



**CITY OF RIVERBANK
REGULAR CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY BOARD
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, AUGUST 28, 2018– 6:00 P.M.

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

- CALL TO ORDER:** Mayor/Chair Richard D. O'Brien
- FLAG SALUTE:** Mayor/Chair Richard D. O'Brien
- INVOCATION:** Riverbank Ministerial Association
- ROLL CALL:** Mayor/Chair Richard D. O'Brien
Vice Mayor/Chair Darlene Barber-Martinez (CM-D4)
Council/Authority Member District 2 Cindy Fosi
Council/Authority Member Cal Campbell
Council/Authority Member Leanne Jones Cruz
- 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:** Presentation by Dr. Camp Superintendent of Riverbank Unified School District on Bond Initiative.

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 July 24, 2018, City Council and Local Redevelopment Authority Minutes.

Item 3.C: Out of State Travel Request to have Finance Staff Attend the Caselle Annual User Conference in Salt Lake City, UT and Itron Utility Week 2018 in Scottsdale, AZ.

Item 3.D: A **Resolution** Authorizing the Submittal of the Fiscal Year 2017-2018 Annual Program Income Report and Annual Performance Report for the Community Development Block Grant (CDBG) Program.

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

4. UNFINISHED BUSINESS

Item 4.1: **Second Reading by Title Only and Adoption of Proposed Ordinance No. 2018-005, Amending Title XV: Land Usage, Chapter 153: Zoning, Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, by Repealing this Section in its Entirety and Substituting it with New Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, to the Riverbank Municipal Code of Ordinances** – It is recommended that the City Council conduct the second reading by title only of the proposed ordinance and consider its adoption by roll call vote.

5. PUBLIC HEARINGS

The public notice for Item 5.1 was published in the Riverbank News on 8/15/2018.

Item 5.1: **Conduct the First Reading by Title Only and Introduction of a Proposed Ordinance Amending the Downtown Specific Plan: Section 2.3.4 Signage, by repealing this Section in its Entirety and Substituting it with a New Section 2.3.4 Signage** – It is recommended that the City Council conduct the public hearing of the first reading and introduction of the proposed ordinance and consider its approval, which will initiate the second reading at the September 11, 2018, regular City Council meeting, or soon thereafter, to consider its adoption.

6. NEW BUSINESS

- Item 6.1:** **Approval of Six Month Strategic Objectives (June 2018 – December, 2018)** – It is recommended that the City Council approve the Six Month Strategic Objectives (Exhibit A) that were developed during the Strategic Planning Session held on May 25th 2018.
- Item 6.2:** **Request for Waiver of Fees for Downtown Sip and Stroll Event** – It is recommended that the City Council consider approving a request from Kiwi's Custom Guns and the Riverbank Federated Women's Club to waive associated City fee's for street closure and use of public streets for a downtown sip and stroll event to promote economic development in the downtown area.
- Item 6.3:** **A Resolution Amending the Discount Amounts and Eligibility Program Requirements of the Utility Rate Assistance Program (URAP) for Water and Sewer Rates** – It is recommended that the City Council consider adopting a resolution amending Section 1 and 2 of Resolution No. 2016-027 to establish new criteria for the Utility Rate Assistance Program for low-income senior and low-income permanently-disabled residents.
- Item 6.4:** **A Resolution Formally Opposing Proposition 6 (SB1 Repeal)** – It is recommended that the City Council consider whether or not approve the attached resolution requested by the League of California Cities opposing Proposition 6 which would repeal Senate Bill 1 (commonly known as the Road Repair and Accountability Act of 2017).
- Item 6.5:** **Consideration of Whether to Adopt or Not Adopt a Resolution Opposing the State Water Resources Control Board's Bay Delta Plan and Substitute Environmental Document** – It is recommended that the City Council consider the proposed resolution.

7. COMMENTS/REPORTS

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

- 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 adjourning to Closed Session.

Item 8.1: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 062-031-005, 062-031-006, 062-031-007

Agency Negotiator: Sean Scully, City Manager

Property Negotiator: Aemetis, Inc.

Item 8.2: CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

Agency representative: Sean Scully, City Manager

Employee organizations: Mid-Management Bargaining Unit

Item 8.3: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: (1) potential case

9. REPORT FROM CLOSED SESSION

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

Item 9.2: Report from Closed Session on Item 8.2: **CONFERENCE WITH LABOR NEGOTIATORS** –Mid-Management Bargaining unit

Item 9.3: Report from Closed Session on Item 8.3: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** (1) potential case

ADJOURNMENT (The next regular City Council meeting – Tuesday, Sept. 11th @ 6:pm)

UPCOMING EVENTS:

Monday Sept. 3 Labor Day	• <u>City Offices will be closed.</u>
City Hall Friday Office Hours	• <u>City Offices are Closed Alternating Fridays</u> - o Friday: August 24 and September 7 – CLOSED - o Friday: August 31 and September 14th – OPEN from 8:00 am to 5:00 p.m.
2018 Canceled Regular City Council Meetings	• <u>City Council voted to cancel the following regular meetings:</u> - o Tuesday, July 10, 2018 - o Tuesday, August 14, 2018 - o Tuesday, November 27, 2018 - o Tuesday, December 25, 2018

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 23rd day of August, 2018

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

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

Meeting Schedule	<u>Regular City Council Meetings:</u> 6:00 p.m. on the 2nd and 4th Tuesday of every month, unless otherwise noticed. <u>Local Redevelopment Authority Board:</u> (The City Council also serves as the LRA Board.) Meets on an "as needed" basis. The City Council also serves as the LRA Board.
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/LRA Board, for which special notice has been given. During a specified portion of the hearing, any interested party is invited to present written or oral protests or support for the subject matter under consideration. Written testimony sent or delivered to the City Clerk must be received no later than <u>5:00 p.m. on the day of the meeting</u> to allow for their distribution to the City Council/LRA Board. Preparations for the meeting are conducted between 5:00 p.m. and 6:00 p.m. and therefore the City Clerk is not available during this time.
Televised / Video of Meetings	• Charter – Channel 2 • AT&T Uverse – Channel 99 • www.riverbank.org – video icon – under Agendas and Minutes link
City Hall Hours	City Hall is open Monday – Thursday; 7:30 am – 5:30 pm and Fridays: 8:00 am – 5:00 pm; CLOSED alternating Fridays
Questions	Contact the City Clerk at (209) 863-7122 or aaguilar@riverbank.org

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 1.1

SECTION 1: PRESENTATION

Meeting Date:	August 28, 2018
Subject:	Presentation by Dr. Camp Superintendent of Riverbank Unified School District on Bond Initiative
From:	Sean Scully, City Manager

RECOMMENDATION

No Action – Presentation Only

SUMMARY

Dr. Camp Superintendent of Riverbank Unified School District has requested the opportunity to present to the Council information about an upcoming School Bond initiative which will be in consideration on the November ballot.

FINANCIAL IMPACT

None

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

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 28 , 2018
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 any proposed ordinances and resolutions for consideration, except by title.

SUMMARY

In lieu of reading the entire text of a proposed ordinance or resolution that is introduced for consideration for adoption and approval, by majority vote, the City Council may waive the reading of the text and introduce the ordinance or resolution by title only for the record.

The proposed ordinances and resolutions, and any related documents that are part of the agenda packet, are available for review by the public on the City's website and in the City Clerk's office at City Hall (North) upon distribution to a majority of the City Council; typically 72 hours prior to the scheduled date and time of the meeting.

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 28, 2018
Subject:	Approval of the August 28, 2018, 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 August 28, 2018, 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. August 28, 2018, City Council and LRA Minutes



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

**MINUTES OF
TUESDAY, JULY 24, 2018**

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: There was no invocation.

ROLL CALL: Mayor/Chair Richard D. O'Brien
Present Vice Mayor/Chair Darlene Barber-Martinez (CM-D4)
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 – *There were no changes 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

Item 1.1: Proclamation – National Health Center Week.

Mayor O' Brien presented the proclamation to Yamilet Valladolid representing Golden Valley Health Centers.

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.

Mayor O'Brien spoke in regards to the increase of conflicts between neighbors.

William Johnson, District 1, Stanislaus County Veterans Advisory Commission Representative reported on accomplishments and services provided.

Larry Bird, Director of Modesto Irrigation District, requested a City Council Resolution of support on water issues with the State Water Board.

3. CONSENT CALENDAR

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

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

Item 3.B: Approval of the June 26, 2018, City Council and Local Redevelopment Authority Minutes as amended.

Item 3.C: 2018 Conflict of Interest Code – Biennial Notice.

Item 3.D: Award Bid for the Wastewater Treatment Plant Entrance Road Improvement Project to Garrett Thompson Construction, Inc., and Authorize Execution of Future Change Orders.

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 / Barber-Martinez / 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: Fosi, Campbell, Jones Cruz, Barber-Martinez, 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 notice for Item 5.1 was published in the Riverbank News on 01/11/2017.

