



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

AGENDA

TUESDAY, MAY 9, 2017 – 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 Leanne Jones Cruz
Council/Authority Member District 2 Cindy Fosi
Council/Authority Member District 4 Darlene Barber-Martinez
Council/Authority Member Cal Campbell

CHANGES TO THE AGENDA: Mayor/Chair Richard D. O'Brien

CONFLICT OF INTEREST

Any Council/Authority Member or Staff who has a direct Conflict of Interest on any scheduled agenda item to be considered is to declare their conflict at this time.
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1. PRESENTATIONS

Item 1.1: Proclamation – National Bike Month May 2017.

2. PUBLIC COMMENTS (No Action Can Be Taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/LRA Board. Individual comments will be limited to a **maximum of 5 minutes** per person and each person may speak once during this time; time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the City Council/LRA Board.

3. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council/LRA Board unless requested by an individual Council/Authority Member or member of the public for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by motion of the City Council/LRA Board.

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

Item 3.B: Approval of the April 25, 2017, City Council and Local Redevelopment Authority Minutes.

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 There are no items to consider.

6. NEW BUSINESS

LRA Item 6.1: **Review of the Federal Property Transfer Process and an Update on the Conveyance of the former Riverbank Army Ammunition Plant** – It is recommended that City of Riverbank Local Redevelopment Authority (“RLRA”) receive a presentation intended to refresh the RLRA Board of Directors (“Board”) and public on the Base Closure and Realignment (“BRAC”) process; a notional timeline for the remaining conveyance steps will be included as part of the presentation.

7. COMMENTS/REPORTS

A brief report on notable attendance of a meeting or conference or other notable topics of business shall be made. The Brown Act does not allow for discussion or action by the City Council.

Item 7.1: Staff

Item 7.2: Council/Authority Member

Item 7.3: Mayor/Chair

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 REAL PROPERTY NEGOTIATORS**
Government Code Section 54956.8

Property: APN #062-031-007; 062-031-006; 062-008-009
 Agency Negotiator: Sean Scully, City Manager
 Property Negotiator: U.S. Army

Item 8.2: CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6
 Agency representative: Sean Scully, City Manager
 Employee organizations: Riverbank Miscellaneous Employees
 Riverbank Mid-Management Bargaining Unit

9. REPORT FROM CLOSED SESSION

LRA Item 9.1: Report on Closed Session of LRA Item 8.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Item 9.2: Report on Closed Session of Item 8.2: **CONFERENCE WITH LABOR NEGOTIATORS**

ADJOURNMENT (The next regular City Council meeting –Tuesday, May 23 is Canceled. Please join us on Tuesday, June 13th @ 6:00 p.m.)

UPCOMING EVENTS:

May 31 Wednesday	• <u>Measure L Oversight Committee Member Wanted!</u> A Riverbank representative is sought to serve on the Committee. Applications and more information are available at www.riverbank.org. Applications must be submitted directly to StanCOG. For questions contact StanCOG Public Information Officer, Kendall Flint at (209) 525-4600.
City Hall Friday Office Hours	• <u>City Offices are Closed Alternating Fridays</u> - o Friday: May 19 and June 2 – CLOSED - o Friday: May 12 and May 26 – OPEN from 8:00 am to 5:00 p.m.
2017 Canceled Regular City Council Meetings	• <u>City Council voted to cancel the following regular meetings:</u> - o Tuesday, May 23, 2017 - o Tuesday, July 11, 2017 - o Tuesday, December 26, 2017

AFFIDAVIT OF POSTING

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

Posted this 4th day of May, 2017.

/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 or cityclerk@riverbank.org. Notification (72) hours before the meeting will enable the City to make reasonable arrangements to ensure any special needs are met. [28 CFR 35.102-35.104 ADA Title II].

Notice Regarding Non-English Speakers: Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank City Council/LRA Board shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

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, when available, on the City's website. Additional documents may be provided by the City in its efforts of transparency to keep the public well informed. The agenda packet (agenda plus supporting documents) are posted for public review at the City Clerk's Office, 6707 Third Street, Riverbank, CA and at www.riverbank.org upon distribution to a majority of the City Council/LRA Board. A subscription to receive the agenda can be purchased for a nominal fee through the City Clerk's Office.
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 aguilar@riverbank.org

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 1.1

SECTION 1: PRESENTATIONS

Meeting Date:	May 9, 2017
Subject:	Proclamation – National Bike Month May 2017
From:	Sean Scully, City Manager
Submitted by:	Cheryl Stefani, Administrative Assistant

RECOMMENDATION

It is recommended that the City Council read the Proclamation for National Bike Month May 2017 and present to Lisa Donahue on behalf of Dibs.

