step 2. Also enter the number of existing and planned trees in the DMA, distinguishing between the number of evergreen and the number of deciduous varieties.

3. In Step 3, using Google Earth and the map on the worksheet's "State Map" tab, determine the distance along the blue line from the Sacramento weather station. Indicate if the project is relatively north or south of Sacramento. If the project is due east or west of the blue line, measure the distance from the perpendicular intercept of the blue line and the Sacramento weather station. If the project is immediately east or west of the Sacramento weather station, the distance would be zero. This does not have to be exact and is a rough determination of the position of the project relative to the latitude of the Sacramento weather station and the other available weather stations. Rain amounts are relatively higher north of Sacramento and relatively lower south of Sacramento. The CASQA volumetric determination method (referenced above) only includes three relevant weather stations in the Central Valley, which are Redding, Sacramento, and Fresno.
4. Using the information presented under the "Runoff Coefficients" worksheet tab, determine the average runoff coefficient for the DMA and enter it into the white box in Step 4. Document how the average coefficient was determined.
5. In Step 5, the capture volumes using both methods allowed by the Phase II MS4 Permit are presented. The project proponent has the option of using either one. Select the one that will be used.
6. Please note that this sizing tool is only valid for projects located within the California Central Valley from Shasta County in the north to Fresno County in the south. Projects located in the Sierras, Bay Area, coastal mountains, or along the coast cannot use this tool. Projects south of Fresno County cannot use this tool without it being altered.
7. For assistance with this tool, contact John Teravskis of WGR Southwest, Inc. at jteravskis@wgr-sw.com or at (209) 334-5363 x.110.

APPENDIX 7 – DESIGN STANDARD REFERENCES

The following are some online design references for Design Standards and Treatment Controls:

Porous Pavement:

- Caltrans Pervious Pavement Design Guidance, August 2014
www.dot.ca.gov/hq/oppd/stormwtr/bmp/DG-Pervious-Pvm_082114.pdf
- Caltrans Pervious Pavement Specifications and Design Tool:
www.dot.ca.gov/hq/oppd/stormwtr/pervious.htm
- USEPA Guidance Website on Porous Asphalt Pavement:
<http://water.epa.gov/polwaste/npdes/swbmp/Porous-Asphalt-Pavement.cfm>
- Pennsylvania Storm Water Best Management Practices Manual on Pervious Pavement:
www.stormwaterpa.org/assets/media/BMP_manual/chapter_6/Chapter_6-4-1.pdf
- University of New Hampshire Stormwater Center: Design Specifications for Porous Asphalt Pavement and Infiltration Beds:
www.unh.edu/unhsc/sites/unh.edu.unhsc/files/pubs_specs_info/unhsc_pa_spec_10_09.pdf
- National Asphalt Pavement Association's Porous Asphalt Pavements for Storm Water Management Guide Book (Downloadable – cost \$30)
<http://store.asphaltpavement.org/index.php?productID=759>
- Bay Area Stormwater Management Agencies Association and City of Berkeley: Pervious Pavement - Storm Water Control for Small Projects
www.ci.berkeley.ca.us/uploadedFiles/Online_Service_Center/Planning/Stormwater%20Fact%20Sheet_BASMAA_Pervious_Paving.pdf
- Santa Clara Valley Urban Runoff Pollution Prevention Program: Chapter 6 Technical Guidance for Stormwater Treatment and Site Design Measures
www.scvurppp-w2k.com/permit_c3_docs/c3_handbook_2012/Chapter_6-Tech_Guidance_Stormwater_Treatment_Site_Design_Measures_2012.pdf



Rain Gardens:

- Bay Area Stormwater Management Agencies Association and Alameda County: Rain Gardens - Storm Water Control for Small Projects
http://alamedaca.gov/sites/default/files/departments-files/2013-04-29/11_-_rain_garden_fact_sheet.pdf
- Low Impact Development Center
(www.lowimpactdevelopment.org/)
Links for Guidance on the Design and Construction of a Rain Garden:



www.lowimpactdevelopment.org/raingarden_design/links.htm#top

Reference and Guidance Downloads:

www.lowimpactdevelopment.org/raingarden_design/download.htm

Flow-through Planters:

- San Mateo Countywide Water Pollution Prevention Program: C.3 Technical Guidance, 6.2 Flow-Through Planter

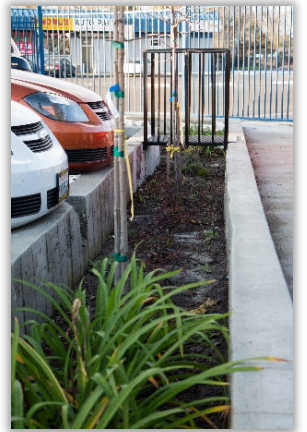
www.flowstobay.org/files/newdevelopment/C3techguide/12sec6.2Flowthru.pdf

- Stormwater Planters (draft version), Derek C. Godwin, Marissa Sowles, and Desiree Tullos, Oregon Sea Grant Extension; Maria Cahill, Green Girl Land Development Solutions.

http://extension.oregonstate.edu/watershed/sites/default/files/stormwater_planters.pdf

Santa Clara Valley Urban Runoff Pollution Prevention Program: Chapter 6 Technical Guidance for Stormwater Treatment and Site Design Measures

www.scvurppp-w2k.com/permit_c3_docs/c3_handbook_2012/Chapter_6-Tech_Guidance_Stormwater_Treatment_Site_Design_Measures_2012.pdf



Infiltration Trenches and Tree Wells:

- USEPA Storm Water Technology Fact Sheet: Infiltration Trench (EPA 832-F-99-019, September

1999) http://water.epa.gov/scitech/wastetech/upload/2002_06_28_mtb_infltrnc.pdf

- Santa Clara Valley Urban Runoff Pollution Prevention Program: Chapter 6 Technical Guidance for Stormwater Treatment and Site Design Measures

www.scvurppp-w2k.com/permit_c3_docs/c3_handbook_2012/Chapter_6-Tech_Guidance_Stormwater_Treatment_Site_Design_Measures_2012.pdf

- Minnesota Urban Small Sites BMP Manual: Infiltration Trenches <http://www.sccd.org/Infiltration%20Trenches.pdf>
- USEPA Stormwater to Street Trees: Engineering Urban Forests for Stormwater Management; (EPA 841-B-13-001, September 2013) <http://water.epa.gov/polwaste/green/upload/stormwater2streettrees.pdf>



Bioswales, Vegetated Buffers & Swales:

- Caltrans Biofiltration Swale Design Guidance; California Department of Transportation; CTSW-TM-07-172-05, January 2009

www.dot.ca.gov/hq/LandArch/ec/stormwater/guidance/DG-BioSwale-Final02-011309.pdf

& www.dot.ca.gov/hq/LandArch/ec/stormwater/biofiltration_swales.htm



- Biofilters (Bioswales, Vegetative Buffers, & Constructed Wetlands) for Storm Water Discharge Pollution Removal; State of Oregon, Department of Environmental Quality, Dennis Jurries, PE; January 2003
www.deq.state.or.us/wq/stormwater/docs/nwr/biofilters.pdf
- Design Manual: Biological Filtration Canal (Bioswale); Dayna Yocum, Bren School of Environmental Science and Management, University of California, Santa Barbara
http://fiesta.bren.ucsb.edu/~chiapas2/Water%20Management_files/Bioswales-1.pdf
- Santa Clara Valley Urban Runoff Pollution Prevention Program: Chapter 6 Technical Guidance for Stormwater Treatment and Site Design Measures
www.scvurppp-w2k.com/permit_c3_docs/c3_handbook_2012/Chapter_6-Tech_Guidance_Stormwater_Treatment_Site_Design_Measures_2012.pdf
- USEPA Storm Water Technology Fact Sheet: Vegetated Swales (EPA 832-F-99-006, September 1999) http://water.epa.gov/scitech/wastetech/upload/2002_06_28_mtb_vegswale.pdf

Rain Water Harvesting and Reuse:

- USEPA Managing Wet Weather with Green Infrastructure Municipal Handbook: Rainwater Harvesting Policies; Christopher Kloss, Low Impact Development Center, December 2008 (EPA-833-F-08-010) http://water.epa.gov/infrastructure/greeninfrastructure/upload/gi_munichandbook_harvesting.pdf
- The City of San Diego Rain Water Harvesting Guide
www.sandiego.gov/water/pdf/conservation/rainwaterguide.pdf
- Santa Clara Valley Urban Runoff Pollution Prevention Program: Chapter 6 Technical Guidance for Stormwater Treatment and Site Design Measures
www.scvurppp-w2k.com/permit_c3_docs/c3_handbook_2012/Chapter_6-Tech_Guidance_Stormwater_Treatment_Site_Design_Measures_2012.pdf



Green Roofs:

- USEPA Design Guidelines and Maintenance Manual for Green Roofs in the Semi-Arid and Arid West; Leila Tolderlund, University of Colorado Denver, November 2010 <http://www2.epa.gov/sites/production/files/documents/GreenRoofsSemiAridAridWest.pdf>
- City of Berkeley Office of Energy and Sustainable Development webpage: www.ci.berkeley.ca.us/greenroofs/
- City of Watsonville Green Roof Design Criteria webpage: <http://cityofwatsonville.org/public-works-utilities/urban-greening-plan/green-roof-design> (contains a link to a downloadable 30-page Green Roof Design Criteria Plan published in March 2012)



- Green Roofs for Healthy Cities (private organization)
webpage: www.greenroofs.org/ Training, certifications, design manuals, and other resources available for designing green roofs.

Soil Quality Improvement and Compost:

- United States Department of Agriculture's Natural Resources Conservation Service (NRCS) Urban Soil Primer
www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052835.pdf
- US Composting Council Fact Sheets and Reports;
<http://compostingcouncil.org/factsheets-and-free-reports/>
- Department of Land, Air and Water Resources at UC Davis and the U.S. Forest Service's Center for Urban Forest Research Report on Engineered Soil, Trees and Stormwater Runoff: the UC Davis Parking Lot Project
www.fs.fed.us/psw/programs/uesd/uep/products/psw_cufr686_UCDParkingLot.pdf
- USEPA Stormwater to Street Trees: Engineering Urban Forests for Stormwater Management; (EPA 841-B-13-001, September 2013) <http://water.epa.gov/polwaste/green/upload/stormwater2streettrees.pdf>



APPENDIX 8 – POST-CONSTRUCTION PROJECT WORKSHEET

POST-CONSTRUCTION WORKSHEET FOR THE CITY OF RIVERBANK PROJECT SUMMARY SHEET

Project Owner Information:

Project Owner Name:					
Name of Contact Person:					
Mailing Street Address:					
City:		State:		Zip:	
Telephone:			Email:		

Project Information:

Project Name:					
Name of Contact Person:					
Project Address:					
City:		State:		Zip:	
Anticipated construction start date:			Ending date:		
Project size (ft ²):			Subject to the Construction General Permit? (Yes / No)		

Information of the Post-Construction Standards Plan Preparer:

Name of Organization:					
Name of Contact Person:					
Mailing Street Address:					
City:		State:		Zip:	
Telephone:			Email:		

Project Applicability:

Type of Project: (Check one)	☐	Small Project (2,500 to 5,000 ft ² or detached single family home)	
	☐	Regulated Project (5,000 ft ²)	
	☐	Not applicable to the Post-Construction Standards Plan (provide reason in the space below)	
Is this a redevelopment project? (Yes / No)		Will the project result in an increase of more than 50% of the impervious surface? (Yes / No)	
Has the project or the vesting map received approval from the		Date of project or vesting map approval:	

municipality? (Yes, No, or N/A)			
Describe the nature and scope of the construction project:			
Number of Drainage Management Areas (DMAs):			

POST-CONSTRUCTION WORKSHEET FOR THE CITY OF RIVERBANK

SMALL PROJECT SUBMITTAL SHEET

Project Information:

Project Name:	
Project Owner Name:	
Project Address:	

Selection of Site Design Measures:

Select one or more of the following Site Design Measures (as identified in [Section 4.1](#) of the Post-Construction Standards Plan) which will be incorporated into the project's design.

<i>Site Design Measures</i>	<i>Selected? (Yes / No)</i>
Stream Setbacks and Buffers	
Soil Quality Improvement and Maintenance	
Tree Planting and Preservation	
Rooftop and Impervious Area Disconnection	
Porous Pavement	
Green Roofs	
Vegetated Swales	
Rain Barrels and Cisterns	

Post-Construction Calculator Information:

Enter the following data from the State's Post-Construction Calculator:

Pre-project Runoff Volume (ft³)	
Post-project Runoff Volume (ft³)	
Net Credit of Volume Credits (ft³)	

Small Project Submittal Requirements:

The following must be submitted for Small Projects to the plan checker:

- Completed pages 1 and 2 of this Post-Construction Worksheet.
- Site plans showing the selected Site Design Measure(s) (identified in [Section 4.1](#)). The plans must be stamped by a California Civil Professional Engineer if any of the following Site Design Measures were selected: rooftop and impervious area disconnection, porous pavement, or rain cisterns. The plans must be stamped by a California Structural Professional Engineer if a green roof was selected or if there is a significant structural aspect to the rain cisterns and collection system. The plans must be stamped by a California Licensed Landscape Architect if any of the following Site Design Measures were selected: stream setbacks and buffers, soil quality improvement, or vegetated swales. The Site Design Measure(s) must be clearly called out on the submitted plans.

- A printout of the results page from the Water Board's SMARTS or Microsoft Excel™ Post-Construction Calculator.

POST-CONSTRUCTION WORKSHEET FOR THE CITY OF RIVERBANK REGULATED PROJECT DMA SUBMITTAL SHEET

Drainage Management Area (DMA) & Project Information:

A separate Regulated Project DMA Submittal Sheet is required to be completed and submitted for each DMA. Refer to Section 5.1 of the Post-Construction Standards Plan for more information about DMAs.

Project Name:	
Project Owner Name:	
Project Address:	
Name of the DMA:	
DMA area (ft ²)	

Selection of Applicable Source Controls:

Indicate which of the following activities or pollutant sources are included in this DMA of the new development or redevelopment. For more information about required Source Control refer to Section 5.2.

Site Design Measures	(Yes / No)
Accidental spills or leaks	
Interior floor drains	
Parking / storage areas and maintenance	
Indoor and structural pest control	
Landscape / outdoor pesticide use	
Pools, spas, ponds, decorative fountains, and other water features	
Restaurants, grocery stores, and other food service operations	
Refuse areas	
Industrial processes	
Outdoor storage of equipment or materials	
Vehicle and equipment cleaning	
Vehicle and equipment repair and maintenance	
Fuel dispensing areas	
Loading docks	
Fire sprinkler test water	
Drain or wash water from boiler drain lines, condensate drain lines, rooftop equipment, drainage sumps, and other sources	
Unauthorized non-storm water discharges	
Building and grounds maintenance	

Hydrologic Soil Group and Soil Type Information:

Enter information concerning the soil types within this DMA. For more information, refer to Table 7 of the Post-Construction Standards Plan.

Soil Type Name	HSG Group (A, B, C, or D)

Low Impact Development (LID) Design Requirements:

Please describe how the project is meeting each of the following LID design requirements. Provide your response in the text box following each requirement or provide responses on a separate sheet.

1. Define the areas of the project that are to be left undisturbed or protected from soil disturbance. Identify sensitive environmental receptors such as water bodies, stream buffers, existing trees, riparian areas, and habitat areas.

2. How is the project concentrating development on portions of the site with less permeable soils and preserving areas that can promote infiltration?

3. How is the project limiting the overall impervious coverage of the site consisting of paving and roofs?

4. If applicable, how much setback is there of the development from creeks, wetlands, and riparian habitats?

5. List and describe the trees that will be preserved.

6. Describe how the new development or redevelopment site layout will conform along natural landforms.

7. Describe how the project is avoiding excessive grading and disturbance of vegetation and soils.

8. Describe how the new development or redevelopment is replicating the site's natural drainage patterns.

9. Describe how the project will detain and retain runoff through the new development and redevelopment site.

Pre- and Post-Development Project Hydrology Information:

Provide the following hydrology information for this DMA

Pre-development Conditions:

Percent Impervious	
Average runoff coefficient for this DMA	
Peak flow rate (ft ³ /sec) for this DMA using the 2-year 24-hour design value discussed in <u>Section 5.5</u> .	

Post-development Conditions:

Percent Impervious	
Average runoff coefficient for this DMA	
Peak flow rate (ft ³ /sec) for this DMA using the 2-year 24-hour design value discussed in <u>Section 5.5</u> .	

Selection of Site Design and Treatment Control Measures:

Indicate which Site Design and Treatment Control Measures will be used for this DMA. For more information, refer to Table 3. Provide calculations and design drawings for the selected measures per the submittal requirements describe in Section 5.6.

Site Design or Treatment Control Measure	Sizing Criteria	Selected? (Yes / No)	Enter the Calculated Design Capture Volume or Flow Rate for the Selected Measure
Stream setbacks and vegetated buffers (Site Design Measure)	Flow		
Soil quality improvement (Site Design Measure)	Volume		
Tree planting and preservation (Site Design Measure)	SMARTS Calculator		
Porous pavement (Site Design Measure)	Volume		
Green roofs (Site Design Measure)	Volume		
Vegetated swales (Site Design Measure)	Flow		
Rain harvesting and reuse (Site Design Measure)	Volume		
Bioretention and rain gardens (Treatment Control Measure)	Volume		
Infiltration trench, Flow-through Planter, or Tree Wells (Treatment Control Measure)	Volume and Flow		
Retention and detention basins (Treatment Control Measure)	Volume		

Variations and Exceptions:

Identify any applicable variations or exceptions for **this DMA**.

Condition	Allowed Variation	Applicable to this DMA? If so, explain.
Facilities located within 10 feet of structures or other potential geotechnical hazards established by the geotechnical expert for the project	May incorporate an impervious cutoff wall between the bioretention / infiltration facility and the structure or other geotechnical hazard	
Facilities with documented high concentrations of pollutants in underlying soil or groundwater, facilities located where infiltration could contribute to a geotechnical hazard, and facilities located on elevated plazas or other structures	May incorporate an impervious liner and may locate the underdrain discharge at the bottom of the subsurface drainage/storage layer (this configuration is commonly known as a “flow-through planter”)	
Facilities located in areas of high groundwater, highly infiltrative soils or where connection of underdrain to a surface drain or to a subsurface storm drain are infeasible	May omit the underdrain	
Facilities serving high-risk areas such as fueling stations, truck stops, auto repairs, and heavy industrial sites	Are required to provide additional treatment to address pollutants of concern prior to the flow reaching the infiltration facility	

If infiltration is not feasible for **this DMA**, please provide an explanation of the infeasibility and a description of the alternate non-infiltrating treatment control measure(s) that will be used in accordance with the development requirements in Section 5.4.4.

Regulated Project Submittal Requirements:

The following must be submitted for Regulated Projects to the plan checker:

- The completed Post-Construction Worksheet including page 1 and, for each DMA, pages 3 – 10.
- A separate site plan for each DMA must be submitted. If there are multiple DMAs, a key map showing the location of the DMAs in relationship to one another and the entire site is required to be submitted. Each DMA site plan is required to show the following information:
 - ✓ DMA name and boundary;
 - ✓ The selected Site Design and Treatment Control Measures (identified in [Table 3](#));
 - ✓ The total drainage area in square feet of the DMA;
 - ✓ The pre-development peak flow rate at the point(s) of discharge;
 - ✓ The predicted post-development peak flow rate at the point(s) of discharge;
 - ✓ Areas of existing impervious surfaces (pre-development);
 - ✓ Proposed areas of impervious surfaces (post-development);
 - ✓ Setbacks from creeks, wetlands, and riparian habitats;
 - ✓ Existing topography and drainage patterns (pre-development);
 - ✓ Proposed topography and drainage patterns (post-development);
 - ✓ Soil types, soil type boundaries within the DMA, and their Hydrologic Soil Group Classification rating (A, B, C, or D); and
 - ✓ Trees, vegetation, and sensitive environmental areas to be protected and preserved.