Item 5.1: **Conduct the First Reading by Title Only of an Ordinance [No. 2018-005] Amending Title XV: Land Usage, Chapter 153: Zoning, Section 153.032 USES PERMITTED WITH A USE PERMIT and/or Section**

153.032 USES PERMITTED WITH A USE PERMIT and/or Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, by Repealing these Sections in their Entirety and Substituting them with a new Section 153.032 USES PERMITTED WITH A USE PERMIT and/or a new Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, to the Riverbank Municipal Code of Ordinances

It is recommended that the City Council conduct the first reading of the proposed ordinance amendments, take public comment, and consider which following ordinance amendment option to approve, which will be presented for the 2nd reading and consideration of adoption at the August 28, 2018, regular City Council meeting:

1. Substitution with a new Section 153.032 USES PERMITTED WITH A USE PERMIT, Single-Family Residential District R-1 Zone, to the Riverbank Municipal Code of Ordinances to conditionally permit personal skate ramps with a Conditional Use Permit; or
2. Substitution with a new Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, to the Riverbank Municipal Code of Ordinances to regulate personal skate ramps with height and setback restrictions. The Planning Commission recommends this option by a 4-1 vote; or
3. Substitution with a new Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, to the Riverbank Municipal Code of Ordinances to prohibit personal skate ramps in the R-1 zoning districts; or
4. Determine personal skate ramps in the R-1 zoning districts should not be regulated.

City Manager Sean Scully introduced the item as a previously discussed item by the City Council. Planning and Building Manager Donna Kenney presented the staff report.

Mayor O'Brien opened the public hearing at 6:28 p.m.

- *Mr. Thomas, Riverbank, resident spoke against approval of skate ramps on residential property.*

Mayor O'Brien closed the public hearing at 6:33 p.m.

City Council and Staff discussed the item.

ACTION: *By motion moved and seconded (Barber-Martinez / Fosi / passed 5-0) to approve the first reading and introduction of the proposed Ordinance [No. 2018-005] amendment Option #2 (restrictions with height and setbacks); with the additional amendments of: 1) Lowering the height of a skate ramp above ground from 6*

feet to 4 feet; 2) Requiring use of sound reducing materials; 3) The dBA level of sound to be no more than 65 or the level that is consistent to the Riverbank Municipal Code Noise ordinance; and 4) That activity is to cease by 10:00 p.m., or the time that coincides with the noise ordinance.

Motion carried by unanimous City Council roll call vote.

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

NAYS: None / ABSENT: None / ABSTAINED: None

6. NEW BUSINESS

Item 6.1: **A Resolution Approving Riverbanks Participation in the New Stanislaus Drug Enforcement Agency and Authorizing the City Manager to Execute the Associated Joint Powers Agreement** – It is recommended that the City Council consider for approving the attached resolution approving Riverbanks participation in the new Stanislaus Drug Enforcement Agency and authorizing the City Manager to execute the associated Joint Powers Agreement.

Police Chief Erin Kiely presented the staff report.

ACTION: *By motion moved and seconded (Campbell / Barber-Martinez / 5-0) to adopt Resolution No. 2018-057 approving Riverbanks Participation in the New Stanislaus Drug Enforcement Agency and Authorizing the City Manager to Execute the Associated Joint Powers Agreement as presented.*

Motion carried by unanimous City Council roll call vote.

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

NAYS: None / ABSENT: None / ABSTAINED: None

Item 6.2: **A Resolution [No. 2018-058] Authorizing the City Manager to Execute a Professional Service Agreement with Kjeldsen, Sinnock, & Nudeck Engineering as a Consultant to oversee the Smoke Testing of the Collection System for a Total not to exceed \$31,933.00** – It is recommended that the City Council authorize the City Manager to sign the agreement for Professional Engineering Services for Contract Administration and Project Management for Smoke Testing the Collection System.

Public Works Director Michael Riddell presented the staff report.

City Council and Staff discussed the item.

Public Comment was made by Mrs. Evelyn Halbert and requested information on what is in the smoke.

ACTION: *By motion moved and seconded (Barber-Martinez / Campbell / 5-0) to adopt Resolution No. 2018-058 Authorizing the City Manager to Execute a Professional Service Agreement with Kjeldsen, Sinnock, & Nudeck Engineering as a Consultant to oversee the Smoke Testing of the Collection System for a Total not to exceed \$31,933.00 as presented.*

Motion carried by unanimous City Council roll call vote.

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

NAYS: None / ABSENT: None / ABSTAINED: None

Item 6.3: **A Resolution [No. 2018-059] for Approval of an Equitable Project Cost Sharing and Reimbursement Agreement with the Stanislaus Tuolumne River Groundwater Basin Association for Preparation of a Groundwater Sustainability Plan** – It is recommended that the City Council consider approving the Stanislaus Tuolumne River Groundwater Basin Association Groundwater Sustainability Agency cost sharing agreement for the development of a Groundwater Sustainability Plan.

Public Works Director Michael Riddell presented the staff report.

Public comment was made by Mrs. Evelyn Halbert.

ACTION: *By motion moved and seconded (Jones Cruz / Fosi / 5-0) to adopt Resolution No. 2018-059 Approving an Equitable Project Cost Sharing and Reimbursement Agreement with the Stanislaus Tuolumne River Groundwater Basin Association for Preparation of a Groundwater Sustainability Plan as presented.*

Motion carried by unanimous City Council roll call vote.

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

NAYS: None / ABSENT: None / ABSTAINED: None

Item 6.4: **Designation of Voting Delegate and Alternate to Represent Riverbank and Participate in the Business Meeting at the 2018 League of California Cities Annual Conference** – It is recommended that City Council designate a Voting Delegate and appoint one or two alternates to attend the 2018 League of California Cities Annual Conference on September 12 - 14 at the Long Beach Convention Center to participate in the process of considering issues and taking action on resolutions that establish League policy.

City Manager Sean Scully presented the staff report.

ACTION: *By motion moved and seconded (Campbell / Jones Cruz / 5-0 appoint Mayor O'Brien as the primary voting delegate and Vice Mayor Barber-Martinez as the alternate. Motion carried by unanimous City Council roll call vote.*

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

NAYS: None / ABSENT: None / ABSTAINED: None

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

- *Public Works Michael Riddell commented on the reduced water pressure.*
- *City Manager Sean Scully announced the scheduled Time Capsule Fundraiser Event on Friday, August 17, 2018, and announced coordination of a voter registration presentation between the County Registrar of Voters and Saint Frances of Rome Church.*

Item 7.2: Council/Authority Member

- *Council/Authority Member Fosi commented on the parking of an RV or Boat in a driveway and the reasons for an existing ordinance on this matter.*
- *Council/Authority Member Campbell commented on the Historical Societies Time capsule Fundraiser.*
- *Council/Authority Member Jones Cruz commented on thanking the veterans for their service, and encouraged participation in City events.*
- *Vice Mayor/Chair Barber-Martinez announced the last Family Fun Night event.*

Item 7.3: Mayor/Chair

Mayor/Chair O'Brien commented on: 1.) Measure L slurry seal projects and expected delays, 2) the State's "water grab" and participation in a rally at the State Capital, and 3) City Council's support on SB 1.

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 REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property: 062-031-005, 062-031-006, 062-031-007
Agency Negotiator: Sean Scully, City Manager
Property Negotiator: Aemetis, Inc.

Item 8.2: CONFERENCE WITH LABOR NEGOTIATORS

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

Item 8.3: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: (1) potential case

Mayor/Chair O'Brien announced the Closed Session Items and opened the Items for public comment; no one spoke. The meetings were recessed and City Council went into Closed Session at 7:47 p.m.

9. REPORT FROM CLOSED SESSION

Mayor/Chair O'Brien reconvened the meetings at 8:59 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.

Item 9.2: Report from Closed Session on Item 8.2: **CONFERENCE WITH LABOR NEGOTIATORS** – Miscellaneous and Mid-Management Bargaining units

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

Item 9.3: Report from Closed Session on Item 8.3: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** (2) potential cases

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

ADJOURNMENT

There being no further business, Mayor/Chair O'Brien adjourned the meetings at 8:59 p.m.

ATTEST: *(Adopted 08/28/2018)*

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 28, 2018
Subject:	Out of State Travel Request to have Finance Staff Attend the Caselle Annual User Conference in Salt Lake City, UT and Itron Utility Week 2018 in Scottsdale, AZ
From:	Sean Scully, City Manager
Submitted by:	Anna Nicholas, Accounting Manager

RECOMMENDATION

It is recommended that the City Council approve the out-of-state travel request for the Accounting Technician of the Finance Department to attend the Caselle Annual User Conference in Salt Lake City, UT, on October 10-11, 2018 and for the primary utility billing Account Clerk II to attend Itron Utility Week in Scottsdale, AZ on September 29-October, 2, 2018.

SUMMARY

The Finance Department uses Caselle Connect software for all financial, accounting and customer service operations in the department. Due to the nature of the software continually being updated and enhanced, ongoing training is essential for optimal utilization of the software. The annual user conference provides an opportunity for users to engage in a cost-effective method of focused training on all the modules of the software, in addition to participation in user forums that provide an opportunity for users to work directly with Caselle on future product improvements. The staff member who will be attending the conference is an employee who works in all of the modules of the software, thus providing the greatest benefit to the department in which the employee can bring the information back to the department and share it with other employees who specialize in certain areas of the department.

As part of consumption billing, Finance staff will be expected to become well versed in the Itron fixed network system. This system is responsible for collecting meter reads and importing data into the financial management system for billing purposes. In addition, report analytics will be a key function utilized to research billing discrepancies and potential leaks. The attendee for this training has assumed the role of lead utility biller and will need to engage in necessary training to learn the new system and serve as a resource for other department staff. This training will provide the employee with some hands-on training using the Itron fixed network system, in addition to conversing with experts in the field and other municipal employees.

BACKGROUND

The Finance Department transitioned to the Caselle Financial Management software in 2016. The software is inclusive of various modules used in the operations of all aspects of municipal finance. The depth and complexity of the modules, in addition to the periodic software enhancements and product updates, require staff to engage in ongoing training. The current rate to have a Caselle trainer onsite is \$1,500 per day, per trainer. This does not include travel costs associated with the training, which is a cost paid by the requesting agency. The estimated cost for a Finance Department employee to attend the two-day conference, inclusive of travel costs is \$1,600.00. This will provide the employee with two full days of classes in various modules, in addition to face-to-face interaction with Caselle employees and other Caselle users.

