CITY OF RIVERBANK

REGULAR CITY COUNCIL AND

LOCAL REDEVELOPMENT AUTHORITY MEETING

(The City Council also serves as the LRA Board)

City Hall North Council Chambers

6707 Third Street • Riverbank • CA 95367

choose civility

AGENDA

TUESDAY, AUGUST 12, 2014 – 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 Cal Campbell
Council/Authority Member Darlene Barber-Martinez
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.

1. PRESENTATIONS

Item 1.1: Presentation on Water Production within the City.

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.

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.

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 July 8, 2014 Regular City Council and Local Redevelopment Authority Minutes.

Item 3.B-1: Approval of the July 22, 2014 Regular City Council and Local Redevelopment Authority Minutes.

Item 3.C: **Resolution** Amending Resolution No. 2014-004 to Change the Appointment of Riverbank Housing Authority Tenant Commissioner Patricia Butterfield to the Tenant Commissioner Seat with the Age Requirement of over 62.

Resolution Appointing Kelle Frietas to the Riverbank Housing Authority Commission, Tenant Seat, with No Age Requirement, for a Two-Year Term Expiring August, 2016.

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 Notice for public hearing items 5.1 was published in the local newspaper of general circulation on July 9, 2014. Said Item 5.1 was continued by the City Council during consideration at the regular meeting of July 22, 2014. A Notice of Continuance of Item 5.1 was posted within 24-hours on the exterior bulletin board near the entrance of the Council Chamber on July 23, 2014. The Notice was also posted at the Riverbank Community Center, the City's website, and sent to the Public Library.

Item 5.1: **Continued Public Hearing form the July 22, 2014 City Council Meeting to consider an Appeal of the Planning Commission denial of Conditional Use Permit 01-2014, Yuriy Smolinskiy for an accessory structure at 5806 Alton Ct, Riverbank. APN: 075-089-046** – It is recommended that the City Council uphold the decision by the Planning Commission in the denial of the Conditional Use Permit application filed by Mr. Smolinskiy and deny the Appeal filed by Mr. Petrulakis representing Mr. Smolinskiy. (A Continued Public Hearing Item from the 07/22/14 CC/LRA Meeting.)

6. NEW BUSINESS

Item 6.1: **Resolution Approving the Renewal and Continued Participation in the Stanislaus Operational Area Organization and Authorizing the City Manager to Execute an Agreement with the County of Stanislaus from 2014-2010** – It is recommended that City Council consider and adopt the Resolution Approving the Renewal and Continued Participation in the Stanislaus Operation Area Organization and Authorizing the City Manager to Execute an Agreement with the County of Stanislaus for 2014-2020, by roll call vote.

Item 6.2: **Resolution Consenting to the Inclusion of Properties within the City's Jurisdiction in the California Home Energy Renovation Opportunity (HERO) Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto** – It is recommended that the City Council consider and adopt a Resolution Consenting to the Inclusion of Properties within the City's Jurisdiction in the California Home Energy Renovation Opportunity (HERO) Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto.

Item 6.3: **Addition of the San Joaquin Valley Air Pollution Control District Special City Selection Committee to the List of City Council Intergovernmental Boards/Committees and Appointing the City's Primary and Alternate Representatives** – It is recommended that the City Council amend the 2014 City Council Intergovernmental Boards/Committees Appointment List by Adding the San Joaquin Valley Air Pollution Control District Special City Selection Committee and Appointing a Primary and Alternate Member of the City Council to Represent the City of Riverbank.

Item 6.4: **Consideration of the 2014 League of California Cities Annual Conference Resolutions** – It is recommended that City Council consider supporting the League of California Cities' Resolution and determine the City's position on the Resolution so that the Voting Delegate, Mayor O'Brien, or Alternate Voting Delegate, Vice Mayor Campbell represent the City's position accordingly during the Annual Business meeting portion of the Conference.

Item 6.5: **Resolution Appropriating $33,200 from the Sewer Capital Improvement Fund 108 for Emergency Repairs to the Waste Water Treatment Plant STX 450 Tractor** – It is recommend that City Council consider adopt a Resolution appropriating $33,200 from the Sewer Capital Improvement Fund 108 for emergency repairs to the Waste Water Treatment Plant STX 450 Tractor.

Item 6.6: **Consideration of Riverbank Museum Annex Lot Ground Cover Options and Authorizing a Resolution to Appropriate Funds from the Police & General Government System Development Fee Fund based on Selected Option** – It is recommended that the City Council consider ground cover options related to the Riverbank Museum Annex Lot that is currently vacant and consider adopting a Resolution appropriating funds from the Police & General Government System Development Fee Fund for this project.

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.

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

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

9. REPORT FROM CLOSED SESSION

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

10. INFORMATIONAL ITEMS (Information Only – No Action)

Item 10.1: **Warrant Registers** – It is recommended that the City Council review as an informational item the warrant registers for 07/16/2014, 07/17/2014, 07/24/2014(A), 07/24/2014(B), and 07/30/2014.

ADJOURNMENT **(The next regular City Council meeting – Tuesday, August 26 @ 6:00 pm)**

UPCOMING EVENTS:

Beginning August 11	▪ **Community Pool:** Tuesdays & Thursdays, Recreational Swim 4:00-&:00 pm/Aquatic Fitness 7:00-8:00 pm; Wednesdays, Open during Farmers' Market 4:30-7:30 pm; Saturdays & Sundays, 12:00 noon-4:00 pm
August 19	▪ **Planning Commission/Downtown Specific Plan Workshop:** **6:00 pm Riverbank Council Chamber**
Open Until Filled	▪ **Budget Advisory Committee:** Applications are currently being accepted. Visit www.riverbank.org or Contact Marisela Garcia at 863-7110.
Open Until Filled	▪ **Housing Authority Commission:** Applications are currently being accepted. Visit www.riverbank.org or Contact the City Clerk's office at 863-7198.
Ongoing	▪ **City Hall Office Hours:** Mondays – Thursdays; 7:30 am to 5:30 pm Alternating Fridays 8:00 am – 5:00 pm; Closed **Friday, August 15.** **For a calendar and time schedule visit www.riverbank.org**
Ongoing	▪ **Regular City Council Meetings:** **2nd and 4th Tuesday of each month at 6:00 pm**

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board 72 hours prior to the meeting pursuant to the Brown Act.

Posted this 7th day of August, 2014
/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 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Notice Regarding Non-English Speakers: Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank City Council/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 95367, and online 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:	August 12, 2014
Subject:	Presentation on Water Production within the City.
From:	Jill Anderson, City Manager
Submitted by:	Michael Riddell, Public Works Superintendent

RECOMMENDATION

The City of Riverbank wishes to remind all its residents how vital water is to our community for our economic wellbeing, growth, as well as health and safety.

SUMMARY

All of the water for Riverbank comes from ten (10) deep water wells, which are located throughout the City. In periods of drought, extra measures are implemented to ensure that the City has an adequate supply of water for its residents and businesses. This presentation shows our past and current water levels as well as our current water production and usage.

FINANCIAL IMPACT

There is no financial impact with this staff report.

ATTACHMENTS

There are no attachments with this staff report.

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

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 12, 2014
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:	August 12, 2014
Subject:	Approval of the July 8, 2014, Regular City Council and Local Redevelopment Authority Minutes
From:	Jill Anderson, City Manager
Submitted by:	Annabelle Aguilar, CMC, City Clerk

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 July 8, 2014, regular City Council / Local Redevelopment Authority Board meeting have been prepared for review and approval.

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENT:

1. The Draft Minutes for the July 8, 2014, regular City Council and the Local Redevelopment.

CITY OF RIVERBANK
REGULAR CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY MEETING
(The City Council also serves as the LRA Board)

MINUTES

TUESDAY, JULY 8, 2014

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 / Local Redevelopment Authority Board of the City of Riverbank met at 6:00 p.m., on this date, at the Riverbank City Council Chambers, 6707 Third Street, Riverbank, California, with Mayor/Chair Richard D. O'Brien presiding.

FLAG SALUTE: **Mayor/Chair Richard D. O'Brien**

INVOCATION: **Pastor Elias Cordova, Community Praise Tabernacle**

ROLL CALL:
Present **Mayor/Chair Richard D. O'Brien; Vice Mayor/Chair Cal Campbell Council/Authority Members: Darlene Barber-Martinez, 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.

No one spoke.

1. PRESENTATIONS

Item 1.1: An Update on Demographic Study Analyzing the City of Riverbank's At-Large Electoral System Pursuant to the California Voting Rights Act (CVRA).

Doug Johnson of National Demographics Corporation presented the demographic study and explained the process to move forward with changing to a District Electoral system. Councilmembers expressed that the District Elections process would be best for the City; all unanimously agreed to move forward toward the District Electoral System. City

Manager Jill Anderson explained that a resolution would be presented to the City Council at the next meeting to approve the findings of the Study, approve the next level of analysis, and proceed with the rest of the process presented by Mr. Johnson.

<u>Public Comments:</u>

- ***Maggie Mejia, President of the Latino Community Roundtable of Stanislaus County, thanked City Council for moving forward with process to change to District Elections, and spoke in regards to sending the letter to the City to avoid any lawsuit from anyone from the outside.***
- ***Ramon Bermudez spoke in favor of the plan to move forward, and requested to know how the cost of the study was covered.***

2. PUBLIC COMMENTS (No Action Can Be Taken)

At this time, members of the public may comment on any item <u>not appearing</u> 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 address the entire City Council/LRA Board.

Ramon Bermudez spoke in regards to not having City representation and a Committee for the elderly in Riverbank, the need for the City to address his request to replace street (name) sign, and the need for the City to clean up the weeds and debris in the alley behind Carl's Jr. [Restaurant].

Vicky Holt, Riverbank Library Manager, provided an update on Library activities.

Debbie Scoles and Betsy Corwin, representatives of the Oakdale Pet Alliance, provided an update of their fundraising events, current organization activities, and the low-cost services that are provided to the community.

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 <u>roll call vote</u>.

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

<u>Item 3.B:</u> 2014 Local Agency Biennial Notice to City Council to Amend the City of Riverbank's Conflict of Interest Code for Agency Positions.

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

ACTION: ***By motion moved/seconded (Barber-Martinez / Tucker / passed 5-0) to approve Consent Calendar Items 3.A and 3.B as presented; motion carried by unanimous City Council and LRA Board roll call vote.***

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

NAYS: ***None***

ABSENT: ***None***

ABSTAINED: ***None***

4. UNFINISHED BUSINESS

Item 4.1: Second Reading by Title Only and Adoption of ***Ordinance No. 2014-006*** of the City Council of the City of Riverbank, California, Amending Title XV: Land Usage, Chapter 153: Zoning, by Amending Sections 153.10 and 153.011, and Adding New Sections 153.066 Through 153.072 of the City Of Riverbank Code Of Ordinances.

For the record, City Clerk Annabelle Aguilar received a list of comments from Mrs. Evelyn Halbert and distributed the list to each Member of the City Council.

City Attorney, Tom Hallinan, addressed Mrs. Evelyn Halbert's question, from the June 24, 2014, meeting on whether Councilmember Barber-Martinez had a conflict with this item. In checking with his legal office partner, a former lead Attorney for the Fair Political Practices Commission, it was determined that there was no current conflict, however, there could be one at a future date when specific mixed-use zones are considered. Councilmember Barber-Martinez participated in the second reading at the advice of City Attorney Hallinan.

City Manager, Jill Anderson, clarified that this item was for consideration of its second reading to amend the Code of Ordinances by adding language to the Zoning Code consistent with the General Plan, and that properties were not being rezoned by this action.

Public Comment: ***Mrs. Evelyn Halbert asked, for the record, if the City Council received her comments packet; Councilmember Tucker gestured showing the packet was in her possession. Mrs. Halbert stated her concerns with the mixed-use designations of the downtown residential properties and the lack of property owner's input or public notice of these designations.***

ACTION: ***By motion moved/seconded (Barber-Martinez / Campbell / passed 5-0) to Adopt Ordinance No. 2014-006 of the City Council of the City of***

Riverbank, California, Amending Title XV: Land Usage, Chapter 153: Zoning, by Amending Sections 153.10 and 153.011, and Adding New Sections 153.066 Through 153.072 of the City Of Riverbank Code Of Ordinances as presented; motion carried by unanimous City Council roll call vote.

AYES: *Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor O'Brien*
NAYS: *None*
ABSENT: *None*
ABSTAINED: *None*

5. PUBLIC HEARINGS

The Public Hearing Notices for public hearing items 5.1 and 5.2, to be considered by the City Council, were published in the local newspaper of general circulation on June 18, and June 25, 2014.

Item 5.1: ***Resolution No. 2014-058*** Adopting the Proposed Building Permit Fees for Solar/Photovoltaic Power Systems Relative to the Permit Fees Mandated by the State of California.

Marisela Garcia, Director of Finance presented the staff report; Council and Staff discussed the item.

Mayor O'Brien opened the public hearing at 6:46:29 p.m.

- *No one spoke for or against the item.*

Mayor O'Brien closed the public hearing at 6:46:13 p.m.

ACTION: *By motion moved/seconded (Jones Cruz / Tucker / passed 5-0) to adopt Resolution No. 2014-058 approving the Proposed Building Permit Fees for Solar/Photovoltaic Power Systems Relative to the Permit Fees Mandated by the State of California, as presented; motion carried by unanimous City Council roll call vote.*

AYES: *Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor O'Brien*
NAYS: *None*
ABSENT: *None*
ABSTAINED: *None*

Item 5.2: ***Resolution No. 2014-059*** to Approve Fees and Fee Waivers for Facility Rentals.

Sue Fitzpatrick, Director of Parks and Recreation, presented the staff report; City Council and Staff discussed the item.

Mayor O'Brien opened the public hearing at 6:52:50 p.m.

- *No one spoke for or against the item.*

Mayor O'Brien closed the public hearing at 6:52:59 p.m.

ACTION:	*By motion moved/seconded (Campbell / Barber-Martinez / passed 5-0) to adopt Resolution No. 2014-059 approving the Fees and Fee Waivers for Facility Rentals as presented; motion carried by unanimous City Council roll call vote.*
AYES:	*Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor O'Brien*
NAYS:	*None*
ABSENT:	*None*
ABSTAINED:	*None*

6. NEW BUSINESS

Item 6.1: ***Resolution No. 2014-060*** Approving the Renewal of the Current Animal Control Services Agreement with the City of Oakdale for Fiscal Year 2014-2015.

Norma Torres-Manriquez, Administrative Analyst, presented the staff report and introduced Oakdale's Animal Control Officers that were present and those unable to be present who serve the City of Riverbank.

ACTION:	*By motion moved/seconded (Barber-Martinez / Tucker / passed 5-0) to adopt Resolution No. 2014-060 Approving the Renewal of the Current Animal Control Services Agreement with the City of Oakdale for Fiscal Year 2014-2015 as presented; motion carried by unanimous City Council roll call vote.*
AYES:	*Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor O'Brien*
NAYS:	*None*
ABSENT:	*None*
ABSTAINED:	*None*

Item 6.2: LRA Public Outreach Plan.

Debbie Olson, LRA Executive Director, presented the plan; Council/LRA Board discussed the Item.

7. COMMENTS (Information only – No action)

Item 7.1: Staff Comments

City Manager Jill Anderson commented on: 1) the extenuating circumstances for the lack of warrant registers and the need to replace old technological systems in their entirety, and 2) existing systems having to operate with old and new equipment/software components, causing problems.

Police Services, Chief Kiely, reported that there were no incidents to report for the 4th of July Holiday and reported on the success of the Bicycle Rodeo Program, thanking various parties involved.

City Manager Anderson commented in response to the public comments made by Mr. Bermudez.

City Clerk Annabelle Aguilar announced the opening of the November 4th General Municipal Election process to fill the seats of Incumbents Campbell and Jones Cruz and the continuous updates available on the Elections page of the City's website.

Item 7.2: Council/Authority Member Comments

Council/Authority Member Jones Cruz commented on: 1) her attendance of the naturalization for U.S. Citizenship event, and 2) the availability of life jackets provided by the Fire Department.

Council/Authority Member Barber-Martinez commented on: 1) appreciation of Chief Kiely's assistance with the Bicycle Rodeo event, 2) the great experience of attending the naturalization event along with Councilmember Jones Cruz, 3) her participation in promoting reduction of gas emissions by riding the ACE train to Santa Clara, and 4) enjoying the use of the City's parks, to not forget the sunscreen, and to be safe in the water.

Council/Authority Member Tucker was pleased to hear there were no incidents over the 4th of July weekend and congratulated everyone for conducting a successful Bicycle Rodeo event.

Vice Mayor/Chair Campbell: 1) thanked everyone who supported the Farmers' Market by attending the event and making movie night a success.

Item 7.3: Mayor/Chair Comments

Mayor/Chair O'Brien commented on: 1) the need to replace several City street signs, agreeing with Mr. Bermudez' comments, 2) meeting with Mr. Bermudez to understand his request of a senior committee, 3) helping to start a new youth summer lunch program next

year though the library to encourage reading throughout the summer months and perhaps consider its continuation with the seniors at the Community Center, and 4) looking forward to the results of the demographics that can provide some type of solution to the District Elections process, and hoped for the community's understanding on the need to move towards this process.

ADJOURNMENT

There being no further business, Mayor/Chair O'Brien adjourned the meeting at 7:36 p.m.

ATTEST: **APPROVED:**

____________________________ ____________________________

Annabelle H. Aguilar, CMC
City Clerk / LRA Recorder

Richard D. O'Brien
Mayor / Chair

RIVERBANK CITY COUNCIL / LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 3.B-1

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 12, 2014
Subject:	Approval of the July 22, 2014, Regular City Council and Local Redevelopment Authority Minutes
From:	Jill Anderson, City Manager
Submitted by:	Annabelle Aguilar, CMC, City Clerk

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 July 22, 2014, regular City Council / Local Redevelopment Authority Board meeting have been prepared for review and approval.

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENT:

1. The Draft Minutes for the July 22, 2014, regular City Council and the Local Redevelopment.

REVISED 08/08/14

CITY OF RIVERBANK
REGULAR CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY MEETING
(The City Council also serves as the LRA Board)

MINUTES

TUESDAY, JULY 22, 2014

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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 / Local Redevelopment Authority Board of the City of Riverbank met at 6:00 p.m., on this date, at the Riverbank City Council Chambers, 6707 Third Street, Riverbank, California, with Mayor/Chair Richard D. O'Brien presiding.

FLAG SALUTE: **Mayor/Chair Richard D. O'Brien**

ROLL CALL:
Present **Mayor/Chair Richard D. O'Brien; Vice Mayor/Chair Cal Campbell Council/Authority Members: Darlene Barber-Martinez, 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.

No one spoke.

1. PRESENTATIONS

Item 1.1: Cheese & Wine Festival Update.

Chris Ricci, contracted event coordinator, made the presentation.

Public Comment:
- *Mr. Edward Jones commented on the need for allowing adequate space for people with special needs, and the high fee charged to put up a booth.*
- *Mr. Ramon Bermudez spoke in regards to the lack of adequate portable restrooms and the need to place them at better locations for accessibility.*

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 address the entire City Council/LRA Board.

Ramon Bermudez spoke in regards appreciating the completion of the traffic signal at the intersection of Oakdale and Morrill, however, expressed concern with the safety hazard of the unfinished southwest corner.

Luis Bustamante, representative of the Latino Community Roundtable, thanked City Council for moving forward with the District Elections process.

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 June 24, 2014, Regular City Council and Local Redevelopment Authority Minutes.

Item 3.C: Approval of a ***Resolution No. 2014-061*** Declaring the Disposition of Surplus Property.

Item 3.D: Adopt a ***Resolution No. 2014-062*** Approving the Submittal of a Functional Classification Change for Local Streets and Roads to the State of California, Department of Transportation to add these roads to the California Road System.

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

Reference Item 3.C: Councilmember Barber-Martinez inquired about the contents of the hard drives of computers being disposed of. City Council was reassured that hard drives were wiped clean by IT staff.

ACTION: By motion moved/seconded (Tucker / Campbell / passed 5-0) to approve Consent Calendar Items 3.A through 3.D as presented; motion carried by unanimous City Council and LRA Board roll call vote.

AYES: Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor/Chair O'Brien
NAYS: None
ABSENT: None
ABSTAINED: None

4. UNFINISHED BUSINESS *There were no items to consider.*

5. PUBLIC HEARINGS

The Public Hearing Notices for public hearing items 5.1 and 5.3 and 5.4 to be considered by the City Council or Local Redevelopment Authority Board, were published in the local newspaper of general circulation on July 9, 2014. Public hearing Item 5.2 was published on July 2 and July 9, 2014.

Item 5.1: Public Hearing for the Appeal Hearing of the Planning Commission denial of Conditional Use Permit 01-2014, Yuriy Smolinskiy for an accessory structure at 5806 Alton Ct, Riverbank. APN: 075-089-046.

City Attorney Tom Hallinan stated a request had been made by Mr. Smolinskiy' s Attorney asking to continue the item. Attorney Hallinan clarified that the 60-day deadline meant that the Public Hearing had to take place within the 60 days, not necessarily City Council's decision; therefore, it could be continued. Seeing compromise of the appellate process City Council agreed to continue the item to the next regular City Council meeting.

For the Record, public written comments for City Council's consideration were received by:

- *Mr. Jeff Pishney who opposed the approval of the permit.*

Mayor O'Brien opened public hearing at 6:34 p.m.

- *Mr. Richard Hilglen spoke against the approval of the permit, commenting on the structures massive size, questioning the owner's intentions to use it for business purposes rather than personal use, and the unwillingness of his neighbors to get involved with this matter.*
- *Mr. Ramon Bermudez spoke in regards to his attendance of the Planning Commission's Public Hearing on this item, encouraged people to voice their concerns, and suggested that a smaller scale building could be more acceptable.*
- *Cheryl Volker spoke against the approval of the permit commenting on setting a precedence for neighbors with large yards, the possibility of the structure becoming a rental property in the future, and how it's size and height would prominently be seen from her two-story home.*

Mayor O'Brien closed the public hearing at 6:44 p.m.

Discussion of setting the date of continuance of the public hearing ensued; Mayor O'Brien reassured the public that written comments would be accepted for consideration of the item at the next public hearing.

<u>ACTION:</u> *By motion moved/seconded (Barber-Martinez / Campbell / passed 5-0) to approve the continuance of Public Hearing Item 5.1 to the next regular City Council meeting on August 12, 2014; motion carried by unanimous City Council roll call vote.*

AYES: *Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor O'Brien*
NAYS: *None*
ABSENT: *None*
ABSTAINED: *None*

Item 5.2: ***Resolution No. 2014-063*** Adopting an Updated Application Fee Schedule and Funding Agreement.

John Anderson, Contract Community Development Director, presented the item; Council and Staff discussed the item.

Mayor O'Brien opened the public hearing at 7:03 p.m.

- *Mr. Ramon Bermudez spoke in regards to the substantial fee increases.*

Mayor O'Brien closed the public hearing at 7:11 p.m.

ACTION: *By motion moved/seconded (Barber-Martinez / Tucker / passed 5-0) to adopt Resolution No. 2014-063 approving the application fee schedule and Funding Agreement as presented; motion carried by unanimous City Council roll call vote.*

AYES:	*Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor O'Brien*
NAYS:	*None*
ABSENT:	*None*
ABSTAINED:	*None*

Item 5.3: ***Resolution No. 2014-064*** Authorizing the Approval to Submit the Fiscal Year 2013-2014 Annual Program Income Report to the Community Development Block Grant Program for the Department of Housing and Community Development.

Marisela Garcia, Director of Finance, presented the staff report.

Mayor O'Brien opened the public hearing at 7:10:20 p.m.

- *No one spoke for or against the item.*

Mayor O'Brien closed the public hearing at 7:10:27

ACTION: *By motion moved/seconded (Campbell / Tucker / passed 5-0) to adopt Resolution No. 2014-064 approving the submittal of the Fiscal year 2013/2014 Annual Program Income Report to the Community Development Block Grant Program for the Department of Housing and Community Development as presented; motion carried by unanimous City Council roll call vote.*

AYES:	*Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor O'Brien*
NAYS:	*None*
ABSENT:	*None*
ABSTAINED:	*None*

Item 5.4: ***Resolution No. 2014-065*** Authorizing the Approval to Submit the 2013-2014 Community Development Block Grant (CDBG) Annual Grantee Performance Reports.

Marisela Garcia, Director of Finance, presented the staff report.

Mayor O'Brien opened the public hearing at 7:14:03 p.m.

- *No one spoke for or against the item.*

Mayor O'Brien closed the public hearing at 7:14:09

ACTION: *By motion moved/seconded (Jones Cruz / Barber-Martinez / passed 5-0) to adopt Resolution No. 2014-065 approving the Submittal of the 2013-2014 Community Development Block Grant (CDBG) Annual Grantee Performance Report as presented; motion carried by unanimous City Council roll call vote.*

AYES: *Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor O'Brien*
NAYS: *None*
ABSENT: *None*
ABSTAINED: *None*

6. NEW BUSINESS

Item 6.1: Strategic Plan Update.

City Manager Jill Anderson presented the plan update and announced the next Strategic Planning meeting was scheduled on September 30th and a special City Council meeting would be scheduled on Monday, September 22nd or Thursday, September 24 to conduct a financial forecasting assessment for the City of Riverbank.

Mayor O'Brien commented on the reasons to conduct a financial assessment and forecasting for the City of Riverbank.

Item 6.2: ***Resolution No. 2014-066*** Adopting Line Drawing Criteria for Adjusting Council District Boundaries.

Tom Hallinan presented the staff report.

Mayor O'Brien spoke in regards to utilizing natural boundaries, recommending boundaries to consider.

Public Comment: *Mr. Ramone Bermudez commented on the boundaries suggested by Mayor O'Brien.*

ACTION: *By motion moved/seconded (Jones Cruz / Campbell / passed 5-0) to adopt Resolution No. 2014-066 for Line Drawing Criteria for Adjusting Council District Boundaries as presented; motion carried by unanimous City Council roll call vote.*

Ayes: *Barber-Martinez, Jones Cruz, Tucker, Campbell, and Mayor O'Brien*
Nays: *None*
Absent: *None*
Abstained: *None*

7. COMMENTS (Information only – No action)

Item 7.1: Staff Comments

Michael Riddell commented on the State's regulations on conserving water.

Police Services Chief Kiely announced the activities and participants of the Tuesday, August 5 National Night Out event.

City Clerk Annabelle Aguilar announced vacancies on the Riverbank Housing Authority Commission and provided an update on the November 4 Municipal Election nomination period.

City Manager Anderson announced the vacancies on the Budget Advisory Committee.

Item 7.2: Council/Authority Member Comments

Council/Authority Member Jones Cruz commented on the appreciation of City Manager Anderson's Strategic Plan update, scheduling the update on the agenda for review, and on the new street signs in her neighborhood replaced by Public Works.

Council/Authority Member Barber-Martinez commented on: 1) joining her in prayers for the families of the Malaysian Flight #17, 2) July being designated as Parks and Recreation Month, and 3) looking forward to the National Night Out event.

Council/Authority Member Tucker commented on: 1) looking forward to National Night out and its importance, and 2) appreciation of the City Manager's Strategic Plan update.

Vice Mayor/Chair Campbell commented on: 1) his attendance of the Stanislaus Economic Development Workforce Alliance meeting, now known as Stanislaus Business Alliance, and the need to be aware of business opportunities for Riverbank, and 2) his attendance of the second anniversary of the central valley pickle ball club, and being "littered" [Oakdale Shelter Pet Alliance fundraising efforts].

Item 7.3: Mayor/Chair Comments

Mayor/Chair O'Brien commented on: 1) the importance of conserving water, 2) Council's consideration, as part of the strategic planning, to not hold one or two regular City Council meetings after the start of the new fiscal year to allow staff to close out the prior year's business and to give the Members of the City Council an opportunity to take time for themselves, and 3) the objectives of the Financial Assessment and Forecast meeting, including a segment of financial opportunities and stability.

Mayor/Chair O'Brien announced the closed session item and opened the item for public comment; no one spoke.

Mayor/Chair O'Brien recessed to closed session at 8:18 p.m.

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.

LRA Item 8.1: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: 1 potential case

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

9. REPORT FROM CLOSED SESSION

Mayor/Chair O'Brien reconvened the meeting at 8:48 p.m.

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

Chair O'Brien reported that direction was given to staff.

10. INFORMATIONAL ITEMS (Information Only – No Action)

Item 10.1: Warrant Registers (06/19/14; 06/26/14; 07/02/14; 07/09/14; 07/10/14)

ADJOURNMENT

There being no further business, Mayor/Chair O'Brien adjourned the meeting at 8:49 p.m.

ATTEST:	**APPROVED:**
______________________________	______________________________
Annabelle H. Aguilar, CMC **City Clerk / LRA Recorder**	**Richard D. O'Brien** **Mayor / Chair**

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.C

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 12, 2014
Subject:	A **Resolution** of the City Council of the City of Riverbank Amending Resolution No. 2014-004 to Change the Appointment of Riverbank Housing Authority Tenant Commissioner Patricia Butterfield to the Tenant Commissioner Seat with the Age Requirement of over 62 A **Resolution o**f the City Council of the City of Riverbank Appointing Kelle Frietas to the Riverbank Housing Authority Commission, Tenant Seat, with No Age Requirement, for a Two-Year Term Expiring August, 2016
From:	Jill Anderson, City Manager
Prepared by:	Annabelle Aguilar, CMC, City Clerk

RECOMMENDATION

It is recommended that the City Council consider the information provided and adopt the Resolutions by roll call vote.

SUMMARY

The Riverbank Housing Authority (HA) Commission consists of seven seats, two of which are specifically housing tenant seats, with two-year terms, and with one of those seats requiring a person to be over the age of 62.