Each plan must be stamped by a qualified licensed professional. The plans must be stamped by a California Civil Professional Engineer if any of the following control measures were selected: rooftop and impervious area disconnection, porous pavement, rain cisterns, bioretention or rain gardens, infiltration trench, or retention or detention basins. The plans must be stamped by a California Structural Professional Engineer if a green roof was selected or if there is a significant structural aspect to the rain cisterns and collection system. The plans must be stamped by a California licensed Landscape Architect if any of the following Site Design Measures were selected: stream setbacks and buffers, soil quality improvement, vegetated swales, bioretention and rain gardens. The selected Site Design and Treatment Control Measure(s) must be clearly called out on the submitted plans.

- Design drawings for the proposed Treatment Control Measures showing a plan view, elevation view, and subsurface cross-sections must be submitted. Sufficient detail and specifications should be included in these drawings to provide for adequate plan check review and for the construction of the treatment “facility”. Each design drawing must be stamped by a qualified licensed professional. The drawings must be stamped by a California Civil Professional Engineer if any of the following control measures were selected: rooftop and impervious area disconnection, porous pavement, rain cisterns, bioretention or rain gardens, infiltration trench, or retention or detention basins. The drawings must be stamped by a California Structural Professional Engineer if a green roof was selected or if there is a significant structural aspect to the rain cisterns and collection system. The drawings must be stamped by a California licensed Landscape Architect if any of the following Site Design Measures were selected: stream setbacks and buffers, soil quality improvement, vegetated swales, bioretention and rain gardens.

- A print out of the results page from the MS Excel™ Volumetric BMP Sizing Tool for each DMA and control measure that requires the volumetric sizing criteria is required to be submitted. (Refer to [Appendix 6](#) for information on how to download the tool.)
- Calculations stamped by the appropriate licensed individual (as described above) for each DMA and control measure that requires flow-based sizing criteria must be included with the submittal.
- An Operation and Maintenance Plan and signed Statement of Responsibility for the proposed treatment control measures must accompany the submittal (refer to [Section 6](#) and [Appendix 9](#)).

APPENDIX 9 – O&M PLAN AND CERTIFICATE OF RESPONSIBILITY FORM

OPERATION & MAINTENANCE (O&M) PLAN and STATEMENT OF RESPONSIBILITY

Property Owner Information:

Property Owner Name:					
Name of Contact Person:					
Mailing Address:					
City:		State:		Zip:	
Telephone:			Email:		

Development Information:

Name of Development					
Development Address:					
City:		State:		Zip:	
Assessor Parcel No.:					
Name of Person or Organization Responsible for Performing Inspections and Maintenance of the Treatment Control Measures:					
Mailing Street Address:					
City:		State:		Zip:	
Telephone:			Email:		

Treatment Control Measures:

List the treatment control measures at the development and their inspection frequencies (minimum of once per year). For each treatment control measure, describe conditions that require maintenance or repair. Describe preventative maintenance needed to keep the treatment control measure effective.

Treatment Control Measure	Inspection Frequency	Describe Conditions that Require Maintenance / Repair and Describe Routine Preventative Maintenance

STATEMENT OF RESPONSIBILITY

THIS AGREEMENT is made and entered into in _____, California,
this ____ day of _____, by and between _____
hereinafter referred to as "Owner" and the City of Riverbank;

WHEREAS, the Owner owns real property ("Property") in the City of Riverbank, State of California, depicted on the attached map, which are attached hereto;

WHEREAS, at the time of initial approval of the development project known as _____ within the Property described herein, the City of Riverbank required the project to employ on-site control measures to minimize pollutants in urban runoff;

WHEREAS, the Owner has chosen to install the following treatment control measures: _____, hereinafter referred to as "facilities", as the on-site control measures to minimize pollutants in urban runoff;

WHEREAS, said facilities have been installed in accordance with the requirements of the City of Riverbank Post-Construction Standards Plan and the Owner's plans and specifications accepted by the City of Riverbank;

WHEREAS, said facilities, with installation on private property and draining only private property, is a private facility with all operation, maintenance and replacement, therefore, the sole responsibility of the Owner in accordance with the terms of this Agreement;

WHEREAS, the Owner is aware that periodic and continuous maintenance (as described on page 1 of this O&M Plan), including, but not necessarily limited to, sediment removal, is required to assure peak performance of the facilities and that, furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods, in effect at the time such maintenance occurs;

NOW THEREFORE, it is mutually stipulated and agreed as follows:

1. Owner hereby provides the City of Riverbank or City of Riverbank's designee complete access, of any duration, to the facilities and its immediate vicinity at any time, upon reasonable notice, or in the event of emergency, as determined by City of Riverbank with no advance notice, for the purpose of inspection, sampling, testing of the facilities, and in case of emergency, to undertake all necessary repairs or other preventative measures at owner's expense as provided in paragraph 3 below. The Owner/Operator shall retain all operation and maintenance records at the facility for City of Riverbank inspection, and a copy shall be provided to the City of Riverbank if requested. The City of Riverbank shall make every effort at all times to minimize or avoid interference with Owner's use of the Property.
2. Owner shall use its best efforts to diligently maintain the facilities in a manner assuring peak performance at all times. All reasonable precautions shall be exercised by Owner and Owner's representative or contractor in the removal and extraction of material(s) from the facilities and the ultimate disposal of the material(s) in a manner consistent with all relevant laws and regulations in effect at the time. When requested from time to time by the City of Riverbank, the Owner shall provide the City of Riverbank with documentation identifying the material(s) removed, the quantity, and disposal destination.
3. In the event Owner, or its successors or assigns, fails to accomplish the necessary maintenance contemplated by this Agreement, within five (5) days of being given written notice by the City of Riverbank, the City of Riverbank is hereby authorized to cause any maintenance necessary to be done

and charge the entire cost and expense to the Owner or Owner's successors or assigns, including administrative costs, attorney fees and interest thereon at the maximum rate authorized by the Municipal Code from the date of the notice of expense until paid in full, and Owner hereby agrees to pay such charge within 30 days of receipt of City of Riverbanks written demand for payment.

4. The City of Riverbank may require the owner to post security in form and for a time period satisfactory to the City of Riverbank of guarantee the performance of the obligations stated herein. Should the Owner fail to perform the obligations under the Agreement, the City of Riverbank may, in the case of a cash bond, act for the Owner using the proceeds from it, or in the case of a surety bond, require the sureties to perform the obligations of the Agreement. As an additional remedy, the City of Riverbank may withdraw any previous storm water related approval with respects to the property on which the facilities have been installed until such time as Owner repays to City of Riverbank its reasonable costs incurred in accordance with paragraph 3 above.
5. The Owner will be sent an annual self-certification form each year by the City of Riverbank to certify that all of the inspections and maintenance have been performed per page 1 of this O&M Plan and that the facilities are in effective working condition. The Owner has 60 days to complete and return the annual self-certification form to the City of Riverbank. If the report is not received within the 60-day period, the City of Riverbank will perform the inspection and assessment; and the Owner will be billed for it as described above.
6. In event of legal action occasioned by any default or action of the Owner, or its successors or assigns, then the Owner and its successors or assigns agree(s) to pay all costs incurred by the City of Riverbank in enforcing the terms of this Agreement, including reasonable attorney fees and costs, and that the same shall become a part of the lien against said Property.
7. It is the intent of the parties hereto that burdens and benefits herein undertaken shall constitute covenants that run with said Property and constitute a lien there against.
8. The obligations herein undertaken shall be binding upon the heirs, successors, executors, administrators and assigns of the parties hereto. The term "Owner" shall include not only the present Owner, but also its heirs, successors, executors, administrators, and assigns. Owner shall notify any successor to title of all or part of the Property about the existence of this Agreement. Owner shall provide such notice prior to such successor obtaining an interest in all or part of the Property. Owner shall provide a copy of such notice to the City of Riverbank at the same time such notice is provided to the successor.
9. Any notice or demand for payment to a party required or called for in this Agreement shall be served in person, or by deposit in the U.S. Mail, first class postage prepaid, to addresses listed on Page 1 of this agreement either for the Owner or the City of Riverbank. Notice(s) shall be deemed effective upon receipt, or seventy-two (72) hours after deposit in the U.S. Mail, whichever is earlier. A party may change a notice address only by providing written notice thereof to the other party.

IN WITNESS THEREOF, the parties hereto have affixed their signatures as of the date first written above.

City of Riverbank

By _____

Name of Development: _____

By _____

PROPERTY OWNER

Name _____

Title _____

APPENDIX 10 – LIST OF COLLABORATING MUNICIPALITIES

Collaborating Phase II MS4s:

Cities

City of Atwater
City of Ceres
City of Shasta Lake
City of Escalon
City of Lathrop
City of Merced
City of Oakdale
City of Redding
City of Ripon
City of Riverbank
City of Turlock
City of West Sacramento

Counties

Shasta County
Stanislaus County
Yuba County

Non-Traditional MS4s

Tracy Unified School District

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.6

SECTION 6: NEW BUSINESS

Meeting Date:	June 9, 2015
Subject:	Adoption of a Comprehensive Storm Water Education & Outreach Plan for the City of Riverbank
From:	Jill Anderson, City Manager
Submitted by:	Marisela Garcia, Director of Finance Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION:

It is recommended that the City Council of the City of Riverbank Adopt the Comprehensive Storm Water Education & Outreach Plan (E & O) to educate the public and the City of Riverbank's internal staff on storm water pollution prevention and community involvement opportunities.

BACKGROUND:

In July 2013, the City of Riverbank complied with the Small MS4 General Permit and filed a Notice of Intent and a Guidance Document that specifies actions and activities over the next five (5) years necessary to reduce the discharge of pollutants in storm water to the maximum extent practicable and for compliance with the General Permit. The regulations specify six (6) minimum control measures to be developed and implemented over the next four (4) years. As a result, in year two (2) the City of Riverbank is required to develop and implement a comprehensive education and outreach program. The purpose of this program is to effectively strategize and roadmap the implementation of the Education and Outreach Program requirements as described in Section E.7 of the Permit.

SUMMARY OF THE PLAN GOALS:

The Education and Outreach Plan identifies the overall goal of the plan, which is to reduce pollutant discharges in storm water and non-storm water discharges and to measurably increase the knowledge and awareness of the targeted audiences concerning specific and relevant topics.

The plan identifies water quality problems and concerns, common sources of illicit discharges, common sources of sanitary sewer overflows (SSO). This section also identifies the target audiences and the outreach messages to use to educate these groups.

The water quality concerns identified are pesticides, exotic species, organic enrichment/low dissolved oxygen, mercury, pathogens, and toxic chemicals. The target group for these water quality concerns will focus on homeowners, landscape maintenance contractors, boat owners, pet stores, school children, and commercial and industrial facilities.

The most common illicit discharges identified in the City of Riverbank are washing of business exterior surfaces and paved areas, washing of floor mats and equipment, car washing that is not by an individual residential occupant, liquids from trash bins, containers, or outdoor waste compactors, dumping janitorial mop buckets and other janitorial and carpet cleaning wastewater, illicit connection of interior floor drains, and illegal dumping. The target audiences for these illicit discharges are business and restaurant owners and operators, mobile detailers and car wash operations, new or used car lots, charitable car washes, janitorial and carpet cleaning contractors, and residents.

Outreach will include prevention of sanitary sewer overflows (SSO) into the City's storm drain system by educating residents about how their actions can indirectly cause SSOs through the build-up of fats, oil, and grease that can potentially cause a sewer discharge into the storm drain system. The plan also includes outreach education on how trash presents a real threat to public health and to the health of organisms that depend upon aquatic and marine ecosystems. The education will include how to take personal responsibility for keeping municipal streets, neighborhoods, and parks trash-free. This message will be directed towards school-age children to educate the next generation about the importance of not littering and keeping trash out of the storm drainage system.

To identify a baseline of knowledge and awareness from each of the target groups, the City is asking for the public's input through a survey that was sent out last year in the utility billing and will be sent out again the fall of 2015. This survey will identify areas of awareness and gauge their level of understanding so the City can send out messages that are relevant and of interest to the residents.

The information from the surveys will be reviewed and the City's website will display messages and outreach to educate the public in identified areas. The last section of the details the implementation of the plan by detailing how the E & O tasks required by the Phase II MS4 Permit in section E.7.a.ii. (b) – (m) will be accomplished, identifies who is responsible for implementing each task, identifies the schedule for task implementation, and identifies the process for evaluating anticipated task effectiveness. After performing the tasks outlined in the Plan, the City of Riverbank will evaluate the effectiveness of the

E & O program through an evaluation assessment and a new survey that will be developed to measure what the public has learned through this process.

Tonight staff is recommending that the City Council adopt the Comprehensive Storm Water Education & Outreach Plan to educate the public and the City of Riverbank's internal staff on storm water pollution prevention and public involvement opportunities.

FINANCIAL IMPACT:

The full fiscal impacts of implementing the Comprehensive Storm Water Education & Outreach Plan requirements cannot fully be determined at this time. This will be the first time such requirements have been imposed on the smaller Cities. Implementation undoubtedly creates an obligation for education and outreach, monitoring, reporting, tracking, and measuring of the process. These obligations will create a daily personnel demand on the Development Services Department both with field verification as well as administrative support staff in meeting the requirements of the MS4 permit.

ATTACHMENT:

1. Comprehensive Storm Water Education & Outreach Plan

City of Riverbank
6707 Third Street, Riverbank, CA 95367
(209) 863-7127
www.riverbank.org



COMPREHENSIVE STORM WATER EDUCATION & OUTREACH PLAN

A PLAN FOR EDUCATING THE PUBLIC AND THE
CITY OF RIVERBANK'S INTERNAL STAFF ON STORM
WATER POLLUTION PREVENTION AND PUBLIC
INVOLVMENT OPPORTUNITIES

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PUBLIC EDUCATION AND OUTREACH PROGRAM INTRODUCTION

1 PUBLIC EDUCATION AND OUTREACH PROGRAM INTRODUCTION

The City of Riverbank is subject to the State Water Resources Control Board's (SWRCB) National Pollution Discharge Elimination System (NPDES) Water Quality Order NO. 2013-0001-DWQ for Small Municipal Separate Storm Sewer Systems (Phase II MS4 Permit). As a result it is required to develop and implement a comprehensive education and outreach program. The purpose of this Comprehensive Storm Water Education and Outreach Plan is to effectively strategize and roadmap the implementation of the Education and Outreach Program requirements as described in Section E.7 of the Permit.

1.1 PUBLIC EDUCATION AND OUTREACH PLAN GOALS

Under the previous Phase II MS4 Permit, municipalities were required to perform general storm water outreach. The approach was very broad reaching and could be compared to a shotgun blast in which the goal was to reach as many as possible with a single outreach blast consisting of wide reaching messages such as “*only rain down the drain*”. The current permit requires a much more targeted program in which, like a rifle bullet, precise messages are delivered to targeted audiences relating to specific water quality issues. The over-arching goal of this Comprehensive Education and Outreach (E&O) Program is to reduce pollutant discharges in storm water and non-storm water discharges and to measurably increase the knowledge and awareness of the targeted audiences concerning specific and relevant topics. This Plan will take the “SMART” approach¹ to each action-oriented E&O task by having a specific and relevant message that when performed the City of Riverbank can measure its time-focused results.

The following are the goals of this E&O Plan:

1.1.1 Reduce Pollutants in Storm Water

After all ... it is all about water quality. The main goal of the program is to make sure that pollutants and storm water do not mix. This E&O Plan identifies specific pollutants that the City of Riverbank is concerned about and are a priority for its storm water program. [Section 2](#) of this Plan provides a description of these pollutants and the rationale for their inclusion into the E&O program.

Specific
Measurable
Action-oriented
Relevant
Time-focused



Figure 1 - Volunteers inspect and inventory trash and pollutants removed from the receiving water during a Coastal Cleanup Day

¹ [Getting in Step: A Guide for Conducting Watershed Outreach Campaigns](#), USEPA, December 2003, [EPA 841-B-03-002](#)

PUBLIC EDUCATION AND OUTREACH PROGRAM INTRODUCTION

1.1.2 Minimize Non-Storm Water Discharges

A primary goal, is still “*only rain down the drain*”. This Plan identifies specific illicit discharge activities that it targets with appropriate and effective educational resources. The message is no longer delivered by “shot gun” but by a rifle shot towards specific activities.

Targeted Non-Storm Water Discharges:

- Pressure washing operations
- Mobile commercial car washing and detailing
- Charity car washes
- Excessive flows from landscape irrigation.

1.1.3 Measurably Increase the Knowledge and Awareness of Targeted Audiences

A goal of this E&O Plan is to measurably increase the knowledge of targeted audiences regarding the following topics:

- The City of Riverbank’s storm water drainage system;
- Impacts of urban runoff on local receiving waters; and
- Potential BMP solutions for activities that threaten water quality.



PLANNING AND ASSESSMENT ELEMENTS ALL LINKS IN A COMMON CHAIN



OUTCOME LEVEL 1: Storm Water Program Activities

OUTCOME LEVEL 2: Barriers and Bridges to Action

OUTCOME LEVEL 3: Target Audience Actions

OUTCOME LEVEL 4: Source Contributions

OUTCOME LEVEL 5: MS4 Contributions

OUTCOME LEVEL 6: Receiving Water Conditions

Measuring an increase in knowledge can be tricky business. Knowledge doesn’t have any units of measurement, it can’t be weighed on a scale, or through any other direct means of measurement. Therefore, it must be measured through indirect means such as improvements in water quality, changes in behavior, and other relational indicators that can be associated with increased knowledge of the targeted group. To do this, the Plan will utilize the performance and effectiveness evaluation system identified in the California Stormwater Quality Association’s (CASQA) latest “*Municipal Stormwater Program Effectiveness Assessment Guidance*” document² which utilizes six different outcome levels to “measure” effectiveness, or in our case, the growth of knowledge. This is the same approach that is taken in a more broad evaluation of the storm

water program through the Phase II MS4 Permit’s requirement (Section E.14) to perform a Program Effectiveness Assessment and Improvement Evaluation.

² At the time of this version of the E&O Plan, the latest published CASQA guidance is their “Municipal Stormwater Program Effectiveness Assessment Guidance,” (May 2007). However, CASQA is expecting to release their new guidance document in the Spring of 2015. The depicted chain graphic showing the six outcome levels is based on their new approach.

PUBLIC EDUCATION AND OUTREACH PROGRAM INTRODUCTION

1.2 ORGANIZATION OF THE PLAN

This E&O Plan has been prepared as part of a collaborative effort of over 15 Central Valley Phase II MS4s. A collaborative approach to creating the core E&O Plan template was selected because there are many commonalities among the Central Valley Phase II MS4s regarding targeted pollutants of concern, activities, and audiences. Although the approach of implementing the E&O program will most likely vary from municipality to municipality, there is sufficient common ground to allow for a base template to be created, modified, and populated with specific implementation tasks by each participating municipality. This Plan has been formatted in such a way that allows each participating municipality to populate it with information about the targets and tasks that are unique to them. It has been organized to walk each participating municipality through the following nine steps.

In Section 2 of the E&O Plan:

Step 1 - Identify water quality problems;

Step 2 - Identify target audiences;

Step 3 - Identify the baseline of knowledge and awareness of the target audience;

Step 4 – Identify and prioritize the messages;

In Section 3 of the E&O Plan:

Step 5 – Inventory existing resources;

In Section 4 of the E&O Plan:

Step 6 – Detail how the E&O tasks required by the Phase II MS4 Permit in section E.7.a.ii. (b) – (m) will be accomplished;

Step 7 - Identify who is responsible for implementing each task;

Step 8 - Identifying the schedule for task implementation; and

Step 9 – Identify the process for evaluating anticipated task effectiveness.

SELECTING THE TARGET

2 SELECTING THE TARGET

In this section of the E&O Plan, we will hone in on our target and do some calibrating of the E&O “gun sights”. Specifically, we will identify the water quality problems that surface waters in or around the City of Riverbank may be experiencing. Next, we will identify audiences that should be targeted based, not only on our findings concerning water quality problems, but also on where surface water drains, activities that occur within the MS4, and historic problems. We will also look at the audience itself and see if we can discern a little about who they are, such as, gender, age group, what they do, where they live and work, and languages. After the audiences are identified, we will attempt to determine the baseline of knowledge and awareness that they have about the subjects of concern and select ways to monitor that level of knowledge, specifically through surveys. Taking all of the above information into consideration, we will then select the messages that need to be conveyed to protect water quality and identify to whom these messages should be directed.