SUMMARY

The month of May has been designated as National Bike Month by National, State, and local governments. Bicycling can provide numerous benefits to communities and its residents. Bicycling is a healthy form of exercise and can easily be incorporated into an individual's daily schedule; and serves as an example of a healthy lifestyle for children to emulate. Businesses in communities are increasingly becoming more aware of the benefits of encouraging employees to be more health conscious and are supporting the idea of commuting to work by providing bicycle parking. In addition to the physical advantages that bicycling provides for residents, the use of bicycles rather than vehicles helps reduce air emissions and improves air quality in the environment. Bicycling helps to combat traffic congestion by lessening the amount of cars on the road; decreases the deterioration of streets and road surfaces; and reduces overall noise. The City of Riverbank is asked to recognize and support the National Bike Month May 2017; as well as Bike to Work Week, the week of May 15 – 19, 2017.

FINANCIAL IMPACT

There is no financial impact with the report.

ATTACHMENT

1. Proclamation



CITY OF RIVERBANK
PROCLAMATION
NATIONAL BIKE MONTH MAY 2017

WHEREAS, bicycle riding has been celebrated as a utilitarian, economical, and environmentally sound mode of transportation since 1956; and

WHEREAS, the month of May has been designated as National Bike Month by National, State, and local governments, in order to promote greater public awareness of bicycle operation and safety education in an effort to reduce accidents, injuries, and fatalities; and

WHEREAS, regular bicycling incorporates a healthy form of exercise into an individual's daily routine and serves to model healthy practices to children and an increasing number of businesses have installed bicycle parking to support employees who commute by bicycle; and

WHEREAS, the City of Riverbank encourages the increased use of the bicycle, benefiting all citizens by improving air quality, reducing traffic congestion and noise, decreasing the use of and dependence upon finite energy sources, and fostering exercise; and

WHEREAS, the education of cyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all users.

NOW, THEREFORE, the City Council of the City of Riverbank does hereby recognize the month of May 2017 as National Bike Month; and the week of May 15 - 19, 2017, as Bike to Work Week; and

BE IT FURTHER RESOLVED that the City Council of the City of Riverbank urges all who support bicycling to participate in the events planned and urges all road users to share the road safely with bicyclists.

May 9, 2017

Richard D. O'Brien
Mayor

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

SECTION 3: CONSENT CALENDAR

Meeting Date:	May 9, 2017
Subject:	Waiver of Readings
From:	Sean Scully, 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:	May 9, 2017
Subject:	Approval of the April 25, 2017, City Council and Local Redevelopment Authority Minutes
From:	Sean Scully, City Manager
Submitted by:	Annabelle Aguilar, CMC, City Clerk / LRA Recorder

RECOMMENDATION

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

SUMMARY

The Draft Minutes of the April 25, 2017, regular City Council and the Local Redevelopment Authority Board meetings have been prepared for review and approval.

FINANCIAL IMPACT

There is no financial impact to this item.

ATTACHMENT

1. April 25, 2017, City Council and LRA Minutes



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

**MINUTES OF
TUESDAY, APRIL 25, 2017**

Verbatim proceedings of the meetings may be viewed on-line or a copy may be provided for a fee.

CALL TO ORDER:

The City Council and 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, Suite B, Riverbank, California, with Mayor/Chair Richard D. O'Brien presiding.

FLAG SALUTE:

Mayor/Chair Richard D. O'Brien

INVOCATION:

Reverend Charles Neal, Riverbank Ministerial Association

ROLL CALL:

Present

Mayor/Chair Richard D. O'Brien
Vice Mayor/Chair Leanne Jones Cruz
Council/Authority Member District 2 Cindy Fosi
Council/Authority Member District 4 Darlene Barber-Martinez
Council/Authority Member Cal Campbell

AGENDA CHANGES: Mayor/Chair Richard D. O'Brien – *No changes were made.*

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.

No one declared a conflict.

1. PRESENTATIONS

There were no presentations.