On January 27, 2014, the City Council appointed HA Tenant Commissioner Patricia Butterfield to fill the Tenant seat, with no age requirement, previously held by former Commissioner Fran Ross. The second Tenant seat, with an age requirement of over 62, was held by former Tenant Commissioner Wilda Cress, however, since her passing in late February, 2014, the seat has remained vacant. A recruitment announcement has been open since March to fill the vacancy.

An application was received from current Housing Authority tenant Ms. Kelle Freitas expressing interest to serve on the Commission. After an interview conducted by the HA Staff, a letter was received from HA Commission Chair, Judi Rossi, recommending the appointment of Ms. Freitas to the Commission; however, Ms. Freitas did not meet age requirement. Housing Authority Staff and Commission Members requested that we change Tenant Commissioner Butterfield's seat to reflect her appointment to the seat with the age requirement, since she meets this criterion, therefore, making Ms. Freitas eligible for the second Tenant Commissioner seat, with no age requirement.

To keep City Council's actions accurate for the record, it is recommended that Ms. Butterfield's appointment be changed by amending Resolution No. 2014-004 to reflect that she will hold the Tenant Commissioner seat with the age requirement of over 62, and appoint, by resolution, Ms. Freitas to the Tenant Commissioner seat with no age requirement; thereby, accomplishing the recruitment and selection of both Tenant seats.

Attached are supporting documents for City Council's review and consideration to change HA Tenant Commissioner Butterfield's appointment and to approve the appointment of Ms. Kelle Freitas to the H.A. Tenant Commissioner seat, with no age requirement.

FINANCIAL IMPACT

There is no financial impact to this report.

ATTACHMENT

1. Resolution to Amend Resolution 2014-004
2. Application of Kelle Freitas
3. Letter of Recommendation by Chair Judi Rossi
4. Resolution to Approve Appointment of Kelle Freitas

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK AMENDING RESOLUTION NO. 2014-004 TO CHANGE THE APPOINTMENT OF RIVERBANK HOUSING AUTHORITY TENANT COMMISSIONER PATRICIA BUTTERFIELD TO THE TENANT COMMISSIONER SEAT WITH THE AGE REQUIREMENT OF OVER 62

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, on January 27, 2014, the City Council adopted Resolution No. 2014-004, appointing Patricia Butterfield to the Tenant Commissioner seat with no age requirement, formerly held by Commissioner Fran Ross; and

WHEREAS, the recent passing of former Tenant Commissioner Wilda Cress in February, 2014, who held the seat with the age requirement of over 62, has left a vacancy to be filled; and

WHEREAS, it is determined that the recruitment efforts in filling both Tenant Commissioner seats will be expedited and fulfilled by changing Commissioner Butterfield’s appointment to the seat with the age requirement of over 62, since she meets that criterion; and

WHEREAS, removing the age requirement of the current Tenant Commissioner vacancy will increase the pool of potential tenant applicants to serve on the Riverbank Housing Authority Commission.

NOW, THEREFORE BE IT RESOLVED, that the City of Riverbank, City Council hereby approves the amendment to Resolution No. 2014-004 changing the appointment of Housing Authority Tenant Commissioner Patricia Butterfield from the Tenant Commissioner seat with no age requirement to the Tenant Commissioner seat with the age requirement of over 62.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 12th day of August, 2014; motioned by Councilmember ___________, seconded by ________________, and upon roll call was carried by the following City Council vote of ____:

AYES:
NAYS:
ABSENT:
ABSTAINED:

ATTEST:

____

Annabelle H. Aguilar, CMC
City Clerk

APPROVED:

____

Richard D. O'Brien
Mayor

APPLICATION

Appointment to the Housing Authority Commission
(Tenant Seat)
City of Riverbank

CITY OF RIVERBANK
JUN - 9 2014
RECEIVED
BY: Ale

ELIGIBILITY TO APPLY: APPLICANTS MUST BE A TENANT OF THE RIVERBANK HOUSING AUTHORITY

Please type or print

Name ☐ Mr. ☐ Ms. KELLE (First) J (M I) FREITAS (Last)

Home Address ____ (Address) Riverbank (City) Ca 95367 (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 kf

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

Current/Last Employment Information

Employer ____
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.

To be an advocate for the tenants

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.).

Volunteered at Public Schools in Pacifica
Volunteered at Senior Centers.
Graduated High School and some College in
business. Spend time with a lot of people
here at the Housing Community.

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

Communication between tenants and
the main office.

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 6/9/14

Vacancy "Open until filled".

Mail or deliver applications 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

HOUSING AUTHORITY OF THE CITY OF RIVERBANK

Established 1941

EQUAL HOUSING OPPORTUNITY

3309 Stanislaus Street | P. O. Box 695 | Phone (209) 869-4501

Riverbank, California 95367 | Fax (209) 869-6814

Burney Villa Homes | *Henrietta F. Rossi Apts.* | *Fred W. Scheela Apts.*

July 25, 2014

Mayor Richard D. O'Brien
City of Riverbank
6707 Third Avenue
Riverbank CA 95367

RE: Recommendation to Appoint Kelle Freitas to the Housing Authority Commission

Dear Mayor O'Brien:

Applicant Kelle Freitas has expressed interest in providing her skills and time to the City of Riverbank by serving as a Riverbank Housing Authority Commissioner, filling the Tenant position. There is no age requirement for this position, since Commissioner Butterfield currently occupies the Tenant position with the age requirement.

Ms. Freitas is a very talented, community-minded citizen who has demonstrated her desire to serve others in various capacities as needed. I believe she would be an asset to the Commission and therefore recommend that she be appointed to the Riverbank Housing Authority Commission.

Thank you for your consideration.

Sincerely,

Judy Rossi

Judi Rossi
Riverbank Housing Authority Commission, Chair

cc: Bill Fagin, Executive Director, Stanislaus County Housing Authority

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK APPOINTING KELLE FRIETAS TO THE RIVERBANK HOUSING AUTHORITY COMMISSION, TENANT SEAT, WITH NO AGE REQUIREMENT, FOR A TWO-YEAR TERM EXPIRING AUGUST, 2016

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 Tenant Commissioner shall have all the powers, duties, privileges, and immunities of any other Commissioner; and

WHEREAS, the Tenant Commissioner shall serve a two-year term from the date of appointment and shall be disqualified upon ceasing to be a Riverbank Housing Authority Tenant; and

WHEREAS, the passing of former Housing Authority Tenant Commissioner, Wilda Cress in February, 2014, has left a current Tenant Commissioner vacancy; and

WHEREAS, pursuant to the California Maddy Act, a recruitment process has been conducted to fill the vacant Tenant Commissioner seat; and

WHEREAS, Housing Authority Commissioner Chair, Judi Rossi, has provided a letter of recommendation to the City Council requesting Ms. Freitas appointment to the Commission.

NOW, THEREFORE BE IT RESOLVED, that the City of Riverbank, City Council hereby finds, determines, and resolves as follows:

1. City staff conducted a recruitment process to fill the expired Housing Authority Tenant Commissioner seat during the period of March, 2014 to present.

2. The City Council has considered the supporting information to appoint Ms. Kelle Frietas to the HA Tenant Commissioner Seat, with no age requirement.

3. The City Council approves the appointment of Ms. Kelle Freitas to the HA Tenant Commissioner Seat, with no age requirement, for a two-year term expiring August, 2016.

4. The City Council further approves, upon the expiration of Ms. Freitas' term and at the recommendation of the Riverbank Housing Authority Chair or Vice Chair, to have her continue to serve on an interim basis until a new appointment is approved by the City Council.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 12th day of August, 2014; 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	**Richard D. O'Brien**
City Clerk	**Mayor**

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.1

SECTION 5: PUBLIC HEARINGS

Meeting Date:	August 12, 2014
Subject:	**Continued Public Hearing form the July 22, 2014 City Council Meeting** to consider an Appeal of the Planning Commission denial of Conditional Use Permit 01-2014, Yuriy Smolinskiy for an accessory structure at 5806 Alton Ct, Riverbank. APN: 075-089-046.
From:	Jill Anderson, City Manager
Submitted by:	John B. Anderson, Consulting Community Development Director

CITY COUNCIL PUBLIC HEARING OF JULY 22, 2014

The Mayor and Council at the request of Mr. Petrulakis, legal counsel for Mr. Smolinskiy, considered a continuance of the Appeal Hearing to next City Council meeting of August 12, 2014. Because the Appeal is required as a noticed Public Hearing the Council opened the Public Hearing to allow persons from the audience who wished to speak on the matter the opportunity to do so. The Council heard from Ramon Ramirez, Richard Hilglen and Cheryl Volker. After which the Mayor verified that the concerned parties present at the July 22nd hearing would be able to attend the August 12, 2014 City Council meeting. The item was then formally continued to the August 12th meeting with the public hearing still open. Keeping the public hearing open means that City Staff would not mail additional special notices to the adjoining property owners regarding the August 12, 2014 hearing.

RECOMMENDATION

Staff recommends that the City Council uphold the decision by the Planning Commission in the denial of the Conditional Use Permit application filed by Mr. Smolinskiy and deny the Appeal filed by Mr. Petrulakis representing Mr. Smolinskiy.

I. EXECUTIVE SUMMARY:

The applicant, Yuriy Smolinskiy sought Planning Commission approval of a use permit to allow the construction of a 1,045 square foot accessory building within the Single-Family Residential (R-1) zoning district. The General Plan Land Use Designation is

Low Density Residential. This accessory building is a single story building and the proposed use is a personal gym that will have a bathroom, wet and dry sauna rooms and a storage room.

II. ANALYSIS

A Conditional Use Permit is being requested because Section 153.032(F) of the Riverbank Municipal Code requires a use permit for the construction of accessory structures which does not meet the requirements of Section 153.031(B). Section 153.031(B) states accessory buildings are normally incidental to a single-family dwelling provided that such buildings are constructed concurrent with, or subsequent to the construction of the single-family dwelling. ***NORMALLY INCIDENTAL*** shall be deemed to mean that, in addition to a two car garage (either attached or detached), the size of the accessory building does not exceed 20% of the living area of the dwelling. The 1,045 Sq. Ft. accessory structure is 37.19% of the living area of the Residential Dwelling of 2,810 Sq. Ft.

As stated above, the proposed use for the building is primarily a gym, with a dry and wet sauna, bathroom and storage room. The accessory building is proposed to be 55' long and 19' wide and the pitched roof will be at the height of 25' 5 ½". Currently, there is no proposed use for the upper floor, which appears to be 12' and no access to it, as illustrated in Site, Floor and Elevation Plans.

III. ENVIRONMENTAL DETERMINATION

The project will have minimal impact upon the environment and meets all applicable criteria to qualify as categorically exempt from further review under CEQA. This CEQA Class 32 exemption: The project meets the criteria of Article 19 Categorical Exemptions 15332 (a-d) In-Fill Development Projects. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

IV. PUBLIC COMMENT

At the Planning Commission meeting of May 21st the Planning Commission heard testimony from the applicant in support of the project as well as an adjacent property owner, Rick Hilglen, expressing concern with the project. Mr. Hilglen's concerns dealt with the massing and scale of the building the desire to maintain the neighborhood character.

V. PLANNING COMMISSION ACTION

On May 21st, after considering the public testimony and staff presentation on the matter, the Planning Commission on a 3-0 vote decided not to accept staff recommendation for approval of the accessory structure and denied the Conditional Use Permit application filed by Mr. Smolinskiy.

The Planning Commissioners expressed concerns with the size and massing of the accessory structure, the lack of architectural detail, how the structure might fit into the neighborhood and the over-all scale of the proposal. The Draft Planning Commission minutes for the meeting of May 21, 2014 are attached to this Staff Report as Attachment 4.

VI. PLANNING COMMISSION APPEAL

An Appeal letter was filed by the applicant representative George A. Petrulakis representing Mr. Smolinskiy (Attachment 1). According to the Riverbank Municipal Code (RMC) the appeal must be heard by the City Council no later than 60 days after the official appeal is filed with the City.

On June 10, 2014, the City Council accepted the Appeal letter presented by Mr. Petrulakis representing Mr. Smolinskiy and set a noticed Public Hearing of July 22, 2014 for the Appeal Hearing. The day of the City Council Public Hearing, July 22, 2014, is within the required 60 days

FINANCIAL IMPACT

This will not have fiscal impact on the City.

STRATEGIC PLAN

The City of Riverbank Strategic Planning Session is a plan and set of goals that Riverbank will work towards for the next three years. The above action will have no impact to the City's Strategic Planning Session.

ATTACHMENTS

1. Letter from Petrulakis Law & Advocacy requested the consideration of an appeal of the Planning Commission action of May 21, 2014.
2. Letter from the Riverbank Development Services Department announcing the findings of the Planning Commission and setting forth the official appeal period.
3. Approved Planning Commission Minutes of May 21, 2014.
4. Planning Commission Staff Report
5. Comments Received from J. Pishney, July 15, 2014

Attachment 1

PETRULAKIS LAW & ADVOCACY, APC
ATTORNEYS AND COUNSELORS AT LAW
1130 12TH STREET, SUITE B
MODESTO, CALIFORNIA 95354
TELEPHONE 209 522-0500
FACSIMILE 209 522-0700

GEORGE A. PETRULAKIS
BARBARA J. SAVERY, OF COUNSEL

PLANNING & POLICY ANALYSTS
GILBERT D. BOSTWICK
CHRIS A. ESTHER

MAILING ADDRESS
POST OFFICE BOX 92
MODESTO, CA 95353-0092

CITY OF RIVERBANK
MAY 30 2014 3:45 pm.
RECEIVED
BY: Alex City Clerk

May 30, 2014

Riverbank City Council
City of Riverbank
6707 Third Street
Riverbank CA 95367

VIA HAND DELIVERY

Re: Appeal of Planning Commission's Denial of Conditional Use Permit No. 01-2014

Dear Mayor and City Council Members:

On May 21, 2014, the City of Riverbank Planning Commission denied Conditional Use Permit No. 01-2014 for an accessory structure purportedly based on concerns related to the building's size and massing. Please be advised that my firm represents Mr. Yuriy Smolinskiy, and that this letter is a formal appeal of the Planning Commission action to the Riverbank City Council. We respectfully request that you schedule the appeal hearing with the City Council pursuant to your Municipal Code.

The reasons to support this appeal are as follows:

1. The planned structure has a height well below the height of the two story homes within the neighborhood.

2. In response to the size and massing concerns raised by staff before submittal of the CUP application, Mr. Smolinskiy removed a standard second story and replaced it with a windowless and much reduced attic storage area. This decreased the building height significantly. Mr. Smolinskiy's concession allowed your staff to recommend approval of the down-sized building.

3. The large size of the lot easily handles the mass of the structure. This is enhanced by Mr. Smolinskiy's carefully planned backyard landscaping which will lessen any purported sight impacts of the structure as trees grow to maturity.

4. There are no second story windows to intrude on neighbor's privacy.

5. There were extraneous theories presented at the hearing that influenced the decision making.

6. There are other reasons that will be provided before or at the appeal hearing.

We respectfully request the City Council to grant our appeal and approve Conditional Use Permit No. 01-2014.

Enclosed you will find a check no. 2370 to the City of Riverbank in the amount of $210.00 for the appeal fee. Please direct any correspondence regarding this matter to my office, and do not hesitate to contact me if you have any questions.

Very truly yours,

PETRULAKIS LAW & ADVOCACY, APC

George A. Petrulakis

Cc: Mr. Yuriy Smolinskiy

Attachment 2

City of Riverbank Development Services Department

Planning Division ≈ Building Division ≈ Code Enforcement Division

6707 Third Street, Riverbank, CA 95367 Office (209) 863-7128 FAX (209) 869-7126

May 22, 2014

Yuriy Smolinskiy
5806 Alton Ct.
Riverbank, CA 95367

Subject: Conditional Use Permit No. 01-2014

Dear Mr. Smolinskiy:

This letter will memorialize the action taken by the City of Riverbank Planning Commission at their meeting of May 21, 2014, regarding the above subject application.

At the close of the Public Hearing, the Planning Commission denied Conditional Use Permit No. 01-2014, based on the size and massing of the accessory structure.

You have 10-days from the date of the Planning Commission denial in which to file an appeal with the City Council. The deadline to appeal shall be Monday, 6/02/2014. A letter addressed to the City Council stating your reasons to support your appeal, must be submitted by that date along with the required filing fee of $210.00. The Council will then set a Public Hearing date and you will be notified.

If you have any questions, please give our office a call, 863-7124.

Sincerely
City of Riverbank

John B. Anderson
Consultant Planning Director

Attachment 3

City Of Riverbank
Planning Commission Meeting
MINUTES
Tuesday, April 15, 2014

The following minutes reflect action minutes, with added clarification for the record. A copy of the verbatim recording may be obtained, for a fee, by contacting the Development Services Department at (209) 863-7128.

CALL TO ORDER/ROLL CALL:

Present: Chair Stewart, Commissioner Villapudua, Commissioner McKinney and Commissioner Degele

Absent: Vice Chair Hughes (Excused)

CONFLICT OF INTEREST: Any Planning Commissioner and Staff who would have a direct Conflict of Interest on any scheduled agenda item to be considered are to declare their conflict.

No one declared a conflict.

1.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 Planning Commission. 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 Planning Commission.

2. CONSENT CALENDAR: All items on the Consent Calendar are to be acted upon by a single action of the Planning Commission unless otherwise requested by an individual Planning Commissioner for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

Item No. 2.A: Posting of the April 15, 2014, Planning Commission Meeting.
ACTION: *By motion moved/second (Villapudua / Degele / passed 4-0) was approved as submitted; motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Stewart, Villapudua, Degele and McKinney

Nays: None

Absent: Hughes (Excused)

Abstained: None

Item No. 2.B: The Agenda for the April 15, 2014, Planning Commission Meeting.
ACTION: *By motion moved/second (Villapudua / Degele / passed 4-0) was approved as submitted; motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Stewart, Degele, Villapudua and McKinney

Nays: None

Absent: Hughes (Excused)

Abstained: None

Item No. 2.C: The Minutes of the January 21, 2014, Planning Commission Meeting.
ACTION: *By motion moved/second (Villapudua / Degele / passed 4-0) was approved as submitted; motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Stewart, Degele, Villapudua and McKinney

Nays: None

Absent: Hughes (Excused)

Abstained: None

Item No. 2.D: Correction of Minutes from December 17, 2013 Planning Commission Meeting and Resolution number 2013-013 Standard Conditions to be applied to Development Projects. The corrected Minutes to reflect the corrected Resolution number that should have been Resolution number 2013-014.
ACTION: *By motion moved/second (Degele / McKinney / passed 4-0) was approved as submitted; motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Stewart, Degele, Villapudua and McKinney

Nays: None

Absent: Hughes (Excused)

Abstained: None

3. NEW BUSINESS

Item 3.1: The City Clerk will conduct a random drawing of Planning Commissioners Stewart, Hughes, Degele and Villapudua to determine: a) Who will serve in the (3) seats that expire December, 2015: and b) Who will serve in the (1) seat to expire December, 2017.

- Jill Anderson, City Manager conducted the drawing: The drawing reports as follows, the Planning Commissioner terms for Commissioners Stewart, Degele and Hughes will expire December 2015 and the Planning Commission term for Villapudua will expire December 2017.

4. PUBLIC HEARINGS

Item 4.1: Architecture & Site Plan Review (02-2013) to develop a 72 Unit Multi-Family Affordable Apartment Complex, the site is currently zoned R-3 Multi-Family Residential with a General Plan Zone of Higher-Density Residential 16-Units Per Net Acre. APN: 062-022-001 Claus Rd., south of California Ave.

- John B. Anderson, City of Riverbank Consulting Planning Director presented the staff report and introduced the map of the Bruinville Area that shows the tentative maps that are still valid within that area.
- Planning Commission discussed item and asked questions to John B. Anderson, about the project. John responded back and answered the Planning Commissioners' questions.
- Chair Stewart opened the public hearing.
- Persons wishing to speak against the Item was Norma Torres-Manriquez.
- Persons wishing to speak for the project was Ken Koss with TK Development.
- Being there were no further comments the public hearing was closed.
- Planning Commissioners' discussed project and made changes to Resolution 2014-004 item #6 to read as follows: Applicant shall be required to construct a Masonry CMU wall along the projects Northern property line. Applicant to work with Community Development Department to design and construct a fence of substantial construction along the East and Southern property lines.

ACTION: *By motion moved/second (Villapudua / Degele / passed 4-0) Resolution 2014-004; motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Stewart, Degele, Villapudua and McKinney

Nays: None

Absent: Hughes (Excused)

Abstained: None

Item 4.2: CX-1 Mixed Use Zoning. The project consists of a Zoning Ordinance Amendment to establish the Mixed Use (CX-1) Zoning District as Chapter 153, Section 166 through 172 and language amendment to Section 153.010; Districts; Boundaries and 153.011: Degree of Restrictiveness by Resolution 2014-005 to recommend to City Council the approval of Ordinance 2014-___. The City's 2005-2025 General Plan, which was adopted in April 2009, modified the General Plan Land Use Designation of numerous properties in Riverbank to Mixed Use. The General Plan Update set policy to create the corresponding Mixed Use Zone. The CX-1 Zoning District as attached with Planning Commission Resolution 2014-005 will serve as the implementation tool for the Mixed Use General Plan Designation.

- John B. Anderson, City of Riverbank Consulting Planning Director opened the public hearing for item 4.2, then David Niskanen associate of J.B. Anderson Land Use Planning, presented the staff report.
- John B. Anderson then answered the Commissioners' questions.
- Chair Stewart opened the public hearing.
- Persons wishing to speak against the item was Evelyn Halbert.
- Public Hearing was left opened item to be continued to the next Planning Commission hearing scheduled for May 20, 2014.

ACTION: *By motion moved/second (McKinney / Villapudua / to continue item 4.2 until the May 20, 2014 Planning Commission Meeting.)*

Ayes: Planning Commissioners: Stewart, Degele, Villapudua and McKinney

Nays: None

Absent: Hughes (Excused)

Abstained: None

5. COMMISSION ITEMS

Item 5.1: Michael Riddell, Deputy Development Services of Operations answered questions for the Planning Commission on some areas of concern and questions they had on city streets and bicycle paths.

Item 5.2: John provided the Commission with City Spheres of Influence Report from Stanislaus County LAFCO.

Item 5.3: Received feedback from the Planning Commissioners on the 2014 California League of Cities Planning Commissioners Conference. From those that attended thought it was a great opportunity and enjoyed all the speakers and information gained.

Item 5.4: Updated Commissioners that the Annual Stanislaus County Planning Directors Workshop will be held on May 10, 2014 in Oakdale, CA.

6. COUNTY REFERRAL/CORRESPONDENCE/INFORMATION

None.

7. UP-COMING MEETING AGENDA ITEMS

Item 6.1: Architecture & Site Plan Review for Silgan Container Inc. to construct a detached storage building, located at 3250 Patterson Rd.; APN: 132-039-016.

Item 6.2: Request for a CUP from Rocio Taqueria to sell and serve beer and wine located at 2761 Patterson Rd. #130, APN: 075-009-049.

Item 6.3: Request for a CUP for Yuriy Smolinskiy to construct a detached accessory building, located at 5806 Alton Ct.; APN: 075-089-046.

Item 6.4: Architecture & Site Plan Review for Inez Boss to convert a residential home into a Commercial Quilting Business, located at 3227 Atchison; APN: 132-004-054.

Item 6.5: Downtown Specific Plan (FEIR has been previously certified).

8. ADJOURNMENT

There being no further business, Chair Stewart adjourned the meeting.

ATTEST:

John B. Anderson
Recording Secretary

APPROVED:

Joan Stewart

Joan Stewart, Chair
Planning Commissioner

Attachment 4

CITY OF RIVERBANK
PLANNING COMMISSION
STAFF REPORT

ITEM NO:	3.2	May 21, 2014

APPLICATION:	**A Conditional Use Permit Application No. 01-2014, Yuriy Smolinskiy, for the construction of a detached accessory building, located at 5806 Alton Court; APN: 075-089-046.**
LOCATION:	5806 Alton Court, APN: 075-089-046.
GENERAL PLAN:	Low Density Residential
ZONING:	R-1, Single-Family Residential
ENVIRONMENTAL DETERMINATION:	The proposed project will not have a significant effect on the environment and is categorically exempt under Article 19 Section 15332 (a-d), Class 32, In-Fill Development Projects.
PROJECT PLANNER:	John B. Anderson, Contract Community Development Director
RECOMMENDATION:	Approval of Conditional Use Permit Application No. 01-2014 to develop a detached accessory structure of approximately 1,045 square feet for property located at 5806 Alton Court in a Single-Family Residential (R-1) Zoning District subject to the conditions of approval in Attachment 1 Resolution No. and subject to Attachment 2 Site, Floor and Elevation Plans.
ACROMYMS:	CEQA – California Environmental Quality Act
ATTACHMENTS:	1. Resolution No. 2014-007 2. Site, Floor and Elevation Plans 3. Project Location Map 4. Re: Conditional Use Permit: 01-2014 Letter Dated February 18, 2014 by Applicant Yuriy Smolinksiy 5. Public Agency Comments

I. EXECUTIVE SUMMARY:

The applicant, Yuriy Smolinskiy is seeking a use permit to allow the construction of a 1,045 square foot accessory building within the Single-Family Residential (R-1) zoning district. The General Plan Land Use Designation is Low Density Residential. This accessory building is a single story building and the proposed use is a personal gym that will have a bathroom, wet and dry sauna rooms and a storage room.

II. ANALYSIS

A Conditional Use Permit is being requested because Section 153.032(F) of the Riverbank Municipal Code requires a use permit for the construction of accessory structures which does not meet the requirements of Section 153.031(B). Section 153.031(B) states accessory buildings are normally incidental to a single-family dwelling provided that such buildings are constructed concurrent with, or subsequent to the construction of the single-family dwelling. ***NORMALLY INCIDENTAL*** shall be deemed to mean that, in addition to a two car garage (either attached or detached), the size of the accessory building does not exceed 20% of the living area of the dwelling. The 1,045 Sq. Ft. accessory structure is 37.19% of the living area of the Residential Dwelling of 2,810 Sq. Ft.

As stated above, the proposed use for the building is primarily a gym, with a dry and wet sauna, bathroom and storage room. The accessory building is proposed to be 55' long and 19' wide and the pitched roof will be at the height of 25' 5 ½". Currently, there is no proposed use for the upper floor, which appears to be 12' and no access to it, as illustrated in Attachment 2, Site, Floor and Elevation Plans. Staff does have some concerns that the building height and size might indicate a possible second floor which could be used in the future. Staff is also concerned that, due to the size of the storage area, it could be converted to a commercial office in the future.

The proposed accessory building is located at the rear of the property adjacent to an existing swimming pool, as illustrated by Attachment 3, Project Location Maps. The project is surrounded by primarily two story residential units.

The building will feature two main wide entrances and seven (7) windows on the westerly side of the building. According to the Plans submitted to the City, these windows will be constructed in the size of 36" x 60" (2) and 48" x 72" (5). The applicant will be able to open almost the entire western exterior. The color will match the residential unit (Lavender Suede) that is on the property and the color is presented as Attachment 4, Exhibit 1: Accessory Building Color. Exterior materials and roof materials will match the house as well, with stucco and composite roofing, respectfully. Exterior lighting is proposed to be above each entrance on the westerly wall, 7 Feet from the ground, 6" – 12" above the door frame and will match the existing garage door lighting, as presented in Attachment 4, Exhibit 2: Exterior Lighting Fixture.

The applicant is proposing to connect only for cold water and will use a small water heater located under the sink to provide the accessory building with hot water. There are two (2) proposed water connection options: 1) connect to a pipe located on the outside of the attached garage, and 2) attach to the existing water inlet inside the garage, running a 2-3 foot copper pipe underground. These options are presented as Attachment 3, Exhibit 3 of this Staff Report. The proposed sewage connection will be taken underground with a 3" black pipe to the existing residential line under the driveway. An illustration of the sewer connection is attached to this Staff Report as Attachment 4, Exhibit 4.

Attachment 4, Exhibit 5 is a picture of the Project Site with the accessory building staked out. The picture is a response to staff concerns that soil erosion, slope stability and storm drainage would be an issue with this site. As seen in the picture, the site is relatively flat and slope stability is not an issue.

The current Application was circulated to various City Departments and Agencies for review and comment. Comments were received from the City's Police Department, Public Works Department, Pacific Gas and Electric, and Modesto Irrigation District (Attachment 5). The City's Public Works Department and Pacific Gas and Electric had no comments for this Project. The City's Police Department stated that the Project will have no impact on police services. Modesto Irrigation District's Electrical Division has no objection to the construction of the accessory building in the back yard and also provided a drawing that shows the approximate location of the District's existing electrical facilities.

III. ENVIRONMENTAL DETERMINATION

The project will have minimal impact upon the environment and meets all applicable criteria to qualify as categorically exempt from further review under CEQA. This CEQA exemption: The project meets the criteria of Article 19 Categorical Exemptions 15332 (a-d) In-Fill Development Projects. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

IV. PUBLIC NOTICE

The Planning Commission hearing notice was published in the Riverbank News on May 7, 2014 and posted at City Hall North and South on May 7, 2013. In addition, the Applicant posted a Notice of Development Permit Application at 5806 Alton Court on May 9, 2014 and notices were distributed to residents and business within 300-feet of the Project site in accordance with City standard practices.

V. PUBLIC COMMENT

At the time of writing this Staff Report (May 14, 2014), the City has not received any public comment. Written comments received by the City shall be supplied to the Commission at the day of the meeting and read into the public record.

VI. RECOMMENDATION:

Find that the project is categorically exempt under Class 3, State CEQA Guidelines 15303, and approve the request of Yuriy Smolinskiy for the Conditional Use Permit 01-2014 subject to the conditions of approval in Attachment 1 Resolution 2014-007 and subject to Attachment 2 Site, Floor and Elevation Plans.