The Finance Department is currently working with National Meter on the transition of all meter installation data into the financial management software, Caselle. The meters are equipped with encoder receiver transmitters (ERTs) that transmit meter reads to Itron, the fixed network. Once the data importation is completed to Caselle, file transfers will take place on a daily basis that sends data from Caselle to the Itron Fixed Network. Then, file transfers have to be performed to bring data back into Caselle from Itron. These transfers will be executed by the staff member assigned to utility billing in the Finance Department. In addition, staff will be able to perform inquiries and produce reports that display water use consumption. Use of the Itron system will transform customer service operations and utility billing as use of the system will need to be integrated into all utility billing operations with consumption billing.

STRATEGIC PLAN

The participation in this user conference will help support the Strategic Plan goals of:

1. Achieve and Maintain Financial Stability and Sustainability
2. Attract, Develop and Retain Quality Staff

FINANCIAL IMPACT

The approximate total costs associated with these trainings are:

Caselle Annual User Conference: \$1600.00, account 101-403.000-706.037

This training expense has already been budgeted for in the adoption of the preliminary FY 2018-19 budget.

Itron Utility Week 2018: \$4100.00, account 157-437.000-707.010, Meter Project.

ATTACHMENTS

There are no attachments to this report.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.D

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 28, 2018
Subject/ Title:	A Resolution Authorizing the Submittal of the Fiscal Year 2017-2018 Annual Program Income Report and Annual Performance Report for the Community Development Block Grant (CDBG) Program
From:	Sean Scully, City Manager
Submitted by:	Marisela H. Garcia, Assistant City Manager/Director of Finance

RECOMMENDATION:

It is recommended that the City Council adopt a Resolution authorizing the submittal of the Fiscal Year 2017-2018 Community Development Block Grant Grantee Performance Reports.

SUMMARY

Annually the City is required to submit a Program Income Report and Annual Performance Report to the Department of Housing and Community Development for its Community Development Block Grant Program. This report provides information regarding the program income received by the City and any new loans or expenditures made with these funds.

BACKGROUND

The Annual Program Income Report details the revenue received and expenses paid through Program Income. For the 2017-2018 Fiscal Year, the City received \$171,183 in Program Income funds which were available for our First Time Homebuyers and Housing Rehabilitation Programs, for a total Program Income balance as of June 30, 2018 of \$276,747.

Exhibit A, herein attached, reflects the activity occurring during the 2017-18 Fiscal Year for Program Income.

The Annual Performance Report provides information to the Department of Housing and Urban Development in the implementation of performance measures which are recorded in the Integrated Disbursement and Information System (IDIS). The GPR's demonstrate collected information within the past fiscal year on activities funded by open and active Standard Agreements (grant contracts) and/or Program Income accounts.

During the 2017-18 fiscal year, the city had an active Over the Counter Grant (16-CDBG-11211) for Commercial/Industrial Infrastructure Development in support of Repsco, Inc. which expires October 2019.

Exhibit B reflects the activity occurring as part of the active CDBG grant.

HOUSING PROGRAM STATUS

Unfortunately, the continuing rise of the housing market has not allowed the City to expend its Program Income on any First Time Homebuyer Loans or Housing Rehabilitation Programs. The State has established a maximum Purchase Price limit of \$257,000 for the City of Riverbank. Currently, average home prices range between \$330,000 and \$350,000 which cause these homes to be ineligible for our program.

Requirements of the active 2016 CDBG Grant mandate the City to use all program income on its programs prior to requesting any grant funding. This has left us in the precarious situation where we may need to spend down funds on non-housing related projects and jeopardize the future of our programs.

In June 2018, the City received an invitation from the Stanislaus Urban County Community Development Block Grant Program which would entitle the City to receive a guaranteed annual allocation of CDBG funding from the United States Department of Housing and Community Development (HUD). In meeting with Stanislaus County staff regarding the invitation, they stressed that the funding they received was primarily used to fund public infrastructure improvements in disadvantaged areas and not for housing programs. In addition, the City was not successful in its 2017 application for funding for the Community Center project and our housing programs.

FISCAL IMPACT:

Approval of the Annual Program Income Report and Annual Performance Report has no fiscal impact.

ATTACHMENTS:

1. Resolution
2. Exhibit A: Annual Program Income Report
3. Exhibit B: Annual Performance Report

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, AUTHORIZING THE SUBMITTAL OF THE FISCAL YEAR 2017-2018
ANNUAL PROGRAM INCOME REPORT AND ANNUAL PERFORMANCE REPORT
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

WHEREAS, The City Council of the City of Riverbank has received the Annual Program Income Report and Annual Performance Report for review at a regularly scheduled meeting held on August 28, 2018; and

WHEREAS, The City Council hereby accepts and authorizes the submittal of the Annual Program Income Report and Annual Performance Report.

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

1. Has reviewed and authorized the Annual Program Income Report and Annual Performance Report for submission to the State of California Department of Housing and Community Development; and
2. Authorizes the City Manager or his designee to sign all appropriate documents and submit the Annual Program Income Report and Annual Performance Report to the State of California Department of Housing and Community Development.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of August, 2018; motioned by Councilmember , seconded by Councilmember , and upon roll call was carried by the following City Council vote of :

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Annabelle H. Aguilar, CMC
City Clerk

Richard D. O'Brien
Mayor

Attachment:

Exhibit A: Annual Program Income Report
Exhibit B: Annual Performance Report

STATE OF CALIFORNIA
 Community Development Block Grant (CDBG)
 Program Income Report
 Semi-Annual 1 (July 1 - December 31)



Grantee / Jurisdiction Name:	Riverbank, City of	Fiscal Year:	17/18	Revised:	Yes	Date:	4/4/2018
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SECTION I NON-RLF PROGRAM INCOME

Do you intend to utilize the 35K rule for this Fiscal Year? Yes / No	Beginning PI Balance	Payments Received	Interest Earned	Total Deposit + Interest	Total PI + GA Expenses	Ending PI + GA Balance Available
	\$110,009	\$94,721	\$799	\$95,520	\$1,201	\$204,328
			Beginning GA Balance	GA Received	Total GA Expense	Total Maximum GA Available
GENERAL ADMINISTRATION Only			\$9,493	\$16,238	\$1,201	\$24,530

SECTION II REVOLVING LOAN FUNDS

Do you have an approved HOUSING RLF?	Yes / No	Beginning RLF Balance	RLF Payments Received	RLF Bank Interest Earned	Total RLF Deposit + Interest	Total RLF Expenses	Ending RLF Balance Available
Do you have an approved ED RLF?	Yes / No						
HOUSING Revolving Loan Fund	NO				\$0	\$0	\$0
ECONOMIC DEVELOPMENT Revolving Loan Fund	NO				\$0	\$0	\$0

COMMENTS	
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Grantee / Jurisdiction Name:	Riverbank, City of	Fiscal Year:	17/18	Revised:	Yes	Date:	4/4/2018
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Section III DETAIL OF TOTAL EXPENDITURES

PI General Administration Detail of Expenditures

Type of Expense	Amount	Type of Expense	Amount	Type of Expense	Amount
US Bank Equipment	\$81	Mo-Cal: Copies	\$239		
Staples - Supplies	\$145	Experian-Credit Checks	\$201		
Oakdale Leader-Public Notices	\$460	StepAside-Pest Inspection	\$75		

PI & RLF Detail of Expenditures	Make sure to bring all <i>non-completed</i> activities from previous FY forward into this FY.
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[illegible]

Grantee / Jurisdiction Name:	Riverbank, City of	Fiscal Year:	17/18	Revised:	Yes	Date:	4/4/2018
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[illegible]

Grantee / Jurisdiction Name:	Riverbank, City of	Fiscal Year:	17/18	Revised:	Yes	Date:	4/4/2018

Section intentionally left blank

COMMENTS

Preparer Certification			
This certification indicates that this report is true in all respects. All Program Income expenditures were for <u>CDBG eligible activities</u> that addressed <u>CDBG national objectives</u> and department approval was obtained in advance.			
Name of your CDBG Authorized Representative at local level?		Sean Scully, City Manager	
Preparer Name:	Rosa Casas	Phone:	209 863-7126
E-mail Address:	rcasas@riverbank.org		Date:
4/4/2018			
Submit a completed report, ELECTRONICALLY , to : CDBG.REPORTS@HCD.CA.GOV and cc your Jurisdiction's Authorized Representative			

Grantee / Jurisdiction Name: Riverbank, City of	Fiscal Year: 17/18	Revised: Yes	Date: 4/4/2018
HCD Representative Certification			
Name of HCD Representative: _____		Name of HCD Contracts Manager: _____	
HCD Representative Initials: _____	Date: _____	HCD Manager Initials: _____	Date: _____

STATE OF CALIFORNIA
 Community Development Block Grant (CDBG)
 Program Income Report
 Semi-Annual 2 (January 1 - June 30)



Grantee / Jurisdiction Name:	Riverbank, City of	Fiscal Year:	17/18	Revised:		Date:	7/31/2018
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SECTION I NON-RLF PROGRAM INCOME

Do you intend to utilize the 35K rule for this Fiscal Year? Yes / No	Beginning PI Balance	Payments Received	Interest Earned	Total Deposit + Interest	Total PI + GA Expenses	Ending PI + GA Balance Available
	\$204,328	\$73,343	\$2,320	\$75,663	\$3,244	\$276,747
			Beginning GA Balance	GA Received	Total GA Expense	Total Maximum GA Available
	GENERAL ADMINISTRATION Only		\$24,530	\$12,863	\$3,244	\$34,149