2.1 IDENTIFICATION OF WATER QUALITY PROBLEMS

The Permit requires municipalities to base the outreach and education messages on local water quality concerns. Although the municipalities collaborating with this E&O Plan share many of the same water quality issues such as Total Maximum Daily Loads and 303d listed constituents, each municipality most likely has a unique blend of water quality issues based on regional activities, types of receiving water bodies, topography, and demographics. In the following subsections, the City of Riverbank has itemize the water quality problems that are potentially threatening local surface waters.

2.1.1 TMDLs / 303d Listed Constituents

One of the first places to check for water quality concerns is with the State Water Board. What do they consider to be a problem or a potential problem for the surface waters local to the City of Riverbank? These concerns are called “impairments” and are identified on the Clean Water Act-required 303d list and through the TMDL process (refer to the side bar for more information). For Phase II MS4s, the State Water Board has provided a list of TMDLs that apply to them in Appendix G of the Permit. [Table 1](#) provides a list of TMDLs that apply to the City of Riverbank. [Table 2](#)

TMDLs and 303d Lists?

What are they and how do they apply to my E&O program? TMDL stands for Total Maximum Daily Load and it is an outcome of the Federal Clean Water Act. The Clean Water Act requires each State to identify all of the water bodies (including streams, creeks, rivers, lakes, bays, etc.) within the State. Then, each State is required to identify all of the beneficial uses of the water bodies they have identified, which can include drinking water, agriculture irrigation water, recreation, and biological uses such as cold, spawn, or migratory. The next step in the process is to identify all of the impairments that are hindering one or more of the water body’s beneficial uses. These impairments may be a physical condition such as low dissolved oxygen, pH, or temperature; or they can include toxic impairments such as mercury, pesticides, or pathogens. The impairments are recorded on what is called the “303d List,” referring to the section of the Clean Water Act where such a listing is required. The next step is to determine the maximum amount of each impairment the water body can assimilate on a daily basis without jeopardizing any of its beneficial uses – the total maximum daily load or TMDL. Once the TMDL has been established by the State’s Water Board, the daily allowed pollutant load is then divided up among the stakeholders. The term “stakeholders” refers to every entity that discharges to the water body, including NPDES permit holders (municipalities, industrial facilities, and construction sites); and other entities, such as agricultural operations. Each stakeholder’s “slice of the TMDL pie” is called a waste load allocation (WLA) and is typically expressed as a concentration.

SELECTING THE TARGET

lists, by watershed, the 303d impairments that affect local receiving waters.

TABLE 1 – TMDLS THAT APPLY TO THE CITY OF RIVERBANK PER ATTACHMENT G

Constituent or Condition	Water Bodies Affected
Diazinon & Chlorpyrifos (Pesticides)	Lower San Joaquin River
Organic Enrichment and Low Dissolved Oxygen	Lower San Joaquin River

TABLE 2 – 303D LISTED CONSTITUENTS OF CONCERN

Watershed	Constituents and/or Conditions
Lower San Joaquin River and Tributaries	Mercury, Pesticides, Exotic Species

Diazinon, Chlorpyrifos, and Other Pesticides – These are pesticides that have been used historically in residential, commercial, and agricultural applications. Diazinon is an organophosphate insecticide formerly used to control cockroaches, silverfish, ants, and fleas. It has been restricted from being retailed to residential users for more than 10 years. It is still allowed for certain agricultural and cattle applications. Diazinon released into the environment is moderately persistent and moderately mobile. Studies of diazinon applied to several soil types show that it is not likely to adsorb to soil particles. One study looked at 25 soils and found diazinon to be mobile in 80% of the soils tested, while another study found diazinon leached more in light-textured soils with low organic matter content. Diazinon was the most frequently detected insecticide in surface waters prior to the phase-out of urban uses in 2004. Since that time, diazinon concentrations have declined in 90% of sampled streams in the midwestern and northeastern United States, many showing declines of 50% or more during the summer months.³ Chlorpyrifos is also an organophosphate insecticide and has many of the same application uses and characteristics of Diazinon.⁴ However, it is not restricted for residential use and can be found in many common insecticide products. To search for products available in California use the following link to the California Department of Pesticide Regulation and enter the name “chlorpyrifos” and 253 for the chemical code: www.cdpr.ca.gov/docs/label/chemcode.htm. The target groups are the users of these chemicals and construction operations that disturb soils and expose historically applied pesticides to storm water runoff.

Exotic Species – These are non-native invasive plant or animal species that are introduced to the water body from outside sources such as the Water Hyacinth and the Quagga Mussel⁵. The target groups are boating and maritime users; and residential fish tank and pond owners.

³ National Pesticide Information Center’s Diazinon Technical Fact Sheet <http://npic.orst.edu/factsheets/diazinontech.pdf>

⁴ National Pesticide Information Center’s Chlorpyrifos Technical Fact Sheet <http://npic.orst.edu/factsheets/chlorpotech.pdf>

⁵ Invasive Species Council of California www.iscc.ca.gov/publications/ISCC_Invasives_Poster_061510.pdf

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Organic Enrichment & Low Dissolved Oxygen – This is more of a water quality condition than a specific pollutant. However, a variety of pollutants can cause this condition. Living organisms need oxygen to breath. This is also true of organisms that live in water – they need dissolved oxygen. When oxygen levels in water drop these organisms suffer. Many times large fish kills are due to a lack of dissolved oxygen or DO. It is not usually because there is no oxygen available, but typically the oxygen is being “stolen” before it gets to the fish. This robbery happens through chemical and biological processes. Decaying organic matter will rob or “demand” oxygen from the water through bacteria degradation processes. Organic matter can be “pollutants” as seemingly harmless as leaves, cut grass, and aquatic vegetation. It can also be from sugar or other manmade and natural chemicals. Nutrients such as fertilizers can also cause an elevated demand for oxygen. High nutrient levels cause a spike in the growth of vegetation and the decay of organic material, both of which need lots of oxygen. So how do we know if a water body has a problem? We look for visible signs such as fish kills, excessive vegetation, algal blooms, and floating organic debris. We also test for water quality conditions such as dissolved oxygen, temperature, and the actual demand for oxygen by two different testing methods: Biological Oxygen Demand (BOD) or Chemical Oxygen Demand (COD). We can also analyze water samples for pollutants such as ammonia, phosphate, nitrate, or other suspected industrial chemicals that have the potential to be present. Target groups are those parties that may expose grass cuttings, leaves, or fertilizers to storm water runoff that enters the municipal drainage system (i.e. residential, landscape contractors, and municipal landscape crews).

Mercury & Methylmercury – Have you ever noticed warnings posted at docks and fishing piers about not eating large amounts of fish that were caught there? These warning signs are becoming increasingly more prevalent. This is due largely from methylmercury which is formed from inorganic mercury through a natural process of anaerobic organisms that live in aquatic environments including lakes, rivers, the California Delta, sloughs, retention basins, sediments, and soils. It can form just about anywhere there is decaying vegetation and slow water. Because Central Valley municipalities are predominately in or downstream of Gold Country, they have the likelihood of having methylmercury present. During the years of the Gold Rush, hopeful miners collectively used elemental inorganic mercury by the tons to extract gold. Much of this inorganic mercury was lost to the environment during the process. Since water flows downhill, much of that mercury has ended up in the waterways of the Central Valley and in the California Delta where it sits and slowly converts to methylmercury. There are other sources of mercury today that can add to the accumulative problem. These sources include e-waste, florescent light tubes and high density discharge lamps (such as mercury vapor lamps), older thermostats and switches, and other electronic equipment. Methylmercury is a “bio-accumulative”, meaning that it never really goes away and that it accumulates in the new host. For example, if it is in microscopic organisms that are ingested by fish, which in turn get ingested by a bird or a human – it carries through the various hosts and accumulates in the tissues of the final host. Target reducing the introduction of additional inorganic mercury into the environment by controlling how mercury containing items are disposed of and promoting the replacement of these items with mercury-free alternatives.

Pathogens – These include any agent, especially a microorganism (e.g. viruses or bacteria), able to cause disease. It can come from a wide variety of sources including residential, agricultural, industrial, and natural causes. E&O efforts for possible municipal sources should target pet waste, proper sanitation facilities and facility maintenance, and residential and commercial causes of sanitary sewer overflows.

Temperature – In a municipal setting this condition consisting of increasing the receiving water temperature above normal natural levels is typically caused by the discharge of cooling water and industrial process water to the surface water. Target group is industrial and port facilities.

SELECTING THE TARGET

Toxic Chemicals (Dioxin, Furans, and PCBs) – These pollutants tend to be found in the parts of the watershed that have a heavier industrial presence or historic industrial activity such as the Deep Water Ship Channel in Stockton. Many of these chemicals are present in sediments from historic activities and the subsequent settling of pollutants. Dredging activity can re-introduce them to the water column. Target group industrial and port facilities.

TABLE 3 – SUMMARY OF THE CITY OF RIVERBANK’S TMDL / 303D-BASED MESSAGES

Messages:
Diazinon, Chlorpyrifos, and Other Pesticides: Use alternative Integrated Pesticide Management (IPM) methods and best practices when using pesticides.
Exotic Species: Follow best practices for boat cleaning ⁶ and about proper maintenance practices for fish tanks and ponds.
Organic Enrichment & Low Dissolved Oxygen: Do not blow grass cuttings and leaves into the street and gutter, use natural compost rather than commercial fertilizers, and follow best practices when applying fertilizer.
Mercury & Methylmercury: No illegal dumping. Use proper e-waste disposal, and select reduced-mercury or mercury-free alternatives.
Pathogens: Clean up and proper disposal of pet wastes; secure and properly maintain portable sanitary facilities; and Fats, Oils, and Grease (FOG) program education.
Temperature: Procure proper environmental permits prior to discharging wastewater or cooling water; and comply with the State Water Board’s Industrial General Permit.
Toxic Chemicals (Dioxin, Furans, and PCBs): Procure proper environmental permits prior to in-water work and comply with the State Water Board’s Industrial General Permit.

2.1.2 Illicit Discharges and Connections

Another target for the E&O program are illicit discharges. Remember the motto “*only rain down the drain*”. So we will need to identify **common sources** of unauthorized non-storm water discharges in the City of Riverbank. What is unauthorized? Well, it is easier to identify what is authorized because it is listed in the Phase II MS4 Permit. Authorized non-storm water discharges include the following:

⁶ www.dbw.ca.gov/BoaterInfo/CleaningProcedures.aspx

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- ✓ water line flushing;
- ✓ ***individual residential*** car washing;
- ✓ diverted stream flows;
- ✓ rising ground waters;
- ✓ uncontaminated ground water infiltration (as defined at 40 C.F.R. §35.2005(20)) to separate storm sewers;
- ✓ uncontaminated pumped ground water;
- ✓ discharges from potable water sources;
- ✓ foundation drains;
- ✓ air conditioning condensation;
- ✓ springs;
- ✓ water from crawl space pumps;
- ✓ footing drains;
- ✓ flows from riparian habitats and wetlands;
- ✓ flow from fire-fighting activities;
- ✓ ***de-chlorinated*** swimming pool discharges; and
- ✓ incidental runoff from landscaped areas.

One new discharge prohibition in the Phase II MS4 Permit concerns excessive runoff from landscaped areas. Technically, it is defined in the Permit as ***discharges in excess of incidental runoff***. Incidental runoff is defined as unintended amounts of runoff such as minimal over-spray from sprinklers that escapes the area of intended use. Irrigation water leaving an intended use area is considered excessive if it is due to excessive application, intentional overflow or application, or negligence. This is a common issue in just about every municipality and, especially with the importance of drought-conscious water conservation, it is a key target for the E&O Plan. E&O messages should include water conservation methods and equipment, complying with the City of Riverbank's municipal code about irrigation and water conservation, and about proper maintenance of irrigation systems.

Other illicit discharge E&O will be directed towards common sources of municipal non-storm water discharges as identified in [Table 4](#).

TABLE 4 – COMMON SOURCES OF ILLICIT DISCHARGES IN THE CITY OF RIVERBANK

Type of Discharge	Targeted Audience	Message
Washing of business exterior surfaces and paved areas	Business owners and operators	Use dry cleaning methods or, when washing must be done, find a way to keep flows from going into a storm drain.
Washing of floor mats and equipment	Restaurant owners and operators	Wash mats in a way to keep flows from going into a storm drain by washing them on a permeable surface, in an area that drains to the sanitary sewer system, or at a self-serve car wash facility.

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Type of Discharge	Targeted Audience	Message
Car washing that is not by an individual residential occupant	Mobile detailers and car washing operations; New or used car lots; charitable car washes	Wash water from car washing is not allowed to go into the storm drain. Possible options include using a commercial car wash facility; diverting flows to a permeable area; or washing cars so that water is discharged to the sanitary sewer. Permission by the municipality may be needed prior to discharging to the sanitary sewer.
Liquids from Trash Bins, Containers, or Outdoor Waste Compactors	Commercial businesses and restaurants.	Cover and contain trash bins and waste compactors. Segregate wastewater from storm water and direct collected wastewater to the sanitary sewer system. Permission by the municipality may be needed prior to discharging to the sanitary sewer.
Dumping janitorial mop-buckets and other janitorial and carpet cleaning wastewater	Business owners and operators; janitorial contractors; carpet cleaning contractors	Dump janitorial mop water and carpet cleaning water into the sanitary sewer.
Illicit connection of interior floor drains	Business owners and operators	Confirm that interior floor drains are not connected to the storm sewer system. Educate on tests that can be performed by the business owner to check for illicit connections.
Illegal dumping	Residents or businesses in the areas of the municipality in which dumping occurs most often	Educate about where storm drains discharge and that there is no treatment before water discharges. Educate about the fines and possible imprisonment for illegal dumping. Provide education on cost-effective alternatives for the disposal of used oil, chemicals, and paint.

2.1.3 Sanitary Sewer Overflows

Overflows from sanitary sewers that flow into the City of Riverbank's storm drainage system are actually a type of illicit discharge. But, for this unauthorized discharge we approach it in a slightly different manner. In this case, for the most part, residents and businesses in the City of Riverbank do not directly cause sanitary sewer overflows (SSOs); but, it is their actions that can indirectly cause SSOs. This is definitely an area for education, because most residents and businesses are completely clueless about the connection of what they dump down an interior drain and storm water quality. After all, aren't they two different sewer systems? This is where the municipality's Fats, Oil, and Grease (FOG) program comes into play. Most SSOs are due to the clogging of sanitary sewer lines causing a back-up of the system, which will usually surface at a manhole and then surface flow to a nearby storm drain. It is not a pretty situation and exposes not only fats and oils to the storm water runoff and local receiving water but also pathogens, nutrients, toxic substances, and material that is high in BOD. E&O efforts will target areas of Riverbank where there has been residential or commercial causes of sanitary sewer overflows. [Table 5](#) provides an itemization of SSOs that have occurred in the last 2 years in the City of Riverbank.

SELECTING THE TARGET

TABLE 5 – COMMON SOURCES OF SSO IN THE CITY OF RIVERBANK

List SSOs that have occurred in the last two years	Area of the Municipality in which the SSO occurred	Type of sanitary sewer users in the area of the SSO
Lift Station Transducer Failure	Virginia Avenue	Residential
Lift Station Transducer Failure	Engstrom Drive	Residential
Lift Station Power Outage	Falcon Ridge Drive	Residential
Fats, Oil, Grease (FOG)	Sierra Avenue	Residential

E&O messages for residents will center on not dumping fats, oils and greases down the drain; and for restaurants and businesses in using proper grease collection systems and regularly maintaining those systems.

TABLE 6 – SUMMARY OF SSO AND FOG MESSAGES

Messages:
Residents and Businesses: Do not dump fats, oils and greases down the drain.
Businesses: Use proper grease collection systems and regularly maintain those systems.

2.1.4 Trash

Up to this point, the water quality problems that we have been discussing in this Plan have been water body specific or regional; however, there is a water quality problem that poses a State-wide threat – trash. We all see it and some of its unsightly effects when we visit the beach, an estuary, river, lake or other favorite water recreational resources. But the damage is not limited to visual effects. Studies have shown that trash presents a real threat to public health and to the health of organisms that depend upon aquatic and marine ecosystems. Trash has become a primary target of the State Water Board's public education and outreach program⁷ as demonstrated by the video link shown in Figure 2. The messages are especially appropriate for school-age children to educate the next generation about the importance of not littering and keeping trash out of the storm drainage system.



Figure 2 - State Water Board's video on the impact of trash on water quality
<http://youtu.be/KrdXSvb1Af8>

⁷ To learn more about the State Water Board's trash program, go to www.waterboards.ca.gov/water_issues/programs/trash_control/

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TABLE 7 – SUMMARY OF TRASH & LITTER POLLUTION PREVENTION MESSAGES

Messages:

Keep Streets, Neighborhoods and Parks Trash Free.

2.2 IDENTIFICATION OF TARGET AUDIENCES

Now that the water quality problems for Riverbank have been established, the next step is to identify who are the target audiences for these problems. The target audience is the group of people you want to reach with your messages. Target audiences may sometimes be obvious, while other target groups may require some research to determine who exactly would benefit most from the message that is attempting to be conveyed. Remember, we are wanting to direct a “bullet” of education to a specific target that has impact and not a “spray” of less impactful messages hoping to hit a target. If the target audience is too broad, the targeted message may not be effective on the intended target.

Targeted audiences can be segmented by a variety of distinctive characteristics including geographical locations, demographics, and activities or business types.

2.2.1 Geographic Locations

For some pollutants of concern, it makes sense to target an audience by geographical location. This is particularly true for issues that involve illicit discharges, illegal dumping, SSOs, and pollutants that can be attributed to a certain geographical area of the municipality. During Year 2 of the Phase II MS4 Permit, municipalities were required to develop an outfall map which identified “*priority drainage areas*” that included older infrastructures, industrial/commercial (mixed use) areas, a past history of illicit discharges or dumping, areas with onsite sewage disposal systems, or areas that are likely to have illicit discharges. These regional areas, businesses, activities, and communities should be targeted with the messages identified on Tables [3](#), [4](#) and [6](#). In [Table 8](#), identify geographical areas within the City of Riverbank that are particularly applicable to the listed water quality concerns.

TABLE 8 – GEOGRAPHICAL AUDIENCES

Water Quality Concern	Neighborhood, Tract, or Area of the Municipality from where the Water Quality Concern Originates
Pesticides <i>(areas of residential, commercial, and/or municipal use)</i>	Citywide
Exotic species <i>(typically residential)</i>	Citywide
Organic enrichment / low dissolved oxygen <i>(areas from where organic debris originates or where fertilizers may be applied; may also apply to certain industrial sectors of the municipality)</i>	Citywide
Mercury <i>(this is not typically a geographical-specific issue)</i>	Citywide
Pathogens <i>(areas where there is frequent pet waste; may also apply to certain industrial sectors of the municipality)</i>	Citywide
Toxic chemicals <i>(may apply to certain industrial sectors of the municipality)</i>	Citywide
Illicit discharges <i>(areas where there has been a history of illicit discharges or dumping issues)</i>	Citywide

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Sanitary Sewer Overflows <i>(areas where there has been a history of SSOs or areas where the sanitary sewer systems requires frequent maintenance for FOG issues; typically areas with high concentration of residential and restaurants)</i>	Citywide
Trash <i>(this is not typically a geographical-specific issue; unless trash capture devices show a higher amount of trash loading for a particular geographical area)</i>	Citywide

2.2.2 Demographics

For some pollutants of concern, the appropriate audience target is based on one or more demographic characteristics. These characteristics include such things as ethnicity, gender, age, income, recreational

Demography *noun* \di-'mā-grə-fē\

The study of changes (such as the number of births, deaths, marriages, and illnesses) that occur over a period of time in human populations; also a set of such changes; the statistical study of human populations especially with reference to size and density, distribution, and vital statistics.