Respectfully Submitted By:

John B. Anderson
Contract Community Development Director

Attachment 1

City of Riverbank
Planning Commission
Resolution No. 2014-007

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK APPROVING THE REQUEST OF YURIY SMOLINSKIY FOR CONDITIONAL USE PERMIT APPLICATION NO. 01-2014 FOR THE CONSTRUCTION OF A 1,045 SQUARE FOOT DETACHED ACCESSORY BUILDING WITHIN THE SINGLE-FAMILY RESIDENTIAL (R-1) ZONING DISTRICT AT 5806 ALTON COURT, APN: 075-089-046.

WHEREAS, the Community Development Department of the City of Riverbank has heretofore held a duly noticed public hearing; as required by law, on the requested Use Permit, in accordance with the Riverbank Municipal Code, Section 153.360-153.374; and

WHEREAS, the project proponent is Yuriy Smolinskiy; and

WHEREAS, the applicant is requesting the construction of a 1,045 square foot detached accessory building within the Single-Family Residential (R-1) zoning district; and

WHEREAS, the property has a general plan designation of Low Density Residential; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, the proposed Use Permit is consistent with all applicable general and specific plans; and,

WHEREAS, the proposed Conditional Use Permit with the conditions of approval is in conformity with both the intent and provisions of the Zoning Ordinance, Title 153 of the City of Riverbank Code of Ordinances; and,

WHEREAS, the project was found to be categorically exempt according to the California Environmental Quality Act, §15332, Article 19, Class 32 in that the proposed project is a characterized as in-fill development meeting the conditions described in § 15332(a) through (d).

WHEREAS, the request of Yuriy Smolinkiy for the Conditional Use Permit 01-2014 is hereby granted and approved, subject to the following conditions:

1) This approval is dependent upon and limited to the proposals and plans contained, supporting documents submitted, presentations made to staff, Planning Commission and/or City Council as affirmed to by the applicant.

Any variation from these plans, proposals, supporting documents or presentations is subject to review and approval prior to implementation.

2) The applicant shall secure and comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.

3) The applicant shall comply with all regulations and code requirements of the Community Development Director, City Engineer, Building Official, Modesto Regional Fire Authority, Stanislaus Consolidated Fire Protection District, the Police Chief and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final maps, site plans, public improvement plans, grading plans and building plans.

4) All conditions of approval for this project shall be written by the project developer on all building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the building developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Planning Manager must be received before any changes are constituted in site design, grading, building design, building colors or materials, etc.

5) Final maps and/or site development plans shall be in substantial conformance to the approved tentative map/site plan and must be submitted, in English units, to the City Engineering Department for review and approval. Maps shall be prepared, wet signed and sealed by a civil engineer, land surveyor, or architect registered in the State of California and licensed to prepare final maps and/or site development plans.

6) The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site, either wind or water, during the construction and operation of the project covered by this approval.

7) Should the project be found, at any time, not to be in compliance with any of the Conditions of Approval, or should the applicant construct or operate this development in any way other than specified in the Application or Supporting Documents or presentations to staff, Planning Commission or City Council, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to be violated.

8) Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the applicant a copy of this permit.

9) The hours of construction, including equipment warm-up, shall be limited to 7:00 a.m. to 6:30 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on weekends and legal holidays

10)Development of the property must conform to the plans as submitted with revisions as specified by the City of Riverbank City Council and / or Planning Commission.

11)All new construction requires building permits in accordance with all applicable building and fire codes and submission of a plot and grading plan prepared by a registered professional civil engineer showing property lines, building locations, topography and such other data as required by the Community Development Department.

12)All activities undertaken in accordance with this approval shall comply with the City's General Plan and Municipal Code. In cases of conflict between the City's Municipal Code or map-specific conditions of approval, the governing priority shall be, to the extent legally permitted, as follows: 1) Municipal Code regulations; 2) project-specific conditions; 3) standard conditions.

13)With respect to any claim, action of proceeding against the City, its officials, employees or agents relating to the action or inaction of the City in reviewing, approving or denying the tentative or final maps, the Developer shall defend, indemnify and hold harmless the city, its officials, employees and agents from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning a project approval. With respect to all other claims, actions or proceedings relating to or arising from this project, including without limitation those concerning environmental review, subsequent permit decisions, personal injury, death, property damage or inverse condemnation, the Developer shall also defend, indemnify and hold harmless the City, its officials, employees and agents. The City retains the option to employ independent defense counsel at Developer's expense. The Developer shall bear the litigation expenses of defense, including attorneys' fees, whether incurred by Developer or the City's counsel, or awarded to any third party. The City must pre-approve any decision in the action, including settlement, in which the City's participation or performance is required.

14)The applicant shall defend, indemnify and hold harmless the City of Riverbank, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval, or any aspect of the City's consideration of applicant's project. The applicant recognizes and agrees that applicant's voluntary commitment to meet the obligations described in this condition is an integral factor in the City's approval of this project. The intent of this condition is to require the applicant to bear the cost of any and all litigation instituted to overturn or in any way modify the City's approval of this project. Such costs include without limitation, any award of attorney's fees and costs to a prevailing plaintiff or petitioner. In the event the City becomes aware of any such claim, action, or proceeding, the City shall promptly notify the applicant and shall cooperate fully in the defense. If the City fails to promptly notify the applicant, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing contained in this condition prohibits the City from participating in the defense of any claim, action, or proceeding, it both the following occur: (a) the City bears its own attorneys' fees and costs; and (b) the City defends the action in good faith. The applicant shall not be required to pay or perform any settlement unless the applicant approves the settlement.

15) This approval may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the approval or add/modify conditions approval.

16) It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.

17) All underground utilities shall be installed in conformance with existing City policy including without limitation the City of Riverbank Subdivision and Zoning Ordinances.

18) All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the Standard Plans and Specifications all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.

19) All vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface unless otherwise directed by the Planning Commission.

20) All exterior light fixtures shall be shown on plans subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building and parking or yard lights shall conform to City Standards and shall compliment the site and building architecture.

21) **(Projects involving land disturbances of less than five (5) acres)** – During construction activities, the project sponsor shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any pollutant

into the storm drain system utilizing best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include, but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction and painting; construction material storage and handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices which are identified in the California Storm Water Best Management Practices Handbook for Construction Activities which will be available at the pre-construct meeting of the project.

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission that the requested Conditional Use Permit Application No. 01-2014 is approved subject to those conditions established by Resolution No. 20 14-007 a nd Exhibit "A" Site, Floor and Elevation Plans.

Passed and adopted by the Planning Commission of the City of Riverbank at a regular meeting held on the 21th of May, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:	**Approved:**
John B. Anderson, Secretary **Community Development Director**	**Joan Stewart, Chairperson**

Attachment 2

LOT NO.: 85

ADDRESS: 5806 Alton Court

A.P.N.:

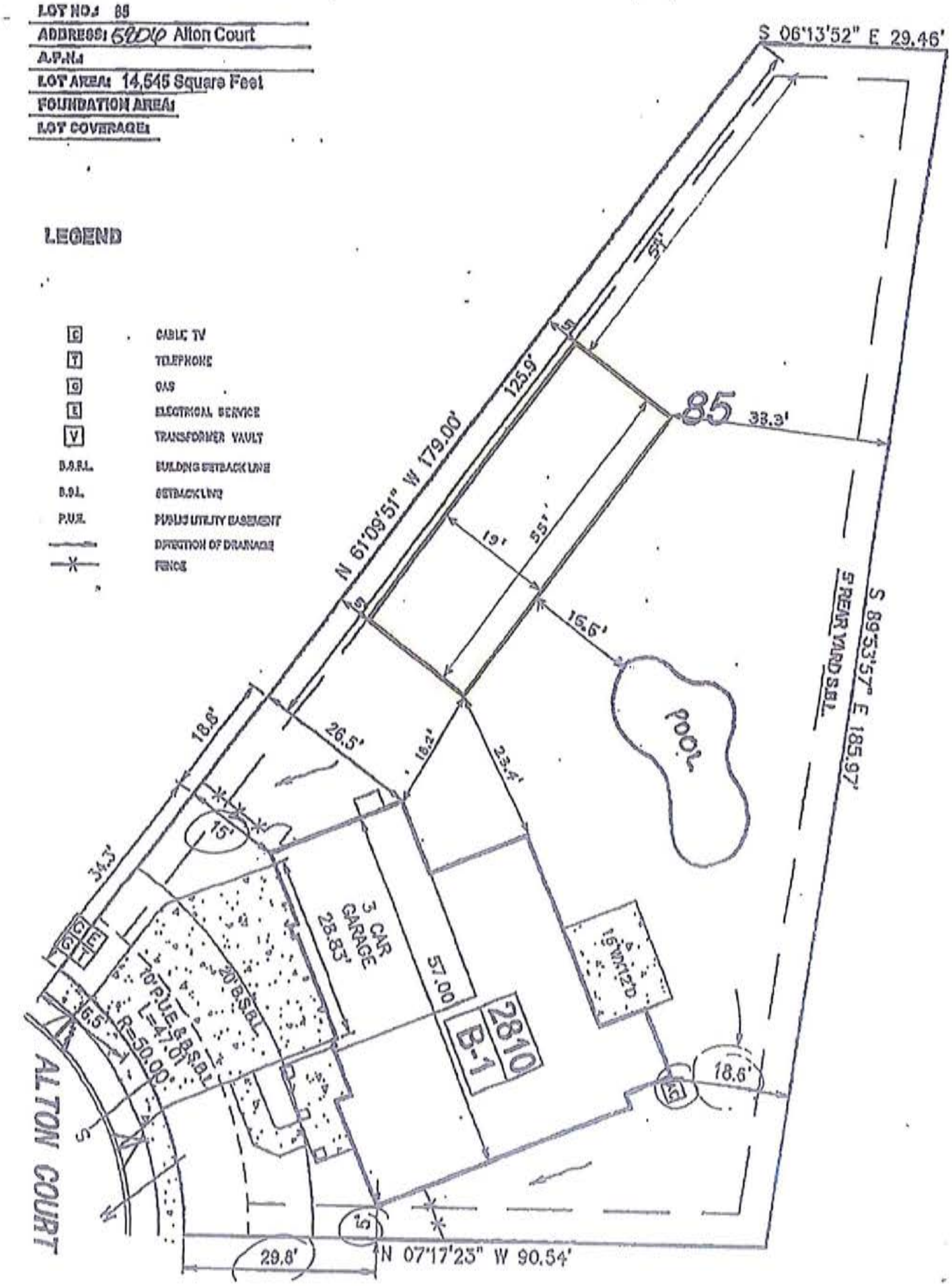
LOT AREA: 14,545 Square Feet

FOUNDATION AREA:

LOT COVERAGE:

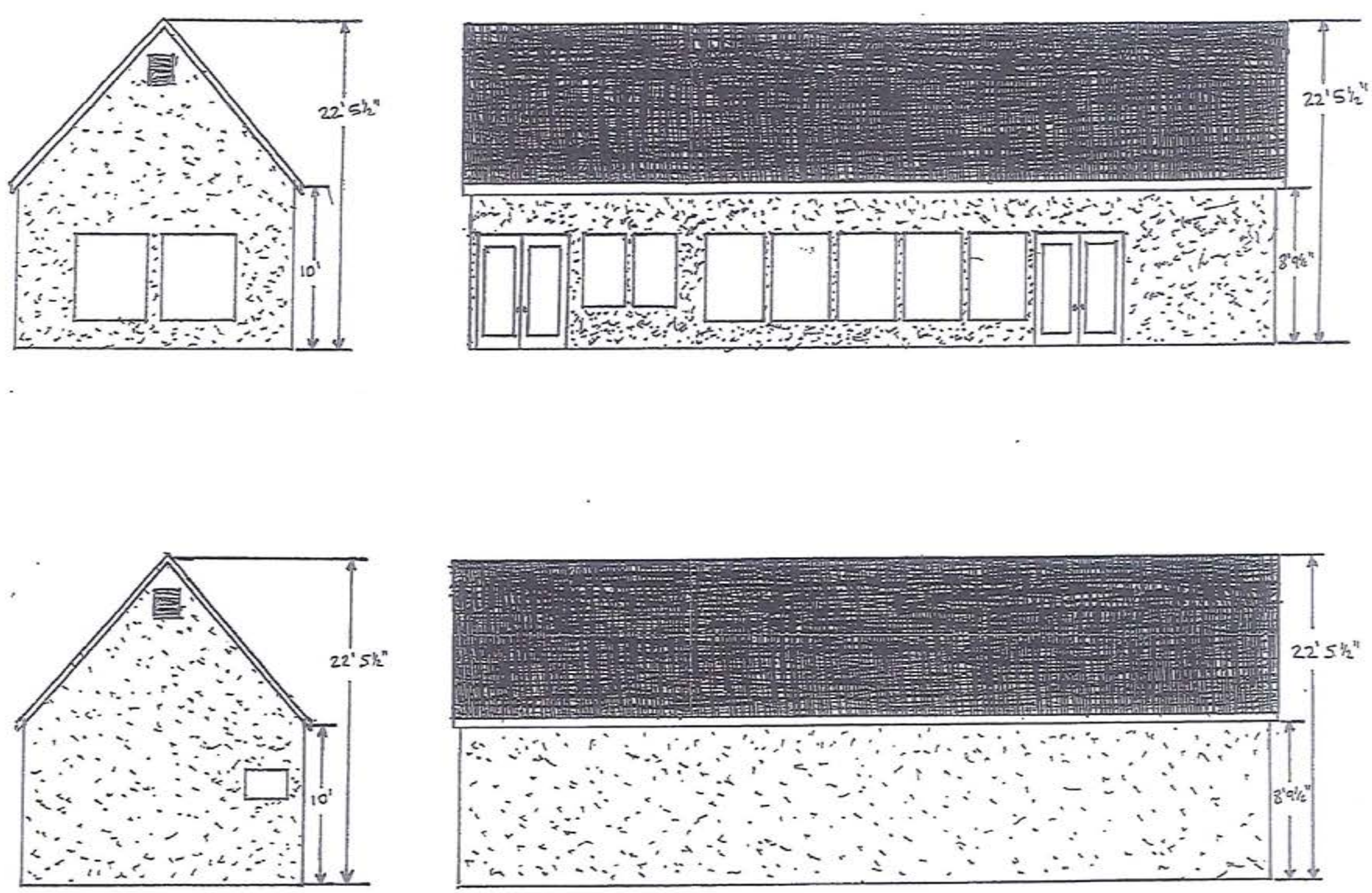
LEGEND

C	CABLE TV
T	TELEPHONE
G	GAS
E	ELECTRICAL SERVICE
V	TRANSFORMER VAULT
B.S.B.L.	BUILDING SETBACK LINE
S.B.L.	SETBACK LINE
P.U.E.	PUBLIC UTILITY EASEMENT
———	DIRECTION OF DRAINAGE
—*—	FENCE



000084

SLOPE: 50°   PITCH: 6/5



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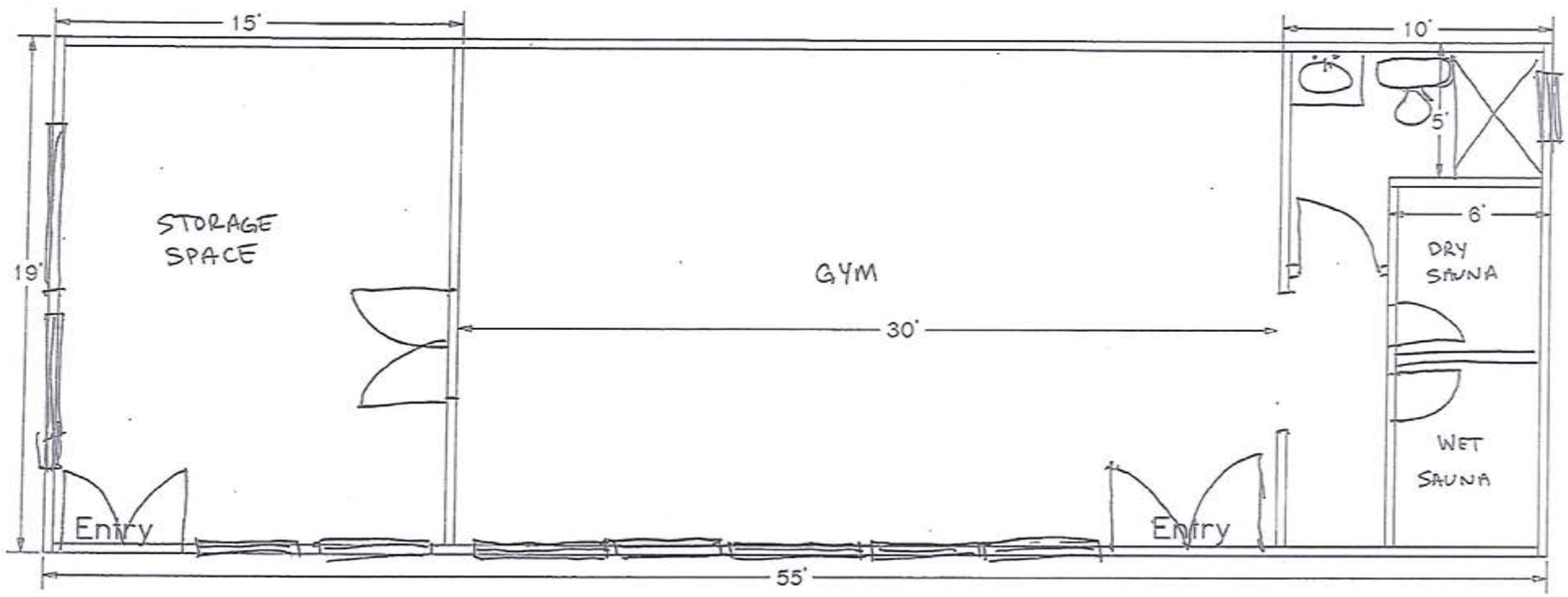
Floor Plan



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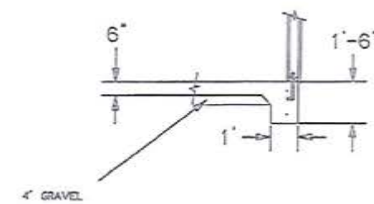
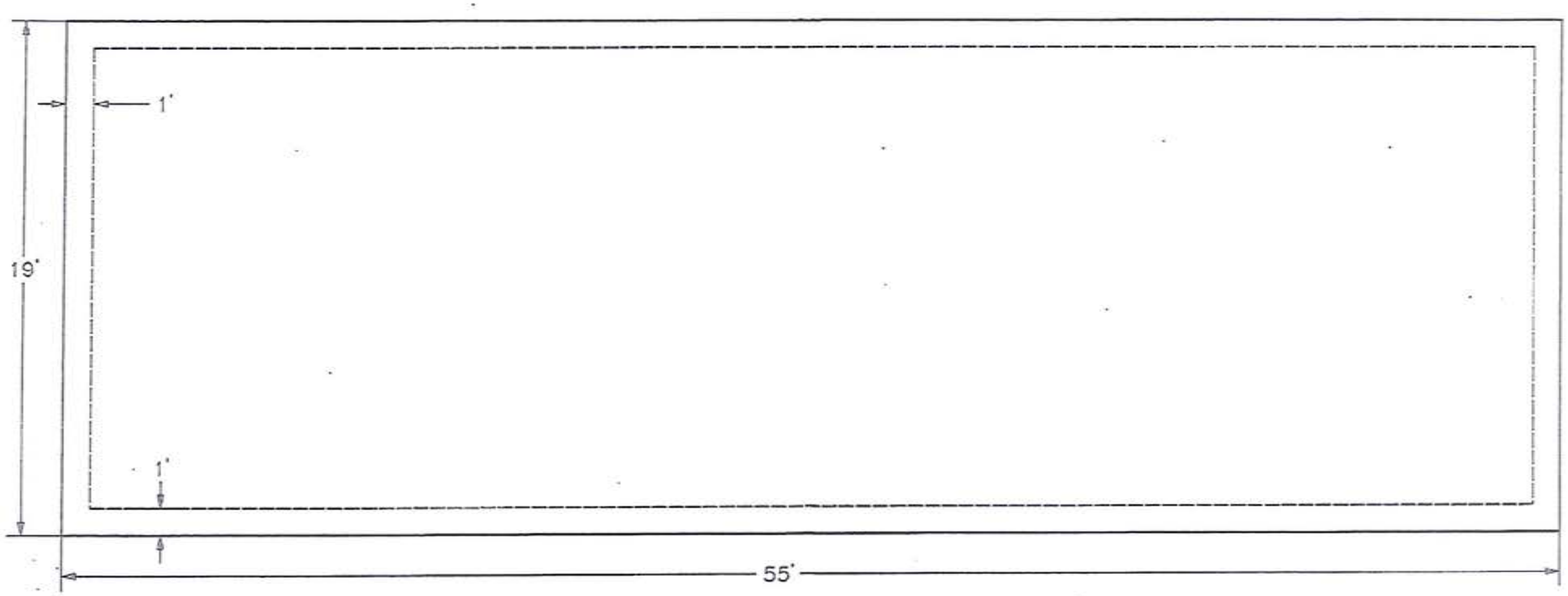
FOUNDATION PLAN

MONO SLAB WITH FOOTING DOWN ALL SIDES





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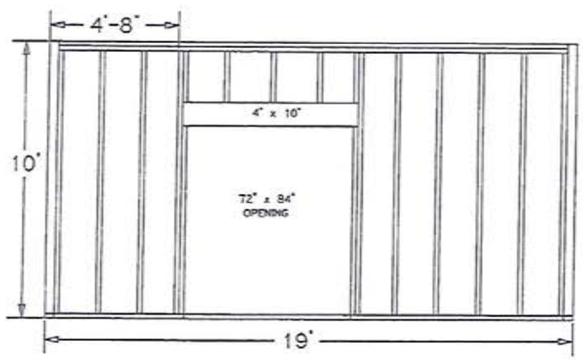
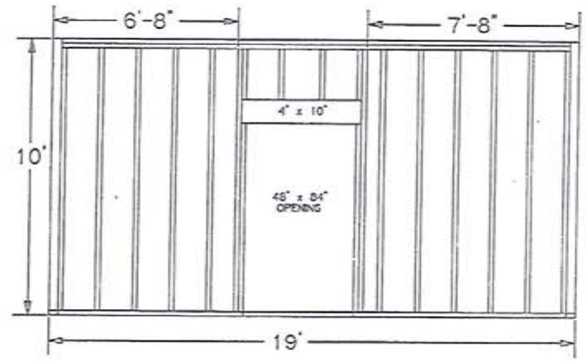
INTERIOR WALLS





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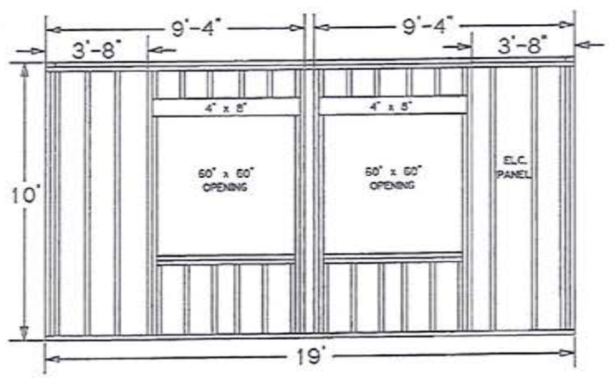
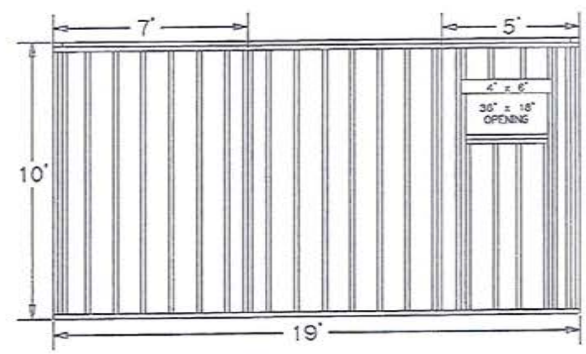
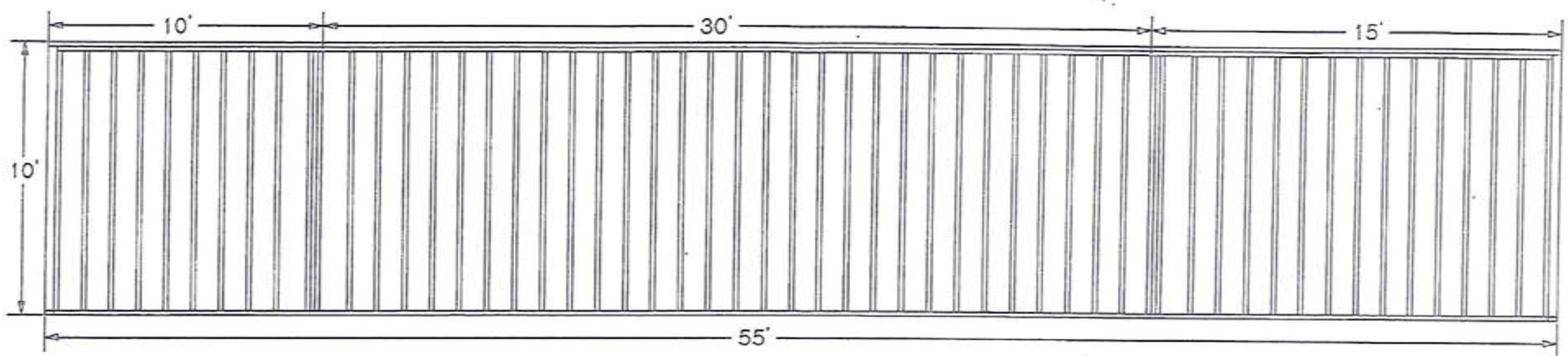
NORTH EXTERIOR WALL