SECTION II REVOLVING LOAN FUNDS

Do you have an approved HOUSING RLF?	Yes / No	Beginning RLF Balance	RLF Payments Received	RLF Bank Interest Earned	Total RLF Deposit + Interest	Total RLF Expenses	Ending RLF Balance Available
Do you have an approved ED RLF?	Yes / No						
HOUSING Revolving Loan Fund	NO				\$0	\$0	\$0
ECONOMIC DEVELOPMENT Revolving Loan Fund	NO				\$0	\$0	\$0

COMMENTS	
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Section III DETAIL OF TOTAL EXPENDITURES

Grantee / Jurisdiction Name:	Riverbank, City of	Fiscal Year:	17/18	Revised:		Date:	7/31/2018
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PI General Administration Detail of Expenditures

Type of Expense	Amount	Type of Expense	Amount	Type of Expense	Amount
Step Aside-Pest Inspection	\$75	US Bank - Equipment	\$81		
Oakdale Leader - Program Guidelines	\$200	Mo-Cal - Copies	\$343		
Staples - Office Supplies	\$80	Salary Allocation	\$2,465		

PI & RLF Detail of Expenditures

Type of PI/RLF Expended	Activity	Owner / Project Name	Project Address	Total PI Activity Expended	Total PI AD Expended	Total PI Activity Previously Expended	Total PI AD Previously Expended	Total PI Expended to date	Project completed?

Type of PI/RLF Expended	Activity	Owner / Project Name	Project Address	Total PI Activity Expended	Total PI AD Expended	Total PI Activity Previously Expended	Total PI AD Previously Expended	Total PI Expended to date	Project completed?
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[illegible]

Grantee / Jurisdiction Name:	Riverbank, City of	Fiscal Year:	17/18	Revised:		Date:	7/31/2018

Per §91.320 (Action Plan), HCD must report the CDBG Program Income information. To achieve this and to meet requirements in 24 CFR 570.489(e)(3)(i) and (f)(1), please provide the following information:

The **anticipated** total amount of CDBG Program Income (PI) that will be received during 7/1/2018 and 6/30/2019: \$150,000

From below, choose the national objective(s) expected to be carried out with the program income and the activity type(s) served with the funds.

National Objective	LMH - Low/mod housing benefit	LMA - Low / mod area benefit	LMA - Low / mod area benefit		
Activity	(13) Homeownership Direct Assistance	(14A) Rehab; Single-Unit Residence	(03L) Sidewalks		

COMMENTS

Preparer Certification

This certification indicates that this report is true in all respects. All Program Income expenditures were for CDBG eligible activities that addressed CDBG national objectives and department approval was obtained in advance.

Name of your CDBG Authorized Representative at local level? Sean Scully, City Manager

Preparer Name: Marisela Garcia Phone: (209) 863-7110 E-mail Address: housingprograms@riverbank.org Date: 7/31/2018

Submit a completed report, **ELECTRONICALLY**, to : CDBG.REPORTS@HCD.CA.GOV and cc your Jurisdiction's Authorized Representative

HCD Representative Certification

Name of HCD Representative: _____ Name of HCD Manager _____

HCD Representative Initials: _____ Date: _____ HCD Manager Initials _____ Date: _____

STATE OF CALIFORNIA
Community Development Block Grant (CDBG)
Combined Annual Program Income Report

Grantee / Jurisdiction Name:	Riverbank, City of	Fiscal Year: 17/18		Date:	7/31/2018
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	Beginning PI Balance	Payments Received	Interest Earned	Total Deposit + Interest	Total PI + GA Expenses	Ending PI + GA Balance Available
PROGRAM INCOME Only						
Semi-Annual 1	\$110,009	\$94,721	\$799	\$95,520	\$1,201	\$204,328
Semi-Annual 2	\$204,328	\$73,343	\$2,320	\$75,663	\$3,244	\$276,747
	Total			\$171,183	\$4,445	\$276,747

	Beginning GA Balance	GA Received	Total GA Expense	Total Maximum GA Available	
GENERAL ADMINISTRATION Only					
Semi-Annual 1	\$9,493	\$16,238	\$1,201	\$24,530	
Semi-Annual 2	\$24,530	\$12,863	\$3,244	\$34,149	
	Total	\$29,101	\$4,445	\$34,149	

	Beginning Balance	Payments Received	Interest Earned	Total Deposit + Interest	Total Expenses	Ending Balance Available
HOUSING Revolving Loan Fund						
Semi-Annual 1	\$0	\$0	\$0	\$0	\$0	\$0
Semi-Annual 2	\$0	\$0	\$0	\$0	\$0	\$0
	Total			\$0	\$0	\$0

ED Revolving Loan Fund						
Semi-Annual 1	\$0	\$0	\$0	\$0	\$0	\$0
Semi-Annual 2	\$0	\$0	\$0	\$0	\$0	\$0
	Total			\$0	\$0	\$0

Total Annual Program Income Received	\$171,183
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HCD CDBG
State of California

APR Matrix
CDBG Annual Performance Report
Reporting Period July 1, 2017 through June 30, 2018

DUE DATE: Tuesday, July 31, 2018

FOR CDBG RECIPIENT USE ONLY	
Revision #	Date 07/31/18

1. CDBG Recipient (CR) / Grantee: Riverbank, City of		5. Contact Information:						
2. CDBG Recipient's Address: 6707 Third Street Riverbank 95367 Street City Zip		Marisela H. Garcia City of Riverbank Preparer's Name Organization (209) 863-7110 housingprograms@riverbank.org Phone Email						
3. Name of the Administrative Subcontractor (if applicable) 		4. Date 7/31/2018		Will the same person be preparing <u>all</u> APR forms? Yes			By selecting "Yes", preparer's contact information will auto-populate all APR Forms.	
6. The questions below pertain to contract activity during the reporting period. Complete and submit all applicable Attachments for the questions that are answered with a "Yes." ("Yes" responses will have a bold "X" and be highlighted in green.)		Yes/ No	Attachment A Program Income	Attachment B MBE/WBE Report	Attachment C Public Service or Micro TA	Attachment D Relocation	Attachment E Fair Housing Demographic Analysis	Attachment F Section 3
a) Program Income (PI) Has the CR (CDBG Recipient) ever issued loans derived from a CDBG grant or PI funds? Complete CDBG Semi-Annual Program Income Report at: Att A: CDBG Semi-Annual PI Report		Yes	X					
b) Minority Business Enterprise and Women Business Enterprise (MBE/WBE) Did the CR enter into any construction contracts, consultant contracts and/or Subrecipient Agreements during the reporting period?		Yes		X				
c) Public Service or Micro Technical Assistance Accomplishments Did the CR have Public Services and/or Micro TA activities in any open contracts, supplemental activities, and/or Program Income Waiver projects?		No						
d) Relocation Did the CR assist an activity which included the acquisition, replacement of property, or displacement (relocation) of any person, business, or non-profit organization during the reporting period?		Yes				X		
e) Fair Housing Demographic Analysis Did the CR have an active program or public service activity during the reporting period (Housing Rehab (1-4), Housing Rehab (5 or more), Micro, Business Assistance or Public Services)?		Yes					X	
f) Section 3 1) Did the CR have an <u>active</u> contract (including supplementals)? And 2) Did this contract exceed \$200,000? And 3) Did this contract include any of the following activities that involve CONSTRUCTION? 		Yes Yes No						
7. MBE/WBE & Section 3 Stand-Alone forms for Contractors and Subcontractors		Yes/ No		Att. B MBE/WBE Stand-Alone				Att. F Sect. 3 Stand-Alone
a) Did the CR have any Contractors or Subcontractors who executed contracts during the reporting period ?		Yes		X				
b) Did the CR have any Contractors or Subcontractors with construction or rehabilitation contracts exceeding \$100,000 regardless of when the contracts were executed?		No						
Please distribute "Attachment B & F: Stand-Alone (CDBG MBE-WBE & Section 3)" to all Contractors and Subcontractors. Click link to retrieve stand-alone form Att B & F - CDBG MBE/WBE & Section 3 Stand-Alone 2017/2018								



Attachment D - Relocation and Real Property Acquisition

CDBG Annual Performance Report

Reporting Period July 1, 2017 through June 30, 2018

HCD CDBG
State of California

CDBG Recipient Name:	Riverbank, City of			Date:	07/31/18
Preparer's Name	Organization	Phone	Email		
Marisela H. Garcia	City of Riverbank	(209) 863-7110	housingprograms@riverbank.org		

Complete this form if assisting an activity which entails acquisition of real property triggering displacement of any person, business or nonprofit organization during the reporting period.

Table I - Please provide the following information for all real property (land and/or buildings) either acquired or assisted by CDBG funds.

	Number	Cost
<u>Properties</u> Acquired triggering relocation (number and purchase price)	0	
<u>Businesses</u> Displaced Permanently	0	
<u>Nonprofit Organizations</u> Displaced Permanently	0	
<u>Households</u> Temporarily Relocated (less than 12 months)	0	

Table II - Permanent Displacements Only - Provide information on any households permanently displaced as a result of real property (land and/or buildings) either acquired or assisted by CDBG Funds.