Source: www.merriam-webster.com/

activities, organizational affiliations, or land use types (e.g., industrial, residential, commercial, open space). Knowing and understanding the demographics of a municipality will get the desired messages effectively delivered to the right audience. For example, if the pollutants of concern include pesticides and fertilizers, we would most likely not have immediate results if messages about these pollutants are delivered to school-age children. Although there may be a long-term benefit by telling school children about these pollutants, we would probably get a

much greater immediate benefit by targeting homeowners and landscape maintenance contractors. Further demographic research can then be done to determine the gender and age of homeowners who tend to buy and apply landscape maintenance chemicals and the primary languages spoken by the landscape maintenance contractors. Now, it should be noted that when we are looking at demographics we are not making a judgment about any certain group or a “blanket statement”. We are only looking at trends – there will certainly be exceptions and anomalies to these observed trends. Think of it this way ... you only have so much money and time to spend on education about a particular water quality concern. Where can you spend it in a way that will give you the greatest impact? You might not hit everyone with your message, but you will hit many of the more likely applicable recipients using demographic knowledge.

Another aspect to evaluating demographics is to identify the way that a particular group receives messages. We would not want to primarily communicate a message through the City of Riverbank’s website to a group that tends to rarely go online. We want to identify media to which the demographic-based group tends to have exposure. We also want to look at places the targeted demographic group frequents; such as homeowners who go to home improvement centers, nurseries, or hardware stores to buy their landscape maintenance chemicals. If we were targeting this group, it might be effective to see if we could disseminate educational materials at these types of retail businesses.

[Table 9](#) identifies water quality concerns and, where possible, associates them with one or more demographic-based groups.

SELECTING THE TARGET

TABLE 9 – DEMOGRAPHIC-BASED AUDIENCES

Water Quality Concern	Demographic-Based Groups likely to Use, Apply, or Discharge the Pollutant of Concern	Effective Ways to Convey Messages to the Targeted Group
Pesticides		<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide <i>Common language groups:</i> English & Spanish
Exotic species		<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide <i>Common language groups:</i> English & Spanish
Organic enrichment / low dissolved oxygen		<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide <i>Common language groups:</i> English & Spanish
Mercury		<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide <i>Common language groups:</i> English & Spanish
Pathogens		<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide <i>Common language groups:</i> English & Spanish

SELECTING THE TARGET

Water Quality Concern	Demographic-Based Groups likely to Use, Apply, or Discharge the Pollutant of Concern	Effective Ways to Convey Messages to the Targeted Group
Toxic chemicals		<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide <i>Common language groups:</i> English & Spanish
Illicit discharges		<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide <i>Common language groups:</i> English & Spanish
Sanitary Sewer Overflows		<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide <i>Common language groups:</i> English & Spanish
Trash		<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide <i>Common language groups:</i> English & Spanish

2.2.3 Activities and Business Types

Targeted audiences many times are based on what they inherently do. For example, pest control contractors use pesticides; power washing operations have non-storm water runoff; and charity car washes produce not only sign-waving participants but also sudsy water. The Phase II MS4 permit requires that the City of Riverbank reach out to certain activities and businesses which are included on [Table 10](#) and designated as a “mandated audience”. Other businesses and groups have been added to [Table 10](#) by the City of Riverbank based on their potential to expose targeted pollutants of concern to storm water runoff.

SELECTING THE TARGET

TABLE 10 – ACTIVITY OR BUSINESS-BASED AUDIENCES

Activity or Business likely to Use, Apply, or Discharge the Pollutant of Concern	Pollutants of Concern	Effective Ways to Convey Messages to the Targeted Group
Organized Car Washes <i>(Permit mandated)</i>	Illicit discharges Soaps, detergents, and other substances that may demand oxygen or affect the pH of the receiving water	<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide, Non-Profits <i>Common language groups:</i> English & Spanish
Mobile Cleaning and Pressure Washing Operations <i>(Permit mandated)</i>	Illicit discharges Soaps, detergents, and other substances that may demand oxygen or affect the pH of the receiving water	<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide, Businesses <i>Common language groups:</i> English & Spanish
Landscape Irrigation <i>(Permit mandated)</i>	Illicit discharges	<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide, Businesses, Landscape Companies, Contractors <i>Common language groups:</i> English & Spanish
Landscape Maintenance Operations <i>(Permit mandated)</i>	Organic enrichment from grass cuttings, leaves, and organic debris Pesticides and herbicides Fertilizers and nutrients	<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide, Businesses, Landscape Companies, Contractors <i>Common language groups:</i> English & Spanish
Construction Site Operators <i>(Permit mandated)</i>	Sediment pH altering substances	<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide, Business, Contractors <i>Common language groups:</i> English & Spanish

SELECTING THE TARGET

Activity or Business likely to Use, Apply, or Discharge the Pollutant of Concern	Pollutants of Concern	Effective Ways to Convey Messages to the Targeted Group
Industrial Businesses	Toxic chemicals	<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide, Businesses <i>Common language groups:</i> English & Spanish
Restaurants	Illicit discharges Sanitary Sewer Overflows from FOG issues	<i>Media of choice:</i> Written, Social Media, City Website <i>Locations to disseminate information:</i> Citywide, Restaurants <i>Common language groups:</i> English & Spanish

2.3 IDENTIFICATION OF THE BASELINE OF KNOWLEDGE AND AWARENESS

Now that we have identified the pollutants of concern, the target audiences, and the messages to convey, we need to turn our attention to understanding the baseline knowledge of the targeted audience on the subject of interest. How much do they know about the subject? And where should we start? If we direct messages to them that are too elementary, we not only insult their intelligence, but the messages will also tend to be easily dismissed by them because they will automatically think "*I already know that*" and they won't give our message a second thought. If we convey messages to them that are overly complex or not readily understood, they will also dismiss them thinking that they are not relevant to them nor want to take the time to figure them out. We need to understand where our audience is coming from and gauge their level of understanding so that we can send out messages that are relevant and of interest to them. There are various ways to do this. The Phase II MS4 Permit, however, requires two specific ways. The City of Riverbank is required to obtain public input in the development of the City of Riverbank's E&O program. The second requirement is for the City of Riverbank to conduct surveys at least twice during the Permit's term (July 1, 2013 – June 30, 2018) to gauge the level of awareness in the target audiences and the effectiveness of the E&O program.

2.3.1 Public Involvement

Public involvement can sometimes be an allusive objective. For some municipalities it happens almost naturally and for others it is something that has to be developed and nurtured. The first step in public involvement is to solicit it from interested parties. Where do you find these interested parties? We suggest starting with local interest groups such as clubs, docents, and other community-based organizations. If these groups are non-existent or non-responsive, you may then need to appeal to interested individuals in your community. Where do you find these individuals? They tend to be the ones already involved. They attend public hearings, sit on community committees, and volunteer in other ways. [Table 11](#) contains methods that the City of Riverbank will use, or attempt to use, to reach out to interested parties to provide input on the E&O program.

SELECTING THE TARGET

TABLE 11 – METHODS TO OBTAIN PUBLIC INVOLVMENT

Ways to Reach Out to Interested Parties to Provide Input on the E&O Program
Make an appeal for interested parties in one of the municipal council meetings
Present this E&O Plan at a council meeting and have a time for public comment on the Plan.
Storm Water links identified on City website.

2.3.2 Surveys

As previously mentioned, the Permit requires the municipality to perform two surveys during the Permit term. The purpose of the first survey is to establish a baseline of awareness of the targeted audiences concerning the topics of concern. The second survey is performed at a later date, presumably after implementation of the E&O Plan and the “broadcasting” of messages to the targeted groups. Ideally, this survey will show whether or not there has been an increase in knowledge about a subject of concern within the targeted group and, if designed and executed correctly, it should show areas that need further education and provide insight to what should be prioritized. Surveys and polls actually are a field of expertise unto themselves. Companies like Gallup have refined polling and surveys to an art and science. American companies pay millions of dollars for accurate and reliable survey data. However, a “survey” can be as simple as polling your office colleagues on who wants pizza or hamburgers for lunch. The Phase II MS4 Permit does not provide any specific guidance about the nature, scope, or accuracy of the surveys other than they are “to gauge the level of awareness in target audiences and effectiveness of education tasks.” Therefore, it is left somewhat to the discretion of the municipality to determine the appropriate survey methodology for the program. It is probably more than asking “who wants burgers?”, but not as expensive and elaborate as a Gallup poll. In [Appendix 4](#) some recommended survey tools and references have been provided. Some of these methods are quite cost effective. Also included in [Appendix 4](#) is a pool of survey questions that have been developed and sorted by the various water quality concerns.

When building a survey, the municipality is attempting to get the most representative response from the targeted audience. As we discussed earlier in this plan, the target audience can greatly differ based on topic. To better understand where our answers are coming from we need to understand who is providing answers to the questions. The municipality can establish a few qualifier questions to help sort answers by audience. An example qualifier question would be “do you live, work, or go to school in the City of Riverbank?” This would establish if the survey taker would be a contributing factor to water quality issues within the municipality, or if they have been targeted by E&O efforts. The rest of the questions would gauge the survey taker’s awareness of the selected storm water issues.

The trick about surveys is getting it into the right hands and also knowing a little about the demographics of the survey taker. Surveys should be kept short and simple – because, frankly, people do not generally have much time or patience to give when answering questions. We recommend that, when possible, the survey be administered in person because this will help give it a more personal touch and the questions may generate opportunities to provide informal storm water education about specific issues of interest to the survey taker. Another benefit of giving it in person, is that the person administering the survey questions can do some informal assessment of the demographics of the person taking the survey. Because the survey is being kept short, there needs to be value in every question posed.

SELECTING THE TARGET

Let's now look at how a survey might be conducted. If the pollutants of concern for a municipality include pesticides and organic enrichment / low dissolved oxygen, a municipality may want to consider administering surveys during Year 2 of the Permit term at a local home improvement center, retail nursery, or during a home & garden show in your community. (Of course, you would need to get approval from the business or event before administrating the survey.) By conducting a survey at this location and in this way, you could expect to have contact with individuals in your community who are more likely to purchase and use landscape chemicals and to perform landscape maintenance – this is your target audience. This is by no means a completely “scientific” approach, but it does meet the intent of the permit requirement and is a baseline “*gauge of awareness*” in the target audience. It would then be good to return to the same location in Year 4 or 5 of the Permit term to do a follow-up survey with the same questions to see if there has been any change in the responses and to determine if awareness of the survey subject matter has increased.

In [Table 12](#), identify the surveys that you will conduct during the current Permit term.

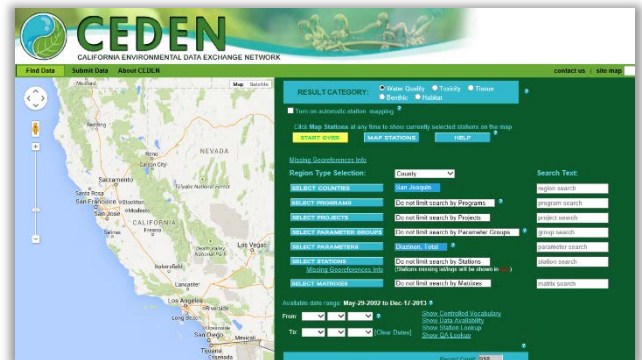
TABLE 12 – CITY OF RIVERBANK STORM WATER AWARENESS SURVEYS

Location & Method	Baseline or Follow-up?	Target Audience(s)	Compliance Year that the Survey will be Conducted
Website Survey	Baseline & Follow-up	Residents & Businesses	2016

2.4 PUTTING IT TOGETHER - PRIORITIZATION OF MESSAGES

In the preceding sections, the City of Riverbank identified local water quality concerns, messages to communicate, the target audiences, and ways to measure the baseline and increase of knowledge within the target audiences. Now it is time to develop a focused approach to the E&O program. In this section of the E&O Plan, we want to pull all the pieces together to be able to state very concisely who we want to talk to and what do we want to tell them. And, we want to prioritize the messages. If we could only convey one message, what would be the most important? Prioritization of messages can be very subjective. After all, each of the water quality concerns are important and pose a potentially equal threat to water quality. But, we do have some clues available to us as to what should be prioritized. These clues include:

Water Quality Testing Results – The analytical results are the bottom line. Is water quality improving or worsening? When analytical data indicates a worsening of water quality, the priority of the related E&O messages should be elevated. Likewise, improvements in water quality could justify lowering the priority level. Analytical data is not always available for each pollutant of concern, but when it is available the City of Riverbank should review it to see if there has been any change in water quality. The Phase II MS4 does not require monitoring for all pollutants of concern; and, for those that it does require testing, data is not generated every year. However, there are some internal and external sources of analytical data available to the municipality. The City of Riverbank should evaluate data it generates from the analytical testing of non-storm water flows from its own outfalls as required in Section E.9 of the Phase II



SELECTING THE TARGET

MS4 Permit and data generated from the receiving water monitoring that may be required of the municipality in Section E.13 of the Permit. These internal sources of data are generated from its own storm water program. External data is sometimes available from receiving water testing performed by other nearby entities. The City of Riverbank can access publicly available data from the California Environmental Data Exchange Network (CEDEN) at <http://ceden.org>.

Field Data Trends – Another clue to help assess the prioritization of storm water messages is field data such as number of SSOs, volume of trash removed from the drainage system or from street sweeping, number of illicit discharges or reported cases of dumping, number of days local water recreation facilities were shut down due to elevated bacteria or algae levels, amount of e-waste or household hazardous waste taken to approved recycling facilities. Trends in field data can be used to indicate if threats to water quality are on the increase or are diminishing. For those on the increase, the municipality would want to elevate the priority of the message associated with that pollutant or water quality condition. But, downward trends may allow the priority level to be lowered. For example, if field data from Public Works shows that the volume of trash captured and removed from the storm drainage system is decreasing over the last several years, but that the amount of organic debris in residential neighborhood drains remains high, the prioritization of messages about trash and litter could be lowered and the prioritization of messages about grass cuttings and blowing organic debris into the street could be elevated.

Survey Results – As mentioned in [section 2.3.2](#), surveys can be used to provide some more clues about how to prioritize the storm water E&O messages. Careful evaluation and analysis of survey results should be done to identify gaps in knowledge in target audiences about the subjects of concern. A gap in knowledge would justify raising the priority level of related messages. The survey analyst should also look for growth of knowledge in the follow-up surveys, which may justify lowering the priority level and allowing another pollutant-of-concern's message to be elevated.

Now let's put it together. In [Table 13](#), enter the messages that were identified earlier in [Tables 3, 4, 6, and 7](#). For each of those messages, enter the target audience(s) and the associated water quality concern(s) as identified in [Tables 8, 9, and 10](#). Finally, set the prioritization of the message based on available water quality testing results, field data trends, and survey results. Don't worry if the prioritization feels a little subjective. Do your best to prioritize, but remember that all of the water quality concerns are important and will be addressed at some level in the City of Riverbank's E&O program. [Table 13](#) will be revised from time to time especially in conjunction with the annual Performance Effectiveness Assessment and Improvement Evaluation required by the Permit in Section E.14.

TABLE 13 – SUMMARY & PRIORITIZATION OF STORM WATER E&O MESSAGES

Priority (1 being the highest)	Message	Target Audience(s)	Pollutant(s) of Concern
1	Only Rain Down the Drain		
2			

INVENTORY OF EXISTING RESOURCES

3 INVENTORY OF EXISTING RESOURCES

Before we move on to determine what E&O activities and tasks the City of Riverbank will perform, let's conduct a bit of an inventory to see what we have to work with. Education programs can be expensive and time consuming. Storm water managers who have limited time and resources need to “work smart”, so the City of Riverbank will want to try to tap into resources, outreach tools, and public participation opportunities that already exist. Furthermore, the Permit encourages municipalities to utilize existing information and resources and to participate in collaborative E&O programs. In this section and with the use of the resource reference and worksheet in [Appendix 5](#), the City of Riverbank will perform an inventory of these existing resources. We have included resources that you may not be aware of. In addition, you may have access to resources we know nothing about. If that is the case, please add them in [Appendix 5](#) and let the other collaborating municipalities know about them. The worksheet in [Appendix 5](#) will allow you to identify which of these will be used for the E&O tasks that are described in [Section 4](#) of this E&O Plan.

During Year 1 of the Permit, the City of Riverbank was required to select and identify one or more of the following public E&O options. The option(s) selected by the City of Riverbank is denoted with an “X”.

- ☐ Contributing to a countywide storm water program, as determined appropriate by the Permittee members, so that the countywide storm water program conducts outreach and education on behalf of its members; **or**
- ☐ Contributing to a regional outreach and education collaborative effort (a regional outreach and education collaborative effort occurs when all or a majority of the Permittees collaborate to conduct regional outreach and education. Regional outreach and education collaboration includes Permittees defining a uniform and consistent message, deciding how best to communicate the message, and how to facilitate behavioral changes, then collaboratively apply what is learned through local jurisdiction groups, pooling resources and skills.); **or**
- ☐ Fulfilling outreach and education requirements within their jurisdictional boundaries on their own; **or**
- ☒ A combination of the previous options, so that all requirements are fulfilled.

IMPLEMENTATION OF THE PLAN

4 IMPLEMENTATION OF THE PLAN

Let's review our progress so far in developing this Comprehensive Storm Water Education & Outreach Plan.

In Section 2 of the E&O Plan we accomplished the following steps:

- ☑ **Step 1** - Identify water quality problems;
- ☑ **Step 2** - Identify target audiences;
- ☑ **Step 3** - Identify the baseline of knowledge and awareness of the target audience;
- ☑ **Step 4** – Identify and prioritize the messages;

In Section 3 of the E&O Plan we performed the following inventory:

- ☑ **Step 5** – Inventory existing resources;

Now we need to complete the process by determining how to implement the E&O Plan. In this section of the E&O Plan we will put the “nuts and bolts” to the Plan by doing the following:

- Step 6** – Detail how the E&O tasks required by the Phase II MS4 Permit in section E.7.a.ii. (b) – (m) will be accomplished;
- Step 7** - Identify who is responsible for implementing each task;
- Step 8** - Identifying the schedule for task implementation; and
- Step 9** – Identify the process for evaluating anticipated task effectiveness.

4.1 IDENTIFY THE E&O AND PUBLIC INVOLVEMENT TASKS

In Section E.7.a., the Phase II MS4 Permit lists thirteen specific activities, or “implementation level” tasks that each municipality must incorporate into its comprehensive E&O program. In addition, Section E.8. requires five tasks to encourage public involvement and participation in the City of Riverbank’s storm water program. The following lists the E&O and public participation tasks and provides a summary of how the City of Riverbank will satisfy each requirement.

E&O Tasks:

Task 1

Develop and implement a public education strategy that establishes education tasks based on water quality problems, target audiences, and anticipated task effectiveness. The strategy must include identification of who is responsible for implementing specific tasks and a schedule for task implementation. The strategy must demonstrate how specific high priority storm water quality issues in the community or local pollutants of concern are addressed.

This E&O Plan meets the requirements of Task 1 in that it identifies in Section 2 the water quality problems and target audiences. The Plan identifies in Sections 2.4 and 4.4 how the City of Riverbank will measure and evaluate the effectiveness of its E&O program and the strategy used to prioritize water quality issues. In Appendix 6, the E&O Action Plan identifies who is responsible for implementing each task and provides an implementation schedule.

IMPLEMENTATION OF THE PLAN

Task 2

Implement surveys at least twice during the permit term to gauge the level of awareness in target audiences and effectiveness of education tasks.

Section 2.3.2 and Table 12 identify how the City of Riverbank will implement surveys at least twice during the permit term. Appendix 4 provides additional reference and guidance material about performing surveys.

Task 3

Develop and convey a specific storm water message that focuses on the following:

- 1) Local pollutants of concern*
- 2) Target audience*
- 3) Regional water quality issues*

In Section 2 of this E&O Plan, the City of Riverbank walks through the process of identifying the above three items and the related messages. These messages are summarized and prioritized in Table 13.

Task 4

Develop and disseminate appropriate educational materials to target audiences and translate into applicable languages when appropriate (e.g. the materials can utilize various media such as printed materials, billboard and mass transit advertisements, signage at select locations, stenciling at storm drain inlets, radio advertisements, television advertisements, and websites);

In Section 2 of this E&O Plan, the City of Riverbank considered the demographics of the target audiences, including dominant languages. Table 9 summarizes the demographic-based approach for each water quality concern and identifies the media of choice, locations to disseminate information, and the common language groups. The City of Riverbank identifies in the E&O Action Plan (included in Appendix 6) specific information about what media will be used, and where it will be used to convey the messages identified in Table 13 to the target audiences.