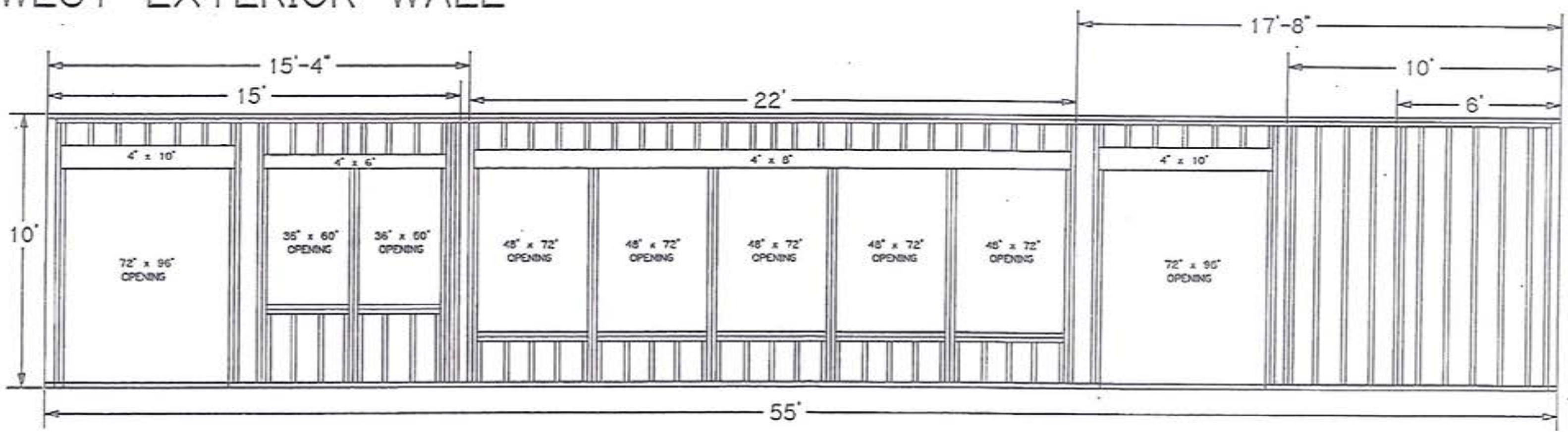
SOUTH EXTERIOR WALL



EAST EXTERIOT WALL



WEST EXTERIOR WALL



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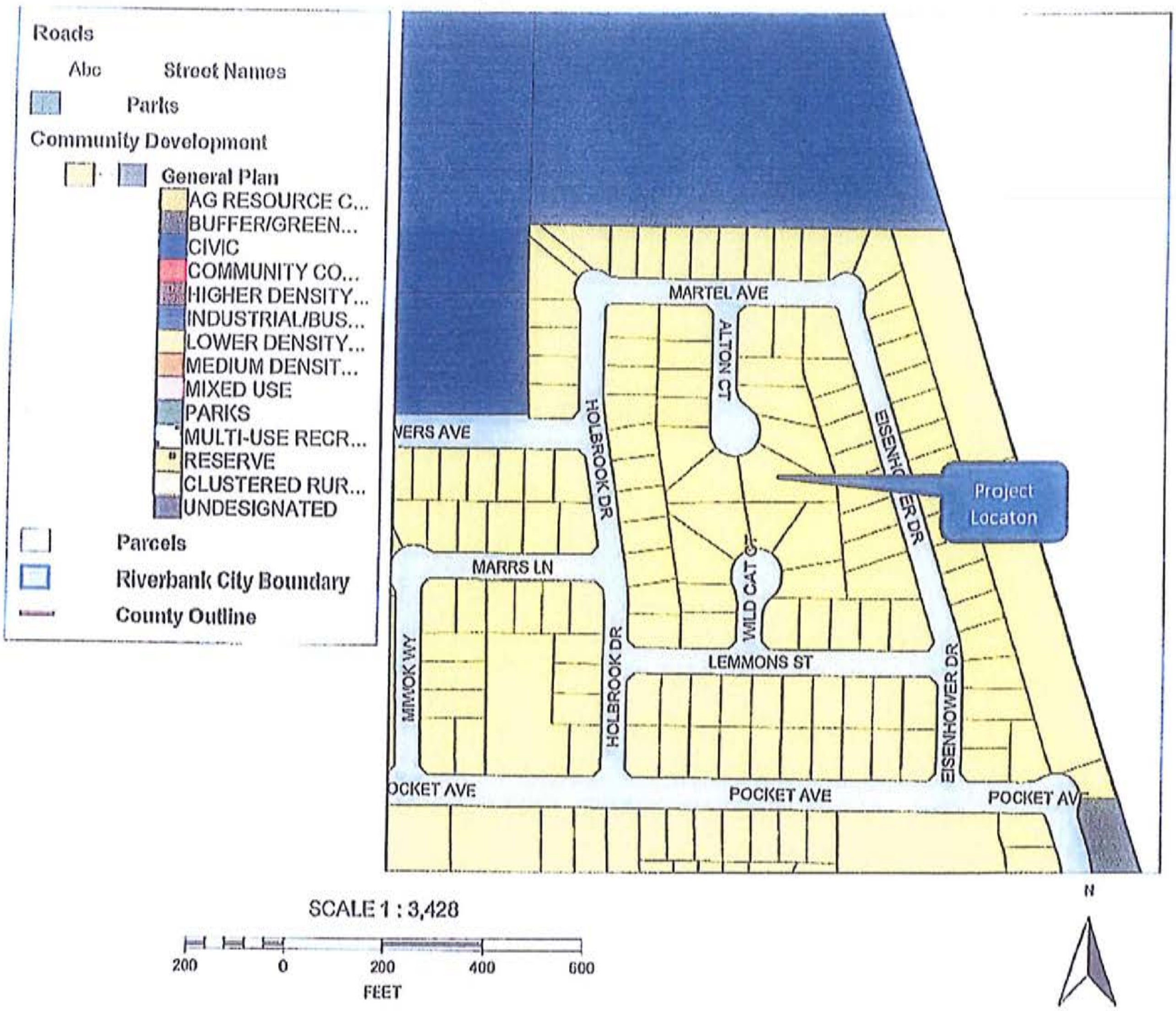
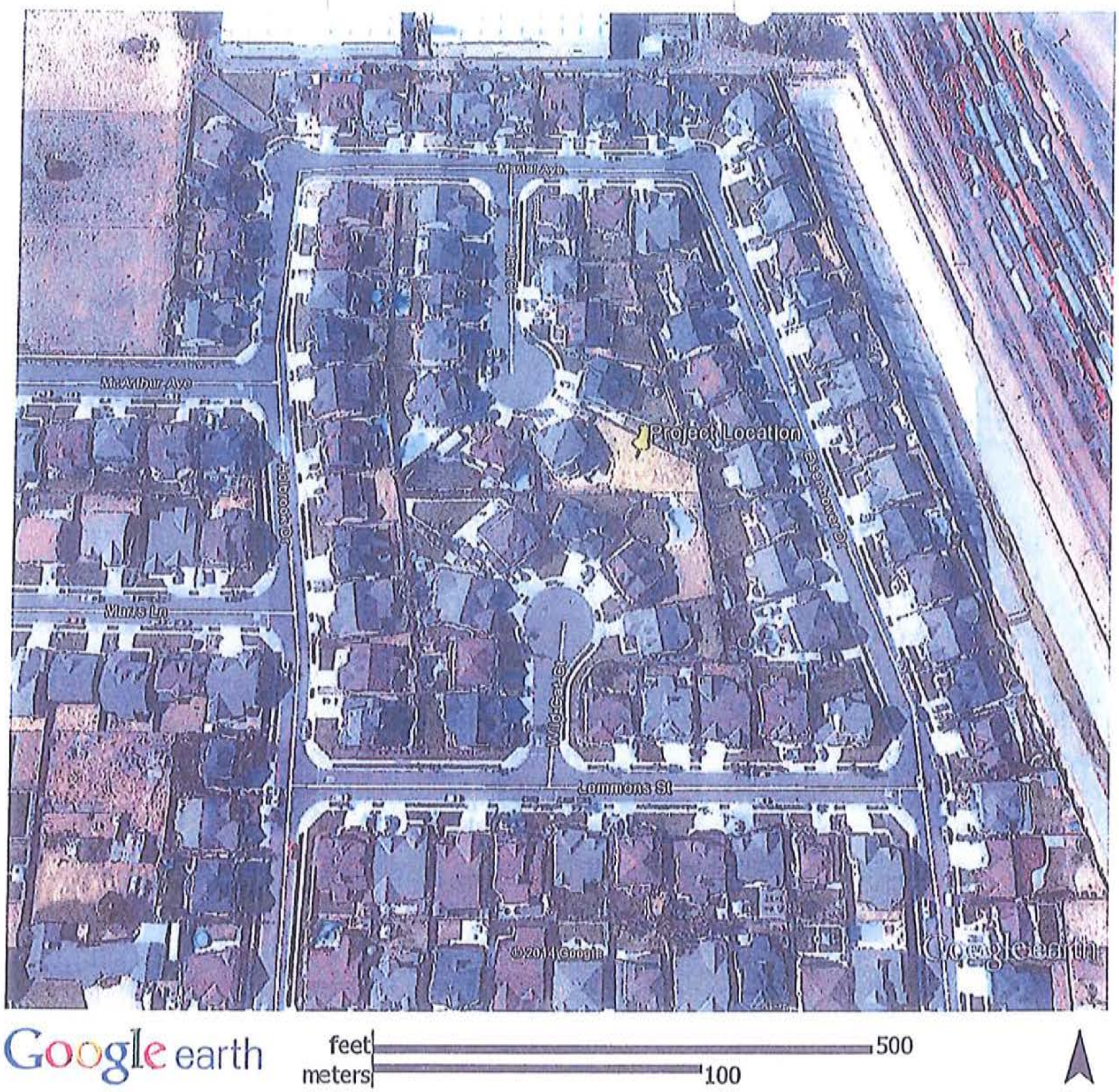
Attachment 3

City of Riverbank




McArthur Ave
Project Location
Lemmons St
© 2014 Google
Google earth
feet
500
meters
100

Attachment 4

February 18, 2014

City of Riverbank Development Services Department
Community Development Director
Attn: John B Anderson
6707 Third Street
Riverbank, CA 95367
(209) 863-7128

RE: Conditional Use Permit: 01-2014
Shed located at 5806 Alton Ct enclosed backyard

Dear John Anderson:

Note: Major changes: ~~Shed~~ Accessory Bldg shall be one story instead of two as planned earlier. This change to one story is reflected in the new plan drawings.

1. Exterior Building colors:

Pease find attached planned color for the ~~shed,~~ Accessory Bldg. which also matches the house color (Exhibit 1)

2. Exterior lighting/Entrance Lighting shall be glare-free lighting fixture at ~~Sheds~~ Accessory Bldgs. entrance 7 ft from ground, 6-12" from Entry door frame. Lighting shall be equal to the existing garage door lighting(Exhibit 2) Exterior lighting shall be:

- Directed downward and shielded.
- Installed so that lights do not blink, flash or be of unusually high intensity or brightness.
- Installed in conformance with the building code, the electrical code, and under appropriate permit and site inspection.

3. Water connection from house: I'm only bringing cold water line to ~~Shed~~ Accessory Bldg and will use a small electric water heater under the sink to conserve energy.
I'm looking at two options, please let me know which option is best John.
Option 1: Draw water from outside pipe. (Exhibit 3)
Option 2: Draw water from the pipe in the garage. (Exhibit 3)
Will run copper pipe 2-3 ft underground.

4. Sewage shall be connected with a 3" Black sewage pipe per building code with a 1/4" per foot drop. It will be connected to the existing pipe running to house under driveway. (Exhibit 4) Proper cleanouts shall be installed per building code. (There is no place to connect to east side of house because there are no cleanouts on that side of house. Forced to take it from driveway ☹)

5. Property Assessors Parcel Number: 075-089-046 R1
Address: 5806 Alton Ct, Riverbank CA 95367
Dimensions and General Plan are included in lot dimensions.

6. Project Site(Exhibit 5):

- There is no land slope that would give a probability of soil erosion and landslip.
- Adjoining properties will not impact of any new or additional drainage.
- There is no potential for visual scarring. This will be a single story ~~shed~~ that is Accessory Bldg.
surrounded by two story homes from all four sides.

7. There are no intended Hazardous Waste related to the shed and its function.

8. The 1,045 Sq Ft. shed is 37.54% of the living area of the Residential dwelling at ~~2784~~ 3814 Sq. Ft. This is the reason why Conditional Use Permit is being requested. The only other reason is the height of the shed at the tip of the roof peak after composite roof installed at 22 Ft.(singe story shed with proper roof slope for solar panels).

9. Second floor is canceled to reduce height and for the lack of its use. Building is my hobby and love to take project to the limits especially when building something to promote health, wellness, and save energy by using natural resources through solar panels.

10. Pool shall be 15.5 Ft. from the ~~shed.~~ Accessory Bldg.

11. This is a ~~shed~~ Acc. Bldg. with a bathroom and a designated area for my home gym equipment that's currently occupying my living room and dining room. There will be no AC or Central Heating.

12. Please clarify your 69 envelope request.

13. Copies are provided with this reply. Let me know if you need additional copies.

Sincerely,

Yuriy Smolinskiy
209 568-0636

Lot Size	14,545. ÷
	2. =
50%	7,272.50 =
50%	7,272.50 +
SPP	[illegible]
Acc. Blds	[illegible]
Remaining % Left	2,415.50 ÷
	0.00

SFD Sq Ft	2,810. ×
	20. %
	562.00
	0.00
	2,810.00 +
	307.00 +
	697.00 +
	3,814.00 =

EXHIBIT 1

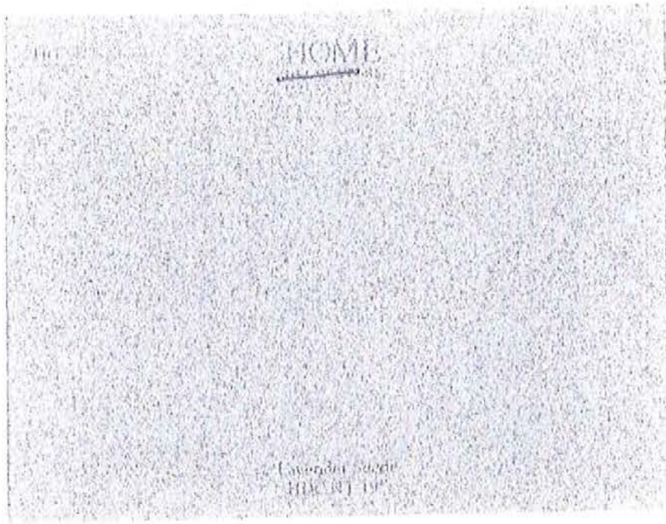
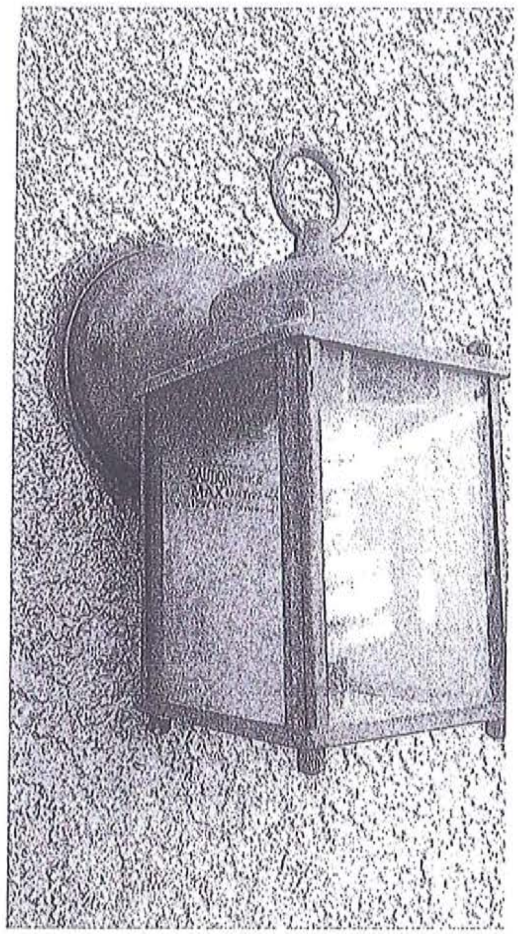


EXHIBIT 2



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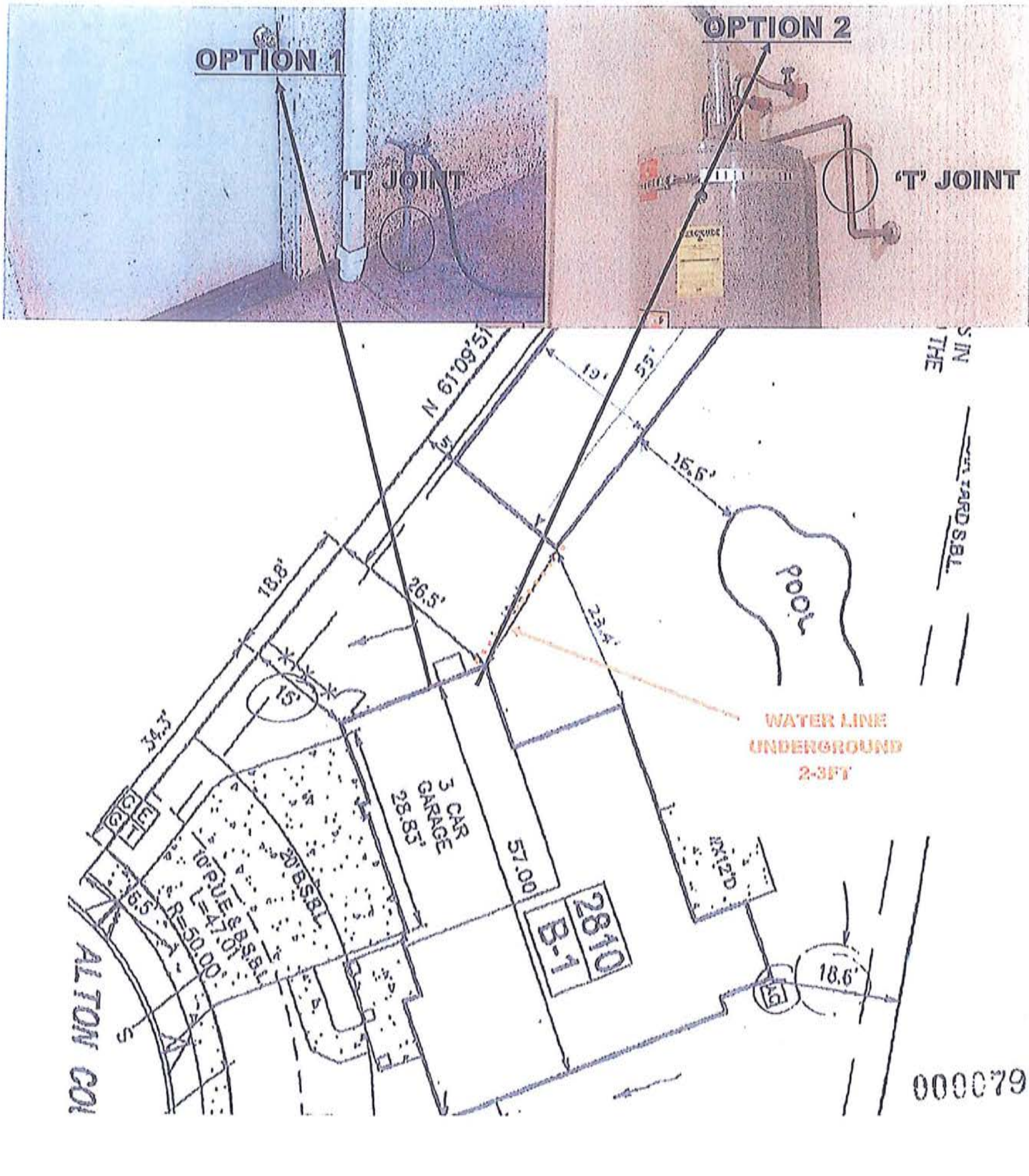
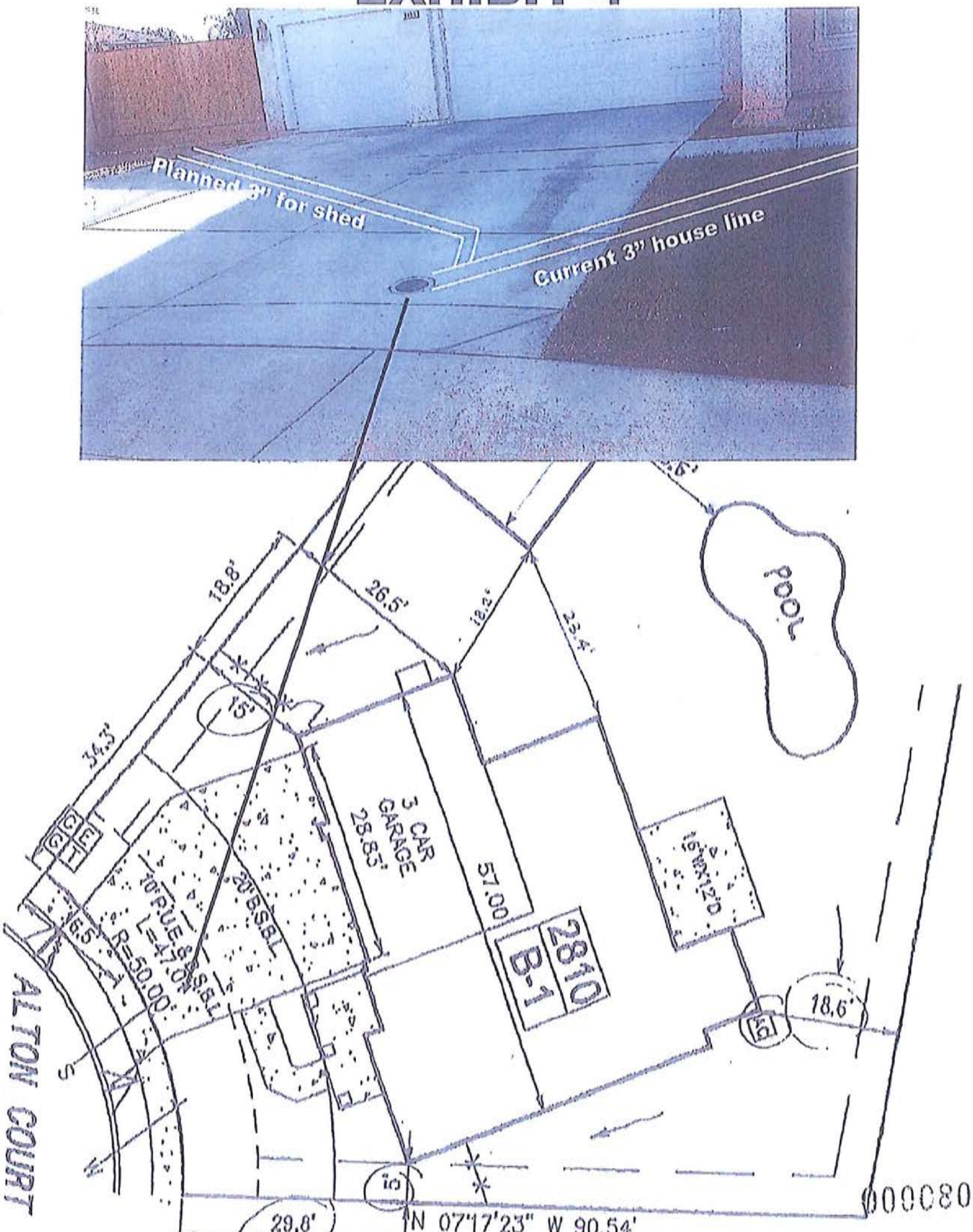


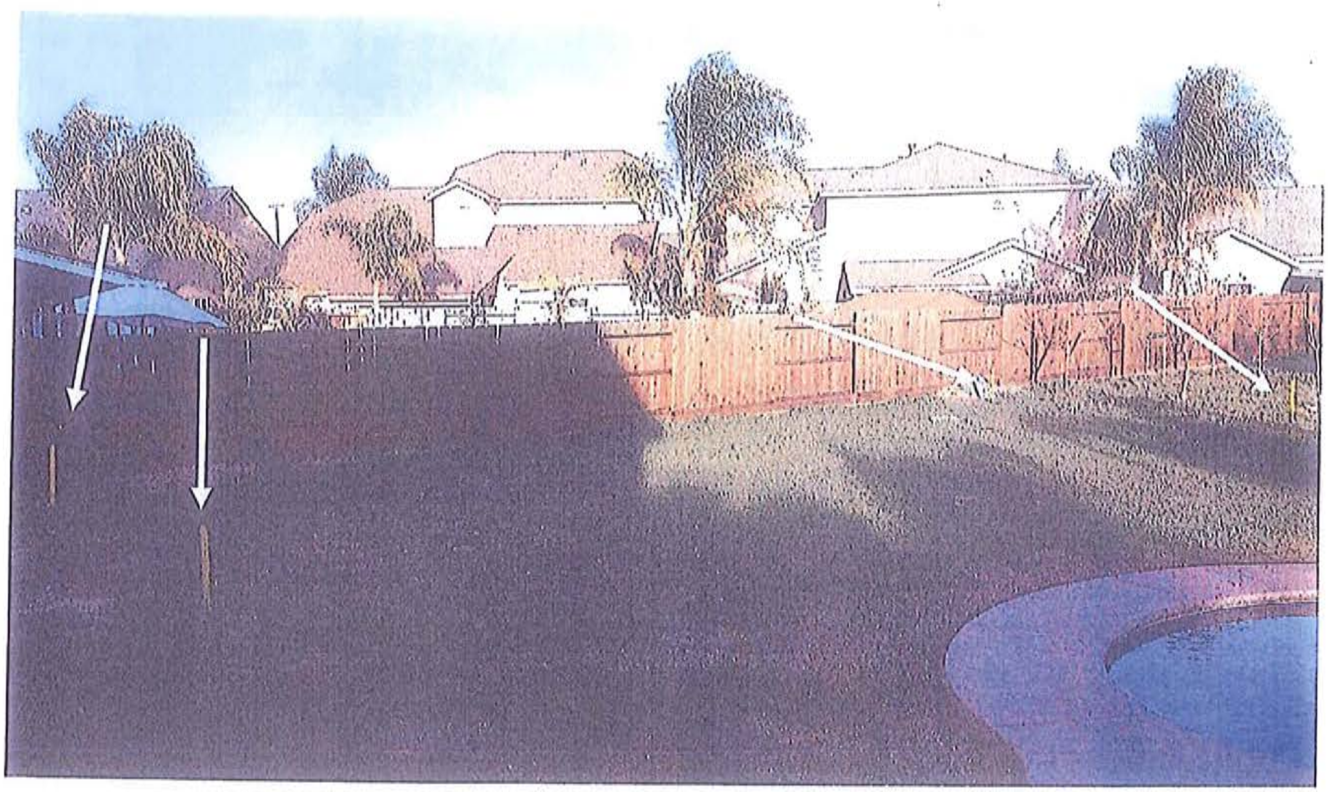
000079

EXHIBIT 4



000080

EXHIBIT 5



Attachment 5

CONSULTATION RESPONSE FORM
RETURN FORM OR SEND DETAILED LETTER

Date: April 23, 2014

Your review and written comments on the below referenced application/project is requested. Your comments must be received by the due date in order for the City of Riverbank Development Services Department to meet its statutory time line for this phase of the project review. Return of the responsible form is requested for our files.

ENVIRONMENTAL ASSESSMENT:

If your agency has specific environmental issues to be addressed and/or conditions they wish to be considered by the City of Riverbank, please attach your comments and forward to our office. Please identify the person commenting and/or requesting conditions to be imposed in order for the City to make contact if clarification is necessary.

Comments may be made on this form or on a separate sheet and returned to our office. Thank you!

APPLICATION/DESC/LOCATION: CUP 01-2014 – Yuriy Smolinskiy: Requesting to construct a 1,045 sq. ft. detached accessory building for a personal gym that will have a bathroom, wet and dry sauna rooms and storage room. Location: 5806 Alton Ct. APN: 075-089-046.	
ATTACHED REFERENCE MATERIAL	APPLICATION, , SITE PLAN, FLOOR PLAN

DATE RESPONSE REQUESTED BY: MAY 8, 2014

Agency: City of Riverbank

Person Reviewing Project: M. Riddell

Date: 4/24/14

COMMENTS:

None

CONSULTATION RESPONSE FORM
RETURN FORM OR SEND DETAILED LETTER

Date: April 23, 2014

Your review and written comments on the below referenced application/project is requested. Your comments must be received by the due date in order for the City of Riverbank Development Services Department to meet its statutory time line for this phase of the project review. Return of the responsible form is requested for our files.

ENVIRONMENTAL ASSESSMENT:

If your agency has specific environmental issues to be addressed and/or conditions they wish to be considered by the City of Riverbank, please attach your comments and forward to our office. Please identify the person commenting and/or requesting conditions to be imposed in order for the City to make contact if clarification is necessary.

Comments may be made on this form or on a separate sheet and returned to our office. Thank you!

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ATTACHED REFERENCE MATERIAL	APPLICATION, , SITE PLAN, FLOOR PLAN

DATE RESPONSE REQUESTED BY: MAY 8, 2014

Agency: RIVERBANK POLICE SERVICES

Person Reviewing Project: CHIEF KRELY

Date: 4/28/14

COMMENTS:

NO ANTICIPATED IMPACT TO POLICE SERVICES.

CONSULTATION RESPONSE FORM
RETURN FORM OR SEND DETAILED LETTER

Date: April 23, 2014

Your review and written comments on the below referenced application/project is requested. Your comments must be received by the due date in order for the City of Riverbank Development Services Department to meet its statutory time line for this phase of the project review. Return of the responsible form is requested for our files.

ENVIRONMENTAL ASSESSMENT:

If your agency has specific environmental issues to be addressed and/or conditions they wish to be considered by the City of Riverbank, please attach your comments and forward to our office. Please identify the person commenting and/or requesting conditions to be imposed in order for the City to make contact if clarification is necessary.

Comments may be made on this form or on a separate sheet and returned to our office. Thank you!

APPLICATION/DESC/LOCATION: CUP 01-2014 – Yuriy Smolinskiy: Requesting to construct a 1,045 sq. ft. detached accessory building for a personal gym that will have a bathroom, wet and dry sauna rooms and storage room. Location: 5806 Alton Ct. APN: 075-089-046.	
ATTACHED REFERENCE MATERIAL	APPLICATION, , SITE PLAN, FLOOR PLAN

DATE RESPONSE REQUESTED BY: MAY 8, 2014

Agency: PACIFIC GAS & ELECTRIC

Person Reviewing Project: Wayne Pacheco

Date: 5-1-14

COMMENTS: NO ISSUES

000085

Modesto Irrigation District
Water and Power

1231 Eleventh St.
P.O. Box 4060
Modesto, CA 95352
(209) 526-7373

CITY OF RIVERBANK

MAY - 7 2014

RECEIVED

BY:

May 6, 2014

City Of Riverbank
Community Development Department
6707 Third Street
Riverbank, CA 95367

RE: CUP 01-2014– Yuriy Smolinskiy
APN: 075-089-046

Dear Sir or Madam,

Thank you for the opportunity to comment on this referral. Following are the recommendations from our Electrical, Irrigation, and Domestic Water Divisions:

Irrigation

- Outside Modesto Irrigation District boundary.

Domestic Water

- No comments at this time.

Electrical

- The attached drawing is marked showing the approximate location of the District's existing electrical facilities.
- The Electric Division has no objection to the construction of the accessory building in the back yard.
- The customer should contact the District's Electric Engineering Design Department if additional information is required.

The Modesto Irrigation District reserves its future rights to utilize its property, including its canal and electrical easements and rights-of-way, in a manner it deems necessary for the installation and maintenance of electric, irrigation, agricultural and urban drainage, domestic water and telecommunication facilities. These needs, which have not yet been determined, may consist of poles, crossarms, wires, cables, braces, insulators, transformers, service lines, open channels, pipelines, control structures and any necessary appurtenances, as may, in District's opinion, be necessary or desirable.

If you have any questions, please contact me at 526-7433.

Sincerely,

Celia Aceves
Risk & Property Analyst

File

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

Opposing the Permit of #01-2014 for applicant Yuriy Smolinskiy located at 5806 Alton Court
APN: 075-089-046

My name is Jeff Pishney and I live at 5732 Wild Cat Court (on the opposite court of 5806 Alton Court). I am the original home owner and am opposed the permit for Yuriy Smolinskiy to build a large building in his backyard.

My reasons for this opposition include:

- The size of this building in a neighborhood of track homes do not fit in with other homes and yards in the neighborhood.
- I do not want the change of aesthetics of our neighborhood to effect my house value.
- Why is he wanting to build such a tall and large gym and why would he need a bathroom when he has them inside his home?
- Does he have commercial use ambitions with this kind of building he wants?
- After it's built, could it be converted and used as an apartment or any other use?
- If it's approved, will other neighbors will want to build large buildings in their backyards?

My next door neighbors also have a large size backyard where most of it is not developed yet. I am worried that if this building is approved, they might want to build a building as well.

Thank you for listening to my concerns. I implore you to oppose approving this permit.