2. PUBLIC COMMENTS (No Action Can Be Taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/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.

Edward Jones, Riverbank, commented

3. CONSENT CALENDAR

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

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

Item 3.B: Approval of the March 28, 2017, City Council and Local Redevelopment Authority Minutes.

Item 3.B-1: Approval of the April 11, 2017, City Council and Local Redevelopment Authority Minutes.

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

ACTION: *By motion moved and seconded (Jones Cruz / Campbell / passed 5-0) to approve Consent Calendar Items 3.A, 3.B, and 3.B-1 as presented; Motion carried by unanimous City Council and LRA Board vote.*

AYES: Fosi, Barber-Martinez, Campbell, Jones Cruz, 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 Proposed Ordinance No. 2017-006 of the City Council of the City of Riverbank, California, Approving Development Agreement No. 01-2015 – Hayes 4, Phase One Tentative Map – APN: 062-022-019 and 062-022-022 Residential Project** – It is recommended that the City Council conduct the second reading by title only and adopt proposed Ordinance No. 2017-006 for the approval of the proposed project that consists of a Development Agreement that clarifies the original conditions of map approval specific to the Hayes 4, Phase One development, adds map life, and sets forth criteria for developing a paseo between Claus Road and Central Ave. The project consists of 9.36 gross acres and would result in 43 to 45 single-family detached residential lots consists of about 5,000 square feet (overall residential density between 4.59 and 4.801 du/acre), three (3) storm drainage/park basins to be known as a Central Paseo, and associated street, sewer, water, and storm drainage improvements. The Planning Commission recommends approval for a forty-five (45) residential lot layout and adopt the Initial Study, based on the analysis provided and based on the findings in the published Initial Study for the Project.

City Manager Sean Scully presented the staff report.

ACTION: *By motion moved and seconded (Barber-Martinez / Fosi / passed 5-0) to approve Development Agreement No. 01-2015 – Hayes 4, Phase One Tentative Map – APN: 062-022-019 and 062-022-022 Residential Project by adoption of Ordinance No. 2017-006 as presented.*
Motion carried by unanimous City Council roll call vote.
AYES: Fosi, Barber-Martinez, Campbell, Jones Cruz, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

5. PUBLIC HEARINGS *There were no items to consider.*

6. NEW BUSINESS

Item 6.1: *Consideration of a Fee Waiver or Deferral or Reduction by: Adoption of a Resolution Approving the Request by Thunderbolt Wood Treating, Inc. to Waive [or Defer or Reduce] the Payment of Deferred System Development Fees; or Adoption of a Resolution Denying the Request by Thunderbolt Wood Treating, Inc. to Waive the Payment of Deferred System Development Fees – It is recommended that Council review the materials and deny the request of the Lovalvo Family Trust, d.b.a. Thunderbolt Wood Treating, to waive the payment of deferred system development fees on a building constructed in 2012.*

City Manager Sean Scully introduced the item and clarified that Staff's recommendations are based on the Riverbank Municipal Code. Planning and Building Manager Donna Kenney presented the staff report.

City Council and Staff discussed the item. Mr. Leonard Lovalvo, property owner, spoke in regards to his understanding of the matter and the waiver of fees. Discussion between City Council, Staff, and Mr. Lovalvo ensued.

By Consensus, City Council chose Option 4: Request additional information on the matter from the staff and/or applicant.

ACTION: *By motion moved and seconded (Campbell / Barber-Martinez / passed 5-0) in accordance with Option 4: Request additional information on the matter from the staff and/or applicant that was presented, the item would be tabled to allow for further staff research of any existing records on the previous 2012 hearing pertaining to this matter, and present the findings at the next City Council meeting for further consideration of the fee waiver request.*
Motion carried by unanimous City Council roll call vote.
AYES: Fosi, Barber-Martinez, Campbell, Jones Cruz, and Mayor O'Brien
NAYS: None / ABSENT: None / ABSTAINED: None

Item 6.2: **Personal Indoor Marijuana Cultivation** - It is recommended that the City Council review the presented information regarding Personal Indoor Marijuana Cultivation and provide direction to staff.

Attorney Josiah Young of the City's Law Firm Churchwell White, LLP, presented the staff report. City Council, Staff, and Presenter discussed the item. Discussion of the permitting and the conduct of inspections ensued. Each Member of the Council stated their recommendations of what standards to include in a proposed ordinance.