Households Displaced Permanently Race/Ethnicity Group	Hispanic Ethnicity		Non-Hispanic Ethnicity	
Race	Number of Households Displaced	Relocation Cost	Number of Households Displaced	Relocation Cost
White				
Black/African American				
Asian				
American Indian/Alaskan Native				
Nat. Hawaiian/Other Pacific Isl.				
Am. Indian/Alaskan Nat. & White				
Asian & White				
Black/African American & White				
Other Multi-Racial				



HCD CDBG
State of California

Attachment E - CDBG Fair Housing Demographic Analysis CDBG Annual Performance Report Reporting Period July 1, 2017 through June 30, 2018



8/15/2018

Jurisdiction Name

Riverbank city

Please see Page 3 for instructions.

Funding Source(s) (Check all that apply)		CDBG Program Activities			Contract #
☐ CDBG Std. Agreement ☐ HOME Std. Agreement ☐ Other (Specify)	☒ CDBG P.I. ☒ HOME P.I.	☐ Housing Rehab (1-4) ☐ Housing Rehab (5 or more) ☒ Homebuyer Assistance	☐ Public Services ☐ Business Assistance	☐ Micro-Enterprise L/G ☐ Micro-Enterprise TA	Activity Name

Geographic Area	Riverbank city		Census Data Geographic Area	61068	Total Population	23,310
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Ethnic Categories	Census		Applicants			Beneficiaries			Rejected/Withdrawn Applicants			Waiting List		
	#	%	#	%	Difference	#	%	Difference	#	%	Difference	#	%	Difference
Hispanic or Latino	12,499	53.62%	55	69.62%	16.00%	0	0.00%	-53.62%	5	100.00%	46.38%	3	50.00%	-3.62%
Not Hispanic or Latino	10,811	46.38%	24	30.38%	-16.00%	0	0.00%	-46.38%	0	0.00%	-46.38%	3	50.00%	3.62%

Racial Categories	Census		Applicants			Beneficiaries			Rejected/Withdrawn Applicants			Waiting List		
	#	%	#	%	Difference	#	%	Difference	#	%	Difference	#	%	Difference
White	18,302	78.52%	37	44.05%	-34.47%	0	0.00%	-78.52%	0	0.00%	-78.52%	2	33.33%	-45.18%
Black/African American	402	1.72%	7	8.33%	6.61%	0	0.00%	-1.72%	0	0.00%	-1.72%	2	33.33%	31.61%
Asian	799	3.43%	2	2.38%	-1.05%	0	0.00%	-3.43%	0	0.00%	-3.43%	0	0.00%	-3.43%
American Indian/Alaskan Native	128	0.55%	4	4.76%	4.21%	0	0.00%	-0.55%	0	0.00%	-0.55%	0	0.00%	-0.55%
Native Hawaiian/Other Pacifica Isl.	149	0.64%	1	1.19%	0.55%	0	0.00%	-0.64%	0	0.00%	-0.64%	0	0.00%	-0.64%
Am. Indian/Alaskan Native & White	124	0.53%	0	0.00%	-0.53%	0	0.00%	-0.53%	0	0.00%	-0.53%	0	0.00%	-0.53%
Asian & White	284	1.22%	0	0.00%	-1.22%	0	0.00%	-1.22%	0	0.00%	-1.22%	0	0.00%	-1.22%
Black/African Am. & White	157	0.67%	0	0.00%	-0.67%	0	0.00%	-0.67%	0	0.00%	-0.67%	0	0.00%	-0.67%
Am. Indian/Alaskan & Black/African	24	0.10%	0	0.00%	-0.10%	0	0.00%	-0.10%	0	0.00%	-0.10%	0	0.00%	-0.10%
Other Multi-Racial	2,456	10.54%	33	39.29%	28.75%	0	0.00%	-10.54%	5	100.00%	89.46%	2	33.33%	22.80%

Other Demographic Data	Census		Applicants			Beneficiaries			Rejected/Withdrawn Applicants			Waiting List		
	#	%	#	%	Difference	#	%	Difference	#	%	Difference	#	%	Difference
Female Head of Household	883	3.79%	38	48.10%	44.31%	0	0.00%	-3.79%	2	40.00%	36.21%	3	50.00%	46.21%
Other Head of Household	22,427	96.21%	41	51.90%	-44.31%	0	0.00%	-96.21%	3	60.00%	-36.21%	3	50.00%	-46.21%

Participant Disabled	2,308	9.90%	20	25.32%	15.42%	0	0.00%	-9.90%	0	0.00%	-9.90%	2	33.33%	23.43%
Participant Not Disabled	21,002	90.10%	59	74.68%	-15.42%	0	0.00%	-90.10%	5	100.00%	9.90%	4	66.67%	-23.43%

Veteran	904	3.88%	0	0.00%	-3.88%	0	0.00%	-3.88%	0	0.00%	-3.88%	0	0.00%	-3.88%
Not a Veteran	22,406	96.12%	79	100.00%	3.88%	0	0.00%	-96.12%	5	100.00%	3.88%	6	100.00%	3.88%

Elderly	389	1.67%	5	6.33%	4.66%	0	0.00%	-1.67%	0	0.00%	-1.67%	1	16.67%	15.00%
Singe/Non Elderly	831	3.56%	5	6.33%	2.76%	0	0.00%	-3.56%	0	0.00%	-3.56%	0	0.00%	-3.56%
Related/Single Parent	828	3.55%	20	25.32%	21.76%	0	0.00%	-3.55%	1	20.00%	16.45%	3	50.00%	46.45%
Related Two Parent	2,312	9.92%	36	45.57%	35.65%	0	0.00%	-9.92%	4	80.00%	70.08%	2	33.33%	23.41%
Other	18,950	81.30%	13	16.46%	-64.84%	0	0.00%	-81.30%	0	0.00%	-81.30%	0	0.00%	-81.30%

Questionnaire

HUD has defined "impediments to fair housing choice" to include specific actions as well as the lack of actions as follows:

- Any actions, omissions or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices; and
- Any action, omissions, or decisions which have the *effect* of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

In its simplest form, a study of Fair Housing barriers addresses the question: Do all residents and potential residents of this Jurisdiction have equal access to housing regardless of their race, color, religion (creed), sex, disability, familial status, age, or national origin? if not, why?

If the "Difference" field (page 1) is greater than 10%, field will turn red; please respond to questions below in reference to these numbers. Attach additional pages if necessary.

1. Does any of the demographic data show low representation of any protected groups in either your applicants, beneficiaries, rejected applicants or waiting list?

No.

2. What reasons have you identified for these low numbers?

Continual marketing must be undertaken to ensure that information regarding our program is available.

3. What actions have you taken to date to correct the reasons for low numbers?

Additional marketing in the City's local papers (Modesto Bee & Riverbank News) as well as marketing through our utility bills and through local real estate brokers.

4. What actions do you plan to take in the future to correct these low numbers?

Continue marketing efforts.

5. Has your organization set up and maintained records reflecting the study and actions taken? If no, why not?

Yes.

Prepared By: Name

Marisela H. Garcia

Title

Assistant City Manager

Telephone Number

(209) 863-7110

e-mail Address

housingprograms@riverbank.org

Date

July 31, 2018

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 4.1

SECTION 4: UNFINISHED BUSINESS

Meeting Date: August 28, 2018

Subject: Second Reading by Title Only and Adoption of Proposed **Ordinance No. 2018-005**, Amending Title XV: Land Usage, Chapter 153: Zoning, Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, by Repealing this Section in its Entirety and Substituting it with New Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, to the Riverbank Municipal Code of Ordinances

From: Sean Scully, City Manager

Submitted by: Donna M. Kenney, Planning and Building Manager
Annabelle H. Aguilar, CMC, City Clerk

RECOMMENDATION

It is recommended that the City Council conduct the second reading by title only of the proposed ordinance and consider its adoption by roll call vote.

INTRODUCTION

A Public Hearing was conducted at the regular City Council meeting on July 24, 2018, to receive public opinions or evidence for or against the proposed Ordinance (now titled Ordinance No. 2018-005). After its first reading and introduction by title only, the City Council discussed and considered all information, providing direction for Staff to move forward with presenting ordinance amendment option #2, with additional amendments to it, for the second reading and consideration of its adoption on August 28, 2018.

SUMMARY

At the July 24, 2018, City Council public hearing, Staff presented the following ordinance amendment options:

1. Substitution with a new Section 153.032 USES PERMITTED WITH A USE PERMIT, Single-Family Residential District R-1 Zone, to the Riverbank Municipal Code of Ordinances to conditionally permit personal skate ramps with a Conditional Use Permit; or

2. Substitution with a new Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, to the Riverbank Municipal Code of Ordinances to regulate personal skate ramps with height and setback restrictions. The Planning Commission recommends this option by a 4-1 vote; or
3. Substitution with a new Section 153.033 BUILDING REQUIREMENTS, Single-Family Residential District R-1 Zone, to the Riverbank Municipal Code of Ordinances to prohibit personal skate ramps in the R-1 zoning districts; or
4. Determine personal skate ramps in the R-1 zoning districts should not be regulated.

Furthermore, a code enforcement case involving privacy, noise, and lighting concerns with a personal skate ramp in a single family residential yard has continued for months; hindered by a lack of specific regulations to address those concerns. The Riverbank Planning Commission held two public hearings and participated in a discussion in which ramp height, setbacks, conditional use permits, an outright ban, and the non-enforcement of ramps were the topics that were considered. The Planning Commission, by a vote of 4-1 in favor, recommended that the City Council approve setback and height requirements for personal skate ramps in the R-1 zoning districts.