Sincerely,

Jeff Pishney

CITY OF RIVERBANK

JUL 15 2014

BY: RECEIVED

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date:	August 12, 2014
Subject:	**Resolution** Approving the Renewal and Continued Participation in the Stanislaus Operational Area Organization and Authorizing the City Manager to Execute an Agreement with the County of Stanislaus From 2014-2020.
From:	Jill Anderson, City Manager
Submitted by:	Norma Torres-Manriquez, Administrative Analyst II/ Human Services Specialist

RECOMMENDATION

It is recommended that the City Council consider adopting a Resolution approving the renewal and the continued participation in the Stanislaus Operational Area Organization for Emergency Services and authorize the City Manager to execute an agreement with the County of Stanislaus renewing the agreement from 2014-2020.

SUMMARY

Chief Dale Skiles, Assistant Director of Emergency Services for Stanislaus County, will provide an overview of the Stanislaus Operational Area Organization and share with the City Council the intent and benefits of the Stanislaus Operational Area Organization partnership.

In 1998, the City of Riverbank along with all eight of the other cities in the County, adopted the initial "Agreement for the Establishment and Participation in the Stanislaus Operational Area Organization". The Agreement was renewed in 2004, and again in 2010. The 2010 Agreement was updated to reflect the role of the Disaster Council and the Operational Area Council and is set to expire in October 2014. The Stanislaus Board of Supervisors approved the renewal of the agreement at the Board of Supervisors meeting on July 1, 2014, and is now asking the nine incorporated cities to participate together in the Stanislaus Operational Area Organization.

Background

Senate Bill (SB) 1871 resulted from the impact of the Oakland/Berkeley Hills Fire and requires each County in California to formally organize as an Operational Area; for the purpose of enhancing large scale emergency management concepts and plans.

Government Code Article 9, Section 8605, establishes the authority of the Operational Area and provides the means for the County and all cities within the County, to form an Operational Area Council. The California Emergency Services Act references the "operation area" and defines it as "an intermediate level of the state of emergency services organization" created to perform extraordinary functions for both county and city governments within a county area thus strengthening mutual coordination and providing a focal point and conduit for disaster information, and an efficient management of resources.

OVERVIEW OF THE AGREEMENT

The intent and purpose of the agreement is to update and clarify the role and responsibilities of the partnership and to foster the maximum use of resources in planning, preparedness, response, and recovery to emergencies in the Operational Area.

Key Provisions in Section 1 of the Agreement:

Item C. The Stanislaus Operational Area Organization will provide emergency preparedness on a day-to-day basis through training and exercise activities, and will develop policies and procedures for a centralized emergency response center for the purpose of exchanging disaster information and resource requests during a disaster.

Item D. The Stanislaus Operational Area Council will be an integral part of the Stanislaus Operational Area Decision Process for Emergency Management and will coordinate, review and recommend for approval all emergency or disaster response policies, procedures, plans and other influencing factors or events that would affect the Stanislaus Operational Area. The Stanislaus Operational Area Council will be required to have a majority of the members present for approval and/or review of any plan, policies or issues and a simple majority vote will carry the recommended action.

Item E. The Stanislaus Operational Area Council may appoint Task Forces and/or Specialist Groups for specific detailed work that requires focus of technical experts to develop plans, policies, and procedures for the Stanislaus Operational Area. Once approved by the Stanislaus Operational Area Council, the information will be forwarded to the Disaster Council with a recommendation for adoption.

Key Provision in Section 2 of the Agreement:

Item 6. **PROVISIONS OF FACILITIES AND SUPPORT**
The COUNTY shall provide the Operational Area, Emergency Operations Center (EOC) at no cost to the Stanislaus Operational Area Organization or its members. The COUNTY will provide EOC support staff and all necessary supplies for the Operational Area Organization during actual operations and drills. All parties to this Agreement shall provide their own staff for the decision-making and operational positions of the Operational Area Organization.

Item 7. **TERM OF THE AGREEMENT**
This Agreement shall be effective from the date executed by all parties until the anniversary of the Agreement of 2020. This Agreement may be terminated prior to the conclusion of the term by mutual agreement of a majority of the member parties.

Item 8. **WITHDRAWAL OF PARTY**
Any party to this Agreement may withdraw as a party to this Agreement, prior to the termination of the term of this Agreement, upon giving thirty (30) days prior written notice to the other parties in accordance with paragraph ten (10).

Item 10. **INDEMNIFICATION AND HOLD HARMLESS**
Each of the parties agree to indemnify and hold the other parties harmless and waive all claims for compensation for any loss, damage, personal injury, or death incurred in consequences of the act or omissions of the indemnifying party's own employees and agent.

STRATEGIC PLAN

This partnership supports the City's Strategic Plan to enhance public safety and increase and improve the City's emergency preparedness.

FINANCIAL IMPACT

There is no additional fiscal impact to the City associate with the renewal of the agreement at this time.

ATTACHMENTS

The following items are attached to this report:

1. Resolution
2. Agreement for the Establishment and Participation in the Stanislaus Operational Area Organization.

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK APPROVING THE RENEWAL AND CONTINUED PARTICIPATION IN THE STANISLAUS OPERATIONAL AREA ORGANIZATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COUNTY OF STANISLAUS FROM 2014-2020

WHEREAS, Stanislaus County and the City of Riverbank have participated in this partnership since 2004; and

WHEREAS, the purpose of the Stanislaus Operational Area Organization is to utilize the Decision Process, a systematic approach designed to foster the maximum use of resources in planning, preparedness, response, and recovery to emergencies within the Operational Area; and

WHEREAS, the potential for a major catastrophe due to earthquake, flood, or other disasters cause all governmental entities within Stanislaus County to be prepared to share resources and information among themselves, as well as with the State of California, in order to protect public welfare; and

WHEREAS, each party desires increased interagency cooperation and coordination of resources during a disaster; and

WHEREAS, this Operational Area Agreement is being entered into by the undersigned parties pursuant to California Government Code, Article 9, Section 8605; and

WHEREAS, great efficiency, planning, and response can be achieved by joining the efforts of the City of Riverbank, the other eight cities in the County, special districts, and the County together in pre-disaster agreements; and

WHEREAS, the California Emergency Services Act (Government Code Section 8550 et seq.) makes reference to the “operational area” and defines it as an “intermediate level of the state of emergency services organization” created to perform extraordinary functions for both county and city governments within a county area such as strengthening mutual coordination, providing a focal point and conduit for disaster information, and assisting in the efficient management of resources.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorizes the City Manager to enter into an agreement with the County of Stanislaus supporting a combined City/County Operational Area Organization.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 12th day of August, 2014; 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	**Richard D. O'Brien**
City Clerk	**Mayor**

AGREEMENT FOR THE ESTABLISHMENT AND PARTICIPATION IN THE STANISLAUS OPERATIONAL AREA ORGANIZATION

This Agreement is made this 1st day of July, 2014, by and between the County of Stanislaus, hereinafter referred to as "COUNTY" and the cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford, hereinafter referred to as "CITIES."

WHEREAS, the potential for a major catastrophe due to earthquake, flood, or other disaster causes all governmental entities within Stanislaus County to be prepared to share resources and information among themselves, as well as with the State of California, in order to protect public welfare; and

WHEREAS, each party desires increased interagency cooperation and coordination of resources during a disaster; and

WHEREAS, this Operational Area Agreement is being entered into by the undersigned parties pursuant to California Government Code, Article 9, Section 8605; and

WHEREAS, great efficiency, planning, and response can be achieved by joining the efforts of the CITIES, special districts, and the COUNTY together in pre-disaster agreements; and

WHEREAS, the California Emergency Services Act (Government Code Section 8550 et seq.) makes reference to the "operational area" and defines it as an "intermediate level of the state of emergency services organization" created to perform extraordinary functions for both county and city governments within a county area such as strengthening mutual coordination, providing a focal point and conduit for disaster information, and assisting in the efficient management of resources; and

WHEREAS, the Stanislaus County Board of Supervisors and each of the nine cities within the county have adopted the Stanislaus Operation Area Decision Process for Emergency Planning for the purpose of clarifying memberships, purpose, roles and responsibilities of the Operational Area Council; and

WHEREAS, this Operational Area Decision Process Emergency Planning is based upon the FIRESCOPE Decision Process and is in compliance with NIMS, SEMSS and ICS.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE PARTIES TO THE AGREEMENT:

1. INTENT AND PURPOSE

A. The purpose of this Agreement is to renew the partnership between the parties to this Agreement which will utilize the Decision Process, a systematic approach designed to foster the maximum use of resources in planning, preparedness, response and recovery to emergencies in the Operational Area.

B. The existing Stanislaus Operational Area Organization (SOAO) will continue to administer the partnership between the parties to this Agreement and to carry out the purposes of the Agreement. For such purposes, the Stanislaus Operational Area Organization shall have the authority to establish policies and procedures for the governing of the organization, and to establish guidelines for the exchange of information and resources during a disaster.

C. The Stanislaus Operational Area Organization will provide emergency preparedness on a day-to-day basis through training and exercise activities, and will develop policies and procedures for a centralized emergency response center for the purpose of exchanging disaster information and resource requests during a disaster.

D. The Stanislaus Operational Area Council will be an integral part of the Stanislaus Operational Area Decision Process for Emergency Management and will coordinate, review and recommend for approval all emergency or disaster response policies, procedures, plans and other influencing factors or events that would affect the Stanislaus Operational Area. The Stanislaus Operational Area Council will be required to have a majority of the members present for approval and/or review of any plan, policies or issues and a simple majority vote will carry the recommended action.

E. The Stanislaus Operational Area Council may appoint Task Forces and/or Specialist Groups for specific detailed work that requires focus of technical experts to develop plans, policies, and procedures for the Stanislaus Operational Area. Once approved by the Stanislaus Operational Area Council, the information will be forwarded to the Disaster Council with a recommendation for adoption.

2. **RECOGNITION OF AND PARTICIPATION IN AN OPERATIONAL AREA FOR EMERGENCY SERVICES**

The parties to this Agreement recognize an Operational Area, as that term is defined in the California Emergency Services Act (Government Code Section 8550 et seq.) which designates an intermediate level of organization, cooperation, and planning between public entities within Stanislaus County boundary. The parties agree to participate in the organizational structure, which is a planning partnership for a systematic approach for exchanging disaster intelligence and resource requests, in order to foster an effective flow of disaster information and resource requests in emergencies, and also to provide emergency preparedness on a day-to-day basis through training and exercise activities. Each of the parties to this Agreement will designate individuals to be trained to staff the Operational Area Organization. Parties to this Agreement will be eligible to participate in the consolidated purchases process outlined in the Operational Area Organization procedures. Each party to this Agreement will also designate, in writing, a line of succession of officials who are empowered to speak on behalf of their part in the Operational Area Organization.

In the event of an energy shortage emergency, the parties will act in accordance with the actions determined by the Operational Area Organization to meet such emergencies.

3. **CONSIDERATION**

The consideration and value under this Agreement are the mutual advantage of protection afforded each of the parties under the Agreement. There shall not be any monetary compensation required or exchanged from any party to another party under this Agreement.

4. **AGREEMENT STEERING COMMITTEE**

The Stanislaus Operational Area Council is hereby established, which consists of one representative of each of the parties to this Agreement. It will be the responsibility of the Council to set the policies and procedures for the governing of the Operational Area Council. The chairperson of the Council shall be the Operational Area Coordinator/Assistant Director of Emergencies Services.

5. **MULTI-AGENCY COORDINATION SYSTEM**

The Operational Area Organization and procedures will be based on the Multi-Agency Coordination System (M.A.C.S.) originally developed by the FIRESCOPE Advisory Committee. The Stanislaus County Coordinator of Emergency Services and his/her designated alternates will act as the Operational Area M.A.C.S. Coordinator.

6. **PROVISIONS OF FACILITIES AND SUPPORT**

The COUNTY shall provide the Operational Area, Emergency Operations Center (E.O.C.) at no cost to the Stanislaus Operational Area Organization or its members. The COUNTY will provide E.O.C. support staff and all necessary supplies for the Operational Area Organization during actual operations and drills. All parties to this Agreement shall provide their own staff for the decision-making and operational positions of the Operational Area Organization.

7. **TERM OF THE AGREEMENT**

This Agreement shall be effective from the date executed by all parties until the anniversary of the Agreement of 2020.This Agreement may be terminated prior to the conclusion of the term by mutual agreement of a majority of the member parties.

8. **WITHDRAWAL OF PARTY**

Any party to this Agreement may withdraw as a party to this Agreement, prior to the termination of the term of this Agreement, upon giving thirty (30) days prior written notice to the other parties in accordance with paragraph ten (10).

9. **NOTICES**

Any and all notices permitted or required to be given hereunder shall be in writing and shall be deemed fully given and effective (1) upon actual delivery, if delivery is by hand; or (2) five (5) days after delivery into the United States mail if delivery is by first class mail, postage paid registered, or certified (return receipt requested) mail. Each such notice shall be sent to the individuals at the addresses as the respective parties may designate from time to time.

10. **INDEMNIFIFATION AND HOLD HARMLESS**

Each of the parties agree to indemnify and hold the other parties harmless and waive all claims for compensation for any loss, damage, personal injury, or death incurred in consequences of the act or omissions of the indemnifying party's own employees and agent.

11. **NO ASSIGNMENT**

No party to this Agreement may assign this Agreement. Any assignment by any party shall be null and void unless such party obtains the prior written consent of all other parties to such assignment.

12. **PARTIAL INVALIDITY**

If any provision of this Agreement is held by a Court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue to full force without being paired or invalidated in any way.

13. **SALARIES, EMPLOYMENT AND WORKERS COMPENSATION BENEFITS AND COMPLLIANCE WITH LAWS**

The compensation and terms of employment and Workers' Compensation benefits of each employee participating in the Operational Area Organization shall be the responsibility of the party employing the individual and each party to this Agreement shall insure compliance with all safety and hourly requirements for employees in accordance with federal, state and county safety health regulations and laws.

14. **COUNTER PARTS**

This Agreement may be executed or revoked simultaneously in one (1) or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF THE PARTIES HERE HAVE EXECUTED THIS AGREEMENT AS FOLLOWS:

______________________	________	____________________	_______
County of Stanislaus	Date	City of Ceres	Date
Print Name: ______________________		Print Name:__________________	
______________________	________	____________________	_______
City of Hughson	Date	City of Modesto	Date
Print Name: ______________________		Print Name:__________________	
______________________	________	____________________	_______
City of Newman	Date	City of Oakdale	Date
Print Name: ______________________		Print Name:__________________	
______________________	________	____________________	_______
City of Patterson	Date	City of Riverbank	Date
Print Name: ______________________		Print Name:__________________	
______________________	________	____________________	_______
City of Turlock	Date	City of Waterford	Date
Print Name: ______________________		Print Name:__________________	

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.2

SECTION 6: NEW BUSINESS

Meeting Date:	August 12, 2014
Subject:	**Resolution** Consenting to the Inclusion of Properties within the City's Jurisdiction in the California Home Energy Renovation Opportunity (HERO) Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto.
From:	Jill Anderson, City Manager
Submitted by:	Marisela H. Garcia, Director of Finance

RECOMMENDATION

It is recommended that the City Council consider adopting a **Resolution** Consenting to the Inclusion of Properties within the City's Jurisdiction in the California Home Energy Renovation Opportunity (HERO) Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto.

SUMMARY

The Resolution presented tonight will authorize the City's participation in the California HERO Program, which will enable property owners to finance permanently fixed renewable energy, energy and water efficiency improvements, and electric vehicle charging infrastructure on their properties.

Mr. John Law, Director of Municipal Development with the HERO Program, will be available at the Council meetings for questions pertaining to this proposed program.

BACKGROUND

Assembly Bill (AB) 811 was signed into law on July 21, 2008, and AB 474, effective January 1, 2010, amended Chapter 29 of Part 3 of Division 7 of the Streets & Highways

Code of the State of California ("Chapter 29") and authorizes a legislative body to designate an area within which authorized public officials and free and willing property owners may enter into voluntary contractual assessments to finance the installation of distributed generation renewable energy sources, energy efficiency, and/or water conservation improvements that are permanently fixed to real property, as specified.

The HERO Program has been very successful in Western Riverside County, since its launch in late 2011; the Program has approved over $842 million in applications and has funded over $206 million in projects. Because of its success, the California HERO Program was developed as a turnkey program to save other California jurisdictions time and resources in developing a standalone program. Jurisdictions only need to adopt the form of resolution accompanying this staff report and approve an amendment to the joint exercise of powers agreement related to the California HERO Program attached to such resolution to begin the process.

The California HERO Program is being offered to allow property owners in participating cities and counties to finance renewable energy, energy water efficiency improvements and electric vehicle charging infrastructure on their property. If a property owner chooses to participate, the improvements to be installed on such owner's property will be financed by the issuance of bonds by a joint power authority, Western Riverside Council of Governments ("WRCOG"), secured by a voluntary contractual assessment levied on such owner's property. Participation in the program is 100% voluntary. Property owners who wish to participate in the program agree to repay the money through the voluntary contractual assessment collected together with their property taxes.

The benefits to the property owner include:

- Eligibility. In today's economic environment, alternatives for property owners to finance renewable energy/energy efficiency/water efficiency improvements or electric vehicle charging infrastructure may not be available. As such many property owners do not have options available to them to lower their utility bills.

- Savings. Energy prices continue to rise and selecting in energy efficient, water efficient and renewable energy models lower utility bills.

- 100% voluntary. Property owners can choose to participate in the program at their discretion.

- Payment obligation stays with the property. Under Chapter 29, a voluntary contractual assessment stays with the property upon transfer of ownership. Even if there were private enterprise alternatives, most private loans are due on sale of the benefited property, which makes it difficult for property owners to match the life of the repayment obligation with the useful life of the financed improvements. Certain mortgage providers will, however, require the assessment be paid off at the time the property is refinanced or sold.

- Prepayment option. The property owner can choose to pay off the assessments at any time, subject to applicable prepayment penalties.
- Customer oriented program. Part of the success of the program is the prompt customer service.

The benefits to the City include:

- Increase local jobs.

- An increase in housing prices (higher efficient homes are worth more money).

- An increase in sales, payroll and property tax revenue

- As in conventional assessment financing, the City is not obligated to repay the bonds or to pay the assessments levied on the participating properties.

- All California HERO Program and assessment administration, bond issuance and bond administration functions are handled by California HERO. Little, if any, City staff time is needed to participate in the California HERO Program.

- The City can provide access for its residents to the California HERO Program without the higher staff costs that an independent program established by the City would require.

The proposed resolution enables the California HERO Program to be available to owners of property within our City to finance renewable energy, energy efficiency and water efficiency improvements and electric vehicle charging infrastructure. The resolution approves an Amendment to the WRCOG Joint Powers Agreement to add the City as an Associate Member in order that the California HERO Program may be offered to the owners of property located within the City who wish to participate in the California HERO Program.

FINANCIAL IMPACT

There is no negative fiscal impact to the City's General Fund incurred by consenting to the inclusion of properties within the City limits in the California HERO Program. All California HERO Program administrative costs are covered through an initial administrative fee included in the property owner's voluntary contractual assessment and an annual administrative fee which is also collected on the property owner's tax bill.

STRATEGIC PLAN

This item is indirectly related to the City's Strategic Plan, which can be found at www.riverbank.org. This item does enhance the options available to residents for energy efficiency upgrades and is recommended as a way to enhance the City's customer service.

ATTACHMENTS

1. Resolution
2. Amendment to the Joint Powers Agreement adding the City of Riverbank as an Associate Member of the Western Riverside Council of Governments to permit the provision of Property Assessed Clean Energy (PACE) Program services with such city.
3. HERO Program: How it Works
4. HERO Program: Frequently Asked Questions

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING THE AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO

WHEREAS, the Western Riverside Council of Governments ("Authority") is a joint exercise of powers authority established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Section 6500 and following) (the "Act") and the Joint Power Agreement entered into on April 1, 1991, as amended from time to time (the "Authority JPA"); and

WHEREAS, Authority intends to establish the California HERO Program to provide for the financing of renewable energy distributed generation sources, energy and water efficiency improvements and electric vehicle charging infrastructure (the "Improvements") pursuant to Chapter 29 of the Improvement Bond Act of 1911, being Division 7 of the California Streets and Highways Code ("Chapter 29") within counties and cities throughout the State of California that elect to participate in such program; and

WHEREAS, the City of Riverbank (the "City") is committed to development of renewable energy sources and energy efficiency improvements, reduction of greenhouse gases, protection of our environment, and reversal of climate change; and

WHEREAS, in Chapter 29, the Legislature has authorized cities and counties to assist property owners in financing the cost of installing Improvements through a voluntary contractual assessment program; and

WHEREAS, installation of such Improvements by property owners within the jurisdictional boundaries of the counties and cities that are participating in the California HERO Program would promote the purposes cited above; and

WHEREAS, the City wishes to provide innovative solutions to its property owners to achieve energy and water efficiency and independence, and in doing so cooperate with Authority in order to efficiently and economically assist property owners the City in financing such Improvements; and

WHEREAS, Authority has authority to establish the California HERO Program, which will be such a voluntary contractual assessment program, as permitted by the Act, the Authority JPA, originally made and entered into April 1, 1991, as amended to date, and the Amendment to Joint Powers Agreement Adding the City of Riverbank as an Associate Member of the Western Riverside Council of Governments to Permit the Provision of Property Assessed Clean Energy (PACE) Program Services within the City (the "JPA Amendment"), by and between Authority and the City, a copy of which is attached as Exhibit "A" hereto, to assist property owners within the incorporated area of the City in financing the cost of installing Improvements; and

WHEREAS, the City will not be responsible for the conduct of any assessment proceedings; the levy and collection of assessments or any required remedial action in the case of delinquencies in the payment of any assessments or the issuance, sale or administration of any bonds issued in connection with the California HERO Program.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This City Council finds and declares that properties in the City's incorporated area will be benefited by the availability of the California HERO Program to finance the installation of Improvements.
2. This City Council consents to inclusion in the California HERO Program of all of the properties in the incorporated area within the City and to the Improvements, upon the request by and voluntary agreement of owners of such properties, in compliance with the laws, rules and regulations applicable to such program; and to the assumption of jurisdiction there over by Authority for the purposes thereof.
3. The consent of this City Council constitutes assent to the assumption of jurisdiction by Authority for all purposes of the California HERO Program and authorizes Authority, upon satisfaction of the conditions imposed in this resolution, to take each and every step required for or suitable for financing the Improvements, including the levying, collecting and enforcement of the contractual assessments to finance the Improvements and the issuance and enforcement of bonds to represent and be secured by such contractual assessments.
4. This City Council hereby approves the JPA Amendment and authorizes the execution thereof by appropriate City officials.
5. City staff is authorized and directed to coordinate with Authority staff to facilitate operation of the California HERO Program within the City, and report back periodically to this City Council on the success of such program.
6. This Resolution shall take effect immediately upon its adoption. The City Clerk is directed to send a certified copy of this resolution to the Secretary of the Authority Executive Committee.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 12th day of August, 2014; 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**

Attachment: Amendment to the Joint Powers Agreement adding the City of Riverbank as an Associate Member of the Western Riverside Council of Governments to permit the provision of Property Assessed Clean Energy (PACE) Program services with such city.

AMENDMENT TO THE JOINT POWERS AGREEMENT ADDING CITY OF RIVERBANK AS AN ASSOCIATE MEMBER OF THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS TO PERMIT THE PROVISION OF PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM SERVICES WITH SUCH CITY

This Amendment to the Joint Powers Agreement ("JPA Amendment") is made and entered into on the ___day of _____, 2014, by City of Riverbank ("City") and the Western Riverside Council of Governments ("Authority") (collectively the "Parties").

<u>RECITALS</u>

WHEREAS, Authority is a joint exercise of powers authority established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Section 6500 and following) (the "Joint Exercise of Powers Act") and the Joint Power Agreement entered into on April 1, 1991, as amended from time to time (the "Authority JPA"); and

WHEREAS, as of October 1, 2012, Authority had 18 member entities (the "Regular Members").

WHEREAS, Chapter 29 of the Improvement Act of 1911, being Division 7 of the California Streets and Highways Code ("Chapter 29") authorizes cities, counties, and cities and counties to establish voluntary contractual assessment programs, commonly referred to as a Property Assessed Clean Energy ("PACE") program, to fund certain renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure (the "Improvements") that are permanently fixed to residential, commercial, industrial, agricultural or other real property; and

WHEREAS, Authority intends to establish a PACE program to be known as the "California HERO Program" pursuant to Chapter 29 as now enacted or as such legislation may be amended hereafter, which will authorize the implementation of a PACE financing program for cities and county throughout the state; and

WHEREAS, City desires to allow owners of property within its jurisdiction to participate in the California HERO Program and to allow Authority to conduct proceedings under Chapter 29 to finance Improvements to be installed on such properties; and

WHEREAS, this JPA Amendment will permit City to become an Associate Member of Authority and to participate in California HERO Program for the purpose of facilitating the implementation of such program within the jurisdiction of City; and

WHEREAS, pursuant to the Joint Exercise of Powers Act, the Parties are approving this JPA Agreement to allow for the provision of PACE services, including the operation of a PACE financing program, within the incorporated territory of City; and

WHEREAS, the JPA Amendment sets forth the rights, obligations and duties of City and Authority with respect to the implementation of the California HERO Program within the incorporated territory of City.

MUTUAL UNDERSTANDINGS

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions hereinafter stated, the Parties hereto agree as follows:

A. **JPA Amendment.**

1. The Authority JPA. City agrees to the terms and conditions of the Authority JPA, attached.

2. Associate Membership. By adoption of this JPA Amendment, City shall become an Associate Member of Authority on the terms and conditions set forth herein and the Authority JPA and consistent with the requirements of the Joint Exercise of Powers Act. The rights and obligations of City as an Associate Member are limited solely to those terms and conditions expressly set forth in this JPA Amendment for the purposes of implementing the California HERO Program within the incorporated territory of City. Except as expressly provided for by the this JPA Amendment, City shall not have any rights otherwise granted to Authority's Regular Members by the Authority JPA, including but not limited to the right to vote on matters before the Executive Committee or the General Assembly, the right to amend or vote on amendments to the Authority JPA, and the right to sit on committees or boards established under the Authority JPA or by action of the Executive Committee or the General Assembly, including, without limitation, the General Assembly and the Executive Committee. City shall not be considered a member for purposes of Section 9.1 of the Authority JPA.

3. Rights of Authority. This JPA Amendment shall not be interpreted as limiting or restricting the rights of Authority under the Authority JPA. Nothing in this JPA Amendment is intended to alter or modify Authority Transportation Uniform Mitigation Fee (TUMF) Program, the PACE Program administered by Authority within the jurisdictions of its Regular Members, or any other programs administered now or in the future by Authority, all as currently structured or subsequently amended.

B. **Implementation of California HERO Program within City Jurisdiction.**

1. Boundaries of the California HERO Program within City Jurisdiction. City shall determine and notify Authority of the boundaries of the incorporated territory within City's jurisdiction within which contractual assessments may be entered into under the California HERO Program (the "Program Boundaries"), which boundaries may include the entire incorporated territory of City or a lesser portion thereof.

2. Determination of Eligible Improvements. Authority shall determine the types of distributed generation renewable energy sources, energy efficiency or water conservation improvements, electric vehicle charging infrastructure or such other improvements as may be authorized pursuant to Chapter 29 (the "Eligible Improvements") that will be eligible to be financed under the California HERO Program.

3. Establishment of California HERO Program. Authority will undertake such proceedings pursuant to Chapter 29 as shall be legally necessary to enable Authority to make contractual financing of Eligible Improvements available to eligible property owners within the Program Boundaries.

4. Financing the Installation of Eligible Improvements. Authority shall develop and implement a plan for the financing of the purchase and installation of the Eligible Improvements under the California HERO Program.

5. Ongoing Administration. Authority shall be responsible for the ongoing administration of the California HERO Program, including but not limited to producing education plans to raise public awareness of the California HERO Program, soliciting, reviewing and approving applications from residential and commercial property owners participating in the California HERO Program, establishing contracts for residential, commercial and other property owners participating in such program, establishing and collecting assessments due under the California HERO Program, adopting and implementing any rules or regulations for the California HERO Program, and providing reports as required by Chapter 29.

City will not be responsible for the conduct of any proceedings required to be taken under Chapter 29; the levy or collection of assessments or any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with the California HERO Program.

6. Phased Implementation. The Parties recognize and agree that implementation of the California HERO Program as a whole can and may be phased as additional other cities and counties execute similar agreements. City entering into this JPA Amendment will obtain the benefits of and incur the obligations imposed by this JPA Amendment in its jurisdictional area, irrespective of whether cities or counties enter into similar agreements.

C. **Miscellaneous Provisions.**

1. Withdrawal. City or Authority may withdraw from this JPA Amendment upon six (6) months written notice to the other party; provided, however, there is no outstanding indebtedness of Authority within City. The provisions of Section 6.2 of the Authority JPA shall not apply to City under this JPA Amendment. City may withdraw approval for conduct of the HERO Program within the jurisdictional limits of City upon thirty (30) written notice to WRCOG without liability to the Authority or any affiliated entity. City withdrawal shall not affect the validity of any voluntary assessment contracts (a) entered prior to the date of such withdrawal or (b) entered into after the date of such withdrawal so long as the applications for such voluntary assessment contracts were submitted to and approved by WRCOG prior to the date of City's notice of withdrawal.

2. Mutual Indemnification and Liability. Authority and City shall mutually defend, indemnify and hold the other party and its directors, officials, officers, employees and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liabilities, losses, damages or injuries of any kind, in law or equity, to property or persons, including wrongful death, to the extent arising out of the willful misconduct or negligent acts, errors or omissions of the indemnifying party or its directors, officials, officers, employees and agents in connection with the California HERO Program administered under this JPA Amendment, including without limitation the payment of expert witness fees and attorneys fees and other related costs and expenses, but excluding payment of consequential damages. Without limiting the foregoing, Section 5.2 of the Authority JPA shall not apply to this JPA Amendment. In no event shall any of Authority's Regular Members or their officials, officers or employees be held directly liable for any damages or liability resulting out of this JPA Amendment.