ACTION: *City Council directed to create an ordinance with reasonable conditions of permitting, to include an initial inspection, and at least a one-time follow up inspection within the year.*

Item 6.3: **East Riverbank Industrial Master Plan Phasing Strategy** – It is recommended that the City Council consider the information presented and use this report to allocate future budgeted funds to accommodate the planning effort associated with the East Riverbank Master Plan based on the desire of the Council.

Contract Planner John Anderson presented the staff report. City Council and Staff discussed the item.

7 COMMENTS/REPORTS

A brief report on attendance of a meeting or conference or other notable topics of business shall be made. The Brown Act does not allow for discussion or action by the City Council.

Item 7.1: Staff

- *City Manager Sean Scully announced that the first regular City Council meeting in May would primarily be focused on the property transfer of the Riverbank Industrial Complex [former Army Ammunition Plant].*

Item 7.2: Council/Authority Member

- *Council/Authority Member Campbell reported on his visit to the new Veterans Facility in Modesto.*
- *Council/Authority Member Barber-Martinez reported on her attendance of the First Responders Recognition Dinner for Stanislaus County, and her attendance of "Legislative Action Day" in Sacramento.*

Item 7.3: Mayor/Chair

Mayor/Chair O'Brien announced the April 29th Love Riverbank event that would include County personnel that provide services to the homeless.

8. CLOSED SESSION

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

Item 8.1: CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

Agency representative: Sean Scully, City Manager

Employee organizations: Riverbank Miscellaneous Employees
Riverbank Mid-Management Bargaining Unit

Mayor/Chair O'Brien announced the Closed Session Item and opened the Item for public comment; no one spoke. The meetings were recessed and City Council went into Closed Session at 7:59 p.m.

9. REPORT FROM CLOSED SESSION

Mayor/Chair O'Brien reconvened the meetings at 8:29 p.m.

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

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

ADJOURNMENT

There being no further business, Mayor/Chair O'Brien adjourned the meetings at 8:29 p.m.

ATTEST: *(Adopted 04/09/2017)*

APPROVED:

Annabelle H. Aguilar, CMC
City Clerk / LRA Recorder

Richard D. O'Brien
Mayor / Chair

**RIVERBANK LOCAL REDEVELOPMENT AUTHORITY
AGENDA ITEM NO. 6.1**

SECTION 6: NEW BUSINESS

Meeting Date:	May 09, 2017
Subject/ Title:	Review of the Federal Property Transfer Process and an Update on the Conveyance of the former Riverbank Army Ammunition Plant
From:	Sean Scully, City Manager
Submitted by:	Debbie Olson, Executive Director Local Redevelopment Authority

RECOMMENDATION

It is recommended that City of Riverbank Local Redevelopment Authority ("RLRA") receive a presentation intended to refresh the RLRA Board of Directors ("Board") and public on the Base Closure and Realignment ("BRAC") process; a notional timeline for the remaining conveyance steps will be included as part of the presentation.

SUMMARY

The transfer of federal property is a unique and complicated process made so in part by the overlap of state, federal and local agencies, statutes and regulatory requirements. A brief overview of the process necessary for the transfer of federal property will be presented along with a more detailed presentation of a conceptual timeline showing where the Riverbank Army Ammunition Plant ("RAAP") is in the overall conveyance process.

The discussion will be led primarily by George Schlossberg, the RLRA's attorney from Kutak Rock, LLP.

BACKGROUND

In 2005, the Defense Base Closure Commission recommended the closure of the Riverbank Army Ammunition Plant. This recommendation became law when Congress did not overturn the recommendation. The closure of a military facility and subsequent transfer of property is prescribed by various federal laws, executive orders and federal regulations relevant to the Defense Base Closure Reuse and the Federal property disposal processes.

The challenges involved in redeveloping a former military base are complex and require the involvement of the community, numerous outside experts, and negotiation and consultation with multiple State and Federal government agencies.

One of the requirements of local government is the formation of an agency whose purpose is to make decisions regarding reuse planning and property disposal of the former military site. In February 2006, the City of Riverbank Local Redevelopment Authority was created as the governing body to oversee the development of the Reuse Plan for the former Riverbank Army Ammunition Plant. The Federal government recognized the RLRA as a Local Redevelopment Authority for planning purposes on April 27, 2006.