The City Council conducted a public hearing on July 24th to consider the subject matter, any public comments received, and recommendations made. After extensive discussion and consideration of all the information provided, City Council unanimously voted to consider ordinance amendment option #2, with the additional amendments of: 1) Lowering the skate ramp height above ground from 6 feet to 4 feet; 2) Requiring the use of sound reducing materials; 3) The dBA level of sound to be no more than 65, or the level that is consistent with the Riverbank Municipal Code noise ordinance; and 4) That the skate ramp activity is to cease by 10:00 p.m., or the time that coincides with the City's noise ordinance. The second reading of the proposed ordinance amendments, and consideration for adoption would be conducted at the next City Council meeting.

BACKGROUND

Staff previously brought an amendment to regulate personal skate ramps with a Conditional Use Permit (CUP) to the Planning Commission September 19, 2017 as part of a comprehensive update to the residential code sections, but the Planning Commission requested this item be removed from that update so further research and discussion could occur. Staff then brought this forward as an informational item to the regular January 16, 2018 Planning Commission meeting to get direction. There was general agreement that the Planning Commission still wanted to discuss this item. Staff conducted research into other cities' regulations but did not find much locally. There were newspaper articles online outlining neighbor complaints in various cities but a search of the cities' zoning codes shows very few complaints led to the regulation of personal skate ramps.

On March 20, 2018 staff brought the additional research and information to the Planning Commission and offered them three options to address skate ramps in backyards: 1. a

Conditional Use Permit process; 2. an outright ban; and 3. to not regulate them at all. The Planning Commission did not choose any of these three options, instead giving staff direction to prepare a zoning ordinance amendment that requires twelve (12) foot setbacks from each property line and a maximum structure height of six (6) feet excluding handrails (“option 4”). This item went back to the Planning Commission on May 15, 2018 for additional public comment and the Commissioners voted 4-1 to recommend the height and setback amendment to the City Council.

A City Council public hearing was conducted on May 22, 2018, to consider the Planning Commission’s ordinance recommendation, along with public comments provided. After extensive discussion, and consideration of all information presented, City Council unanimously voted to continue the item to allow Staff additional time to further analyze the subject matter, which would be presented at a future meeting.

After further analysis, a public hearing notice was published on July 4, 2018, announcing a scheduled hearing to consider the proposed ordinance at the July 24, 2018, City Council meeting. Four (4) ordinance amendment options were presented, and after extensive consideration, City Council unanimously voted to consider Option #2 (height and setback amendment) with the additional amendments to the ordinance (see summary above).

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 (3) years. The approval of an amendment to regulate skate ramps is not a stated strategic goal but is consistent with the General Plan goal to “To be recognized as a premier community where individuals, families and businesses thrive in a safe and beautiful environment.”

FINANCIAL IMPACT

Unknown code enforcement costs, including staff hours for inspections, hearing preparations, and re-inspection hours.

ATTACHMENT

1. Proposed Ordinance 2018-005
2. Redline version of proposed Ordinance

CITY OF RIVERBANK

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AMENDING TITLE XV: LAND USAGE, CHAPTER 153: ZONING, SECTION 153.033 BUILDING REQUIREMENTS, SINGLE-FAMILY RESIDENTIAL DISTRICT R-1 ZONE, BY REPEALING THIS SECTION IN ITS ENTIRETY AND SUBSTITUTING IT WITH NEW SECTION 153.033 BUILDING REQUIREMENTS, SINGLE-FAMILY RESIDENTIAL DISTRICT R-1 ZONE, TO THE RIVERBANK MUNICIPAL CODE OF ORDINANCES

WHEREAS, the City has been working for months on a code enforcement case involving a personal skate ramp in an R-1, Single Family Residential zoning district back yard, which is causing privacy, noise, and lighting concerns for the neighbors, hindered by a lack of specific regulations to address the concerns; and

WHEREAS, on May 2, 2018, notice of the Planning Commission public hearing was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City; and

WHEREAS, the Planning Commission held a public hearing on May 15, 2018, to consider the proposed amendment to the City of Riverbank Municipal Code; and

WHEREAS, the proposed Zoning Code amendment complies with the General Plan in that the Noise Element's Overarching Goal for the Environment is to "Ensure that Noise does not Substantially Reduce the Quality of Urban Life"; and

WHEREAS, the amendment to the City of Riverbank Municipal Code is exempt from environmental review because it is not a project within the meaning of Section 15378 of the State CEQA Guidelines; and

WHEREAS, on July 11, 2018, notice of the City Council public hearing was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City; and

WHEREAS, the City Council held a public hearing on July 24, 2018, to consider the proposed amendment to the City of Riverbank Municipal Code; and

WHEREAS, The Riverbank City Council made the following finding:

1. The regulation of personal skate ramps through height and setback restrictions in the Single Family Residential Zoning District (R-1) is consistent with the goals, policies, programs, and uses of the General Plan.

NOW, THEREFORE THE CITY OF RIVERBANK CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1: Title XV: Land Usage, Chapter 153: Zoning, Section 153.033 Building Requirements, Single-Family Residential District R-1 Zone, of the Riverbank Municipal Code shall be repealed in its entirety and replaced with a new Title XV: Land Usage, Chapter 153: Zoning, Section 153.033 Building Requirements, Single-Family Residential District R-1 Zone, which shall read as follows:

Title XV: Land Usage, Chapter 153: Zoning

§153.033 BUILDING REQUIREMENTS

(A) *Height limit.*

(1) For dwellings and other main buildings, including accessory dwelling units – 35 feet.

(2) For accessory buildings and structures:

(a) Sheds: A subordinate structure or building used primarily for storage purposes, of a height no greater than 15 feet and the total square footage of which does not exceed 120 square feet. Sheds that exceed 120 square feet shall require a building permit;

(b) Gazebos 15 feet: An accessory building consisting of a detached, covered, free-standing, open-air structure not exceeding 300 square feet.

(c) Skate Ramps (Half-pipes and similar structures): For purposes of this section, “half-pipe” means a smooth-surfaced outdoor structure shaped like a trough and used in gravity extreme sports such as skateboarding, freestyle BMX, or in-line skating. Portions of the half-pipe may be located below ground, but in no case shall any portion of the half-pipe exceed four (4) feet in height above ground level excluding hand rails. If a change in elevation has occurred since the original construction of the dwelling unit, for example a dirt pad constructed, the height of the half-pipe excluding hand rails shall be two (2) feet less than the top of a surrounding six (6) foot privacy fence.

Ramps shall be constructed with sound-dampening materials such as insulation, foam-board sheathing, rammed earth, and similar. Consistent with the General Plan’s Noise Element, the recurring impulse noises created by ramps shall not exceed 55 dBA between the hours of 7 am and 10 pm or 40 dBA between 10 pm and 7 am. Noise measurements shall be taken at a side or rear property line.

(B) No fence (excluding wire fences and non-solid fences which do not limit visibility as determined by the Planning Director) shall be constructed in excess of eight feet in

height within any side or rear yard, except fences within the side or rear yard which enclose electrical substations which may be constructed to the heights required by law.

(1) *Architectural accent fences.* Small architectural accent fences within the required ten foot front yard setback, are allowed to be constructed no higher than three feet out to the back of the sidewalk. They shall be constructed and maintained so to be harmonious with the neighborhood. In no case may a utility meter be enclosed. Fences shall remain a minimum of three feet from all sides of a fire hydrant.

(2) *Front yard courtyards.* Courtyard is defined as an uncovered area partly or wholly enclosed by buildings or walls and used primarily for supplying access, light, and air to the dwelling. Walls shall not enclose more than two sides of the courtyard. Courtyard walls shall be no higher than four feet six inches. Front yard courtyard fences shall be constructed of material and colors consistent and complementary to the design of the main structure. Courtyards shall be determined by the Community Development Director and it is recognized that not all dwelling types will have a courtyard. Courtyard fences shall be located no closer than 13 feet behind the front property line.

(3) *Solid fences, walls, hedges and retaining walls.* Solid fences, walls, hedges and retaining walls not more than seven feet in height may occupy any required yard or other space, except that fences, walls, hedges and retaining walls shall be no higher than three feet when located in the required front yard setback area, in the required setback areas along the side street of a corner lot and along the rear or side lot line of a reversed corner lot where it abuts the front yard of the adjoining key lot. Walls and retaining walls over four feet in height require engineering and a permit.

(4) *Corner lots.* Within the front or street side yard of a corner lot in any district there shall be no solid fence, wall or hedge height greater than three feet nor any obstruction other than a post, building column or tree not more than two feet in diameter, between the height of three feet six inches and ten feet above the top of the curb, or if no curb exists, above maximum street grade.

(5) *Transparent fences.* Notwithstanding any other regulation herein, fences with 90% transparency no higher than four feet may occupy the required front setback area along the side street of a corner lot and along the rear or side lot line or a reverse corner lot where it abuts the front yard of the adjoining key lot. Vision through the fence shall remain totally unobstructed at all times.

(6) *Fence height.* The height of a fence shall be measured from the higher property elevation.

(7) *Sight distance triangle - obstructions.* No obstruction to view in excess of three feet in height shall be placed in any corner or reverse corner lot within a triangular area formed by the extension of the lot line to a point of intersection and a line connecting them at a distance of 30 feet to said intersection. Except for natural land formations, a sight distance triangle for a driveway with a distance of ten feet from back of sidewalk towards the dwelling and ten feet along the sidewalk in either direction shall be maintained free of obstructions in excess of three feet in height.

(8) *Fence permits.* A fence permit, issued by the Community Development Department shall be obtained prior to the erection of any fence over six feet in height within the city.

(Ord. 87-11, passed 7-27-87; Am. Ord. 2004-001, passed 6-14-04)

(C) *Yards and open spaces required.*

(1) Front yard and side yard of a corner lot - not less than ten feet from the planned right-of-way line provided that no vehicle opening of any building is closer than 20 feet to the property line or planned right-of-way line toward which the opening faces. Corner lot driveways shall not be located on the half of the lot frontage nearest the radius return, or closer than 20 feet to said radius return.