3. Environmental Review. Authority shall be the lead agency under the California Environmental Quality Act for any environmental review that may required in implementing or administering the California HERO Program under this JPA Amendment.

4. Cooperative Effort. City shall cooperate with Authority by providing information and other assistance in order for Authority to meet its obligations hereunder. City recognizes that one of its responsibilities related to the California HERO Program will include any permitting or inspection requirements as established by City.

5. Notice. Any and all communications and/or notices in connection with this JPA Amendment shall be either hand-delivered or sent by United States first class mail, postage prepaid, and addressed as follows:

Authority:

Western Riverside Council of Governments
4080 Lemon Street, 3rd Floor. MS1032
Riverside, CA 92501-3609
Attn: Executive Director

City:

City of Riverbank
6707 Third Street
Riverbank, CA 95367
Attn: City Manager

6. Entire Agreement. This JPA Amendment, together with the Authority JPA, constitutes the entire agreement among the Parties pertaining to the subject matter hereof. This JPA Amendment supersedes any and all other agreements, either oral or in writing, among the Parties with respect to the subject matter hereof and contains all of the covenants and agreements among them with respect to said matters, and each Party acknowledges that no representation, inducement, promise of agreement, oral or otherwise, has been made by the other Party or anyone acting on behalf of the other Party that is not embodied herein.

7. Successors and Assigns. This JPA Amendment and each of its covenants and conditions shall be binding on and shall inure to the benefit of the Parties and their respective successors and assigns. A Party may only assign or transfer its rights and obligations under this JPA Amendment with prior written approval of the other Party, which approval shall not be unreasonably withheld.

8. Attorney's Fees. If any action at law or equity, including any action for declaratory relief is brought to enforce or interpret the provisions of this Agreement, each Party to the litigation shall bear its own attorney's fees and costs.

9. Governing Law. This JPA Amendment shall be governed by and construed in accordance with the laws of the State of California, as applicable.

10. No Third Party Beneficiaries. This JPA Amendment shall not create any right or interest in the public, or any member thereof, as a third party beneficiary hereof, nor shall it

authorize anyone not a Party to this JPA Amendment to maintain a suit for personal injuries or property damages under the provisions of this JPA Amendment. The duties, obligations, and responsibilities of the Parties to this JPA Amendment with respect to third party beneficiaries shall remain as imposed under existing state and federal law.

11. Severability. In the event one or more of the provisions contained in this JPA Amendment is held invalid, illegal or unenforceable by any court of competent jurisdiction, such portion shall be deemed severed from this JPA Amendment and the remaining parts of this JPA Amendment shall remain in full force and effect as though such invalid, illegal, or unenforceable portion had never been a part of this JPA Amendment.

12. Headings. The paragraph headings used in this JPA Amendment are for the convenience of the Parties and are not intended to be used as an aid to interpretation.

13. Amendment. This JPA Amendment may be modified or amended by the Parties at any time. Such modifications or amendments must be mutually agreed upon and executed in writing by both Parties. Verbal modifications or amendments to this JPA Amendment shall be of no effect.

14. Effective Date. This JPA Amendment shall become effective upon the execution thereof by the Parties hereto.

IN WITNESS WHEREOF, the Parties hereto have caused this JPA Amendment to be executed and attested by their officers thereunto duly authorized as of the date first above written.

[SIGNATURES ON FOLLOWING PAGES]

WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

By: ____ Date: ____________________

Executive Committee Chair
Western Riverside Council of Governments

CITY OF RIVERBANK

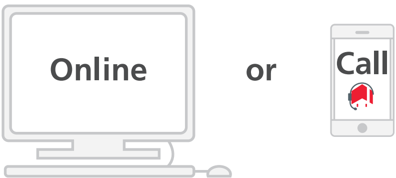
By: ____ Date: ____________________

Title: City Manager
City of Riverbank

hero How it Works (for Property Owners)

1 Apply for HERO

You hear about HERO and decide to call and find more about it, or search on the web. You, then apply for HERO Financing.



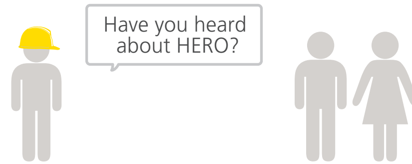
855-HERO-411
(855-437-6411)

herofinancing.com/Apply

or

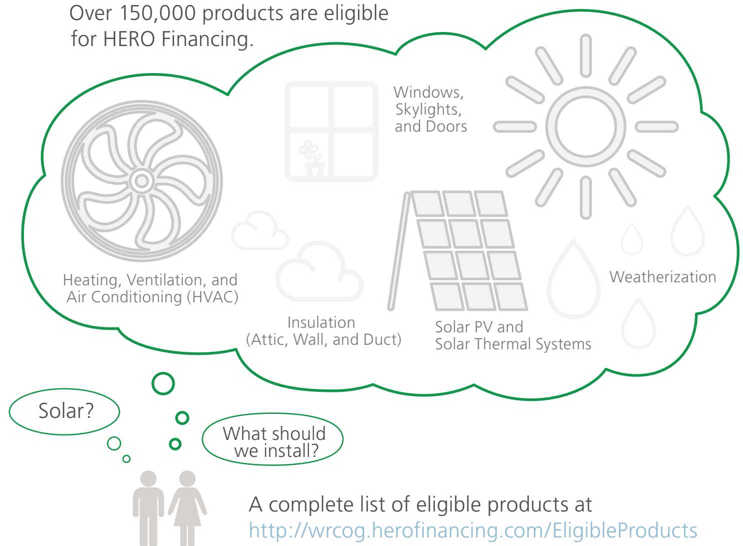
1 Meet Contractor

You have a contractor you want to work with. Yor contractor introduces HERO Financing.



2 Select Project

Over 150,000 products are eligible for HERO Financing.



A complete list of eligible products at http://wrcog.herofinancing.com/EligibleProducts

3 Sign Agreement

After you picked out a product(s) you would like to install, you sign Financing Documents.

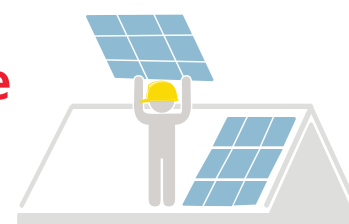
HERO Financing Application
Sign on Pages 3 & 4

Right to Cancel
Sign on Middle of Page
Do Not Sign at Bottom

Assessment Contract
Initial on Page 8
Sign on Page 11

Send ALL original signed documents to WRCOG HERO Program

4 Complete Project



5 Approve Work

After your product(s) is installed, you and your contractor sign the Completion Certificate.

6 Pay Contractor

7 Make Payments

PROPERTY TAX BILL

Charges Levied by Taxing Agencies	Amount
Development Mello-Roos	10.00
HERO Financing	1200.00
Paramedics Assessment	40.00
Total Amount	$1250.00

Q: What is the HERO Program, and how does it work?

A: HERO enables residential and commercial property owners to install energy and water efficient improvements and renewable energy systems by having a special assessment put on their property tax bill. Payments are made through their local county with their property taxes over time.

Q: What types of home improvements are available under the Program?

A: Over 150,000 products and services quality. Typical projects include: solar photovoltaic (PV) systems; energy efficient space heating, air cooling and ventilation (HVAC); cool roof systems; energy efficient windows, skylights, and doors; solar thermal water heating; air sealing and weatherization; insulation; water heating; indoor energy efficient light fixtures; and water efficiency measures.

Q: What are the costs and benefits of joining HERO for my community?

A: There are no hard costs to joining the HERO program and it does not require any dedicated staff resources to develop or implement the Program. Additionally, your community will see numerous economic benefits including;

- Reduce energy consumption
- Stimulates local businesses
- Creates sustainable jobs
- Lowers greenhouse gas emissions

Q: Why should we choose HERO compared to another PACE program?

A: HERO is the nation's fastest-growing PACE program. By choosing HERO, your community is choosing a program with a proven track-record of stimulating economic growth. The program was developed with a network of home improvement contractors who count on HERO to build their businesses. They are creating new jobs everyday and planning on expanding into regions where HERO Financing is offered.

HERO is not an exclusive program so you don't have to choose it over another program. We believe competition is an important benefit to consumers. Not only does it provide options like restaurants, gas stations or banks provide but it also increases overall demand because more companies are working harder to educate consumers on the benefits of a particular type of product or service. When there are multiple options to consider solution providers are forced to continually improve their product if they want to succeed in the marketplace.

Q: What about Freddie/Fannie/FHFA?

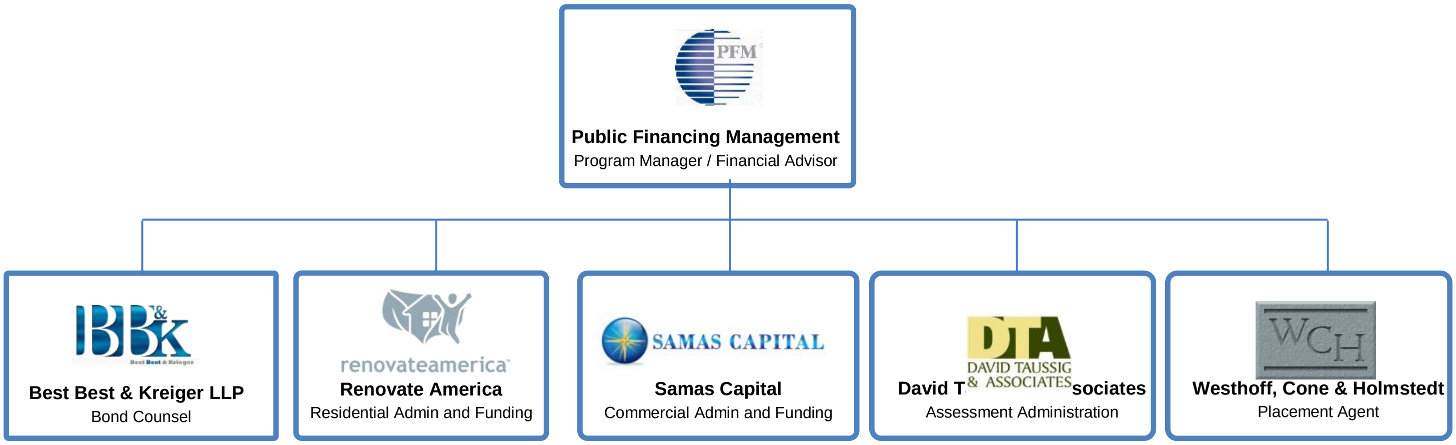
A: PACE legislation was adopted by the State of California to encourage the adoption of energy efficiency, renewable energy and water efficiency measures on homes and businesses. When the legislation was enacted, many people believed PACE was an attractive financing option due to its ability to automatically transfer payments to a new owner if the property sold. Freddie/Fannie/FHFA have indicated that they are not willing to purchase mortgages with PACE assessments on the property, therefore, property owners that sell or refinance to conforming loans may need to repay their assessment.

The HERO Program works within this provision and we have found that property owners are comfortable attending to this if, and when, the situation should arise. For most property owners the most attractive benefits are low interest rates that are fixed, the ability to deduct the interest portion of the payments, the ability to select 5, 10, 15 and 20 year payment terms, and a simple straightforward application and document process to enable them to get the energy efficiency, renewable energy or water efficiency product they are interested in. Being able to transfer the balance of the financing has not proven to be a feature that has impacted a consumer's decision.

Whether or not this provision remains in place or is removed, HERO provides numerous benefits that make PACE an attractive financing option for consumers.

Q: Who is the HERO Team?

A: The HERO team is made up of a network of partners who have been working closely since January 2010 on active residential and commercial PACE programs. Each team member is uniquely qualified for their specific role and are industry experts within their field.



Q: Can the HERO Program be customized to my municipality?

A: Yes, marketing materials, including the HERO website and contractor training materials, can be co-branded with your municipality's logo and contact information. Additionally, the HERO team will work with your municipality to review all policy considerations.

Q: Can the HERO Program be integrated with existing municipal programs?

A: Yes, the HERO Program can be integrated with existing municipal rebate, energy finance, or other PACE programs. Our team will work to implement the Program as a complementary component to other programs.

Q: How does our community get started?

A: Below are the process steps for HERO Financing to be offered in your community:

1. ***Approve Resolution***
   Approval by municipality of the resolution will allow the HERO Program to operate in the municipality. The conduit issuer then completes a corresponding acceptance of the municipality to the Program.

2. ***Judicial Validation of City's Participation***
   Program legal counsel files judicial validation documents.

3. ***Program Marketing and Outreach***
   During the program validation phase, team members initiate local marketing efforts and begin outreach to educate local contractors and property owners of funding availability, eligibility and application procedures.

4. ***Program Launch***
   Upon completion of the validation process, the HERO Program launches and projects are able to apply for and receive funding.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.3

SECTION 6: NEW BUSINESS

Meeting Date:	August 12, 2014
Subject:	Addition of the San Joaquin Valley Air Pollution Control District Special City Selection Committee to the List of City Council Intergovernmental Boards/Committees and Appointing the City's Primary and Alternate Representatives
From:	Jill Anderson, City Manager
Submitted by:	Annabelle Aguilar, CMC, City Clerk

RECOMMENDATION

It is recommended that the City Council amend the 2014 City Council Intergovernmental Boards/Committees Appointment List by Adding the San Joaquin Valley Air Pollution Control District Special City Selection Committee and Appointing a Primary and Alternate Member of the City Council to Represent the City of Riverbank.

SUMMARY

On September 9, 2013, the City Council revised the Intergovernmental Boards/Commissions Appointments list due to several changes that had occurred. The changes were made to the Boards and Committees; however, an appointment was not made to the San Joaquin Valley Air Pollution Control District Special City Selection Committee. At that time there was an understanding that the City Council did not make appointments to the Committee.

The City was recently contacted by San Joaquin Valley APCD (District) requesting the names of the appointed primary and alternate Members of the City Council representing Riverbank and provided the following explanation of the Committee:

> *On September 30, 2008 Governor Schwarzenegger signed SB 1548 (Florez) which creates Section 40600.5 of the Health and Safety Code (H&SC) establishing a valley-wide Special City Selection Committee which is charged with making appointments of city representatives to the San Joaquin Valley Air Pollution Control District's (District's) Governing Board. The Special City Selection Committee consists of one member*

selected by a majority vote of the council of each city located within the District. An alternate can be selected to attend if the primary member is unable to attend a meeting.

The District was informed that this matter would be presented to the City Council for consideration and that the City would follow-up with the results.

FINANCIAL IMPACT

There is no financial impact associated with this item.

STRATEGIC PLAN

While this item is not directly related to the Strategic Plan, it is important that the City of Riverbank have representatives participating on regional boards and committees to facilitate the transfer of information, as well as regional partnerships.

ATTACHMENTS

1. The Intergovernmental Boards/Commissions Appointment List is attached for your reference.

CITY COUNCIL
INTERGOVERNMENTAL BOARDS & COMMITTEES

(Last revised and ratified on 01/13/2014)

***Revision – Add/Change**

BOARD / COMMITTEE	COUNCIL REPRESENTATIVE (Current 2014 - Appointments)
LEAGUE OF CALIFORNIA CITIES CENTRAL VALLEY DIVISION EXECUTIVE COMMITTEE **Meets:** Quarterly, TBD when scheduled **Location:** It rotates among the Northern and Southern central valley cities, TBD. (Annual breakfast meeting of the year takes place at the League's Annual Conference in September) The Central Valley Division (CVD) is lead by an executive committee made up of local government officials who provide overall guidance and direction for CVD activities. These activities provide a variety of avenues for individuals to take the opportunity to exchange ideas and information and share the advantages of cooperative advocacy.	Mayor Richard D. O'Brien Vice Mayor Cal Campbell (alt.)
LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE VOTING DELEGATE(S) The League of California Cities is an association of California City Officials who work together to enhance their knowledge & skills, and exchange information & combine resources so that they may influence policy decisions that affect cities.	[appointed 06/10/14] Mayor Richard D. O'Brien Vice Mayor Cal Campbell (alt.)
NORTH COUNTY CORRIDOR TRANSPORTATION EXPRESSWAY AUTHORITY BOARD **Meets:** 3rd Wed. of every alternate month; 4:30-6:pm **Location:** Tenth Street Place, Board Chambers, 1010 10th Street (basement), Modesto The North County Corridor Transportation Expressway Authority (Authority) is the lead implementing agency for the North County Corridor State Route 108 East Route Adoption. The Authority leads the overall effort. These meetings pertain to locating the best route for the northern expressway from Hwy 99 to the eastern side of Oakdale.	Mayor Richard D. O'Brien Councilmember Darlene Barber-Martinez (alt.)

CITY COUNCIL
INTERGOVERNMENTAL BOARDS & COMMITTEES
(Last revised and ratified on 01/13/2014)

***Revision – Add/Change**

BOARD / COMMITTEE	COUNCIL REPRESENTATIVE (Current 2014- Appointments)
San Joaquin Valley Air Pollution Control District Special City Selection Committee **Meets:** As needed **Location:** Northern Region Office, 4800 Enterprise Way, Modesto This Committee is charged with making appointments of city representatives to the San Joaquin Valley Air Pollution Control District's (District's) Governing Board.	[last appointments of 09/09/2013] Dotty Nygard (primary) Darlene Barber-Martinez (alt.)
STANCOG – POLICY BOARD **Meets:** The 3rd Wednesday of each month; 6:pm **Location:** 1111 I Street, Suite 308, Modesto To work together with local cities to enhance communication, cooperation and comprehensive planning in dealing with regional issues.	Mayor Richard D. O'Brien Vice Mayor Cal Campbell (alt.)
STANISLAUS OFFICE OF EMERGENCY SERVICES DISASTER COUNCIL **Meets:** Twice a year or as necessary, at 1:30 pm **Location:** Ray Simon Training Center, 3805 Cornucopia Way, Bldg A, Modesto To make recommendations to local governing agencies on matters pertinent to development of mitigation, disaster preparedness, response & recovery plans, and programs for any potential local emergency.	Councilmember Jeanine Tucker Councilmember Darlene Barber-Martinez (alt.) (The appointed Councilmember serves a 2-year term) This is their 2nd year.
~~**STANISLAUS ECONOMIC DEVELOPMENT AND WORKFORCE ALLIANCE BOARD**~~ **STANISLAUS BUSINESS ALLIANCE BOARD** (due to official name change, July 2014) **Meets:** The 3rd Monday of every *odd* month; the Executive Committee meets on the 3rd Monday of every *even* month. **Location:** TBD The Alliance serves both county residents and businesses by helping attract jobs to Stanislaus and assisting local companies that want to expand. It also addresses employers' workforce needs and helps	Vice Mayor Cal Campbell Mayor Richard D. O'Brien (alt.)

entrepreneurs turn their ideas into viable businesses.	
BOARD / COMMITTEE	**COUNCIL REPRESENTATIVE** **(Current 2014- Appointments)**
<u>Lower Stanislaus River Trail Improvement Plan Committee</u> **(Resolution No. 2013-069)** **<u>Meets:</u>** TBD **<u>Location:</u>** TBD Representatives of the Cities of Riverbank, Oakdale, and Ripon and the Local Government Commission and the National Park Service will be working together to enhance public use and stewardship of the lower Stanislaus River.	Vice Mayor Cal Campbell Councilmember Darlene Barber-Martinez (alt.)

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.4

SECTION 6: NEW BUSINESS

Meeting Date:	August 12, 2014
Subject:	Consideration of the 2014 League of California Cities Annual Conference Resolutions
From:	Jill Anderson, City Manager
Submitted by:	Annabelle Aguilar, CMC, City Clerk

RECOMMENDATION

It is recommended that City Council consider supporting the League of California Cities' Resolution and determine the City's position on the Resolution so that the Voting Delegate, Mayor O'Brien, or Alternate Voting Delegate, Vice Mayor Campbell represent the City's position accordingly during the Annual Business meeting portion of the Conference.

SUMMARY

The annual League of California Cities conference will be held in Los Angeles on September 3-5, and the Annual Business Meeting is scheduled on Friday, September 5 at 12:00 p.m.

The League of California Cities Board of Directors and eight standing Policy Committees considers issues of importance both locally and regionally facing cities. If an issue requires the League to consider a formal policy position, resolutions are drafted. Resolutions are developed and evaluated using criteria designed to enhance the development of the League's policies. The process of resolutions submitted to the General Assembly must have the concurrence of five cities or by city officials from at least five or more cities. (See attachment for copies of letters of concurrence.)

This year one (1) resolution is being introduced for consideration and is summarized from the information provided in the attached resolutions packet:

A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO CONVENE A SUMMIT TO ADDRESS THE DEVASTATING ENVIRONMENTAL IMPACTS OF ILLEGAL MARIJUANA GROWS ON BOTH PRIVATE AND PUBLIC LANDS THROUGHOUT CALIFORNIA AND THE INCREASING PROBLEMS TO PUBLIC SAFETY RELATED TO THESE ACTIVITIES BY WORKING IN PARTNERSHIP WITH THE LEAGUE OF CALIFORNIA CITIES TO DEVELOP RESPONSIVE SOLUTIONS AND TO SECURE ADEQUATE FUNDING FOR COST-EFFECTIVE IMPLEMENTATION STRATEGIES

Source of the Resolution: Redwood Empire Division
Cities that Concur: Arcata, Blue Lake, Clearlake, Cloverdale, Crescent City, Eureka, Fort Bragg, Healdsburg, Lakeport, Trinidad, and Ukiah

Resolution Objective

The League of California Cities calls upon the Governor and State Legislature to take action by convening a summit to address the environmental impacts and public safety issues triggered by illegal marijuana cultivation, and to provide responsive solutions, including sufficient financial support.

Background

The cultivation of illegal marijuana has emerged in association with the demand and supply for marijuana under the approved Proposition 215 of 1996. It has also brought along with it numerous adverse environmental and public safety impacts.

Cites within the Redwood Empire Division, which includes cities in Del Norte, Humboldt, Lake, Mendocino and Sonoma counties, have been struggling with illegal marijuana cultivation on public and private land sites for decades, and now the adverse impacts to the environment and public safety have grown exponentially.

The adverse impacts of illegal marijuana cultivation activities includes extreme environmental degradation, habitat destruction and fragmentation, illegal water diversions, unregulated use of fertilizers, pesticides, rodenticides, the killing and poisoning of wildlife, and the contamination of land and water; resulting in the destruction of significant federal state, local, tribal, and private landscapes that are expensive to restore and protect.

In addition, critical water shortages coupled with the water diversions by these illegal marijuana cultivations, are creating serious impacts to agricultural production, domestic water use, watershed health, threats to aquatic species, and elevating the risk of fires.

The issue of public safety has dramatically reached a serious level of concern. In 2011, Councilmember Jere Melo, of the City of Fort Bragg, was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County. The League joined the California Police Chief's Association and co-sponsored SB 1262 (Correa) to establish a regulatory system for medical marijuana that protects local control, addresses the public safety concerns triggered by marijuana regulation, and imposes health and safety standards on marijuana; however, it did not include environmental issues due to associated costs.

Widespread public concern for the illegal land use activities of public and private lands, and the increased unsafe conditions for visitors that are recreating on public lands or near private lands, coupled with the inadequate regulatory framework to address these negative impacts, including the lack of oversight of marijuana cultivation operations, has reached a critical point.

The Redwood Empire Division's Resolution seeks to address the devastating environmental impacts of illegal marijuana cultivation both on public and private lands throughout California, and the rising threat to public safety relating to these illegal sites. In addition, it will also provide direction for the League to call upon the Governor and State Legislature to convene a summit for the development of solutions and adequate funding for implementation strategies.

Fiscal Impact: There would be ongoing unspecified costs to the State's General Fund for enforcement activities and environmental clean-ups.

CONCLUSION

It is the recommendation of City Staff that the City Council support the League's resolution due to the environmental and public safety threats associated with the cultivation of illegal marijuana.

ATTACHMENTS

1. The League of California Cities Resolutions Packet for 2014 is attached to this report.

LEAGUE® OF CALIFORNIA CITIES

Annual Conference Resolutions Packet

2014 Annual Conference Resolutions

116th Annual Conference

Los Angeles

September 3 - 5, 2014

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, one resolution has been introduced for consideration by the Annual Conference and referred to the League policy committees.

POLICY COMMITTEES: Two policy committees will meet at the Annual Conference to consider and take action on the resolution referred to them. The committees are Environmental Quality and Public Safety. These committees will meet on Wednesday, September 3, 2014, at the JW Marriott Hotel in Los Angeles. The sponsor of the resolution has been notified of the time and location of the meetings.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, September 4, at the Los Angeles Convention Center, to consider the reports of the two policy committees regarding the resolution. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:00 p.m. on Friday, September 5, at the Los Angeles Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (47 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Session of the General Assembly. This year, that deadline is 12:00 p.m., Thursday, September 4. If the petitioned resolution is substantially similar in substance to a resolution already under consideration, the petitioned resolution may be disqualified by the General Resolutions Committee.

Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: mdesmond@cacities.org or (916) 658-8224

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's eight standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

<u>Guidelines for Annual Conference Resolutions</u>

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.

2. The issue is not of a purely local or regional concern.

3. The recommended policy should not simply restate existing League policy.

4. The resolution should be directed at achieving one of the following objectives:

    (a) Focus public or media attention on an issue of major importance to cities.

    (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.

    (c) Consider important issues not adequately addressed by the policy committees and board of directors.

    (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, September 3, 2014
JW Marriott Los Angeles Hotel
900 West Olympic Boulevard, Los Angeles

Environmental Quality:	9:00 a.m. – 10:30 a.m.
Public Safety:	10:30 a.m. – 12:00 p.m.

General Resolutions Committee

Thursday, September 4, 2014, 1:00 p.m.
Los Angeles Convention Center
1201 South Figueroa Street, Los Angeles

Annual Business Meeting and General Assembly Luncheon

Friday, September 5, 2013, 12:00 p.m.
Los Angeles Convention Center
1201 South Figueroa Street, Los Angeles

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

1 - Policy Committee Recommendation to General Resolutions Committee
2 - General Resolutions Committee
3 - General Assembly

ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
1	Illegal Marijuana Grow Site			

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Illegal Marijuana Grow Site			

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League website: www.cacities.org. The entire Resolutions Packet will be posted at: www.cacities.org/resolutions.

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

ACTION FOOTNOTES

* Subject matter covered in another resolution

** Existing League policy

*** Local authority presently exists

KEY TO ACTIONS TAKEN

A	Approve
D	Disapprove
N	No Action
R	Refer to appropriate policy committee for study
a	Amend+
Aa	Approve as amended+
Aaa	Approve with additional amendment(s)+
Ra	Refer as amended to appropriate policy committee for study+
Raa	Additional amendments and refer+
Da	Amend (for clarity or brevity) and Disapprove+
Na	Amend (for clarity or brevity) and take No Action+
W	Withdrawn by Sponsor

Procedural Note: Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the floor of the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee:

Resolutions initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the basis for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

2014 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTION REFERRED TO ENVIRONMENTAL QUALITY AND PUBLIC SAFETY POLICY COMMITTEES

1. A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO CONVENE A SUMMIT TO ADDRESS THE DEVASTATING ENVIRONMENTAL IMPACTS OF ILLEGAL MARIJUANA GROWS ON BOTH PRIVATE AND PUBLIC LANDS THROUGHOUT CALIFORNIA AND THE INCREASING PROBLEMS TO PUBLIC SAFETY RELATED TO THESE ACTIVITIES BY WORKING IN PARTNERSHIP WITH THE LEAGUE OF CALIFORNIA CITIES TO DEVELOP RESPONSIVE SOLUTIONS AND TO SECURE ADEQUATE FUNDING FOR COST-EFFECTIVE IMPLEMENTATION STRATEGIES.

Source: Redwood Empire Division
Concurrence of five or more cities/city officials: Cities of Arcata; Blue Lake; Clearlake; Cloverdale; Crescent City; Eureka; Fort Bragg; Healdsburg; Lakeport; Trinidad; and Ukiah
Referred to: Environmental Quality and Public Safety Policy Committees
Recommendation to General Resolutions Committee:

WHEREAS, public concerns in response to widespread damage to fish and wildlife resources and degradation to California's environment, and threats to public safety resulting from illegal marijuana cultivation statewide requires urgent action by the Governor and the Legislature, and

WHEREAS, local governments and the public support the State's primary objectives in complying with environmental laws including the Clean Water Act, Porter-Cologne Water Quality Control Act, and Endangered Species Act and are supported by substantial public investments at all levels of government to maintain a healthy and sustainable environment for future citizens of California, and

WHEREAS, illegal marijuana cultivation activities include habitat destruction and fragmentation, poaching wildlife, illegal water diversions, unregulated use of fertilizers, pesticides, insecticides, rodenticides, soil amendments contaminating land and waters without regard for the cumulative impacts to the environment or public health, and

WHEREAS, changing global climate conditions are posing escalated threats in California to health, well-being, nature and property; as evidenced by critical water shortages across the state due to prolonged drought conditions, and

WHEREAS, illegal water diversion for the purpose of cultivating marijuana plantations poses a direct threat to California's endangered and threatened anadromous fish species, including coho salmon, Chinook salmon, steelhead trout and other aquatic species, especially at critical life phases during seasonally low flow conditions; and

WHEREAS, California is a leader in the global effort to fight climate change and is pursuing a broad, integrated strategy to reduce greenhouse gas emissions and conserve energy, yet in a recent Lawrence Livermore Lab study estimated that upwards of 10% of electricity usage statewide can be attributed to indoor marijuana cultivation; these sites are often the causation of fires and home invasion incidents due to criminal activity, and

WHEREAS, the presence of illegal marijuana growing sites on State and federal public lands is creating unsafe conditions for visitors; these lands are taxpayer supported and intended to be managed for recreation, resource conservation and the enjoyment by the public, and

WHEREAS, increasing violence and threats to public safety related to illegal marijuana grows is contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding, and

WHEREAS, the issue of illegal marijuana grows has reached a crisis level across the state as evidenced by the murder of former League Board member, Fort Bragg Councilmember and veteran forester Jere Melo who was fatally shot down while investigating a report of a marijuana grow on private timberlands in northern California.