Initially, the governing body included the Riverbank City Council and the Stanislaus County District 1 Supervisor. Subsequent to the completion and submission of the Reuse Plan, the Board voted to reconstitute and remove the Stanislaus County District Supervisor from the governing board. This change was recognized and recorded in the Federal Register, as required, on January 3, 2008.

From 2006 through today, the RLRA has worked to fulfill the goals and objectives set by the community-led and supported Reuse Plan and implement policies of the Board.

Earlier this year, in a meeting with key conveyance officials requested by Cong. Jeff Denham, the Army committed to finalizing the Memorandum of Agreement (“MOA”) to the Economic Development Conveyance and having it ready for review and signature of by mid-summer. The MOA memorializes the real estate agreement between the RLRA and the Army and amounts to a purchase agreement for the property.

Within 90 days of executing the MOA, the RLRA will receive title to the first +/- 28 acres of the property from the Army. The remainder of the site will require additional interaction and approval from environmental regulatory agencies and the Governor of the State of California in order to transfer.

FINANCIAL IMPACT

There is no financial impact associated with the presentation.

STRATEGIC PLANNING ALIGNMENT

This aligns with the City’s Strategic Plan in that it provides an opportunity for the Public to engage and be better informed about the activities of the RLRA. It also provides transparency, accountability and open communication with the Public regarding a key City project.

ATTACHMENTS

1. Acronym Glossary
2. Notional Timeline
3. Conveyance Map
4. Key Documents Brief

RIVERBANK ARMY AMMUNITION PLANT

Partial List of Acronyms

A	ADC	Association of Defense Communities
	AMC	Army Military Command
	AOC	Administrative Order on Consent
B	BOP	Business and Operations Plan
	BRAC	Base Closure and Realignment Act/Process
	BRAC-D	Military department responsible for BRAC property transfers
C	CalEPA	California Environmental Protection Agency
	CDBG	Community Development Block Grant (State)
	CERCLA	Comprehensive Environmental Response, Compensation and Liability Act; also known as Superfund
	CEQA	California Environmental Quality Act
D	DoD	Department of Defense
	DTSC	Department of Toxic Substances Control
E	EDA	Economic Development Administration (Federal)
	EDC	Economic Development Conveyance
	EIR	Environmental Impact Report
	EPA	Environmental Protection Agency (Federal)
	ESCA	Environmental Services Cooperative Agreement
	ET	Early Transfer
F	FOST	Finding of Suitability Transfer
	FOSL	Finding of Suitability to Lease
	FOSET	Finding of Suitability for Early Transfer
G	GOCO	Government owned, contractor operated

H	HUD	U.S. Department of Urban Development
J	JMC	Joint Munitions Command
L	LIFOC	Lease in Furtherance of Conveyance
	RLRA/LRA	Riverbank Local Redevelopment Authority
M	MOA	Memorandum of Agreement – associated with EDC
N	NEPA	National Environmental Policy Act
	NI	Norris Industries – former GOCO on the RAAP site
O	OEA	Office of Economic Adjustment
	OACSIM/ACSIM	Office of the Assistant Chief of Staff for Installation Management – oversee Army installations
	OIA	Operating and Infrastructure Analysis
	OSD	Office of the Secretary of Defense
	OTC	Over-the-Counter (grant category under CDBG)
P	PPL	Premises Pollution Liability (Insurance)
R	RFP	Request for Proposals
	RAAP/RBAAP	Riverbank Army Ammunition Plant
	RIC	Riverbank Industrial Complex
S	Superfund	Response to alarming, unacceptable hazardous waste practices and management; also known as CERCLA
T	TSCA	Toxic Substances Control Agency
W	Weston	Weston Solutions, Inc.