(2) Side or rear yard when lot abuts an arterial - ten feet.

(3) Side or rear yard, interior lots all other cases - five feet.

(4) Detached accessory buildings - six feet from any other buildings.

(5) A detached accessory building or structure other than a covered patio as defined herein, may not occupy more than 50% of a required rear yard, subject to the following requirements:

(a) Within an "R" District, no detached accessory building shall be closer than six feet to the main building, exclusive of roof covering.

(b) Within the R-1 District, no skate ramp (half-pipes and similar structures) shall be closer than twelve (12) feet to any property line and a minimum of six (6) feet from other structures.

(Ord. 90-01, passed 1-22-90; Am. Ord. 2004-001, passed 6-14-04)

(D) *Lot coverage.* No more than 50% of the lot may be covered by buildings.

(E) *Off-street parking.* As required in § 153.184 of this chapter.

(F) *Minimum building size.*

(1) Single-family dwellings and mobile homes – 900 square feet.

(2) All other uses - no minimum size.

(G) *Building site area and density required.*

(1) Maximum permissible density is eight dwelling units per net acre.

(2) Minimum area - 6,000 square feet.

(3) Minimum width, interior lot – 55 feet.

(4) Minimum width, corner lot – 65 feet.

(5) Minimum depth – 100 feet unless otherwise approved by the Planning Commission or City Council, whichever is the final decision-making body. Plot plans of lots for which less than the minimum depth is requested, may be required to ensure that the lot is usable for residential purposes.

(Ord. 87-11, passed 7-27-87)

(H) *Open space requirements.* All multiple residential uses of two or more dwelling units on one lot shall provide a fenced playground (or other open space in the case of an adult-only facility) of at least 50 square feet per unit with a minimum area of 300 square feet provided regardless of the number of units. This area shall not be a lineal open space but should have a width to depth ratio not exceeding one to two (1:2). Except in very large complexes (more than 50 units) this required open space shall be in one location.

(1) Allowed uses include playgrounds, walking and biking paths/trails, picnic areas, and community flower and vegetable gardens.

(2) Open space can be managed by a third party using land trusts or conservation easements.

(`67 Code, § 10-3-4) (Ord. 2004-001, passed 6-14-04)

(I) *Landscape areas.* No more than 50% of a residential front yard shall be paved and no more than 50% of a rear yard shall be paved. An interior side yard may be paved if a minimum of one foot is left unpaved along the side property line.

(J) *Driveways.* The minimum distance between approaches serving the same parcel of land shall be 20 feet. The minimum setback of a driveway to a side property line is five feet and from a dwelling unit three feet.

(Am. Ord. 2017-010, passed 10-24-17)

§ SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this chapter, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 2: This Ordinance shall become effective thirty (30) days from and after its final passage August 14, 2018, provided it is published pursuant to GC § 36933 in a newspaper of general circulation within fifteen (15) days after its adoption.

The foregoing ordinance was given its first reading and introduced by title only at a regular meeting of the City Council of the City of Riverbank on July 24, 2018. Said ordinance was given a second reading by title only and adopted.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Riverbank at a regular meeting on the ___day of ____; motioned by Councilmember _____, seconded by Councilmember _____; moved said ordinance by a City Council _____ vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Annabelle H. Aguilar, CMC
City Clerk

Richard D. O'Brien
Mayor

APPROVED AS TO FORM:

Tom P. Hallinan, City Attorney

Title XV: Land Usage, Chapter 153: Zoning Redline

§153.033 BUILDING REQUIREMENTS

(A) *Height limit.*

(1) For dwellings and other main buildings, including accessory dwelling units – 35 feet.

(2) For accessory buildings and structures:

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(b) Gazebos 15 feet: An accessory building consisting of a detached, covered, free-standing, open-air structure not exceeding 300 square feet.

(c) Skate Ramps (Half-pipes and similar structures): For purposes of this section, “half-pipe” means a smooth-surfaced outdoor structure shaped like a trough and used in gravity extreme sports such as skateboarding, freestyle BMX, or in-line skating. Portions of the half-pipe may be located below ground, but in no case shall any portion of the half-pipe exceed four (4) feet in height above ground level excluding hand rails. If a change in elevation has occurred since the original construction of the dwelling unit, for example a dirt pad constructed, the height of the half-pipe excluding hand rails shall be two (2) feet less than the top of a surrounding six (6) foot privacy fence.

Ramps shall be constructed with sound-dampening materials such as insulation, foam-board sheathing, rammed earth, and similar. Consistent with the General Plan’s Noise Element, the recurring impulse noises created by ramps shall not exceed 55 dBA between the hours of 7 am and 10 pm or 40 dBA between 10 pm and 7 am. Noise measurements shall be taken at a side or rear property line.

(B) No fence (excluding wire fences and non-solid fences which do not limit visibility as determined by the Planning Director) shall be constructed in excess of eight feet in height within any side or rear yard, except fences within the side or rear yard which enclose electrical substations which may be constructed to the heights required by law.

(1) Architectural accent fences. Small architectural accent fences within the required ten foot front yard setback, are allowed to be constructed no higher than three feet out to the back of the sidewalk. They shall be constructed and maintained so to be harmonious with the neighborhood. In no case may a utility meter be enclosed. Fences shall remain a minimum of three feet from all sides of a fire hydrant.

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and colors consistent and complementary to the design of the main structure. Courtyards shall be determined by the Community Development Director and it is recognized that not all dwelling types will have a courtyard. Courtyard fences shall be located no closer than 13 feet behind the front property line.

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(4) *Corner lots.* Within the front or street side yard of a corner lot in any district there shall be no solid fence, wall or hedge height greater than three feet nor any obstruction other than a post, building column or tree not more than two feet in diameter, between the height of three feet six inches and ten feet above the top of the curb, or if no curb exists, above maximum street grade.

(5) *Transparent fences.* Notwithstanding any other regulation herein, fences with 90% transparency no higher than four feet may occupy the required front setback area along the side street of a corner lot and along the rear or side lot line or a reverse corner lot where it abuts the front yard of the adjoining key lot. Vision through the fence shall remain totally unobstructed at all times.

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(7) *Sight distance triangle - obstructions.* No obstruction to view in excess of three feet in height shall be placed in any corner or reverse corner lot within a triangular area formed by the extension of the lot line to a point of intersection and a line connecting them at a distance of 30 feet to said intersection. Except for natural land formations, a sight distance triangle for a driveway with a distance of ten feet from back of sidewalk towards the dwelling and ten feet along the sidewalk in either direction shall be maintained free of obstructions in excess of three feet in height.

(8) *Fence permits.* A fence permit, issued by the Community Development Department shall be obtained prior to the erection of any fence over six feet in height within the city.

(Ord. 87-11, passed 7-27-87; Am. Ord. 2004-001, passed 6-14-04)

(C) *Yards and open spaces required.*

(1) Front yard and side yard of a corner lot - not less than ten feet from the planned right-of-way line provided that no vehicle opening of any building is closer than 20 feet to the property line or planned right-of-way line toward which the opening faces. Corner lot driveways shall not be located on the half of the lot frontage nearest the radius return, or closer than 20 feet to said radius return.

(2) Side or rear yard when lot abuts an arterial - ten feet.

(3) Side or rear yard, interior lots all other cases - five feet.

(4) Detached accessory buildings - six feet from any other buildings.

(5) A detached accessory building or structure other than a covered patio as defined herein, may not occupy more than 50% of a required rear yard, subject to the following requirements:

(a) Within an "R" District, no detached accessory building shall be closer than six feet to the main building, exclusive of roof covering.

(b) Within the R-1 District, no skate ramp (half-pipes and similar structures) shall be closer than twelve (12) feet to any property line and a minimum of six (6) feet from other structures.

(Ord. 90-01, passed 1-22-90; Am. Ord. 2004-001, passed 6-14-04)

(D) *Lot coverage.* No more than 50% of the lot may be covered by buildings.

(E) *Off-street parking.* As required in § 153.184 of this chapter.

(F) *Minimum building size.*

(1) Single-family dwellings and mobile homes – 900 square feet.

(2) All other uses - no minimum size.

(G) *Building site area and density required.*

(1) Maximum permissible density is eight dwelling units per net acre.

(2) Minimum area - 6,000 square feet.

(3) Minimum width, interior lot – 55 feet.

(4) Minimum width, corner lot – 65 feet.

(5) Minimum depth – 100 feet unless otherwise approved by the Planning Commission or City Council, whichever is the final decision-making body. Plot plans of lots for which less than the minimum depth is requested, may be required to ensure that the lot is usable for residential purposes.

(Ord. 87-11, passed 7-27-87)

(H) *Open space requirements.* All multiple residential uses of two or more dwelling units on one lot shall provide a fenced playground (or other open space in the case of an adult-only facility) of at least 50 square feet per unit with a minimum area of 300 square feet provided regardless of the number of units. This area shall not be a lineal open space but should have a width to depth ratio not exceeding one to two (1:2). Except in very large complexes (more than 50 units) this required open space shall be in one location.

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(`67 Code, § 10-3-4) (Ord. 2004-001, passed 6-14-04)

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(J) *Driveways.* The minimum distance between approaches serving the same parcel of land shall be 20 feet. The minimum setback of a driveway to a side property line is five feet and from a dwelling unit three feet.