RESOLVED, at the League General Assembly, assembled at the League Annual Conference on September 5, 2014 in Los Angeles, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to convene a summit to address the devastating environmental impacts of illegal marijuana grows on both private and public lands and the increasing problems to public safety related to these activities.

FURTHER RESOLVED, that the League will work with its member cities to educate State and federal officials regarding emerging concerns from their communities and citizenry and to the challenges facing local governments. Therefore, we request the Governor and the Legislature to work with the League to provide responsive solutions with adequate funding support and effective State and federal government leadership to address widespread environmental damage and associated threats to public safety impacting every region in the State of California.

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Background Information on Resolution No. 1

Source: Redwood Empire Division

Background:
When California voters approved Proposition 215 in 1996 there was little thought given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana grow sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction that often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Public concern for widespread, landscape-level environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

Current Problem Facing California's Cities:
Cities throughout California state have struggled with regulating medical marijuana dispensaries and grow houses along with the associated community impacts of those facilities and land use activities. Many unforeseen environmental impacts and public safety concerns are now emerging as a consequence of increased production and demand for marijuana.

Critical water shortages across the state due to prolonged drought conditions have resulted in the Governor declaring a Drought State of Emergency. Illegal water diversions for the purposes of cultivating marijuana plantations are increasing throughout the state. These activities impact agricultural production and domestic water use. The cumulative impacts to watershed health are considerable and pose direct threats to California's salmon, trout and other sensitive aquatic species, especially at critical life stages during seasonally low flow conditions. In addition, under drought conditions, the risk of fire is elevated. The presence of marijuana grow sites in fire prone areas contributes to potential wildfire risks at the Wildland/Urban Interface.

The presence of illegal marijuana growing sites on state and federal public lands creates unsafe conditions for visitors. These lands are managed with taxpayer support and are intended to be for enjoyment by the public, recreation and conservation. However, the increasing level of violence and threats to public safety related to illegal marijuana grows on both private and public lands are contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding.

The lack of oversight of marijuana cultivation operations to ensure compliance with existing state and federal environmental regulations is impacting water quality and quantity statewide. The current legal and regulatory framework is inadequate to address numerous environmental issues, as well as public health and safety.

Redwood Empire Division Resolution:
The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the rising threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions, and secure adequate funding for implementation strategies.

The issues surrounding marijuana production and distribution are complex and require a comprehensive statewide approach. California cities need to have a strong voice in this process. The mission of the League of California Cities is to enhance the quality of life for all Californians and we believe that our strength lies in the unity of our diverse communities on issues of mutual concern.

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League of California Cities Staff Analysis on Resolution No. 1

Staff: Tim Cromartie (916) 658-8252
Committee: Public Safety Policy Committee

Summary:
This Resolution seeks to highlight the environmental and public safety issues triggered by illegal marijuana cultivation, and calls upon the League, the Governor and the Legislature to take action by convening a summit to address the environmental impacts of such cultivation sites. It also calls upon the State of California to provide solutions in response, including sufficient funding to decisively address the problem.

Background:
The sponsor of this resolution argues that when California voters approved Proposition 215 in 1996, little thought was given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana cultivation sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction which often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Critical water shortages across the state due to prolonged drought conditions have resulted in the Governor declaring a Drought State of Emergency. Illegal water diversions for the purposes of cultivating marijuana plantations are increasing throughout the state. These activities impact agricultural production and domestic water use. The cumulative impacts to watershed health are considerable and pose direct threats to California's salmon, trout and other sensitive aquatic species, especially at critical life stages during seasonally low flow conditions. In addition, under drought conditions, the risk of fire is elevated. The presence of marijuana grow sites in fire prone areas contributes to potential wildfire risks at the Wildland/Urban Interface.

The lack of oversight of marijuana cultivation operations to ensure compliance with existing state and federal environmental regulations is impacting water quality and quantity statewide. The current legal and regulatory framework is inadequate to address numerous environmental issues, as well as public health and safety.

Public concern for widespread environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

Note: The League of Cities has joined with the California Police Chiefs Association to co-sponsor legislation, SB 1262 (Correa), to establish a regulatory scheme for medical marijuana that protects local control, addresses the public safety concerns triggered by marijuana regulation, and imposes health and safety standards on marijuana for the first time. However, the measure does not address environmental issues, due to the expense and complexity associated with adding that objective to a bill that already has far-reaching regulatory goals combined with a critical need to contain state costs.

Fiscal Impact:
If the policy advocated by the Resolution is implemented by the state, there will be ongoing and unspecified costs to the State General Fund for enforcement activities, primarily in the rural counties where many of the illicit marijuana cultivation sites are located. Conservatively, the annual costs could run in the hundreds of thousands to low millions to patrol likely grow sites, crack down on illegal water diversion activities, and provide consistent environmental clean-up made necessary by illegal rodenticides and pesticides.

Comment:

To assure success, counties will have to be actively involved in any policy change geared toward rigorous and consistent enforcement against illegal marijuana grows, given the fact that many of the cultivation sites are located in rural areas under the direct authority of county governments. This will require a dialogue with counties, during which the question of local political will to enforce the law, in addition to securing the necessary funding, will arise. If counties should opt not to play an active part in an aggressive enforcement strategy, the chances of success are questionable.

Existing League Policy:

Related to this Resolution, existing policy provides:

- The League opposes the legalization of marijuana cultivation and use for non-medicinal purposes.
- Reaffirming that local control is paramount, the League holds that cities should have the authority to regulate medical marijuana dispensaries, cooperatives, collectives or other distribution points if the regulation relates to location, operation or establishment to best suit the needs of the community.
- The League affirms that revenue or other financial benefits from creating a statewide tax structure on medical marijuana should be considered only after the public safety and health ramifications are fully evaluated.

LETTERS OF CONCURRENCE

Resolution No. 1

Illegal Marijuana Grow Site

City of Arcata

City Manager (707) 822-5953
Environmental Services 822-8184
Police 822-2428
Recreation 822-7091
Community Development 822-5955
Finance 822-5951
Public Works 822-5957
Transportation 822-3775

736 F Street
Arcata, CA 95521

July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The Arcata City Council supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California, and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. ALL of the rural areas adjacent to the City of Arcata and throughout Humboldt County have been greatly affected by the devastating environmental impacts of illegal marijuana grows!

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me at any time at mwheetley@cityofarcata.org if you have any questions.

Sincerely,

Mark E. Wheetley, Mayor

cc: Kathryn Murray, President, Redwood Empire Division, c/o Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, via email srounds@cacities.org

CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Blue Lake supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Lana Manzanita, Mayor Pro-Tem at 707-497-8159 or joe2zither1@gmail.com, if you have any questions.

Sincerely,

Lana Manzanita Mayor Pro-Tem

Lana Manzanita
Mayor Pro-Tem
City of Blue Lake

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org

City of Clearlake
14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Clearlake supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. The City of Clearlake is experiencing significant issues with illegal grows in the city limits. Individuals are squatting on lands not belonging to them and planting large grows. Grows are being planted near and along creeks going through the city with unknown substances potentially leeching into the waterways. Others are renting properties and clear cutting them of oak and other trees for plant sites often without the knowledge of the property owner. Homeowners tell of not being able to enjoy their own properties with grow sites next to them creating untenable odors, spewing of foul language and concern of threats to their personal safety if they complain. We hear often the concern of increased crime due to the grows in the city.

As a member of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Joan Phillipe at 707-994-8201 x120 or city.administrator@clearlake.ca.us, if you have any questions.

Sincerely,

Joan L. Phillipe

Joan L. Phillipe
City Manager

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org

CITY OF
CLOVERDALE

June 25, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Cloverdale supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Throughout the Redwood Empire region including the City of Cloverdale, illegal marijuana grows negatively impact our environmental health and public safety. Last year, the Cloverdale Police Department eradicated over 300 plants within our City Limits. Please note that Cloverdale is a total of 2.5 square miles. These plants use scarce water resources during a water shortage emergency caused by the current drought and contribute to lawlessness that threats the public safety of our citizens.

On a personal level, the City of Cloverdale continues to be heartsick for the loss of City of Fort Bragg Council Member JereMelo. Jere was murdered as a result of investigating an illegal marijuana grow. Jere was an exceptional leader in our region, the League of California Cities and the State of California. The City of Cloverdale misses him greatly.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Cloverdale City Manager Paul Cayler at 707-894-1710, if you have any questions.

Sincerely,

Carol Russell

Carol Russell
Mayor
City of Cloverdale

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org

CITY OF CRESCENT CITY
377 J STREET
CRESCENT CITY, CA 95531
707-464-7493
707-465-4405 (FAX)

Mayor Rick Holley * Mayor Pro Tem Ron Gastineau
Council Member Richard Enea * Council Member Kelly Schellong * Council Member Kathryn Murray
City Clerk Robin Patch * City Attorney Robert N. Black * City Manager Eugene M. Palazzo

June 23, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Crescent City supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Illegal marijuana grows have a devastating impact on the State and federal public lands surrounding our community. They create unsafe conditions for our visitors. The use of unregulated fertilizers, pesticides, insecticides and rodenticides contaminate the land and ground water.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Eugene Palazzo, City Manager at 707-464-7483 ex 232 or epalazzo@crescentcity.org, if you have any questions.

Sincerely,

Richard Holley
Mayor
Crescent City

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org

CITY OF EUREKA

CITY MANAGER

531 K Street • Eureka, California 95501-1146 • (707) 441-4144
fax (707) 441-4138

June 26, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Eureka supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Our city has seen an increase in gang activity and organized crime within the Greater Eureka Area as a result of illegal growing operations. Our law enforcement and community safety have been negatively impacted by these criminal activities.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact City Manager Greg Sparks at 707.441.4140 or gsparks@ci.eureka.ca.gov, if you have any questions.

Sincerely,

Greg L. Sparks
City Manager
City of Eureka

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org

CITY OF FORT BRAGG
Incorporated August 5, 1889
416 N. Franklin St.
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802
http://city.fortbragg.com

June 23, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Fort Bragg supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. The City of Fort Bragg lost City Councilmember and former Mayor Jere Melo in August 2011 when he walked into an illegal grow site and was shot and killed by the person guarding said site.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact City Manager Linda Ruffing at 707-961-2823 or lruffing@fortbragg.com, if you have any questions.

Sincerely,

Dave Turner
Mayor

M. Courtney
Meg Courtney
Vice Mayor

Scott Deitz
Councilmember

Doug Hammerstrom
Councilmember

Heidi Kraut
Heidi Kraut
Councilmember

cc: Kathryn Murray, President, Redwood Empire Division c/o Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org

CITY OF HEALDSBURG
ADMINISTRATION

401 Grove Street
Healdsburg, CA 95448-4723

Phone: (707) 431-3317
Fax: (707) 431-3321

Visit us at *www.ci.healdsburg.ca.us*

June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Healdsburg supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me either by phone at (707) 431-33171or by e-mail at jwood@ci.healdsburg.ca.us if you have any questions.

Sincerely,

James D. Wood
Mayor
City of Healdsburg

cc: Kathryn Murray, President, Redwood Empire Division
c/o Sara Rounds, Regional Public Affairs Manager,
LOCC Redwood Empire Division, srounds@cacities.org

CITY OF LAKEPORT
Over 100 years of community pride, progress and service

July 1, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: ENVIRONMENTAL AND PUBLIC SAFETY IMPACTS OF ILLEGAL MARIJUANA GROWS RESOLUTION

Dear President Cisneros:

The City of Lakeport supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me at (707) 263-5615, Ext. 12 or by email at kparlet@cityoflakeport.com if you have any questions.

Sincerely,

Kenneth Parlet, II
Mayor

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org

CITY OF TRINIDAD
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223
Fax: (707) 677-3759

July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Trinidad supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue.

Sincerely,

Julie Fulkerson
Mayor

Cc: Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division

City of Ukiah

June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Ukiah supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Jane Chambers, City Manager, at 7407-463-6210 or jchambers@cityofukiah.com, if you have any questions.

Sincerely,

Philip E. Baldwin
Mayor

Mary Anne Landis
Vice Mayor

Benj Thomas
Councilmember

Douglas F. Crane
Councilmember

Steve Scalmanini
Councilmember

Cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.5

SECTION 6: NEW BUSINESS

Meeting Date:	August 12, 2014
Subject:	**Consideration** of a Resolution Appropriating $33,200 from the Sewer Capital Improvement Fund 108 for Emergency Repairs to the Waste Water Treatment Plant STX 450 Tractor
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 consider and adopt a Resolution appropriating $33,200 from the Sewer Capital Improvement Fund 108 for emergency repairs to the Waste Water Treatment Plant STX 450 Tractor.

SUMMARY

While Waste Water Treatment Plant staff was disking a treatment pond when the front right track on the STX 450 tractor separated and got bound up in the drive wheel. The track is eleven (11) years old and separated due to age and wear. Emergency repairs are needed for this piece of critical equipment to the treatment plant in the amount of $33,200.

BACKGROUND

In 2004, the City purchased an STX 450 tractor with a ripper to be used at the Waste Water Treatment Plant. This piece of equipment is used by the staff for both weed control and prepping the pond beds to receive effluent for disposal. This is a critical piece of equipment that is necessary to the continuing work of waste water percolation.

Unfortunately, delayed maintenance on such heavy equipment has caused a malfunction on the track causing it to separate from the tractor itself. Currently, the tractor is not able to be moved out of its location in the pond due to this issue.

To help with the costs of emergency repairs on equipment such as this, in 2001 the City Council established the Sewer Capital Improvement Fund (Fund 108) where $0.50 of each billing is set aside for such emergency repairs, thus alleviating the Sewer Operating Fund from the burden of large emergency costs. This fund has a current reserve balance of $201,230 for emergency repairs. This cost would be an appropriate use of these funds.

Therefore it is recommended that the City Council appropriate $33,200 from the Sewer Capital Improvement Fund 108 for emergency repairs to the STX 450 Tractor.

FINANCIAL IMPACT

$33,200 to be appropriated from the Sewer Capital Improvement Fund 108 for emergency repairs.

STRATEGIC PLAN

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

ATTACHMENT

1. Resolution

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK APPROPRIATING $33,200 FROM THE SEWER CAPITAL IMPROVEMENT FUND 108 RESERVES FOR EMERGENCY REPAIRS TO THE STX 450 TRACTOR

WHEREAS, delayed maintenance on the STX 450 tractor for the Waste Water Treatment Plant have led to a need for emergency repairs; and

WHEREAS, staff has obtained three quotes for the proposed repairs and is recommending accepting the proposal from N&S Tractor for $33,200 for said repairs; and

WHEREAS, the funds are to be appropriated from the Sewer Capital Improvement Fund 108 Reserves to account 108-427.000-707.003 which was established for emergency repairs to sewer infrastructure and equipment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorizes the appropriation of $33,200 from the Sewer Capital Improvement Fund 108 Reserves to account number 108-427.000-707.003 for emergency repairs to the STX 450 Tractor.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 12th day of August, 2014; 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**

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.6

SECTION 6: NEW BUSINESS

Meeting Date:	August 12, 2014
Subject:	Consideration of Riverbank Museum Annex Lot Ground Cover Options and Authorizing a Resolution to Appropriate Funds from the Police & General Government System Development Fee Fund based on Selected Option
From:	Jill Anderson, City Manager
Submitted by:	Marisela H. Garcia, Director of Finance Laura Graybill, Project Coordinator

RECOMMENDATION

It is recommended that the City Council consider ground cover options related to the Riverbank Museum Annex Lot that is currently vacant and consider adopting a Resolution appropriating funds from the Police & General Government System Development Fee Fund for this project.

SUMMARY

At the September 23, 2013 meeting the City Council approved the demolition of the Museum Annex building to prepare the bare land for use by the Historical Society for outdoor exhibits. The building demolition process began and the building was demolished in December 2013. The bare land is ready and City staff would like City Council to consider options for the type of material to be used for the lot which will improve its current appearance.

BACKGROUND

In 2009, the City of Riverbank was given the opportunity to purchase the property located at 3231 Santa Fe Street, next door to the Riverbank Museum. The intended purchase of the museum was memorialized through the adoption of Resolution No. 2010-006 on January 11, 2010. The purchase of the building was clearly designated to serve as an Annex to the current Riverbank Museum. The Riverbank Historical Society expressed its interest in having the building serve as the location in which it could

display historical items, such as a 1925 Riverbank Fire Truck, and serve as a location for revolving exhibits and additional storage.
Based on the information provided, the City Council approved the purchase of the building at a cost of $65,000 ($35,000 for the land and $30,000 for the building). The funding source for the purchase was approved from the Police & General Government System Development Fees (Fund 210). The construction of a Recreation/Museum Annex from System Development Fees had been approved in December 2005 during the adoption of the Growth Related Public Facilities Needs 2005-2020 System Development Fee Analysis – Update. Through the adoption of the System Development Fee Update, the City was able to collect sufficient revenue for the purchase of the Annex. The current balance allocated towards this project is as follows:

Total System Development Fees Collected	$123,750
Purchase Price of 3231 Santa Fe	$(65,000)
Demolition Costs	$ (8,775)
Balance for Construction/Improvements	**$ 49,975**

After the purchase in 2010, the building sat vacant as there were structural issues associated with the fact that a major supporting beam had been removed from the building making it unsafe to occupy. As time went on it began to become an eyesore in the downtown. This was noted by the City's Budget Advisory Committee who, as part of the June 2013 Committee Recommendations, recommended demolition of the building to the City Council.

In addition, the Riverbank Historical Society President Paulette Roberson appeared before the City Council in August 2013 and stated that in the near future a vacant lot may provide more options in terms of outdoor exhibits in which they could display a fire truck and other farm equipment.

As a result of the recommendation by the Budget Advisory Committee and the information provided by Mrs. Roberson, the City Council took action to approve the demolition of the building.

MUSEUM ANNEX GROUND COVER OPTIONS

With the demolition now complete, the City desires to enhance the visual appearance of the now vacant lot and provides the following options:

Option	Description	Cost
1A	Pavers – 60MM, 4" wide paver, sandlewood color to match the downtown	$23,500
1B	Traffic Rated Pavers – 80MM, 4" wide paver, sandlewood color to match downtown.	$29,500
2	Concrete – 4" thick, grey concrete, broom finish with a catch basin.	$19,000
3A	Decomposed Granite (DG) - Murphy's Grey, 6" thick, redwood header	$10,500

3B	Decomposed Granite (DG) - Carmel Tan, 6" thick, redwood header	$14,500

Staff also obtained additional costs for the installation of a barrier along the back end of the property that abuts against the alley way in between the Riverbank Police staff parking lot and the Museum Annex. This barrier would prevent cars that are traveling down this alley way to continue forward onto the property. Quotes for three types of barriers were received as follows:

Additional Option 1: Installation of Concrete Masonry Unit - CMU 6' Wall at a cost of **$7,800**.

Additional Option 2: Installation of Four (4) Removable Bollards – This option would be more decorative than a block wall and would be easily removable for allow for outdoor displays to be brought in or, in the case of the fire truck, driven in onto the lot. Cost: **$4,500**.

Additional Option 3: Installation of Planter Pots – This option would also be more decorative and temporary in nature. The planter pots would be purchased to match those located in the four corners at the intersection of Third & Santa Fe. Cost: **$600** each.

CONCLUSIONS

It is our recommendation that the City Council appropriate funds for **Option 3B: Decomposed Granite (DG) – Carmel Tan at a cost of $14,500**. The Carmel Tan color would provide consistency with the color scheme of our Downtown and would provide a pervious surface that would allow for storm drainage without necessitating any major storm drain improvements.

It is also recommended that the City Council consider appropriating funds towards the installation of the barrier. It is recommended that the Council consider either Option 2: Installation of 4 Removable Bollards or Option 3: Installation of Planter Pots as these are removable/temporary in nature and could be removed and reused in the future.

These proposed options were presented to the Riverbank Historical Society Board of Directors on July 29, 2014. The Historical Society supports the recommendation that the City Council consider the Carmel Tan DG as the ground covering for the vacant lot. In addition, they have asked the City Council to consider the installation of removable bollards alongside the back of the lot to avoid having thru traffic travel down into the lot.

FINANCIAL IMPACT

The final fiscal impact will be determined by the action of the City Council. The associated costs can be funded by an appropriation from the Police & General Government System Development Fee for the following options:

Option 3B	$14,500.00	Carmel Tan DG
Additional Option	$________	To be Determined by City Council action

ATTACHMENT

1. Resolution

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK APPROPRIATING $_______ FROM THE POLICE AND GENERAL GOVERNMENT SYSTEM DEVELOPMENT FEE FUND 210 FOR IMPROVEMENTS TO THE FUTURE RIVERBANK MUSEUM ANNEX LOT

WHEREAS, the primary mission of most history museums is to collect, preserve, exhibit, and interpret objects of historical significance; and

WHEREAS, it is the City Council's desire to provide the Riverbank Historical Society with a venue in which to display all of Riverbank's historical artifacts; and

WHEREAS, the City Council included costs of a Recreation/Museum Expansion through the adoption of the Growth Related Public Facilities Needs 2005-2020 System Development Fee Analysis-Update on April 10, 2006; and

WHEREAS, on January 11, 2010 the City Council approved the purchase of 3231 Santa Fe Street in order to expand the Riverbank Museum; and

WHEREAS, on September 23, 2013 the City Council accepted the recommendation of the Budget Advisory Committee to demolish the building located at the Museum Expansion site due to safety concerns leaving a vacant lot prepared for the future expansion; and

WHEREAS, the City Council now desires to make temporary improvements to this vacant lot so that it may enhance the visual appeal of our downtown as well as provide a location for temporary outdoor exhibits by the Riverbank Museum.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorizes the appropriation of $_______ from the Police and General Government System Development Fee Fund 210 for improvements to the future Riverbank Museum Annex Lot.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 12th day of August, 2014; 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**

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 10.1

SECTION: INFORMATIONAL ITEM

Meeting Date:	August 12, 2014
Subject/ Title:	Warrant Register for 07/16/2014, 07/17/2014, 07/24/2014(A), 07/24/2014(B), and 07/30/2014.
From:	Jill Anderson, City Manager
Submitted by:	Marisela H. Garcia, Director of Finance/City Treasurer

RECOMMENDATION:

It is recommended that the City Council review as an informational item the warrant registers for 07/16/2014, 07/17/2014, 07/24/2014(A), 07/24/2014(B), and 07/30/2014.

SUMMARY:

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

07/16/2014 Warrant

Check No.	Vendor & Description	Funding Source	Amount
43000	California Pavement: Final Billing for Slurry Seal Projects #1 & #2	LTF Fund 111	$16,021.75
43003	City of Riverbank: Roll over of Funds for Special Events (i.e. Shop with a Cop, Riverbank Cares, etc.)	Donations	$18,370.77

07/17/2014 Warrant

Check No.	Vendor & Description	Funding Source	Amount
43034	City National Bank: Loan Payment for Schneider Project & 2005 Bond Refunding	Sewer Debt Reserves	$321,674.26
43057	Stanislaus County: First FY Payment for Downtown ED Bank Loan	General Fund	$50,000.00

07/24/2014(A) Warrant

Check No.	Vendor & Description	Funding Source	Amount
43073	Fisher Group: Employee Satisfaction Survey	General Fund	$546.06

07/24/2014(B) Warrant

Check No.	Vendor & Description	Funding Source	Amount
43090	City of Modesto: Reimbursement for Planning Work on SR 108 Relinquishment Grant	Grant Funds	$907.56
43091	City of Oakdale: Reimbursement for Planning Work on SR 108 Relinquishment Grant	Grant Funds	$234.70

07/30/2014 Warrant

Check No.	Vendor & Description	Funding Source	Amount
43111	George Reed, Inc.: Oakdale & Morrill Signal Project	CMAQ	$294,251.30
43119	Weston Solutions: Work on Property Cleanup & Removal @ LRA for ESCA #1	ESCA Funds	$215,597.40

FINANCIAL IMPACT:

Reductions in various funds for payment of expenses.

ATTACHMENTS: **(List attachments in order of placement)**

1. Warrant Registers: 07/16/2014, 07/17/2014, 07/24/2014(A), 07/24/2014(B), and 07/30/2014.

WARRANT REGISTER

Date: 07/16/2014

City of Riverbank

Vendor Name	Invoice Description	GL Number	Check No.	Check Date	Check Amount
A & A PORTABLES INC.	PORTABLE RESTROOM - LRA	197-439-000-704-021	42995	07/16/2014	**49.76**
				Vendor Total:	**49.76**
ADTECH	COMPUTER MAINTENANCE	101-408-000-702-032	42996	07/16/2014	**3,150.00**
		101-414-000-703-050	42996		**296.22**
		101-408-000-707-017	42996		**523.01**
				Vendor Total:	**3,969.23**
AMERINE SYSTEMS INC.	BUILDING MAINTENANCE	197-439-000-706-029	42997	07/16/2014	**940.00**
				Vendor Total:	**940.00**
ARROWHEAD	BOTTLED WATER - WWTP	106-424-000-702-032	42998	07/16/2014	**55.77**
		197-439-000-704-021	42998		**32.26**
				Vendor Total:	**88.03**
AT&T-CALNET 2	COMMUNICATIONS	101-405-000-704-022	42999	07/16/2014	**94.27**
AT&T-CALNET 2	COMMUNICATIONS	101-407-000-704-022	42999		**251.37**
AT&T-CALNET 2	COMMUNICATIONS	101-409-000-704-022	42999		**219.95**
AT&T-CALNET 2	COMMUNICATIONS	101-412-000-704-022	42999		**62.84**
AT&T-CALNET 2	COMMUNICATIONS	101-414-000-704-022	42999		**31.42**
AT&T-CALNET 2	COMMUNICATIONS	134-459-000-704-022	42999		**62.84**
AT&T-CALNET 2	COMMUNICATIONS	106-423-000-704-022	42999		**62.84**
AT&T-CALNET 2	COMMUNICATIONS	119-442-000-704-022	42999		**31.44**
AT&T-CALNET 2	COMMUNICATIONS	101-406-000-704-022	42999		**31.42**
				Vendor Total:	**848.39**
CALIFORNIA PAVEMENT	SLURRY SEAL	111-430-000-707-126	43000	07/16/2014	**9,589.89**
CALIFORNIA PAVEMENT	SLURRY SEAL	111-430-000-707-003	43000		**6,431.86**
				Vendor Total:	**16,021.75**
CASTLE PEST MANAGEMENT	PEST CONTROL - LRA	197-439-000-706-029	43001	07/16/2014	**1,825.00**
				Vendor Total:	**1,825.00**
CITY OF OAKDALE	ANIMAL CONTROL SERVICES	101-411-000-702-034	43002	07/16/2014	**12,734.89**
				Vendor Total:	**12,734.89**
CITY OF RIVERBANK #2	WASTEWATER BILLING - LRA	197-439-000-704-021	43003	07/16/2014	**560.81**
CITY OF RIVERBANK #2	TRANSFER OF FUNDS	101-401-000-709-001	43003		**1,530.28**
CITY OF RIVERBANK #3	TRANSFER OF FUNDS	101-403-000-709-001	43003		**68.86**
CITY OF RIVERBANK #4	TRANSFER OF FUNDS	101-405-000-709-001	43003		**113.17**
CITY OF RIVERBANK #5	TRANSFER OF FUNDS	101-408-000-709-001	43003		**2,983.08**
CITY OF RIVERBANK #6	TRANSFER OF FUNDS	101-412-000-709-001	43003		**6,581.02**
CITY OF RIVERBANK #7	TRANSFER OF FUNDS	101-402-000-709-001	43003		**351.81**
CITY OF RIVERBANK #8	TRANSFER OF FUNDS	101-402-000-702-040	43003		**714.91**
CITY OF RIVERBANK #9	TRANSFER OF FUNDS	101-402-000-999-100	43003		**1,638.74**
CITY OF RIVERBANK #10	TRANSFER OF FUNDS	101-412-000-703-063	43003		**797.47**
CITY OF RIVERBANK #11	TRANSFER OF FUNDS	101-409-000-709-001	43003		**3,030.62**
				Vendor Total:	**18,370.77**
COLLICUTT ENERGY	EQUIPMENT MAINTENANCE	114-433-000-702-030	43004	07/16/2014	**1,415.00**
				Vendor Total:	**1,415.00**
DENAIR LUMBER COMPANY,	EQUIPMENT MAINTENANCE	114-433-000-702-030	43005	07/16/2014	**6.90**
		114-433-000-702-030	43005		**245.99**
				Vendor Total:	**252.89**
DEPARTMENT OF JUSTICE	FINGERPRINT APPS	118-441-000-702-032	43006	07/16/2014	**32.00**
				Vendor Total:	**32.00**
EXPERIAN	CREDIT CHECK	139-462-000-702-032	43007	07/16/2014	**200.96**
				Vendor Total:	**200.96**
FAR WEST	LAB SAMPLE - LRA	197-439-000-706-029	43008	07/16/2014	**265.00**
				Vendor Total:	**265.00**
GEIL ENTERPRISES, INC.	SECURITY SERVICES - LRA	197-439-000-702-063	43009	07/16/2014	**11,779.20**
				Vendor Total:	**11,779.20**