Task 5

Utilize public input (e.g., the opportunity for public comment, or public meetings) in the development of the program;

Section 2.3.1 of this Plan and Table 11 identify the methods that the City of Riverbank will use to solicit and utilize public input in the development of the E&O program.

Task 6

Distribute the educational materials, using whichever methods and procedures determined appropriate during development of the public education strategy;

Table 9 summarizes the demographic-based approach for each water quality concern and identifies the media of choice, locations to disseminate information, and the common language groups. The City of Riverbank identifies in the E&O Action Plan (included in Appendix 6) specific information about what media will be used, and where and how it will be used to convey the messages identified in Table 13 to the target audiences.

IMPLEMENTATION OF THE PLAN

Task 7

Convey messages to explain the benefits of water-efficient and storm water-friendly landscaping, using existing information if available;

These two areas are identified in [Table 10](#) as Permit-mandated E&O topics. [Table 10](#) identifies the media of choice, locations to disseminate information, and the common language groups. [Appendix 5](#) provides an inventory of existing resources and tools that the City of Riverbank may utilize to convey the messages. The City of Riverbank identifies in the E&O Action Plan (included in [Appendix 6](#)) specific information about how it will convey these messages to the target audiences.

Task 8

Develop and convey messages specific to reducing illicit discharges with information about how the public can report incidents to the appropriate authorities. The Permittee must promote, publicize, and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s through a central contact point, including phone numbers for complaints and spill reporting, and publicize to both internal Permittee staff and the public. If 911 is selected, the Permittee must also create, maintain, and publicize a staffed, non-emergency phone number with voicemail, which is checked daily;

During Year 1 of the Phase II MS4 Permit term, the City of Riverbank prepared a spill plan that identifies how spills are reported, tracked, responded to, and followed up on. The Spill Plan is accessible to the public on the City of Riverbank's website. Consistent with the Spill Plan, the City of Riverbank identifies in the E&O Action Plan (included in [Appendix 6](#) of this E&O Plan) specific information about how it will achieve the above illicit discharge reporting and tracking requirements.

Task 9

Develop and convey messages specific to proper application of pesticides, herbicides, and fertilizers;

These activities are identified in [Table 10](#) for the Permit-mandated E&O audiences. The messages for these activities are identified in [Section 2.1.1](#) and in [Table 13](#). [Table 10](#) identifies the media of choice, locations to disseminate information, and the common language groups. [Appendix 5](#) provides an inventory of existing resources and tools that the City of Riverbank may utilize to convey the messages. The City of Riverbank identifies in the E&O Action Plan (included in [Appendix 6](#)) specific information about how it will convey these messages to the target audiences.

Task 10

*Within the Permittee's jurisdiction, provide independent, parochial, and public schools with materials to effectively educate school –age children about storm water runoff and how they can help protect water quality habitat in their local watershed(s). The Permittee is **encouraged [but not mandated]**⁸ to use environmental and place-based, experiential learning materials that are integrated into school curricula and school facility management. In the case that an environmental and place-based, experiential learning local program does not exist, the Permittee may use California's Education and Environment Initiative Curriculum or equivalent.*

[Appendix 5](#) provides an inventory of existing resources and tools that the City of Riverbank may utilize to convey the above-referenced messages to school-age children. The applicable schools are listed in

⁸ Emphasis and parentheses added by the E&O Plan developer.

IMPLEMENTATION OF THE PLAN

Appendix 7 of this E&O Plan. The City of Riverbank identifies in the E&O Action Plan (included in Appendix 6) specific information about how it will convey these messages to the schools and school-age children.

Task 11

Develop (or coordinate with existing, effective programs) and convey messages specific to reducing discharges from organized car washes, mobile cleaning and pressure washing operations, and landscape irrigation.

These activities and related messages are identified in Table 4 and are included in Table 10 as Permit-mandated E&O audiences and activities. Table 10 identifies the media of choice, locations to disseminate information, and the common language groups. Appendix 5 provides an inventory of existing resources and tools that the City of Riverbank may utilize to convey the messages. The City of Riverbank identifies in the E&O Action Plan (included in Appendix 6) specific information about how it will convey these messages to the target audiences.

Task 12

Conduct storm water-friendly education for organized car wash participants and provide information pertaining to car wash discharge reduction. The Permittee may use the Sacramento Stormwater Quality Partnership's River Friendly Carwash Program, or equivalent, for guidance.

This task seems to be very similar or possibly redundant with Task 11. This activity and related messages are identified in Table 4 and are included in Table 10 as a Permit-mandated E&O audience and activity. Table 10 identifies the media of choice, locations to disseminate information, and the common language groups. Appendix 5 provides an inventory of existing resources and tools that the City of Riverbank may utilize to convey the messages. The City of Riverbank identifies in the E&O Action Plan (included in Appendix 6) specific information about how it will convey these messages to the target audience.

Task 13

Develop and convey messages specific to mobile cleaning and pressure wash businesses.

This task seems to be very similar or possibly redundant with Task 11. These activities and related messages are identified in Table 4 and are included in Table 10 as Permit-mandated E&O audiences and activities. Table 10 identifies the media of choice, locations to disseminate information, and the common language groups. Appendix 5 provides an inventory of existing resources and tools that the City of Riverbank may utilize to convey the messages. The City of Riverbank identifies in the E&O Action Plan (included in Appendix 6) specific information about how it will convey these messages to the target audiences.

Public Participation Tasks:

Task 1

Develop a public involvement and participation strategy that establishes who is responsible for specific tasks and goals.

In Appendix 6, the E&O Action Plan identifies who is responsible for implementing the public involvement tasks and provides an implementation schedule. Section 2.3.1 of this Plan and Table 11 identify the methods that the City of Riverbank will use to solicit and utilize public input in the development of the E&O program and public involvement and participation strategy.

IMPLEMENTATION OF THE PLAN

Task 2

Consider development of a citizen advisory group (either a stand-alone group or utilize an existing group or process). The advisory group may consist of a balanced representation of all affected parties, including residents, business owners, and environmental organizations in the MS4 service area and/or affected watershed. The Permittee may invite the citizen advisory group to participate in the development and implementation of all parts of the community's storm water program.

Section 2.3.1 of this Plan and Table 11 identify the methods that the City of Riverbank will use to solicit and utilize public input in the development of the E&O program and public involvement and participation strategy. When interested parties have been identified, the City of Riverbank will take the next step to form a citizen advisory group by inviting them to an initial meeting to scope the role and involvement of the committee in the storm water program implementation.

Task 3

Create opportunities for citizens to participate in the implementation of BMPs through sponsoring activities (e.g., stream/ beach/ lake clean-ups, storm drain stenciling, volunteer monitoring and educational activities).

Appendix 5 provides an inventory of existing public involvement opportunities in which interested citizens can become involved. The appendix also lists other common activities that the City of Riverbank can offer as involvement opportunities for those interested individuals or community groups. The City of Riverbank identifies in the E&O Action Plan (included in Appendix 6) specific information about what involvement opportunities it will offer to the public.

Task 4

Ensure the public can easily find information about the Permittee's storm water program.

Information about the City of Riverbank's storm water program can be found online at [Website] or they can call [Telephone] to request information or to speak to a program representative.

Task 5

Actively engage in the Permittee's Integrated Regional Water Management Plan (IRWMP) or other watershed-level planning effort.

Appendix 5 provides an inventory of existing Central Valley IRWMP and other watershed-level planning groups organized by county. The City of Riverbank identifies in the E&O Action Plan (included in Appendix 6) the groups in which it participates and their level of involvement.

4.2 IDENTIFICATION OF WHO IMPLEMENTS THE PLAN

Ultimately the Legal Responsible Person (LRP) for the City of Riverbank who signed the Notice of Intent is responsible for the implementation of all of the Permit requirements. But, authority for the implementation of the overall Storm Water Program has been delegated to a staff person who functions in the role of the Storm Water Program Coordinator. The LRP and the Storm Water Coordinator positions are occupied by the following persons:

IMPLEMENTATION OF THE PLAN

Legal Responsible Person:

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Storm Water Program Coordinator:

Kathleen Cleek

Development Services Administration Manager

Development Services

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In addition, for each implementation level task, a staff person has been designated by the City of Riverbank to assure that it is accomplished. In some cases, the City of Riverbank is collaborating with other organizations to accomplish some of these E&O tasks. Persons and organizations responsible for the implementation of each specific E&O task have been identified on the E&O Action Plan included in [Appendix 6](#) of this Plan.

4.3 SCHEDULE FOR IMPLEMENTATION

This Comprehensive Storm Water Education & Outreach Plan and program are required by the Phase II MS4 Permit to be developed and implemented by June 30, 2015. The requirement to “implement” does not mean to complete the entire E&O program by that date, but to set it into motion and to implement the various E&O tasks identified in [Section 4.1](#) per an established schedule. The schedule for the implementation of the 13 E&O tasks is included in the E&O Action Plan that is contained in [Appendix 6](#) of this Plan. Each year, during the Performance Effectiveness Assessment and Improvement evaluation and the annual reporting process, the E&O task schedule will be assessed in regards to any changing priorities as described in [Section 2.4](#) of this Plan. As necessary, schedules will be modified to assure that priority tasks are achieved ahead of those having lower priorities.

4.4 MEASURING EFFECTIVENESS OF THE PLAN

After performing the tasks outlined in this Plan, the City of Riverbank will evaluate the effectiveness the E&O program during the Performance Effectiveness Assessment and Improvement Plan (PEAIP) evaluation and the annual reporting process. This evaluation will be completed using the CASQA guidance for the PEAIP⁹

The effectiveness assessment will evaluate the E&O program by assessing the six outcome levels with the following three steps:

Step A – Characterizing the Problem: This step involves three tasks: 1) evaluating existing conditions; 2) defining problem conditions; and 3) prioritizing problem conditions. The prioritization of problem conditions will lead to Step B which will target the outcomes. As we already saw in [Section 2.4](#)

⁹ The effectiveness assessment process described in this section is based on the anticipated new CASQA process as described in the presentation and posted-materials at https://www.casqa.org/effectiveness_assessment.

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of this E&O Plan, the City of Riverbank has performed these three steps in initially prioritizing its program. However, on an annual basis the City of Riverbank will utilize the PEAIP to re-evaluate priority E&O targets and to adjust its E&O program.

Step B – Targeting the Outcomes: This step of the effectiveness assessment also has three tasks: 1) identifying end-state targets; 2) establishing interim targets; and 3) identifying data requirements. In taking this step, we are identifying the final objectives (end-state) of our E&O program (i.e. raising dissolved oxygen levels in downstream receiving water). But, we also set some intermediate goals, such as improvement of water quality of the MS4 discharges (i.e. less oxygen demand and lower nutrient levels in discharges from the municipality's outfalls, which should have a positive effect on the receiving water). We also identify the metrics that will be used to track progress towards the ultimate objectives.

Step C – Documenting Knowledge and Data Gaps: This third step also has three tasks: 1) compiling knowledge and data gaps from Step A; 2) compiling knowledge and data gaps from Step B; and 3) consolidating the knowledge and data gap list. Essentially, this is the processing of information gathered about the water quality problems, our E&O activities, and the measurement metrics. Through this process, we are assessing what the data is telling us about the success of our program. The data may indicate that it is too early to measure improvements or that we need more information to perform a proper evaluation.

The results of the annual effectiveness assessments will be reported in the annual reports and will be used to adjust and enhance the E&O program.

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APPENDIX 1 - GLOSSARY

Glossary for the Education & Outreach Plan¹⁰

Activism – is the practice of action or involvement as a means of achieving goals.

Beneficial Uses - The Uses of water of the State protected against degradation, such as domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation and preservation of fish and wildlife, and other aquatic resources or preserves.

Catch Basin - A catch basin (a.k.a., storm drain inlet) is an inlet to the storm drain system that typically includes a grate or curb inlet where storm water enters the catch basin and a sump to capture sediment, debris and associated pollutants. Catch basins act as pretreatment for other treatment practices by capturing large sediments. The performance of catch basins at removing sediment and other pollutants depends on the design of the catch basin (e.g., the size of the sump), and routine maintenance to retain the storage available in the sump to capture sediment.

Community Based Social Marketing (CBSM) - A systematic way to change the behavior of communities to reduce their impact on the environment. Realizing that simply providing information is usually not sufficient to initiate behavior change, CBSM uses tools and findings from social psychology to discover the perceived barriers to behavior change and ways of overcoming these barriers.

Discharge of a Pollutant - The addition of any pollutant or combination of pollutants to waters of the United States from any point source, or any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. The term includes additions of pollutants to waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

Discharger - Any responsible party or site owner or operator within the Permittees' jurisdiction whose site discharges storm water runoff, or a non-storm water discharge.

Erosion - The physical detachment of soil due to wind or water. Often the detached fine soil fraction becomes a pollutant transported storm water runoff. Erosion occurs naturally, but can be accelerated by land disturbance and grading activities such as farming, development, road building, and timber harvesting.

Healthy Watershed - Healthy watersheds are watersheds that function well ecologically and are sustainable. They support healthy, diverse aquatic habitat, have healthy riparian areas and corridors with sufficient vegetative buffer area to minimize land pollutant runoff into surface waters, sufficient cover and canopy to maintain healthy habitat, and have near natural levels of sediment transport. Surface waters meet water quality objectives, and sediments are sufficiently low in pollutants to provide for healthy habitat. Groundwaters are near natural levels in quantity and quality, for water supply purposes and for base flow for sustaining creek habitat and migratory fish routes. A Healthy Watershed sustains these characteristics through measures that

¹⁰ Definitions (unless otherwise specified) are from the Phase II MS4 NPDES General Permit, Order No. 2013-0001-DWQ, Attachment I; www.swrcb.ca.gov/water_issues/programs/stormwater/docs/phsii2012_5th/att_i_glossary_final.pdf

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ensure the dynamics that provide these healthy factors and functions are protected. For example, watersheds must be protected, through low impact development or other forms of protection, from hydromodification that adversely affects recharge areas' function or creeks' bed or bank stability. Creek buffer/riparian areas must be protected from land disturbance activities. Healthy sustainable watersheds use less energy for imported water, have fewer greenhouse gas emissions, and a lesser carbon footprint than unhealthy watersheds.

Illicit Discharge - Any discharge to a municipal separate storm sewer (storm drain) system (MS4) that is prohibited under local, state, or federal statutes, ordinances, codes, or regulations. The term illicit discharge includes all non-storm water discharges not composed entirely of storm water and discharges that are identified under the Discharge Prohibitions section of this General Permit. The term illicit discharge does not include discharges that are regulated by an NPDES permit (other than the NPDES permit for discharges from the MS4).

Impaired Waterbody - A waterbody (i.e., stream reaches, lakes, waterbody segments) with chronic or recurring monitored violations of the applicable numeric and/or narrative water quality criteria. An impaired water is a water that has been listed on the California 303(d) list or has not yet been listed but otherwise meets the criteria for listing. A water is a portion of a surface water of the state, including ocean, estuary, lake, river, creek, or wetland. The water currently may not be meeting state water quality standards or may be determined to be threatened and have the potential to not meet standards in the future. The State of California's 303(d) list can be found at <http://www.swrcb.ca.gov/quality.html>.

Municipal Separate Storm Sewer System (MS4) - The regulatory definition of an MS4 (40 CFR 122.26(b)(8)) is "a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created to or pursuant to state law) including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges into waters of the United States. (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2." In practical terms, operators of MS4s can include municipalities and local sewer districts, state and federal departments of transportation, public universities, public hospitals, military bases, and correctional facilities. The Storm water Phase II Rule added federal systems, such as military bases and correctional facilities by including them in the definition of small MS4s.

National Pollutant Discharge Elimination System (NPDES) - A national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the CWA.

Outfall - A point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States. Specific to Ocean Plan monitoring, outfalls include those measuring 18 inches or more in diameter.

Permittee/Permittees - Municipal agency/agencies and Non-traditional Small MS4s that are named in and subject to the requirements of this General Permit.

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Pollutant - Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

Pollutants of Concern - Pollutants of concern found in urban runoff include sediments, non-sediment solids, nutrients, pathogens, oxygen-demanding substances, petroleum hydrocarbons, heavy metals, floatables, polycyclic aromatic hydrocarbons (PAHs), trash, and pesticides and herbicides.

Pollution - An alteration of the quality of the waters of the state by waste to a degree which unreasonably affects the beneficial uses of the water or facilities which serve those beneficial uses.

Priority Storm Drain Inlets - Storm drain inlets that drain to sensitive receiving water bodies or water bodies with history of illegal dumping. Storm drain inlets that are located in areas where the maximum number of citizens are exposed (this may include areas of high foot traffic).

Receiving Water – Surface water that receives regulated and unregulated discharges from activities on land.

Riparian Areas – Plant communities contiguous to and affected by surface and subsurface hydrologic features of perennial or intermittent water bodies. Riparian areas have one or both of the following characteristics: 1) distinctively different vegetative species than adjacent areas, and 2) species similar to adjacent areas but exhibiting more vigorous or robust growth forms. Riparian areas are usually transitional between wetland and upland.

Separate Implementing Entity (SIE) – An entity that a permittee may utilize to satisfy one or more of the permit obligations. SIE may include a flood control agency, a Phase I permittee, a storm water consulting firm, etc.

Small MS4 – An MS4 that is not permitted under the municipal Phase I regulations, and which is “owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity...” (40 CFR §122.26(b)(16)).

Solid Waste - All putrescible and non-putrescible solid, semisolid, and liquid wastes as defined by California Government Code Section 68055.1(h).

Storm Drain System - The basic infrastructure in a municipal separate storm sewer system that collects and conveys storm water runoff to a treatment facility or receiving water body.

Storm Water – Storm water is generated when precipitation from rain and snowmelt events flows over land or impervious surfaces and does not percolate into the ground. As storm water flows over the land or impervious surfaces, it accumulates debris, chemicals, sediment or other pollutants that could adversely affect water quality if the storm water is discharged untreated.

Storm Water Treatment System - Any engineered system designed to remove pollutants from storm water runoff by settling, filtration, biological degradation, plant uptake, media absorption/adsorption or other physical, biological, or chemical process. This includes landscape-based systems such as grassy swales and bioretention units as well as proprietary systems.

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Structural Controls - Any structural facility designed and constructed to mitigate the adverse impacts of storm water and urban runoff pollution.

Surface Drainage - Any above-ground runoff (sheet, shallow concentrated, and open channel) that flows into the storm drain system.

Targeted Audience - Group(s) of people the Permittee has targeted to receive educational message.

Total Maximum Daily Loads (TMDLs) - The maximum amount of a pollutant that can be discharged into a waterbody from all sources (point and nonpoint) and still maintain water quality standards. Under CWA section 303(d), TMDLs must be developed for all waterbodies that do not meet water quality standards even after application of technology-based controls, more stringent effluent limitations required by a state or local authority, and other pollution control requirements such as BMPs.

Trash and Debris - Trash consists of litter and particles of litter. California Government Code Section 68055.1 (g) defines litter as all improperly discarded waste material, including, but not limited to, convenience food, beverage, and other product packages or containers constructed of steel, aluminum, glass, paper, plastic and other natural and synthetic materials, thrown or deposited on the lands and waters of the state, but not including the properly discarded waste of the primary processing of agriculture, mining, logging, sawmilling, or manufacturing.

Treatment - Any method, technique, or process designed to remove pollutants and/or solids from polluted storm water runoff, wastewater, or effluent.

Water Efficient Landscape Ordinance - The Model Water Efficient Landscape Ordinance (Title 23, Division 2, Chapter 2.7 of the California Code of Regulations) took effect January 1 2010 and is designed to: (1) promote the values and benefits of landscapes while recognizing the need to invest water and other resources as efficiently as possible; (2) establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects; (3) establish provisions for water management practices and water waste prevention for existing landscapes; (4) use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount; (5) promote the benefits of consistent landscape ordinances with neighboring local and regional agencies; (6) encourage local agencies and water purveyors to use economic incentives that promote the efficient use of water, such as implementing a tiered-rate structure; and (7) encourage local agencies to designate the necessary authority that implements and enforces the provisions of the Model Water Efficient Landscape Ordinance or its local landscape ordinance.