Proposed Riverbank/Army Conveyance Schedule

LRA/Army complete EDC MOA discussions	June 30, 2107
LRA/City Council approve EDC MOA	July 11, 2017
Army/LRA Execute EDC MOA	July 31, 2017
Army Conveys Parcel B to LRA	October 30, 2017
Commence EDC seven (7) year reinvestment period	October 30, 2017
Army conveys balance of RBAAP to LRA	TBD
End seven (7) year reinvestment period	TBD + 7 years

RED = Army/LRA Event

Riverbank Army Ammunition Plant - Key Conveyance Document Summary

DOCUMENT	DOCUMENT SUMMARY	EXHIBITS	ORIGINATOR	ADDITIONAL PARTIES	CURRENT DISPOSITION	NOTES
Reuse Plan and Homeless Assistance Submission	The Reuse Plan is a conceptual land-use plan prepared by the LRA to guide reuse of the property; this document is a strategic guide for future reuse decisions of the entire site; must explain proposed reuses and how the plan responds to community needs. The Homeless Assistance Submission contains information on area homeless population, existing services and description of unmet needs, and include a plan for outreach to homeless assistance providers and if any providers requested consideration in the Reuse Plan (aka Notice of Interest) to carry out activities in support of assistance toward self-sufficiency,	Property maps; land use maps; property disposal request and method	LRA	Reuse Plan is sent to U.S. Department of Housing and Urban Development for approval and to the Secretary of the Army	Adopted by LRA Board October 2008; Submitted to Army and HUD November 2008; Approved by HUD March 2009	No further action necessary.
Economic Development Conveyance Application	Formally prescribed application for conveyance prepared by the LRA and submitted for review and concurrence to the Army and to DoD by Office of Economic Adjustment; many components, including: a description of intended uses; discussion of economic impacts on the community; financial condition of the community and prospects for redevelopment of property; business and operational plan; market and financial feasibility analysis; cost estimate and justification for investments; list of key stakeholders among other details.	Pro forma, market analysis, business plan, capital improvement plan	LRA		Draft submitted in January 2010; revisions requested by the DoD; resubmitted final March 2010; Acting Assistant Undersecretary for Army Installations recommended approval Dec 2012; Concurrence by OSD Feb 2013	No further action necessary.
Memorandum of Agreement (to the EDC)	Agreement for conveyance of RAAP between Army and LRA; contains the deal points of the real estate transaction and legal recourse; constitutes binding purchase agreement; executed with resolution of the LRA Board & signature of the CM & Dept. of the Secretary of the Army; not an environmental document	Maps; Reuse Plan; FOST, FOSET, Deeds, use restrictions; Army lease for continued use; reporting requirements	Army, Corps of Engineers	LRA reviews document and must concur on details	Draft final document in hand; LRA is awaiting receipt of exhibits for review prior to final execution	A resolution of the Board and signature of CM needed for final execution

Finding of Suitibility for Transfer (FOST)	Documents the environmental suitability of property for transfer; in the case of RAAP, documents specifically references tracts of land with no environmental hazard or need of environmental remediation	Army	Concurance by regulatrly agencies (EPA, DTSC, State Water Board)	Finalized in 2010; amended in 2011 to remove portions were contamination found through additional testing	LRA is included in meetings between Army and Regulatory Agencies, but not a party to the document
Finding of Suitibility for Early Transfer (FOSET)	Documents the environmental condition of property for transfer; documentation includes a determination of the condition as a result of environmental surveys, remediation recommendation, remediation responsibility, etc.; document is used as part of early transfer process that seeks to transfer property without having completed all necesary cleanup actions in order to move reuse process forward	Army	Concurance by regulatory agencies (EPA, DTSC, State Water Board)	In draft form; undergoing revisions and additional review by regulatory agencies; a public comment period will be required before final execution	LRA is included in meetings between Army and Regulatory Agencies, but not a party to the document
Early Transfer Agreement	Mechanism that allows the Governor and EPA Adminisrator to transfer sites listed on the NPL before environmental remediation is complete	Army	EPA, Governor, State Regulatory Agency concurance	In draft form; has not been provided to regulatory agencies for review	
Environmental Services Cooperative Agreement (ESCA)	Agreement between Army and LRA; allows the LRA to manage the cleanup of the property; responsibility for payment and liability rests with Army; LRA has executed two ESCAs with the Army	Army	LRA concurance	ESCA #1 executed 10/2014 for remediation and/or removal of contaminated surplus personal property; ESCA #2 for remediation of buildings superstructure and fixtures executed April 2016	
Administrative Order on Consent	A legal agreement signed by LRA and EPA through which the violator agrees to pay for correction of violations, take the required corrective or cleanup actions, or refrain from an activity. It describes the actions to be taken and can be enforced in court	Department of Justice; EPA	LRA and EPA	Enforcement document used to assure that specific remedial actifites are performed	Army is not a party to this agreement; comes into play with early transfer agreements