WARRANT REGISTER

Date: 07/16/2014

City of Riverbank

Vendor Name	Invoice Description	GL Number	Check No.	Check Date	Check Amount	
GILTON SOLID WASTE	BIN SERVICE - LRA	197-439-000-704-021	43010	07/16/2014	**97.67**	
				Vendor Total:	**97.67**	
GIULIANI & KULL, INC.	SLURRY SEAL PHASE 2	101-412-000-702-035	43011	07/16/2014	**5,332.50**	
	CENTRAL AVE REHAB	151-477-000-707-123	43011		**827.50**	
	OAKDALE & MORRILL RD	151-477-000-707-101	43011		**4,285.00**	
				Vendor Total:	**10,445.00**	
GROVER LANDSCAPE	LANDSCAPE MAINTENANCE	178-590-000-706-029	43012	07/16/2014	**176.88**	
GROVER LANDSCAPE	LANDSCAPE MAINTENANCE	220-590-000-706-029	43012		**95.73**	
GROVER LANDSCAPE	LANDSCAPE MAINTENANCE	177-590-000-706-029	43012		**84.47**	
GROVER LANDSCAPE	LANDSCAPE MAINTENANCE	132-457-000-702-032	43012		**495.00**	
GROVER LANDSCAPE	LANDSCAPE MAINTENANCE	101-414-000-702-032	43012		**264.56**	
				Vendor Total:	**1,116.64**	
HETCH HETCHY WATER &	UTILITIES - LRA	197-439-000-704-021	43013	07/16/2014	**62,125.95**	
				Vendor Total:	**62,125.95**	
HOME DEPOT CREDIT	STREET MAINTENANCE	102-418-000-703-062	43014	07/16/2014	**151.32**	
HOME DEPOT CREDIT	STREET MAINTENANCE	106-424-000-706-029	43014		**180.67**	
				Vendor Total:	**331.99**	
KNORR SYSTEMS, INC.	POOL EXPENSE	101-414-000-703-050	43015	07/16/2014	**282.84**	
				Vendor Total:	**282.84**	
KUTAK ROCK LLP	LEGAL SERVICES - LRA	198-439-503-702-053	43016	07/16/2014	**11,940.70**	
				Vendor Total:	**11,940.70**	
LAW OFFICE OF SUSAN	LEGAL SERVICES - LRA	197-439-000-702-032	43017	07/16/2014	**2,340.00**	
				Vendor Total:	**2,340.00**	
MISSION UNIFORM SERVICE	CLEANING SERVICE	101-407-000-706-029	43018	07/16/2014	**125.00**	
				Vendor Total:	**125.00**	
ONTEL SECURITY SERVICES,	SECURITY SERVICES	118-441-000-703-066	43019	07/16/2014	**1,300.00**	
				Vendor Total:	**1,300.00**	
PACIFIC GAS & ELECTRIC	UTILITIES	197-439-000-704-021	43020	07/16/2014	**141.90**	
PACIFIC GAS & ELECTRIC	UTILITIES	114-433-000-704-021	43020		**17,739.33**	
PACIFIC GAS & ELECTRIC	UTILITIES	175-590-000-704-021	43020		**183.59**	
PACIFIC GAS & ELECTRIC	UTILITIES	101-414-000-704-021	43020		**855.22**	
PACIFIC GAS & ELECTRIC	UTILITIES	101-409-000-704-021	43020		**3,132.66**	
PACIFIC GAS & ELECTRIC	UTILITIES	106-423-000-704-021	43020		**2,727.00**	
PACIFIC GAS & ELECTRIC	UTILITIES	106-424-000-704-021	43020		**819.06**	
PACIFIC GAS & ELECTRIC	UTILITIES	102-418-000-704-021	43020		**6,859.56**	
PACIFIC GAS & ELECTRIC	UTILITIES	101-407-000-704-021	43020		**1,680.12**	
PACIFIC GAS & ELECTRIC	UTILITIES	118-441-000-704-021	43020		**3,215.82**	
PACIFIC GAS & ELECTRIC	UTILITIES	163-459-000-706-005	43020		**28.59**	
				Vendor Total:	**37,382.85**	
PACIFIC PLAN REVIEW	2913 MINESHAFT CT - SOLAR	101-405-000-702-032	43022	07/16/2014	**1,700.00**	
PACIFIC PLAN REVIEW	2914 MINESHAFT CT - SOLAR	101-000-000-600-090	43022		**5,946.77**	
				Vendor Total:	**7,646.77**	
PRIME SHINE EXPRESS CAR	VEHICLE WASHES	119-442-000-705-040	43023	07/16/2014	**31.50**	
PRIME SHINE EXPRESS CAR	VEHICLE WASHES	101-414-000-706-029	43023		**3.50**	
PRIME SHINE EXPRESS CAR	VEHICLE WASHES	114-433-000-702-030	43023		**7.00**	
PRIME SHINE EXPRESS CAR	VEHICLE WASHES	102-418-000-702-030	43023		**3.50**	
PRIME SHINE EXPRESS CAR	VEHICLE WASHES	106-424-000-702-030	43023		**3.50**	
				Vendor Total:	**49.00**	
R.J. THOMAS MFG. CO., INC.	PARK MAINTENANCE	118-441-000-703-066	43024	07/16/2014	**67.00**	
				Vendor Total:	**67.00**	
SAN JOAQUIN ENGINEERING	MANAGEMENT FEE LRA - JUNE	197-439-000-702-063	42994	07/16/2014	**36,362.57**	H
SAN JOAQUIN ENGINEERING	MANAGEMENT FEE LRA - JUNE	197-439-000-706-029			**7,606.19**	H
				Vendor Total:	**43,968.76**	
SHIRTWORLD	PARK STAFF SHIRTS	118-441-000-706-026	43025	07/16/2014	**427.09**	
				Vendor Total:	**427.09**	

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Vendor Name	Invoice Description	GL Number	Check No.	Check Date	Check Amount
SHORE CHEMICAL	EQUIPMENT MAINTENANCE	114-433-000-702-032	43026	07/16/2014	**401.85**
				Vendor Total:	**401.85**
STANISLAUS CO. SHERIFF'S	VEHICLE MILEAGE APRIL - JUNE	101-409-000-702-034	43027	07/16/2014	**22,900.05**
				Vendor Total:	**22,900.05**
STAPLES ADVANTAGE	OFFICE SUPPLIES	101-401-000-703-025	43028	07/16/2014	**165.44**
		101-408-000-703-025			**54.72**
		119-442-000-703-025			**108.40**
		114-433-000-703-025			**470.72**
		102-418-000-706-026			**215.05**
		106-424-000-703-025			**156.22**
				Vendor Total:	**1,170.55**
				Grand Total:	**272,912.58**
				Less Credit Memos:	**0.00**
Total	**77**			Net Total:	**272,912.58**
				Less Hand Check Total:	**43,968.76**
				Outstanding Invoice Total :	**228,943.82**

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Vendor Name	Invoice Description	GL Number	Check	Check Date	Check Amount
STEPHANIE ARGUMEDO	REIMBURSEMENT	134-459-000-703-027	43029	07/17/2014	**26.75**
				Vendor Total:	**26.75**
BOHANNON INSURANCE GROUP	ADMINISTRATIVE FEE	201-000-000-200-080	43030	07/17/2014	**1,716.44**
				Vendor Total:	**1,716.44**
MELINDA BUTTON	DEPOSIT REFUND	118-000-000-200-150	43031	07/17/2014	**100.00**
				Vendor Total:	**100.00**
CENTRAL SANITARY SUPPLY	JANITORIAL SUPPLIES	101-414-000-706-029	43032	07/17/2014	**263.76**
CENTRAL SANITARY SUPPLY	JANITORIAL SUPPLIES	101-407-000-706-029			**44.61**
				Vendor Total:	**308.37**
CHARTER COMMUNICATIONS	COMMUNICATIONS - NOR	101-408-000-702-032	43033	07/17/2014	**284.77**
				Vendor Total:	**284.77**
CITY NATIONAL BANK	SHNEIDER ELECTRIC LOA	101-000-000-310-003	43034	07/17/2014	**90,408.67**
CITY NATIONAL BANK	SHNEIDER ELECTRIC LOA	107-426-000-706-076	43034		**98,746.80**
CITY NATIONAL BANK	SHNEIDER ELECTRIC LOA	107-000-000-310-001	43034		**132,518.79**
				Vendor Total:	**321,674.26**
COMTEL	EQUIPMENT MAINTENANC	101-413-000-702-032	43035	07/17/2014	**30.00**
				Vendor Total:	**30.00**
CRWA	EDUCATION & TRAINING	106-423-000-706-038	43036	07/17/2014	**250.00**
				Vendor Total:	**250.00**
JOHN DEGELE	PLANNING COMMISSION I	101-405-000-701-005	43037	07/17/2014	**100.00**
				Vendor Total:	**100.00**
DONLEE PUMP COMPANY	VEHICLE FUEL	119-442-000-705-041	43038	07/17/2014	**150.00**
				Vendor Total:	**150.00**
JOE FUENTES	PARTIAL REFUND	134-000-000-672-000	43039	07/17/2014	**40.00**
				Vendor Total:	**40.00**
GREENWOOD MACHINE	EQUIPMENT MAINTENANC	106-424-000-702-030	43040	07/17/2014	**490.00**
				Vendor Total:	**490.00**
GROVER LANDSCAPE SERVICES,	LANDSCAPE MAINTENANC	220-590-000-706-029	43041	07/17/2014	**84.08**
				Vendor Total:	**84.08**
MELISSA HOLDAWAY	TRAVEL ALLOWANCE	197-439-000-706-037	43042	07/17/2014	**38.96**
				Vendor Total:	**38.96**
LESLIE'S POOL SUPPLIES, INC.	POOL EXPENSE	101-414-000-703-050	43043	07/17/2014	**199.07**
				Vendor Total:	**199.07**
LIEBERT CASSIDY WHITMORE	MEMBERSHIP RENEWAL	101-408-000-702-034	43044	07/17/2014	**2,150.00**
				Vendor Total:	**2,150.00**
MARISSA LOPEZ	DEPOSIT REFUND	118-000-000-200-150	43045	07/17/2014	**125.00**
				Vendor Total:	**125.00**
ANTHONY D. MCKINNEY	PLANNING COMMISSION I	101-405-000-701-005	43046	07/17/2014	**100.00**
				Vendor Total:	**100.00**
MO - CAL	COPY COUNT - PW	198-439-503-702-053	43047	07/17/2014	**1,138.21**
		114-433-000-702-031			**100.83**
		101-412-000-702-031			**100.83**
		106-424-000-702-031			**100.84**
				Vendor Total:	**1,440.71**
NASCO	RECREATION SUPPLIES	118-441-000-706-026	43048	07/17/2014	**254.59**
				Vendor Total:	**254.59**
NORMAC	BUILDING MAINTENANCE	101-414-000-706-029	43049	07/17/2014	**1,034.08**
				Vendor Total:	**1,034.08**

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Vendor Name	Invoice Description	GL Number	Check	Check Date		Check Amount
DEBBIE OLSON	TRAVEL ALLOWANCE	197-439-000-706-037	43050	07/17/2014		**377.10**
					Vendor Total:	**377.10**
REVEL ENVIRONMENTAL	ANNUAL SERVICE MAINTE	102-418-000-702-032	43051	07/17/2014		**1,920.00**
					Vendor Total:	**1,920.00**
RIVERBANK UNIFIED SCHOOL	DEPOSIT REFUND	118-000-000-200-150	43052	07/17/2014		**50.00**
					Vendor Total:	**50.00**
AMANDA RODRIGUEZ	DEPOSIT REFUND	118-000-000-200-150	43053	07/17/2014		**100.00**
					Vendor Total:	**100.00**
SABRINA RODRIGUEZ	CITATION REFUND	118-000-000-672-005	43054	07/17/2014		**25.00**
					Vendor Total:	**25.00**
ROSALIA ROJAS	PARTIAL REFUND	134-000-000-672-000	43055	07/17/2014		**80.00**
					Vendor Total:	**80.00**
SHIRTWORLD	CHEER SHIRTS	118-441-000-706-026	43056	07/17/2014		**416.73**
					Vendor Total:	**416.73**
STANISLAUS COUNTY	REPAYMENT OF ED BANK	101-000-000-200-195	43057	07/17/2014		**50,000.00**
					Vendor Total:	**50,000.00**
STANISLAUS FOUNDATION	DENTAL LIABILITY	201-000-000-200-082	43058	07/17/2014		**1,716.93**
					Vendor Total:	**1,716.93**
JOAN STEWART	PLANNING COMMISSION I	101-405-000-701-005	43059	07/17/2014		**100.00**
					Vendor Total:	**100.00**
TECHNICAL DIFFERENCE, INC.	ANNUAL SUPPORT	101-408-000-702-030	43060	07/17/2014		**1,257.67**
					Vendor Total:	**1,257.67**
U.S. POSTMASTER	BILLING POSTAGE	114-433-000-703-024	43061	07/17/2014		**2,500.00**
U.S. POSTMASTER	BILLING POSTAGE	106-423-000-703-024				**2,500.00**
					Vendor Total:	**5,000.00**
CARLOS VILLAPUDUA	PLANNING COMMISSION I	101-405-000-701-005	43062	07/17/2014		**100.00**
					Vendor Total:	**100.00**
GLORIA J. WYRICK	DEPOSIT REFUND	114-000-000-200-171	43063	07/17/2014		**29.15**
					Vendor Total:	**29.15**
JUAN ZAMORA	DEPOSIT REFUND	118-000-000-200-150	43064	07/17/2014		**150.00**
					Vendor Total:	**150.00**
					Grand Total:	**391,919.66**
					Less Credit Memos:	**0.00**
Total Invoices:					Net Total:	**391,919.66**
					Less Hand Check Total:	**0.00**
					Outstanding Invoice Total :	**391,919.66**

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Vendor Name	Invoice Description	GL Number	Check No.	Check Date	Check Amount
A & A PORTABLES INC.	TEMPORARY FENCE	151-477-000-707-101	43065	07/24/2014	**17.06**
				Vendor Total:	**17.06**
AECOM INC.	GP UPDATE	210-467-000-702-032	43066	07/24/2014	**1,756.74**
				Vendor Total:	**1,756.74**
ALPHA NUMERIC	COPY COUNT	101-401-000-703-025	43067	07/24/2014	**111.16**
ALPHA NUMERIC	COPY COUNT	101-402-000-703-025	43067		**65.19**
ALPHA NUMERIC	COPY COUNT	101-403-000-703-025	43067		**168.16**
ALPHA NUMERIC	COPY COUNT	101-405-000-703-025	43067		**1.01**
ALPHA NUMERIC	COPY COUNT	101-406-000-703-025	43067		**18.24**
ALPHA NUMERIC	COPY COUNT	101-408-000-703-025	43067		**8.28**
ALPHA NUMERIC	COPY COUNT	101-412-000-703-025	43067		**0.13**
ALPHA NUMERIC	COPY COUNT	134-459-000-702-031	43067		**2.90**
				Vendor Total:	**375.07**
ARAMARK UNIFORM	UNIFORM CLEANING	106-424-000-706-073	43068	07/24/2014	**306.12**
ARAMARK UNIFORM	UNIFORM CLEANING	119-442-000-706-073	43068		**105.99**
ARAMARK UNIFORM	UNIFORM CLEANING	114-433-000-706-073	43068		**313.70**
ARAMARK UNIFORM	UNIFORM CLEANING	101-405-000-702-032	43068		**76.15**
ARAMARK UNIFORM	UNIFORM CLEANING	102-418-000-706-073	43068		**302.76**
ARAMARK UNIFORM	UNIFORM CLEANING	106-423-000-706-073	43068		**100.92**
				Vendor Total:	**1,205.64**
AT&T-CALNET 2	COMMUNICATIONS	101-407-000-704-022	43069	07/24/2014	**76.46**
AT&T-CALNET 2	COMMUNICATIONS	101-409-000-704-022	43069		**21.35**
				Vendor Total:	**97.81**
DARLENE BARBER-	TRAVEL ALLOWANCE	197-439-000-706-037	43070	07/24/2014	**67.81**
				Vendor Total:	**67.81**
DEPARTMENT OF	SIGNAL & LIGHTING APRII	102-418-000-704-021	43071	07/24/2014	**2,093.58**
				Vendor Total:	**2,093.58**
DIV.OF THE STATE	SB1186 QUARTERLY FEE	101-000-000-200-189	43072	07/24/2014	**27.30**
				Vendor Total:	**27.30**
FISHER GROUP	CONSULTANT SERVICES	101-408-000-702-032	43073	07/24/2014	**546.06**
				Vendor Total:	**546.06**
GROVER LANDSCAPE	LANDSCAPE MAINTENAN(	101-414-000-706-081	43074	07/24/2014	**234.15**
				Vendor Total:	**234.15**
HOME DEPOT CREDIT	BUILDING MAINTENANCE	106-423-000-706-029	43075	07/24/2014	**10.71**
HOME DEPOT CREDIT	BUILDING MAINTENANCE	101-412-000-709-001	43075		**48.38**
HOME DEPOT CREDIT	BUILDING MAINTENANCE	114-433-000-702-030	43075		**35.65**
				Vendor Total:	**94.74**
IRENA JASPAR	REFUND	101-000-000-450-000	43076	07/24/2014	**25.00**
				Vendor Total:	**25.00**
KNORR SYSTEMS, INC.	POOL EXPENSE	101-414-000-703-050	43077	07/24/2014	**4,049.94**
				Vendor Total:	**4,049.94**
KUTAK ROCK LLP	LEGAL SERVICES	198-439-503-702-032	43078	07/24/2014	**5,215.90**
				Vendor Total:	**5,215.90**
MID	UTILITIES	114-433-000-704-021	43079	07/24/2014	**16,564.78**
MID	UTILITIES	220-590-000-704-021	43079		**2,673.99**
MID	UTILITIES	173-590-000-704-021	43079		**14.54**
MID	UTILITIES	101-413-000-704-021	43079		**284.08**
MID	UTILITIES	101-414-000-704-021	43079		**174.95**
MID	UTILITIES	101-412-000-704-021	43079		**267.88**
MID	UTILITIES	101-407-000-704-021	43079		**563.61**
MID	UTILITIES	102-418-000-704-021	43079		**49.35**
MID	UTILITIES	119-442-000-704-021	43079		**1,632.88**
MID	UTILITIES	177-590-000-704-021	43079		**132.29**
				Vendor Total:	**22,358.35**

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Vendor Name	Invoice Description	GL Number	Check No.	Check Date	Check Amount
PACIFIC GAS & ELECTRIC	UTILITIES	106-424-000-704-021	43080	07/24/2014	**276.36**
PACIFIC GAS & ELECTRIC	UTILITIES	101-414-000-704-021	43080		**9.17**
PACIFIC GAS & ELECTRIC	UTILITIES	102-418-000-704-021	43080		**1,059.82**
PACIFIC GAS & ELECTRIC	UTILITIES	118-441-000-704-021	43080		**710.07**
PACIFIC GAS & ELECTRIC	UTILITIES	114-433-000-704-021	43080		**28,859.04**
				Vendor Total:	**30,914.46**
GERALD PRESTON III	DEPOSIT REFUND	114-000-000-200-171	43081	07/24/2014	**4.89**
				Vendor Total:	**4.89**
SALINAS PORTABLES INC.	PARK MAINTENANCE	118-441-000-703-066	43082	07/24/2014	**120.00**
				Vendor Total:	**120.00**
				Grand Total:	**69,238.61**
				Less Credit Memos:	**-34.11**
Total	**37**			Net Total:	**69,204.50**
				Less Hand Check Total:	**0.00**
				Outstanding Invoice Total :	**69,204.50**

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Vendor Name	Invoice Description	GL Number	Check No.	Check Date	Check Amount
AECOM INC.	STATE ROUTE 108 GRANT	101-000-000-100-000	43083	07/24/2014	**17,748.39**
				Vendor Total:	**17,748.39**
ARBOR COMMUNICATIONS	EQUIPMENT MAINTENANCE	101-408-00-702-039	43084	07/24/2014	**3,788.14**
				Vendor Total:	**3,788.14**
AT&T-CALNET 2	COMMUNICATIONS	198-439-503-702-053	43085	07/24/2014	**367.01**
				Vendor Total:	**367.01**
BAY ALARM COMPANY	ALARM SERVICE	101-407-000-702-032	43086	07/24/2014	**464.00**
BAY ALARM COMPANY	ALARM SERVICE	102-418-000-702-032	43086		**107.12**
BAY ALARM COMPANY	ALARM SERVICE	114-433-000-702-032	43086		**107.12**
BAY ALARM COMPANY	ALARM SERVICE	106-423-000-702-032	43086		**107.11**
				Vendor Total:	**785.35**
BOLD PLANNING SOLUTIONS	SUBSCRIPTION RENEWAL	101-408-000-702-030	43087	07/24/2014	**500.00**
				Vendor Total:	**500.00**
CENTRAL SANITARY SUPPLY	JANITORIAL SUPPLIES	118-441-000-703-066	43088	07/24/2014	**1,078.32**
CENTRAL SANITARY SUPPLY	JANITORIAL SUPPLIES	101-414-000-706-029	43088		**32.79**
				Vendor Total:	**1,111.11**
CHARTER	COMMUNICATIONS - TEEN	101-407-000-702-032	43089	07/24/2014	**79.99**
				Vendor Total:	**79.99**
CITY OF MODESTO	STATE ROUTE 108 GRANT	101-000-000-100-000	43090	07/24/2014	**907.56**
				Vendor Total:	**907.56**
CITY OF OAKDALE	STATE ROUTE 108 GRANT	101-000-000-100-000	43091	07/24/2014	**234.70**
				Vendor Total:	**234.70**
CPRS	MEMBERSHIP DUES	134-459-000-706-037	43092	07/24/2014	**355.00**
				Vendor Total:	**355.00**
FLORY INDUSTRIES, INC.	VEHICLE MAINTENANCE	119-442-000-705-040	43093	07/24/2014	**354.35**
				Vendor Total:	**354.35**
EDWARD GABRIEL	TAE KWON DO INSTRUCTOR	118-441-000-703-030	43094	07/24/2014	**455.00**
				Vendor Total:	**455.00**
GOLDEN VALLEY AWARDS	SWIM MEDALS	118-441-000-706-026	43095	07/24/2014	**169.70**
				Vendor Total:	**169.70**
GOLF CARS UNLIMITED, INC.	EQUIPMENT MAINTENANCE	118-441-000-703-066	43096	07/24/2014	**410.59**
				Vendor Total:	**410.59**
GROVER LANDSCAPE	LANDSCAPE MAINTENANCE	132-457-000-702-032	43097	07/24/2014	**520.00**
				Vendor Total:	**520.00**
MUNISERVICES, LLC	SALES TAX REPORTING SYST	101-403-000-702-032	43098	07/24/2014	**500.00**
				Vendor Total:	**500.00**
NORMAC	BUILDING MAINTENANCE	101-414-000-706-029	43099	07/24/2014	**127.57**
				Vendor Total:	**127.57**
ONTEL SECURITY	SECURITY SERVICES	118-441-000-703-066	43100	07/24/2014	**1,845.82**
				Vendor Total:	**1,845.82**
PETTY CASH	PARKS & RECS	134-459-000-703-027	43101	07/24/2014	**114.90**
				Vendor Total:	**114.90**
SAN JOAQUIN ENGINEERING	BUILDING MAINTENANCE	197-439-000-706-029	43102	07/24/2014	**18,450.00**
				Vendor Total:	**18,450.00**
STANISLAUS CO. CLERK	LIEN RELEASE	101-000-000-450-030	43103	07/24/2014	**30.00**
				Vendor Total:	**30.00**
STANISLAUS FOUNDATION	DENTAL LIABILITY	201-000-000-200-082	43104	07/24/2014	**1,101.50**
				Vendor Total:	**1,101.50**

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Vendor Name	Invoice Description	GL Number	Check No.	Check Date	Check Amount
UNDERGROUND SERVICE	ANNUAL MEMBERSHIP	106-423-000-702-030	43105	07/24/2014	**120.68**
UNDERGROUND SERVICE	ANNUAL MEMBERSHIP	102-418-000-702-030	43105		**120.68**
UNDERGROUND SERVICE	ANNUAL MEMBERSHIP	114-433-000-702-030	43105		**120.68**
				Vendor Total:	**362.04**
KERRIE WEBB	REIMBURSEMENT	118-441-000-706-026	43106	07/24/2014	**92.49**
				Vendor Total:	**92.49**
ELAINE WHITESEL	REFUND	118-000-000-672-005	43107	07/24/2014	**150.00**
				Vendor Total:	**150.00**
				Grand Total:	**50,561.21**
				Less Credit Memos:	**0.00**
Total	**27**			Net Total:	**50,561.21**
				Less Hand Check Total:	**0.00**
				Outstanding Invoice Total :	**50,561.21**

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Vendor Name	Vendor	Invoice Description	GL Number	Check No.	Check Date	Check Amount
CALIFORNIA BUILDING STANDARDS	103726	BUILDING STANDARDS FEE	101-000-000-200-210	43108	07/30/2014	**141.30**
					Vendor Total:	**141.30**
DEPARTMENT OF CONSERVATION	40043	STRONG MOTION FEES	101-000-000-200-220	43109	07/30/2014	**464.80**
					Vendor Total:	**464.80**
FEDEX	13300	POSTAGE	154-480-000-702-053	43110	07/30/2014	**50.95**
FEDEX		POSTAGE	198-439-503-702-053	43110		**22.45**
					Vendor Total:	**73.40**
GEORGE REED, INC.	101020	SIGNAL AT OAKDALE & MORRI	151-477-000-707-101	43111	07/30/2014	**294,251.30**
					Vendor Total:	**294,251.30**
GROVER LANDSCAPE SERVICES,	99588	LANDSCAPE MAINTENANCE	132-457-000-702-032	43112	07/30/2014	**650.00**
					Vendor Total:	**650.00**
MO - CAL	32615	COPY COUNT - PARKS & HOUS	118-441-000-706-026	43113	07/30/2014	**23.48**
MO - CAL		COPY COUNT - PARKS & HOUS	101-414-000-702-031	43113		**23.48**
MO - CAL		COPY COUNT - PARKS & HOUS	101-409-000-703-025	43113		**326.37**
MO - CAL		COPY COUNT - PARKS & HOUS	213-597-044-702-053	43113		**23.47**
					Vendor Total:	**396.80**
PACIFIC GAS & ELECTRIC	39021	UTILITIES - LRA	102-418-000-704-021	43114	07/30/2014	**2.76**
PACIFIC GAS & ELECTRIC		UTILITIES - LRA	101-407-000-704-021	43114		**1.12**
PACIFIC GAS & ELECTRIC		UTILITIES - LRA	118-441-000-704-021	43114		**2.20**
PACIFIC GAS & ELECTRIC		UTILITIES - LRA	101-409-000-704-021	43114		**126.78**
PACIFIC GAS & ELECTRIC		UTILITIES - LRA	119-442-000-704-021	43114		**118.03**
PACIFIC GAS & ELECTRIC		UTILITIES - LRA	197-439-000-704-021	43114		**8.12**
					Vendor Total:	**259.01**
STANISLAUS CO. AUDITORS OFFICE	80007	COUNTY IMPACT FEES	112-000-000-200-200	43115	07/30/2014	**63,245.95**
					Vendor Total:	**63,245.95**
STAPLES CREDIT PLAN	12015	OFFICE SUPPLIES	114-433-000-703-025	43116	07/30/2014	**-103.80**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	118-441-000-703-066	43116		**112.75**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	101-414-000-703-051	43116		**49.80**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	106-424-000-703-025	43116		**85.54**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	134-459-000-703-025	43116		**34.96**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	101-401-000-703-025	43116		**104.49**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	101-402-000-703-025	43116		**31.16**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	101-408-000-703-025	43116		**71.08**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	101-405-000-703-025	43116		**29.58**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	134-459-000-703-025	43116		**159.52**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	101-408-000-706-066	43116		**35.57**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	101-412-000-703-025	43116		**104.91**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	198-439-503-702-053	43116		**211.68**
STAPLES CREDIT PLAN		OFFICE SUPPLIES	197-439-000-702-053	43116		**29.97**
					Vendor Total:	**957.21**
U.S. BANK CORPORATE PAYMENT	103158	CREDIT CARD CHARGES	118-441-000-706-026	43117	07/30/2014	**189.63**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	134-459-000-702-030	43117		**19.99**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	134-459-000-706-037	43117		**100.00**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	114-433-000-704-022	43117		**8.54**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	101-403-000-703-025	43117		**145.28**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	197-439-000-706-029	43117		**-12.90**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	114-433-000-704-022	43117		**47.40**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	102-418-000-706-038	43117		**585.00**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	114-433-000-702-032	43117		**1,528.90**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	102-418-000-706-038	43117		**180.00**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	106-423-000-706-026	43117		**14.56**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	114-433-000-702-032	43117		**1,064.67**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	101-402-000-706-037	43117		**1,632.07**
U.S. BANK CORPORATE PAYMENT		CREDIT CARD CHARGES	101-401-000-706-037	43117		**3,002.17**
					Vendor Total:	**8,505.31**

WARRANT REGISTER

Date: 07/30/2014

City of Riverbank

Vendor Name	Vendor	Invoice Description	GL Number	Check No.	Check Date	Check Amount
UNIVERSAL SYSTEMS AUTOMATION	101204	BUILDING MAINTENANCE	106-423-000-702-030	43118	07/30/2014	**5,450.00**
			106-423-000-702-032			**280.00**
					Vendor Total:	**5,730.00**
WESTON SOLUTIONS INC.	104951	EQUIPMENT REMOVAL	199-439-000-702-032	43119	07/30/2014	**215,297.40**
					Vendor Total:	**215,297.40**
					Grand Total:	**589,972.48**
					Less Credit Memos:	**0.00**
Total Invoices:	**15**				Net Total:	**589,972.48**
					Less Hand Check Total:	**0.00**
					Outstanding Invoice Total :	**589,972.48**