Water Quality Objectives - The limits or levels of water quality elements or biological characteristics established to reasonably protect the beneficial uses of water or to prevent pollution problems within a specific area. Water quality objectives may be numeric or narrative.

Water Quality Standards - State-adopted and U.S. EPA-approved water quality standards for waterbodies. The standards prescribe the use of the waterbody and establish the water quality criteria that must be met to protect designated uses. Water quality standards also include the federal and state anti-degradation policy.

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APPENDIX 2 - ACRONYMS

Acronyms of the Education & Outreach Plan

ASBS	Area of Special Biological Significance
BMP	Best Management Practice
CASQA	California Storm Water Quality Association (www.CASQA.org)
CGP	Construction General Permit
CWA	Clean Water Act
E&O	Education & Outreach
GIS	Geographical Information System
IGP	Industrial General Permit
IRWMP	Integrated Regional Water Management Plan
MS4	Municipal Separate Storm Sewer System
NPDES	National Pollutant Discharge Elimination System
SMARTS	Storm Water Multi-Application, Reporting, and Tracking System (https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp)
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
TMDL	Total Maximum Daily Load
USEPA	United States Environmental Protection Agency

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APPENDIX 3 – SECTIONS E.7 & E.8 OF THE PHASE II MS4 PERMIT

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APPENDIX 4 – SURVEY TOOLS & REFERENCES

SURVEYS

To comply with permit section E.7.a.(ii)(b), the municipality must perform two surveys during the permit term. As discussed in [Section 2.3](#) of this plan the purpose of the surveys is to establish a baseline of awareness of the targeted audiences with the first survey. The second survey should be performed at the end of the permit term and measure the growth in awareness of the same audiences.

SURVEY DELIVERY

The City of Riverbank will utilize web-based survey technology (i.e. www.surveymonkey.com) to collect survey data. Survey Monkey is an easy-to-use tool for creating online surveys. It has a simple web interface, which makes it easy for nontechnical people to create surveys and export survey data. It offers a free limited account that stores 100 responses for to up to 10 questions. The “Gold” subscription (\$300 per year) allows unlimited response to an unlimited number of questions. This service allows you to get responses via a web-link or e-mail. The survey can be populated with the questions based on the messages identified in [Section 2.4](#) of the E&O Plan. The use of the web-based surveys will require some publicity to direct the public to the survey location. This publicity can be done through utility inserts, newsletters, City of Riverbank’s website, or promotional materials. The publicity attempts for the survey should be diverse to draw in a wide cross section of the municipal population. The surveys will be publicized on the City’s Website.

SURVEY DELIVERY

The City of Riverbank will utilize community-based events to conduct the required surveys. The City of Riverbank anticipates performing the surveys at the Cheese & Wine Festival and RiverFest Event. The City of Riverbank will target event attendees and attempt to persuade them to take the survey. The municipality may elect to utilize incentives to lure potential survey targets. These incentives can be in the form of a giveaway or a drawing for a grand prize. If possible, the giveaway should be outreach message oriented. Pet waste bags, storm water awareness coloring books, themed magnets, and pencils/pens are great ways to draw in potential survey takers.

Survey questions can be presented by paper, electronic device (i.e. tablet or laptop), verbally, or a combination approach. It is important that the demographics of the audience are considered prior to the survey to ensure predominate language groups are accommodated.

SURVEY DELIVERY

The City of Riverbank will utilize existing routine municipal community contact mechanisms (i.e. utility billing inserts, permit applications, business license renewals) to conduct, promote, and/or direct the community to the storm water survey. The City of Riverbank will target the mailer recipient or the permit applicant and attempt to persuade them to take the survey. The municipality may elect to utilize incentives to lure potential survey targets. The City of Riverbank anticipates utilizing utility billing inserts to get the message out to residents.

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ANALYZING THE DATA

Now that the municipality has collected survey data, it will need to be compiled, tallied, and analyzed. Data should be exported or entered into a database program (i.e. Microsoft Excel or Access) to manage, filter, and sort the results. The most basic level of analysis is tallying the results. Tallying the results will give the municipality a quick basic understanding of the awareness of the surveyed population. For example, if 75% of those surveyed answered it was most appropriate to call 911 if they noticed someone dumping something in the storm drain, and only 5% surveyed **correctly** answered the municipality's storm water hotline, the analysis would tell the municipality that awareness campaigns for the local storm water hotline would be warranted.

Question #1: If you notice someone dumping something into the storm drain or obvious pollutants entering the storm drain, what should you do?	
Response	Percent of Responses
a. Call 911	75
b. Call your city's or county's storm water hotline	5
c. Wash it down the drain with lots of water	10
d. Don't worry... it will be removed from the water by the City's/County's treatment system.	10

To dig deeper in the analysis of the responses, filters can be applied based on available information collected about the survey taker (i.e. age, gender, local resident, education, and median income). Targeted groupings and messages can be developed through further filtering of the results. If filters for age, gender, and income levels were applied to the above scenario, the municipality could understand which answers trended from various groups; and, thereby, adjust the outreach focus to the group with the lower percentage level of understanding about the topic.

POOL OF SURVEY QUESTIONS

To help the municipality collect valuable data, the following pool of survey questions has been compiled to focus data collection and gauging of awareness for pollutants of concern and local water quality issues. MS4 surveys can be populated by using the questions below and/or by creating and adding your own focused questions. Select questions for each targeted category appropriate to the audience to be surveyed to populate the survey. Ideally, approximately 7 to no more than 15 questions should be selected for the survey. Verbally delivered surveys should typically be less than 10 questions to keep the survey taker's attention.

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Pool of Survey Questions

Where applicable, the correct answer is shown in ***bold, italicized font***.

Survey Topic	Question	A	B	C	D
Respondent Background	Select Age Group	Under 18	18-29	30-55	55+
Respondent Background	Select Highest Completed Education Level	High School / GED	Some College	College Degree	Less than High School Graduate
Respondent Background	Select residence location	City/County of ____	Unincorporated County	Outside City / County	
Respondent Background	Select Primary / Preferred Language	English	Spanish	Hmong	Other (Specify): _____
Respondent Background	Select Gender	Male	Female		
Respondent Background	Select Household Income	Less than \$25,000	\$25,000 to \$49,999	\$50,000 to \$99,999	\$100,000 or more
Respondent Background	Check all that apply	I live in the City/County of ____	I work in the City/County of ____	I attend school in the City/County of ____	I participate in recreation activities in the City/County of ____
TMDL (Organic Enrichment & Low D.O.)	What is the best practice for grass clippings when mowing a lawn?	<i>Leave as mulch on the lawn or place it in a compost pile</i>	Blow or rake them into the curb and gutter	Blow or rake them onto your neighbor's lawn	Place them in the green waste bin or take them to the landfill/dump
TMDL (Organic Enrichment & Low D.O.)	What is the best practice for the disposal of leaves?	<i>Mulch flower beds or place in a compost pile</i>	Rake or blow them into the curb and gutter	Blow them onto your neighbor's lawn	Place them in the green waste bin or take them to the landfill/dump
TMDL (Organic Enrichment & Low D.O.)	What do fish need to survive?	Cloudy water so that predators cannot see them	Lots of nutrients from fertilizers	Heavy metals such as mercury and copper	<i>Dissolved oxygen</i>
TMDL (Organic Enrichment & Low D.O.)	Grass Clippings and leaves from residential and landscaping activities are not considered harm to local waterways.	TRUE	<i>FALSE</i>		

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Survey Topic	Question	Possible Answers:	A	B	C	D
TMDL (Organic Enrichment & Low D.O.)	In the past 12 months, I may have used more fertilizer or applied more frequently than the label directions require.		TRUE	FALSE	I don't know.	
TMDL (Diazinon & Chlorpyrifos)	When is the best time to apply pesticides or herbicides?		Right before a rain storm	Weekly	<i>Only when needed and on dry days</i>	In the middle of the night
TMDL (Diazinon & Chlorpyrifos)	What is the best way to get rid of ants?		Buy as much ant spray as possible and use liberally	Pour diesel or gasoline on the anthill	<i>Spot where the ants are coming from, eliminate the food source, rinse ants away with soap and water, obstruct entrances, and use self-contained bait traps.</i>	Ignore them, they will go away eventually
TMDL (Diazinon & Chlorpyrifos)	At your residence, do you or a gardening service apply any of the following lawn or garden products? (Check all that apply)		Fertilizer	Weed killers/herbicides	Pesticides	Other
TMDL (Diazinon & Chlorpyrifos)	What do you do with unused or unwanted pesticides and herbicides?		Apply the contents to your yard or garden until supply is depleted	Take it to a landfill or waste transfer station	Pour it into the street gutter or down a storm drain	<i>Recycle at available drop-off sites</i>
TMDL (Diazinon & Chlorpyrifos)	In the past 12 months, I may have applied a bigger dose of insecticide or weed killer around my house than the directions say to use.		TRUE	FALSE	I don't know.	

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Survey Topic	Question	Possible Answers:	A	B	C	D
Exotic Species	Which of these mussels are considered invasive species?		Abalone Mussels	Bicep Muscles	<i>Quagga & Zebra Mussels</i>	Calf Muscles
Exotic Species	What is an invasive species?		Native species of plants or animals which over populate the local environment.	<i>Any species that has been introduced to an environment where it is not native, and that has since become a nuisance through rapid spread and increase in numbers, often to the detriment of native species.</i>	The latest pop music boy band	The main character from the latest sci-fi thriller
Exotic Species	Which of these is not an invasive species?		Quagga Mussel	Zebra Mussel	Water Hyacinth	<i>River Otters</i>
Exotic Species	What is the best way to prevent the spread of aquatic invasive species when boating?		Clean any visible mud, plants, fish or animals from watercraft and equipment.	Drain all water, including from lower outboard unit, ballast, live-well, buckets, etc.	Dry all areas	<i>All of the above</i>
Mercury	Which of the following common household items commonly contain mercury?		Florescent lights	LCD screens	Thermometers and barometers	<i>All of the above</i>

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Survey Topic	Question	Possible Answers:	A	B	C	D
Mercury	What is the best way to dispose of Mercury containing materials?		<i>Reputable E-Waste drop off locations or hazardous waste collection centers</i>	Throw it in the household garbage	Dump it in an empty field	Return it to the manufacturer
Mercury	How can Mercury be harmful to the environment?		It will raise and lower water temperatures	<i>It will remain in tissue of aquatic species and those species that consume them</i>	It will instantly kill waterfowl on contact	The illegally dumped light bulbs clog waterways and promote bacteria growth
Pathogens	Where and how do you dispose of pet waste?		Bag/garbage	Compost it or place it in a yard waste can	Leave it	I do not own a pet
Pathogens	What is the best way to dispose of cooking oils and grease?		Pour it down the sink	<i>Pour in a container and place it in the household garbage can</i>	Dump into the nearest storm drain	Take it to a reputable recycling center (i.e. County Household Hazardous Waste Facilities)
Pathogens	How is pet waste harmful to the environment?		Someone may step on it	<i>Pet waste carries bacteria, viruses, and parasites that can make people, especially children, sick when carried by storm water into local waterways</i>	It creates emissions which effect air quality	It plugs storm drain inlets leading to localized flooding
Pathogens	What is a Sanitary Sewer Overflow?		Storm water overwhelms the storm drains and backs up into streets and roadways	Spilling oils and greases onto surfaces when dumping into the municipality's sewer system.	<i>Unintentional discharge of raw sewage from municipal sanitary sewers</i>	When a sink back up due to a clog

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Survey Topic	Question	Possible Answers:	A	B	C	D
Pathogens	Which of the following should not be sent down a sanitary sewer drain?		Used water	Human body waste	Toilet paper	<i>Cooking oils, fats, and greases</i>
Toxic Chemicals	How can Dioxins be harmful to the environment?		It will raise and lower water temperatures	<i>It will remain in tissue of aquatic species and those species that consume them</i>	They will instantly kill waterfowl on contact	Dumped dioxin materials in waterways and promote algae growth
Toxic Chemicals	Major contributors of dioxin to the environment include which of the following?		Incineration of Municipal Solid Waste	Forest Fires	Residential Wood Burning	<i>All of the above</i>
Toxic Chemicals	What are Dioxins and Furans?		Pesticides	Fertilizers	<i>Toxic Chemicals</i>	Threatened Aquatic Species
Illicit Discharge	Can you drain water from your pool into a storm drain?		<i>Yes, after no residual chlorine is detected</i>	Yes, at any time	Yes, but only when it is raining	No, Never
Illicit Discharge	Wash water from mop buckets or carpet cleaners can be disposed of best by...		Pouring the wash water out on the street.	Throwing it over your fence onto your neighbor's yard.	<i>Pouring down a sink or toilet.</i>	Pouring it down a storm drain.
Illicit Discharge	Where is the best place for water-based paint brushes to be washed?		<i>At an inside sink.</i>	Down your driveway.	In the local river.	On the front lawn.
Illicit Discharge	Typically what is the only thing allowed to go down a storm drain?		Wastewater	Pool water as long as it has chlorine	Surface wash down water	<i>Storm Water</i>

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Survey Topic	Question	Possible Answers:	A	B	C	D
Illicit Discharge	Urban storm water runoff flows to which of the following?		A storm water treatment facility.	Into the sanitary sewer system.	<i>Into the municipal storm drainage system which discharges to local water bodies or irrigation districts.</i>	Nowhere, it evaporates
Illicit Discharge	Do you do any of your own vehicle repairs at your residence?		I do not own a vehicle.	Yes	No	
Illicit Discharge	Where do you primarily wash your vehicles?		A commercial car wash	In your driveway or the street	At a charity car wash	On your lawn
Illicit Discharge	How do you dispose of materials such as used motor oil, old paint thinners, or similar items?		Place it in household garbage.	Take it to a landfill.	Pour it into the street gutter or down a storm drain.	<i>Recycle at the County Household Hazardous Waste or other approved drop-off sites.</i>
Illicit Discharge	Stains from vehicle fluids can be cleaned by...		Hosing down the surface until the stain is no longer present.	Scrubbing with an environmentally friendly soap prior to washing down the surface.	<i>Using a dry absorbent like kitty litter to absorb the fluid then properly disposing of the spent absorbent.</i>	Wait for the next rain to naturally wash the stain off the surface.
Illicit Discharge	If you notice someone dumping something into the storm drain or obvious pollutants entering the storm drain, what should you do?		Mind your own business	<i>Call your city's or county's storm water hotline or call 911</i>	Wash it down the drain with lots of water	Don't worry ... it will be removed from the water by the City's/County's treatment system.
Illicit Discharge	Have you heard of any of the following programs or activities? (Check all that apply)		Coastal Clean-up Day	County Household Hazardous Waste Collection Center		
Illicit Discharge	Have you participated in a clean-up event in the City of Riverbank?		Yes/In the last 12 months	Yes/In the past	No/Never	No/But I would like to get involved

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Survey Topic	Question	Possible Answers:	A	B	C	D
Trash	It is okay to toss cigarette butts on the ground because they are biodegradable.		TRUE	<i>FALSE</i>		
Trash	Trash is separated from storm water runoff before it reaches the local waterways.		TRUE	<i>FALSE</i>		
Trash	Trash cans and bins should be...	Kept open for easy access.		<i>Kept in the closed position to ensure trash is not carried off by the wind and that storm water stays out of it.</i>	Washed out frequently.	Turned upside down to dry out after a storm.
Trash	Where should unwanted household items and trash be taken?	To an open field.		To a private business' dumpster.	<i>To an e-waste recycler, municipal dump or other recycling center.</i>	Left curbside for the trash service to pick up.

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APPENDIX 5 – INVENTORY OF EXISTING RESOURCES

EXISTING ESTABLISHED PROGRAMS AND RELATIONSHIPS

The municipality may not need to blaze new trails for some of the E&O efforts. In fact, all municipalities should be able to leverage elements of existing programs or resources to incorporate into their E&O efforts. Believe it or not, your municipality may already be doing education and outreach which has storm water quality benefits. Many programs exist with messages that are targeted towards the public for issues like waste management, watersheds awareness, water conservation, green waste, and agriculture. Many of these messages are parallel to storm water education and awareness topics. The following is a list of resources grouped by water quality concerns that municipalities may be able to tap into for existing resources or site as sources:

Pesticides:

- County Agriculture Commissioner's Office - Proper disposal messages and options and illegal dumping awareness messages.

Merced County Municipalities:

<http://www.co.merced.ca.us/index.aspx?nid=58>

San Joaquin County Municipalities:

<http://www.sjgov.org/agcomm/>

Shasta County Municipalities:

http://www.co.shasta.ca.us/index/ag_index.aspx

Stanislaus County Municipalities:

<http://www.stanag.org/>

Yolo County Municipalities:

<http://www.yolocounty.org/general-government/general-government-departments/agriculture-cooperative-extension/agriculture-and-weights-measures>

Yuba County Municipalities:

<http://www.co.yuba.ca.us/departments/ag/>

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- UC Master Gardener Programs (By County) - Messages and information for pesticide application methods, protocols, and tips.
[http://mg.ucanr.edu/Become a Master Gardener/California Master Garden Counties /](http://mg.ucanr.edu/Become_a_Master_Gardener/California_Master_Garden_Counties/)
- Got Ants? Get S.E.R.I.O.U.S.! - Got Ants is a collaboration of public agencies, educational institutions, pest professionals, and nonprofits working to promote environmentally sound ant management and to protect water quality. The Got Ants? website provides excellent tips, and ideas for switching from spraying pesticides to less toxic and more effective means for managing ant problems.
<http://www.gotantsgetserious.org/>
- Our Water – Our World – A website designed to help consumers with home and garden pest by providing product information and guidance for non-toxic alternatives.
<http://ourwaterourworld.org/>
- Safe Lawns – Information, links, tips, and articles for pesticide alternatives for lawn care and grounds maintenance.
<http://www.safelawns.org/blog/>



Exotic Species:

- Quagga and Zebra Mussels (California Department of Fish and Wildlife) – Maps, educational materials, and guidance documents
<https://www.wildlife.ca.gov/Conservation/Invasives/Quagga-Mussels>
- National Invasive Species Information Center (United States Department of Agriculture) – Information, links, and resources for California's invasive species.
Water Hyacinth:
<http://www.invasivespeciesinfo.gov/aquatics/waterhyacinth.shtml>
Zebra Mussel:
<http://www.invasivespeciesinfo.gov/aquatics/zebramussel.shtml>
Quagga Mussel:
<http://www.invasivespeciesinfo.gov/aquatics/quagga.shtml>
- Division of Boating and Waterways (California State Parks) – Information, links, and resources for California's invasive species.
Water Hyacinth:
<http://www.dbw.ca.gov/BoaterInfo/WaterHyacinth.aspx>
Quagga & Zebra Mussels:
<http://www.dbw.ca.gov/BoaterInfo/QuaggaLoc.aspx>

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Organic Enrichment / Low Dissolved Oxygen:

- Composting for Facilities (US EPA) – Compost application information for compost facilities, businesses, industries, and local governments.
<http://www.epa.gov/composting/>
- CalRecycle – Tips, links and resources for home gardening, compost and mulch, and grasscycling.
<http://www.calrecycle.ca.gov/PublicEd/default.htm>
- UC Master Gardener Programs (By County) - Messages and information for Integrated Pest Management tips, techniques, and resources.
<http://www.ipm.ucdavis.edu/index.html>

Mercury:

- California Department of Toxic Substances Control – Electronic Hazardous Waste (E-Waste)
<https://www.dtsc.ca.gov/HazardousWaste/EWaste/>
- California Product Stewardship Council – Information, links, and resources for mercury thermostat recycling.
<http://calpsc.org/products/thermostats/>
- Be Mercury Free (Sacramento Regional County Sanitation District) – Information, links and resources for safely disposing of mercury and preventing mercury contamination.
<http://www.regionalsan.com/be-mercury-free>

Illicit Discharges:

- Association of California Water Agencies' Save Our Water program – Information, links, and resources related to water conservation.
<http://www.saveourh2o.org/>

Sanitary Sewer Overflows:

- USEPA Sanitary Sewer Overflows and Peak Flows – Information, links, and reference material for SSOs.
http://cfpub.epa.gov/npdes/docs.cfm?document_type_id=3&view

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[=Factsheets%20and%20Outreach%20Materials&program_id=4&sort=name](#)

Trash:

- CalRecycle - Information, links, resources to reduce, reuse, and recycle.
<http://www.calrecycle.ca.gov/Recycle/>
- Keep America Beautiful – Activism, information, links, and resources to transform public spaces into beautiful places.
<http://www.kab.org>
- Bag It (Documentary Film) – Activism, school projects, information, links, and resources to reduce plastics from the environment.
<http://www.bagitmovie.com/index.html>
- Waste Management – Recycling information, K-12 education, information, links, and resources about waste management for home, industry, construction, and business.
<http://www.wm.com/thinkgreen/index.jsp>
- USEPA – Tools and resources for waste management, waste reduction, and recycling.
http://epa.gov/epawaste/climate/cc_wste_resrcs.htm
- Institute for Local Government (ILG) – Sample ordinances, flyers, and many other resources for waste management, waste reduction, and recycling.
<http://www.ca-ilg.org/commercial-recycling-resource-center>
- Earth 911 – The website provides a search feature that informs the searcher how to properly dispose of various types of materials (i.e. automotive fluids, batteries, electronics, and household items).
<http://search.earth911.com/>
- County Household Hazardous Waste Facilities (HHW) – Most counties have a HHW facility where the public can drop off household and in some cases small business hazardous materials. These County HHW facilities have promotional and educational

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materials for proper disposal of items such as E-Waste, oils, pesticides, and chemicals.

<http://www.mercedrecycles.com/hhw.html>

<http://www.sjgov.org/solidwaste/HHW%20facility%20home.htm>

<http://www.stancounty.com/ER/household-hazardous-waste.shtm>

<http://www.yolocounty.org/home/showdocument?id=2767>

<http://www.yubasutterrecycles.com/hhw.html>

Water Conservation/Drought:

- DWR - Information, links, and educational material regarding California's drought
<http://www.water.ca.gov/waterconditions/publications.cfm>
- Save Our Water - Information, links, tips, and resources on how to save water.
<http://saveourwater.com/>
- California Urban Water Conservation Council (CUWCC) - Activism, BMP cut sheets, and educational resources on how to save water.
<http://www.cuwcc.org/>
- Be Water Wise - Information, links, tips, and educational resources on how to save water.
<http://www.bewaterwise.com/>

Environmental Education:

- North American Association for Environmental Education/ PBS Broadcasting – Links to many educational resources and tools for environmental topics.
<http://www.naaee.net/publications>
- Project WET – WET stands for Water Education for Teachers. The Project WET's website provides curriculum, material, and resources for classroom water education.
<http://www.projectwet.org/>
- Project Learning Tree (PLT) – PLT is an environmental education program designed for teachers and other educators, parents, and community leaders working with youth from preschool through grade 12. PLT provides curriculum materials and professional development for educators.

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<https://www.plt.org/>

- Education and the Environment Initiative (EEI) - EEI is a free, state-sponsored K-12 curriculum that teaches science and history-social science standards through an environmental lens. The EEI consists of state-adopted and approved units that allow educators to substitute chapters for portions of textbooks they are currently using.

<http://californiaeei.org/>

- Green Schools Initiative – This program is designed to be adopted by schools and emphasizes eliminating toxics, using resources sustainably, creating green schoolyards and buildings, serving healthy food, and teaching environmental literacy and stewardship. The website provides resources for activism, green resources, and educational resources.

<http://www.greenschools.net/>

INVENTORY OF EXISTING E&O MATERIALS AND RESOURCES

Many of the educational materials and resources your municipality may need to use for education and outreach efforts may already exist. Before spending time and resources creating new materials, spend some time researching what already exists. Even if the material's message is not hitting the exact target, it may be able to be edited or serve as a creative spring board for the resource you need to develop.

Internal Resources

If your municipality is a renewal Permittee, you probably have performed some level of public storm water education and outreach. Review what resources have been previously developed. At the very least, these resources may serve as a good starting point for further message development. If your municipality is new to the permit, there are still potentially resources available within the municipal departments.

Don't limit your search for resources to just the municipality's storm water department. Search other internal departments (i.e. solid waste division, wastewater, parks and recreation) for materials and resources. The municipality should also consider tapping into the local county's various departments for potential education and outreach materials. The available materials may not be specifically geared toward storm water awareness and education, however many of the messages are parallel to storm water pollution prevention messages.

The following table can be used to assist the municipality in capturing an inventory of what existing materials or resources are available.

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Targeted Pollutant of Concern	Messages	Inventory of Existing Materials
Pesticides	• Proper application of pesticides, herbicides and fertilizers. • Less toxic alternatives (IPM) • Proper storage and disposal	<i>Existing resources that promote these messages:</i> Brochures, Website
Exotic Species	• Awareness of local invasive species (i.e. Quagga/Zebra Mussels, Water Hyacinth)	<i>Existing resources that promote these messages:</i> Brochures, Website
Organic Enrichment / Low Dissolved Oxygen	• Home gardening tips • Composting / grasscycling • Green waste programs	<i>Existing resources that promote these messages:</i> Brochures, Website
Mercury	• E Waste Recycling • Replacing Mercury Devices • Less Toxic Alternatives • Safe consumption guidelines for fish	<i>Existing resources that promote these messages:</i> Brochures, Website
Pathogens	• Pet waste • Fats, Oils, & Greases (F.O.G.)	<i>Existing resources that promote these messages:</i> Brochures, Website
Toxic Chemicals	• Dioxins, Furans, and PCBs • Less Toxic Alternatives • Illegal Dumping	<i>Existing resources that promote these messages:</i> Brochures, Website
Illicit Discharges	• Only Rain Down the Drain • Illegal Dumping • Waste Recycling	<i>Existing resources that promote these messages:</i> Brochures, Website
Sanitary Sewer Overflows	• Reporting SSOs • Proper management of Fats, Oils, & Grease	<i>Existing resources that promote these messages:</i> Brochures, Website
Trash	• Illegal Dumping • Recycling • Waste Management	<i>Existing resources that promote these messages:</i> Brochures, Website

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Outside Resources

Municipalities should also consider outside sources for resources and materials. Consider utilizing storm water focus groups. There are excellent sources of information, training, and resources available through these types of groups. Below are some examples of outside resources that may have information or materials that would be beneficial to the municipality.

California Stormwater Quality Association (CASQA):

CASQA is a professional member association dedicated to the advancement of storm water quality management through collaboration, education, implementation guidance, regulatory review, and scientific assessment. CASQA offers members access to excellent resources such as BMP handbooks and guidance documents. These resources are widely recognized as industry standards. <https://www.casqa.org/>



Local Storm Water Partnership Groups:

Many municipalities already participate in a local partnership group with other Phase 1 and 2 MS4s. These groups often promote, sponsor, or organize collaborative E&O activities and public participation events. Local groups include the following:

- San Joaquin Valley Stormwater Quality Partnership (<http://sanjoaquinvalleystormwaterqualitypartnership.com/>);
- The Merced MS4 Partnership;
- The Yolo MS4 Partnership; and
- The Sacramento Stormwater Quality Partnership (www.beriverfriendly.net)

Storm Water Awareness Week (SWAW):

The key component of the high-quality education event, *Storm Water Awareness Week*, is it is *free*. SWAW strictly prohibits any money changing hands during this event. There is no cost to attend any of the workshops, and there is no charge for presenters to host their workshops. SWAW provides many handouts and publicity materials for free. <http://stormwaterawareness.org/>



School Resources

The permit requires that MS4s provide (within their jurisdiction) independent, parochial, and public schools with materials to effectively educate school-age children about storm water runoff and how they can help protect water quality habitat in their local watershed(s). To meet this requirement, we suggest that municipalities create a **resource packet** and provide it to school administrators and/or teachers (especially

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science teachers). The packet will provide the schools with information about what is available for storm water and watershed education. Detailed information about the California EEI program and other government educational resources will be described with information on how teachers or school administrators can access these resources. The packet should also include samples of educational materials that the municipality is making available for their use and/or distribution to the students. An order form can be included in the packet to request supplies that they wish to use.

The following is a partial list of resources that you may be able to utilize in your inventory of educational materials to school-age children. Other resources are listed on [page 5 of Appendix 5](#) of this E&O Plan.

California Education and the Environment Initiative (EEI):

The Education and the Environment Initiative (EEI) is a free, state-sponsored K-12 curriculum that teaches science and history-social science standards through an environmental lens. The EEI consists of state-adopted and approved units that allow educators to substitute chapters for portions of textbooks they are currently using. <http://californiacei.org/>

Department of Water Resources (DWR):

DWR has a wealth of educational outreach materials for topics like drought, environment, and water quality available to municipalities. The municipality can browse DWR's online catalog of bookmarks, stickers, brochures, newsletters, posters, workbooks, and more. These materials are available by request, or by download. <http://www.water.ca.gov/publications/browse.cfm?display=type&pub=120>

California Coastal Commission:

The California Coastal Commission which is the sponsoring agency for the California Coastal Cleanup Day, maintains a list of resources for California Educators which includes an elementary grade-oriented science activity guide, "*Waves, Wetlands, and Watersheds*"; a high school-oriented activity guide, "*Our Wetlands, Our World*"; curriculum; classroom and schoolyard activities; and ideas for schoolyard cleanup programs. These resources can be accessed at: <http://www.coastal.ca.gov/publiced/directory/educate.html>.

INVENTORY OF EXISTING E&O AND PUBLIC PARTICIPATION EVENTS

Most municipalities host and participate in several public events each year. These municipal-sponsored community events (i.e. farmers markets, county fairs, street fairs, cleanup events, holiday-oriented community events, and town festivities) serve as great opportunities to interface with the public and can be leveraged for storm water education and outreach purposes. Some events (i.e. Coastal Cleanup Day, Earth Day, etc.) serve as great catalyst for targeted awareness campaigns or solicitation of public participation. By creating an inventory of these community events it will help identify opportunities that the municipality will have to interact with the public.



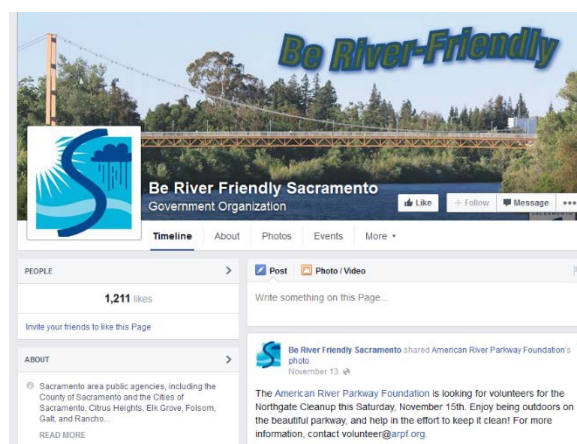
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Inventory of Municipal-Sponsored Community Events
Wine & Cheese Festival
Riverfest
Farmer's Market

INVENTORY OF EXISTING PUBLIC OUTREACH MECHANISMS

How does your municipality communicate with the public? You probably would be surprised on how many communication mechanisms already exist. These communication methods will be key in getting the E&O program messages out to the public. Your municipality may utilize some or many of these communication methods:

- Municipal storm water website
- Utility mailers
- Newsletters
- Social media
- Municipal owned billboards, kiosks, and electronic signage
- Multimedia (radio, cable TV, print / newspaper)
- Hotlines and reporting methods
- Exhibits at fairs or festivals
- Permit applications and renewals



Existing Outreach Mechanisms	Description, Capabilities and Message Targets
MS4 Website	Website link to California Regional Water Quality Control Board (RWQCB)
Utility Mailers	Residents and Commercial businesses
Newsletters	Residents and Commercial businesses
Social Media	Website: Residents and Commercial businesses
Municipal owned billboards, kiosks, and electronic signage	City Billboards: Residents and Commercial businesses

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Existing Outreach Mechanisms	Description, Capabilities and Message Targets
Multimedia (radio, cable TV, print / newspaper)	Channel 2: Residents and Commercial businesses
Hotlines and reporting methods	City Hotline: Residents and Commercial businesses
Permit applications and renewals	Website & information provided at building counter: Residents and Commercial businesses
Exhibits at fairs or festivals	Cheese & Wine, Riverfest, Farmer's Market: Residents

Existing Public Participation Opportunities	Description of Opportunities
Public BMP Implementation	Website & Outreach
Public Access to Storm Water Program Information	Website & Outreach
Other Public Participation / Volunteer Opportunities	Website & Outreach

COLLABORATION AND RESOURCE SHARING

Storm Water Partnerships

Collaboration and resource sharing can be a terrific way to avoid the burden of sole source development time and costs. By collaborating with similar municipalities, costs can be greatly reduced for material development. Resources can potentially be created and dispatched with more efficiency and potentially more effectiveness. The following are some ways to consider collaboration and resource sharing for your municipality's storm water program:

Joint Campaigns: Most regional phase II municipalities share the same education and outreach requirements. So with each municipality working towards crafting messages and awareness campaigns, it may make sense to pool resources and in a regional effort. Radio/TV/Print ads, billboards, fair or festival booths, specific issue related awareness campaign websites or social media pages can be expensive propositions to develop and maintain. However, if municipalities teamed up on these types of items the cost for development and maintenance significantly decreases.

Barter: As the saying goes, "many hands make light work". The same concept is true if the municipalities organized efforts with outreach materials. If you look at the list of topics for public outreach, you would see the need for dozens of educational and awareness-raising outreach messages and materials. With some coordination, the topics could be divided up among participating municipalities for material development.

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The municipalities would then perform an exchange of the developed resources exponentially increasing their catalog of outreach materials. Editable versions of the developed materials would be best, so that each municipality could customize their own version.

Partnership Groups: Storm water partnership groups are great springboards for collaboration. By participating with a storm water partnership group with other municipality's joint campaigns, materials bartering, idea and resource sharing have a place to happen.

Integrated Regional Water Management Plans & Other Watershed-level Planning Efforts

The Phase II MS4 Permit requires in Section E.8 that municipalities actively engage in the local Integrated Regional Water Management Plan (IRWMP) or other watershed-level planning effort. The following is a list of some of the existing plans and planning groups:

Merced County:

- Merced Integrated Regional Water Management : <http://mercedirwmp.org/>

San Joaquin County:

- Eastern San Joaquin County Groundwater Basin Authority: <http://www.gbawater.org/IRWMP>
- Mokelumne / Amador / Calaveras IRWM: <http://www.sierrawaterworkgroup.org/mac-irwm.html>

Shasta County:

- AB 3030 Groundwater Management Plan for the Redding Groundwater Basin: http://www.co.shasta.ca.us/index/pw_index/engineering/water_agency/ab3030_plan.aspx
- Redding Basin Water Resources Management Plan: http://www.co.shasta.ca.us/index/pw_index/engineering/water_agency/rbwrmpl.aspx
- Northern Sacramento Valley IRWMP: <http://nsvwaterplan.org/>

Stanislaus County:

In April 1994, six agencies covering the Modesto Groundwater Sub-basin formed the Stanislaus and Tuolumne Rivers Groundwater Basin Association to provide a forum for coordinated planning and management of the sub-basin. These six agencies are:

- The City of Modesto
- The Modesto Irrigation District (MID)
- The City of Oakdale
- The Oakdale Irrigation District (OID)
- The City of Riverbank
- Stanislaus County

Other management programs Stanislaus County municipalities may be involved with include:

- Groundwater Management Action Plan
- Modesto Groundwater Management Plan

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- Turlock Groundwater Management Plan
- West Side Valley Groundwater Management Plan

More information can be found at: www.stancounty.com/er/groundwater-resources.shtm

Stanislaus County MS4s may also want to review the following:

- East Stanislaus Integrated Regional Water Management (IRWM) - www.eaststanirwm.org/
- California Irrigation Management Information System (CIMIS) - <http://tid.org/water/water-management/california-irrigation-management-information-system-cimis>
- Agricultural Water Management Plan - <http://tid.org/water/water-management/agricultural-water-management-plan>
- TID Groundwater Management Plan / Turlock Groundwater Basin Association (TGBA) - <http://tid.org/water/water-management/groundwater-management>
- Regional Flood Management / Central Valley Flood Protection Plan (CVFPP) - <http://www.stancounty.com/publicworks/division/development/rfm-plan.shtml>

Yolo County:

- Water Resources Association of Yolo County: www.yolowra.org/irwmp.html

Yuba County:

- Sierra Water Workgroup / Yuba County IRWMP: <http://www.sierrawaterworkgroup.org/yuba-county-irwm.html>

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APPENDIX 6 – THE E&O ACTION PLAN

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City of Riverbank E&O Action Plan

Education & Outreach Tasks:

E&O Tasks from E.7.a.(ii)	Implementation Details	Person & Department Responsible for the Implementation of the Task	Schedule for Implementation (Compliance Year)
Task 1 - <i>Develop and implement a public education strategy that establishes education tasks based on water quality problems, target audiences, and anticipated task effectiveness. The strategy must include identification of who is responsible for implementing specific tasks and a schedule for task implementation. The strategy must demonstrate how specific high priority storm water quality issues in the community or local pollutants of concern are addressed.</i>	The City of Riverbank's Comprehensive E&O Plan meets the requirements of Task 1 in that it identifies in Section 2 the water quality problems and target audiences. The Plan identifies in Sections 2.4 and 4.4 how the City of Riverbank will measure and evaluate the effectiveness of its E&O program and the strategy used to prioritize water quality issues. In this E&O Action Plan, the person responsible for implementing each task is identified and an implementation schedule is provided.	Development Services	Year 2
Task 2 - <i>Implement surveys at least twice during the permit term to gauge the level of awareness in target audiences and effectiveness of education tasks.</i>	The City sent out Storm Water Questionnaires in our October 2015 utility billing mailers. The next survey will be mailed with the utility bills in August and a link to the Questionnaire will be provided on the City's website.	Development Services	Year 2
Task 3 - <i>Develop and convey a specific storm water message that focuses on the following:</i> 1) <i>Local pollutants of concern</i> 2) <i>Target audience</i> 3) <i>Regional water quality issues</i>	In Section 2 of the Comprehensive E&O Plan, the City of Riverbank walks through the process of identifying these three items and the related messages. These messages are summarized and prioritized in Table 13 of the E&O Plan.	Development Services	Year 2
Task 4 - <i>Develop and disseminate appropriate educational materials to target audiences and translate into applicable languages when appropriate (e.g. the materials can utilize various media such as printed materials, billboard and mass transit advertisements, signage at select locations, stenciling at storm drain inlets, radio advertisements, television advertisements, and websites).</i>	The City will purchase brochures for new resident packets and handouts at community events. The City's website will have a page strictly for storm water that will contain storm water information and links to various storm water websites.	Development Services	Develop new materials in Year 2 Disseminate information Years 2 - 5

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E&O Tasks from E.7.a.(ii)	Implementation Details	Person & Department Responsible for the Implementation of the Task	Schedule for Implementation (Compliance Year)
Task 5 - <i>Utilize public input (e.g., the opportunity for public comment, or public meetings) in the development of the program.</i>	City staff will present the E & O Plan at a City Council meeting, which will be televised and available to listen to on the City's website – Channel 2	Development Services	Obtain initial input in Year 2
Task 6 - <i>Distribute the educational materials, using whichever methods and procedures determined appropriate during development of the public education strategy.</i>	The City will purchase brochures for new resident packets and handouts at community events. The City's website will have a page strictly for storm water that will contain storm water information and links to various storm water websites.	Development Services	Years 2 - 5
Task 7 - <i>Convey messages to explain the benefits of water-efficient and storm water-friendly landscaping, using existing information if available.</i>	The City is in the process of revamping our website to include pages dedicated to storm water and water conservation. There will be information and links to helpful websites. The City also is in the process of hiring a water conservation officer to spread the word about water conservation to the residents and businesses in Riverbank.	Development Services	Years 2 - 5
Task 8 - <i>Develop and convey messages specific to reducing illicit discharges with information about how the public can report incidents to the appropriate authorities. The Permittee must promote, publicize, and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s through a central contact point, including phone numbers for complaints and spill reporting, and publicize to both internal Permittee staff and the public. If 911 is selected, the Permittee must also create, maintain, and publicize a staffed, non-emergency phone number with voicemail, which is checked daily;</i>	The City currently has a hotline that residents and businesses can call and report illicit discharges and water wasting. This information is also available on the City's website. The City has also updated our Storm Water Management and Discharge Control Ordinance and a Spill Plan.	Development Services	Spill Plan was developed in Year 1 Develop educational materials in Year 2 Disseminate information and materials Years 2 – 5

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E&O Tasks from E.7.a.(ii)	Implementation Details	Person & Department Responsible for the Implementation of the Task	Schedule for Implementation (Compliance Year)
Task 9 - <i>Develop and convey messages specific to proper application of pesticides, herbicides, and fertilizers</i>	The City will purchase brochures and education information that will be available for contractors, landscape maintenance personnel and residents. The City will also have information on the website's storm water page with links to websites and information.	Development Services	Develop educational materials in Year 2 Disseminate information and materials Years 2 – 5
Task 10 - <i>Within the Permittee's jurisdiction, provide independent, parochial, and public schools with materials to effectively educate school-age children about storm water runoff and how they can help protect water quality habitat in their local watershed(s).</i>	The City has made a list of all the elementary schools in Riverbank and the contact information for each of the schools. The City in Year 3 will develop and compile educational materials to these schools to share with their students about storm water runoff and how they can help protect water quality habitat. Depending on the grade education materials will consist of coloring books and activity books along with access to DVD's.	Development Services	Year 2 – In Appendix 7 of the E&O Plan, compile list of schools to receive the educational materials along with the contact information for each school. Year 3 – Develop, procure, and/or compile educational materials resource packet to be supplied to the schools listed in Appendix 7 . Years 4 & 5 – Distribute the educational materials to the schools.
Task 11 - <i>Develop (or coordinate with existing, effective programs) and convey messages specific to reducing discharges from organized car washes, mobile cleaning and pressure washing operations, and landscape irrigation.</i>	The City will develop a flyer detailing the requirements for organized car washes, mobile cleaning, pressure washing operations, and landscape irrigation. These flyers will be available at City offices and on our website.	Development Services	Develop educational materials in Year 2 Disseminate information and materials Years 2 – 5
Task 12 - <i>Conduct storm water-friendly education for organized car wash participants and provide information pertaining to car wash discharge reduction.</i>	The City will develop a flyer detailing the requirements for organized car washes and information pertaining to car wash discharge reduction. These flyers will be available at City offices and on our website.	Development Services	Develop educational materials in Year 2 Disseminate information and materials Years 2 – 5

IMPLEMENTATION OF THE PLAN

E&O Tasks from E.7.a.(ii)	Implementation Details	Person & Department Responsible for the Implementation of the Task	Schedule for Implementation (Compliance Year)
<i>Task 13 - Develop and convey messages specific to mobile cleaning and pressure wash businesses.</i>	The City will develop a flyer detailing the requirements for mobile cleaning and pressure washing operations. These flyers will be available at City offices and on our website.	Development Services	Develop educational materials in Year 2 Disseminate information and materials Years 2 – 5

Public Involvement & Participation Tasks:

Public Participation Tasks from E.8.(ii)	Implementation Details	Person & Department Responsible for the Implementation of the Task	Schedule for Implementation (Compliance Year)
<i>Task 1 - Develop a public involvement and participation strategy that establishes who is responsible for specific tasks and goals.</i>	The City of Riverbank's Comprehensive E&O Plan meets the requirements of Task 1 in that in Section 2.3.1 of this Plan and Table 11 it identifies the methods that the City of Riverbank will use to solicit and utilize public input in the development of the E&O program and public involvement and participation strategy.	Development Services	Year 2
<i>Task 2 - Consider development of a citizen advisory group (either a stand-alone group or utilize an existing group or process). The advisory group may consist of a balanced representation of all affected parties, including residents, business owners, and environmental organizations in the MS4 service area and/or affected watershed. The Permittee may invite the citizen advisory group to participate in the development and implementation of all parts of the community's storm water program.</i>	When interested parties have been identified, the City of Riverbank will take the next step to form a citizen advisory group by inviting them to an initial meeting to scope the role and involvement of the committee in the storm water program implementation.	Development Services	Year 3

IMPLEMENTATION OF THE PLAN

Public Participation Tasks from E.8.(ii)	Implementation Details	Person & Department Responsible for the Implementation of the Task	Schedule for Implementation (Compliance Year)
Task 3 - <i>Create opportunities for citizens to participate in the implementation of BMPs through sponsoring activities (e.g., stream/ beach/ lake clean-ups, storm drain stenciling, volunteer monitoring and educational activities).</i>	<u>Appendix 5</u> provides an inventory of existing public involvement opportunities in which interested citizens can become involved. The City would like to implement a storm drain marker program where volunteers can pick up packets containing a map and storm drain markers along with instructions on how to install the markers.	Development Services	Year 3
Task 4 - <i>Ensure the public can easily find information about the Permittee's storm water program.</i>	Information about the City of Riverbank's storm water program can be found online at www.riverbank.org or they can call (209) 863-7127 to request information or to speak to a program representative.	Development Services	Storm water website on-line as of May 2015 - Site is updated as new information or links are received.
Task 5 - <i>Actively engage in the Permittee's Integrated Regional Water Management Plan (IRWMP) or other watershed-level planning effort.</i>	San Joaquin Valley Stormwater Quality Partnership www.sjvswqp.org	Development Services	City has been attending meetings and a member of this partnership since 2013. Outreach & Education Collaboration Partnership since 6/2014.

APPENDIX 7 – LIST OF SCHOOLS

IMPLEMENTATION OF THE PLAN

List of Schools within the Phase II MS4 Permit Boundary of the City of Riverbank

School Name	Grade Levels	Public or Private?	Contact Information	Schedule for Providing Educational Materials (Compliance Year)
Adelante High School	9-12	Public	Ms. Young (209) 869-2383	Year 3
California Avenue ES	K-6	Public	Kathy Briggs (209) 869-2597	Year 3
Cardoza Middle School	7-8	Public	Kevin Bizzini (209) 869-2591	Year 3
Mesa Verde ES	K-6	Public	Laurie Sacknitz (209) 869-7320	Year 3
Riverbank High School	9-12	Public	Sean Richey (209) 869-1891	Year 3
Riverbank Language Academy	K-8	Charter	Vanessa Rojas (209) 869-8093	Year 3
Crossroads ES	K-6	Public	Laura Granger (209) 869-2100	Year 3

IMPLEMENTATION OF THE PLAN

APPENDIX 8 – LIST OF COLLABORATING MUNICIPALITIES

Collaborating Phase II MS4s:

Cities

City of Atwater
City of Ceres
City of Escalon
City of Lathrop
City of Lodi
City of Merced
City of Oakdale
City of Patterson
City of Ripon
City of Riverbank
City of Turlock
City of West Sacramento

Counties

Merced County
San Joaquin County (Phase II Portion)
Stanislaus County
Yuba County

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.7

SECTION 6: NEW BUSINESS

Meeting Date:	June 9, 2015
Subject:	Consider Request from Galaxy Theatre LLC to Waive Water, Waste Water, Storm Drain, and Traffic System Development Fees
From:	Jill Anderson, City Manager
Submitted by:	Marisela H. Garcia, Director of Finance Donna M. Kenney, Planning and Building Manager

RECOMMENDATION

It is recommended that the City Council consider the request from Galaxy Theatre LLC ("Galaxy") to waive certain System Development Fees assessed on the construction of a three-story 14,141 square foot ("sq. ft.") addition to an existing 56,840 sq. ft. building and waive the Traffic System Development Fee and continue to require the payment of the Water, Waste Water, and Storm Drain System Development Fees.

SUMMARY

On May 27, 2015 Galaxy Theatre LLC provided a written protest to the payment of the Water, Waste Water, Storm Drain, and Traffic System Development Fees, which have been assessed on the construction of a three-story 14,141 sq. ft. addition to an existing 56,840 sq. ft. building. They are not disputing the Police/General Government or Administrative fees.

The addition retains its 8,740 sq. ft. footprint but the total square footage has increased to 14,141 sq. ft. at Building Permit submittal. The addition is three levels in height: a main floor of seating, an elevator to the mezzanine for second story seating and restrooms, and an elevator to the third level containing the projection equipment and employee work area/storage. There is currently no administrative process to consider these requests at staff level and therefore, the protest has been brought forward to the City Council for consideration.

BACKGROUND

On May 18, 2015, the City received a building permit application from Galaxy on the construction of a 14,141 sq. ft. addition to the existing 56,840 sq. ft. building. This

project, being classified as an expansion and/or addition to an existing nonresidential structure, is assessed the following System Development Fees:

Fee Type	Amount
Streets/Public Works	\$78,765.37
Water	\$29,271.87
Waste Water	\$23,332.65
Storm Drain	\$60,099.25
Police/General Government	\$5,232.17
5% Administrative Fee	\$9,835.10
Total System Development Fees	\$206,536.41

On May 27, 2015 Mr. Rafe Cohen, representative for Galaxy Theatre LLC, submitted a request for Council to consider the waiver of the Water, Waste Water, Storm Drain, and Traffic System Development Fees (Exhibit A). Galaxy is requesting a waiver of these fees under the following assumptions:

1) **Water -**

- a. Domestic Water: Based on current utility bills from the City of Riverbank, the average daily domestic water consumption is 813-gallon per day. The current water plan by Nolte uses an estimate of 1,900-gallons/area/day for this type of commercial use. Based on a parcel size of 7.9-acres the anticipated water use would be 15,010 gallons per day. Though another restroom will be added the increase in water usage will be insignificant.
- b. Landscape Irrigation Water: Once again there will be a minor increase in landscape, less than 300-square feet, and the impact is minor particularly in light of the new landscape watering regulations.
- c. Fire Protection Water: The existing Fire Flow service will be extended through to the new auditorium. There is no impact to the system particularly when you take into consideration that the sprinklers are designed in a zone network to extinguish a fire.

In summary, Galaxy states there are no impacts to City systems, which would warrant the assessment of impact fees for water use.

- 2) **Waste Water:** Sanitary sewer has a direct correlation to domestic water usage and as such the same conclusions can be derived. As previously shown in the Domestic Water System, the originally anticipated flow is significantly less than the actual flow as measured by the City of Riverbank for billing purposes. Again, Galaxy states that no nexus exists as the sewer flow will have no impact on the City's current or future system.
- 3) **Storm Drain:** The expansion area is currently paved and will be replaced by a building. Both are impervious areas and the existing run-off coefficient will remain the same. The original system was designed with oversized pipes that

retain water onsite and then meter it into the City system through undersize pipes that restrict flow thereby lowering the impact to the City system. The system already complies with the flow requirement of new low impact development standard required by the State. Galaxy is adding a new site drain filtration system that will be installed in the catch basins and enhance the water quality when released into the City system. Improvements were designed by the current City Engineer. It is their assessment that the proposed expansion has absolutely no impact on the City drainage system and should be waived.

- 4) **Traffic:** The recent modifications lowered the seating capacity by nearly 1,000 patrons. Even with the additional IMAX auditorium the available seating will be 500 less than prior to the luxury auditoriums. In addition, there will be no egress or ingress points to the theatre. Tom Dumas, Chief, Office of Metropolitan Planning for Caltrans, stated the project may cause significant impact to State Route 108/Patterson Road and recommended the preparation of a traffic impact study. On behalf of Galaxy Theatres, John Anderson, Planning Director, wrote a letter to Mr. Dumas explaining the decrease in seating capacity of the theatre complex. After receiving the new information, Mr. Dumas, on behalf of Caltrans, rescinded his request for the preparation of a traffic study. Galaxy Theatres believes there is no nexus to warrant levying of these fees.

SYSTEM DEVELOPMENT FEES

The City currently collects System Development Fees to defray the impact of new development as authorized by Government Code §66000-66025. The City's System Development Fee program is codified in §150.30 titled "System Development Fees" which establishes the authority for imposing and charging the fees. System Development fees are collected in order to:

- 1) To provide an adequate and constant method for the financing of the unfunded portion of need systems development costs throughout the city, reasonably related to projected community growth.
- 2) To promote the orderly and efficient expansion of public improvements to adequately meet the domestic and economic needs of the community and to minimize adverse fiscal and environmental impacts of new development.
- 3) To ensure the continuation of necessary services including, but not limited to, police and general administrative services.
- 4) To establish equitable methods for minimizing public facility and service costs to the city associated with new development.

As defined within our municipal code, System Development Fees are ***charged to new construction, including the expansion of and/or the addition to an existing, nonresidential structure, to mitigate the unfunded portion of the determined impact of the development.***

ANALYSIS

The request received from Galaxy Theatre LLC has been carefully considered and the evaluation of the potential impacts led to the following determinations:

- 1) Water - Due to the extension of a fire suppression (sprinkler) system, the applicant is required to have access to adequate fire flow and a consistent public water supply. An increase in landscaping requires an increase in irrigation. The proposed addition and landscaping will rely on the City's Master Water System and therefore will have an impact, albeit minor, on these services.
- 2) Waste Water – The addition includes new restroom facilities though there will be no installation of new sewer lines to connect to our system. Waste water will be connected through the existing building. The project will have a minor impact on the City's sewer collection and waste water treatment system.
- 3) Storm Drain – All site drainage is retained on-site and metered into the City storm line in Jackson Avenue with a direct discharge into the Stanislaus River. Galaxy's plans are to incorporate catch basin inserts and filters per new State MS4 requirements.
- 4) Traffic – Staff supports Caltrans' elimination of their requirement for a traffic study and agrees there will be no new impacts from traffic.

GALAXY THEATRE LLC FEE WAIVER DETERMINATION

Based on the analysis performed, staff has determined that due to the addition of new restrooms, an expanded fire suppression system, continued discharge into the City's storm line and the Stanislaus River (considering unfunded State storm water mandates), and a business goal of increasing patrons/traffic, staff has determined the project will have impacts to City facilities. It is recommended that the City Council consider the waiver of the Traffic (Streets/Public Works) System Development Fee only, based on the final evaluation by CalTrans.

FUTURE CONSIDERATION

The City's System Development Fee (SDF) program does not provide an administrative procedure to consider waiver of fees and/or negotiations for fee reductions at any level including administrative and/or City Council. Staff would encourage the City Council to consider adding an administrative procedure in order to facilitate job growth and economic considerations to the SDF process.

FINANCIAL IMPACT

The System Development Fee program is designed as a mechanism to collect impact fees to build infrastructure necessary to support new growth City-wide. Careful

evaluation of each proposed project is necessary to ensure we understand potential funding shortfalls which might be created as a result of granting such fee requests. In the Galaxy case presented above, impacts to City facilities appear to be minor for Water, Waste Water and Storm Water, but they do exist and the City should collect \$127,771.04 towards those impacts. There should be no impacts from Traffic and thus no fee collected for it.

STRATEGIC PLAN

This item is indirectly related to the City's Strategic Plan, which sets vision of a community where businesses and residents can thrive with the goal of enhancing professionalism and customer service. This request has been evaluated and scheduled for City Council consideration in a manner that is intended to demonstrate support and respect for the City's business community.

ATTACHMENT

1. Exhibit A: Galaxy Theatre LLC Fee Waiver Request



15060 Ventura Blvd.
Suite 350
Sherman Oaks
California 91403
Tel (818) 986-9000
Fax (818) 784-0106

May 27, 2015

Ms. Jill Anderson, City Manager
City of Riverbank
6707 3rd. St.
Riverbank, Ca. 95367

Dear Ms. Anderson:

We respectfully ask for inclusion on the agenda of the City Council meeting of June 9th for consideration of our request for a waiver of the system development fees pertaining to the IMAX addition to the existing Galaxy Theatre. The enclosed memo sets forth the reasoning supporting this request.

We look forward to having this item brought forth at the June 9th Council meeting for discussion and action. We are pleased to contribute to economic growth and job creation in Riverbank and certainly appreciate the City's consideration of our request.

Sincerely

Rafe Cohen, President
Galaxy Theaters

cc: Honorable Richard O'Brien, Mayor
John Anderson, Planning Director
Rod Hawkins
Rich Holmer
Frank Rimkus

MEMO

Galaxy IMAX Theatre Addition

Waiver of AB 1600 or Growth Impact Fees

Introduction

In 1999, Galaxy Theatres, under PD 42, was approved for 2,677-seats in a 14-screen cinema complex. Only 12-screens were constructed, thus lessening the seating capacity to 2,150. Over the next decade, upgrades were made to the Theatre but no changes occurred to the seating capacity. Recently the Theatre underwent a major renovation, removed original seating and installed "State-of-the-Art" luxury seating. The new Theatre capacity was reduced to 1,197 seats.

After much deliberation, Galaxy Theatres decided to invest \$3.5 million to add a 452-seat IMAX auditorium on the west side of the existing complex. The new seating capacity will now be 1,649 or almost 500-seats less than the original complex or over 1,000-seats from initial approvals. This is important because the infrastructure and original impact fees were built for a structure capable of hosting many more patrons.

Discussion of the Impact Fee Waiver

A. Water

1. Domestic Water - Based on current utility bills from the City of Riverbank the average daily domestic water consumption is 813-gallon per day. The current Water Master Plan by Nolte, uses an estimated 1,900-gallons/area/day for this type of commercial use. Based on a parcel size of 7.9-acres the anticipated water use would be 15,010-gallons per day. Though another restroom will be added the increase in water usage will be insignificant.

2. Landscape Irrigation Water - Once again there will be a minor increase in landscape, less than 300-square feet, and the impact is minor particularly in light of the new landscape watering regulations.

3. Fire Protection Water - The existing Fire Flow service will be extended through to the new auditorium. There is no impact to the system particularly when you take into consideration that the sprinklers are designed in a zone network to extinguish a fire.

In summary, there are no impacts to City systems, which warrant impact fees for water use.

B. Sanitary Sewer

Sanitary sewer has a direct correlation to domestic water usage and as such the same conclusions can be derived. As previously shown in the Domestic Water System, the originally anticipated flow is significantly less than the actual flow as measured by the City of Riverbank for billing purposes.

Again, no nexus exists as the sewer flow will have no impact on the City's current or future system.

C. Storm Drainage

The expansion area is currently paved and will be replaced by a building. Both are impervious areas and the existing run-off coefficient will remain the same.

The original system was designed with oversized pipes that retain water onsite and then meter it into the City system through undersized pipes that restrict flow thereby lowering the impact to the City system. The system already complies with the flow requirement of new low impact development standard required by the State. Galaxy is adding a new site drain filtration system that will be installed in the catch basins and enhance the water quality when released into the City system. Improvements were designed by the current City Engineer.

The proposed expansion has absolutely no impact on the City drainage system and should be waived.

D. Traffic

The recent modifications lowered the seating capacity by nearly a 1,000 patrons. Even with the addition IMAX auditorium the available seating will be 500 less than prior to the luxury auditoriums. In addition, there will be no egress or ingress points to the Theatre.

A number of agencies received notification of the construction of the addition. Tom Dumas, Chief, Office of Metropolitan Planning for Caltrans, stated the project may cause significant impact to State Route 108/Patterson Road and recommended the preparation of a traffic impact study. On behalf of Galaxy Theatres, John Anderson, Planning Director, wrote a letter to Mr. Dumas explaining the decrease in seating capacity of the Theatre Complex. After receiving the new information, Mr. Dumas, on behalf of Caltrans rescinded his request for the preparation of a traffic study.

Galaxy Theatres believes there is no nexus to warrant levying of these fees.

E. General Government/Administration

Galaxy Theatre does not dispute these fees.

Summary

Galaxy Theatre is extremely excited to bring the IMAX adventure to Riverbank. We are proud that we have been able, for over 15-years, to bring a unique theatre experience to all Riverbank residents.

Our decision to construct an IMAX Theatre was based primarily on our relationship with the Community. This investment will add to Community Pride and, we are certain, will be a catalyst for the future retail and commercial development parcels on SR-108/Patterson Road. The result will mean more jobs, additional revenues (e.g.: sales tax, property tax, growth impact fees), and more customers (both within Riverbank and the surrounding areas).

Galaxy Theatres is grateful for the City Council's consideration of the waiver of the majority of growth impact fees.