(Am. Ord. 2017-010, passed 10-24-17)

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.1

SECTION 5: PUBLIC HEARING

Meeting Date: August 28, 2018

Subject: Conduct the First Reading by Title Only and Introduction of a Proposed **Ordinance** Amending the Downtown Specific Plan: Section 2.3.4 Signage, by repealing this Section in its Entirety and Substituting it with a New Section 2.3.4 Signage

From: Sean Scully, City Manager

Submitted by: Donna M. Kenney, Planning and Building Manager

RECOMMENDATION

It is recommended that the City Council conduct the public hearing of the first reading and introduction of the proposed ordinance and consider its approval, which will initiate the second reading at the September 11, 2018, regular City Council meeting, or soon thereafter, to consider its adoption.

SUMMARY

The Planning Commission held a public workshop on June 19, 2018 to discuss and take public comment on increasing advertising opportunities for businesses within the Downtown Specific Plan ("DTSP"). Staff was directed to return with draft language for their consideration and recommendation to the City Council. At their regular meeting of July 17, 2018 the Planning Commission, with a vote of 5-0 recommended permitting each downtown business to have one (1) off-site directional A-frame sign within certain blocks of Atchison Street or Patterson Road with property owner permission. In addition, language was recommended for the permitting of electronic City signage to be located on SR 108 between the east end of Atchison Street and the south end of Callander Avenue.

BACKGROUND AND ANALYSIS

The Downtown Specific Plan's Section 2.3.4 SIGNAGE provides regulations for commercial signage in the downtown separate from the Municipal Code which regulates the rest of the City. Downtown parcels with commercial zoning tend to be smaller in size than those in shopping centers, providing business owners with less space to install

signage. Downtown businesses have been asking the City for additional advertising opportunities so a workshop with the Planning Commission was held. The City can regulate the number, type, and location of signs a business can have but it cannot regulate a sign's content (such as a logo with a wine glass, a gun, a tattoo, a cannabis leaf, a slice of pizza, etc).

Currently, each downtown business can have two (2) feet of total sign area per linear foot of building frontage, distributed among permitted sign types. A typical 25 foot-wide building for example, could have 50 square feet of signage divided between a wall sign and a window sign, plus have an on-site A-frame sign not included in the total.

In the Downtown Specific Plan, permitted sign types include:

- Wall signs
- Awning / Canopy signs
- Projected / Blade signs
- Window signs
- Marque signs
- Monument signs
- Free-swing a-frame signs are encouraged as temporary on-site signage
- Animated signs are discouraged unless they blend in with the building architecture

Prohibited signs currently include:

- Pole mounted signs
- Off-site commercial signs on non-contiguous parcels
- Billboards
- Flags and bunting
- Sandwich signs which block pedestrian access
- Human signs (are not permitted so, therefore are prohibited)

In order to amend the DTSP, Section 3.7.5 SPECIFIC PLAN AMENDMENTS states a Specific Plan amendment may be initiated by a developer, property owner, or the City. Specific Plan amendments require review by the Planning Commission and action by the City Council. All requests for a Specific Plan amendment shall include redline/strike-out text (Attachment 2), graphics, and/or other materials suitable to replace or augment the sections being amended.

A PowerPoint was presented to the Planning Commissioners during their public workshop held on June 19, 2018 to illustrate the various sign types permitted and prohibited by the DTSP. Staff was given direction to return with language that would allow on private property, one (1) directional off-site a-frame sign per downtown business to be located on either SR 108/Atchison Street (between 1st and 4th Streets) or Patterson Road (between 1st and 3rd Streets), subject to any Caltrans or railroad restrictions. These general locations correspond with some of the City's key way finding locations on a map in DTSP Section 3.4.3 WAY FINDING. Relevant locations are:

- Key 1. Signage along Atchison;
- Key 2. Signage at the intersection of First Street and Atchison Street; and
- Key 3. Signage along Patterson Road.

Research was conducted to determine the standard size of an A-frame sign. If ordered online, a standard size was identified as being 48" x 32" x 4" closed. Since these A-frames are to be directional, an arrow should be included on both sides of the sign with the business name and/or logo. All successful businesses - Apple, McDonald's, Nike, Starbucks, Coca Cola, Federal Express, to name a few - promote their brand through the use of a logo (see below). Some creative logos, like Missouri River Kennels, are themselves directional.



During the public workshop in June, staff shared that they are interested in having permanent electronic City signage along SR 108/Atchison Street to advertise community events and businesses on a rotating basis. The Planning Commission discussed their concern – the signage should architecturally match and enhance the historical nature of the downtown - and for that reason, did not support electronic signage in general during the workshop. When staff brought language to the Planning Commission for review and recommendation in July, electronic City signage was included in the amendment because of the support for it by the Development Services and Park and Recreation Departments, with an understanding of the Commission's concerns. After further discussion, the Planning Commission allowed the electronic City signage language to move forward in their approval of Resolution 2018-004 (Attachment 3), recommending the amendment to the City Council.

If the City Council permits electronic City signage within the DTSP, Development Services and Parks and Recreation staff will return to Council in the near future with a turnkey proposal(s) on the location, CEQA analysis, design, advertising policy, budget, and a City Manager authorization request for any draft contract.

GENERAL PLAN

The Specific Plan amendment is consistent with the General Plan in that Policy ED-5.2 states the City will proactively maintain responsiveness to addressing any business climate shortcomings identified through outreach and communication with local businesses.

ENVIRONMENTAL DETERMINATION

The amendment to the City of Riverbank Downtown Specific Plan is exempt from environmental review because it is not a project within the meaning of Section 15378 of the State CEQA Guidelines.

FISCAL IMPACT

Businesses could expect increased sales due to the new directional A-frame signage if the recommendation is approved. It is unknown at this time what that increase may be. If land and electricity are provided for a turnkey electronic sign, the City can expect to receive up to 20% of the revenues generated by the advertising on the signage. A fund could be established with those revenues to subsidize economic development activities in the City.

STRATEGIC GOALS

The City of Riverbank Strategic Planning Session is a plan and set of goals that Riverbank will work towards for the next three (3) years. The approval of the proposed amendment is consistent with the goal of “Expand economic development opportunities for businesses,” including “Identify and recommend to City Council for action incentives to retain commercial properties.” Off-site directional signage is an incentive for downtown commercial properties to possibly increase their sales and remain in business.

PUBLIC NOTICE

The City Council hearing notice was published in the Riverbank News and posted at City Hall North, South, Post Office, Community Center, and website on August 15, 2018.

ATTACHMENTS

- Attachment 1 – Draft City Council Ordinance No. 2018-XXX
- Attachment 2 – Draft City Council Ordinance No. 2018-XXX redline
- Attachment 3 – Planning Commission Resolution 2018-004 with Exhibit A

CITY OF RIVERBANK

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AMENDING THE DOWNTOWN SPECIFIC PLAN: SECTION 2.3.4 SIGNAGE, BY REPEALING THIS SECTION IN ITS ENTIRETY AND SUBSTITUTING IT WITH NEW SECTION 2.3.4 SIGNAGE, TO THE DOWNTOWN SPECIFIC PLAN

WHEREAS, on June 19, 2018, the Planning Commission held a public workshop to discuss and take public comment on Section 2.3.4 Signage of the Downtown Specific Plan; and

WHEREAS, on June 6, 2018, notice of the Planning Commission public workshop was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City; and

WHEREAS, the Planning Commission held a public hearing on July 17, 2018, to consider an amendment to the City of Riverbank Downtown Specific Plan to regulate signage in the downtown; and

WHEREAS, on July 4, 2018, notice of the Planning Commission public hearing was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City; and

WHEREAS, the proposed Specific Plan amendment complies with the General Plan in that Policy ED-5.2 states the City will proactively maintain responsiveness to addressing any business climate shortcomings identified through outreach and communication with local businesses; and

WHEREAS, the amendment to the City of Riverbank Downtown Specific Plan is exempt from environmental review because it is not a project within the meaning of Section 15378 of the State CEQA Guidelines; and

WHEREAS, The Riverbank Planning Commission made the following finding:

1. The regulation of signage in the Downtown Specific Plan is consistent with the goals, policies, programs, and uses of the General Plan.

NOW, THEREFORE THE CITY OF RIVERBANK CITY COUNCIL DOES ORDAIN AS FOLLOWS (Please note that Section 2.3.4's existing photos, which are not currently shown in this document, will appear unmodified in the published document. They are not

under review for change. In addition, the Permitted Sign Types chart below will also appear in its existing colors in the final version of the document):

SECTION 1:

2.3.4 S I G N A G E

Purpose and Intent

This section contains standards and guidelines to control the location, type, and size of signage throughout the Downtown Specific Plan.

Applicability

New development that chooses to adorn their building or buildings with signage, whether to attract customers or to welcome home its residents, is required to follow the standards for permitted sign types contained within this section. Guidelines in this section suggest additional qualities that will help to shape the future look of Downtown as it continues to grow.

Overview

Signs in the Downtown Specific Plan shall embrace the qualities of scale and materials that are supportive of Riverbank's small-town character. Permanent signs throughout the Downtown are limited to types that are incorporated into building architecture or are affixed to buildings and/or the landscape.

Permitted Sign Types

DTSP Zones	Downtown Core	Downtown General	Mixed-Use Neighborhood	Highway Boulevard	Downtown Neighborhood	Cannery District
Sign Types						
A. Wall	permitted	permitted	permitted	permitted	---	permitted
B. Awning/Canopy	permitted	permitted	permitted	permitted	---	permitted
C. Projected/Blade	permitted	permitted	permitted	permitted	---	permitted
D. Window	permitted	permitted	permitted	permitted	---	permitted
E. Marquee	permitted	permitted	---	permitted	---	permitted
F. Monument	---	---	---	permitted	---	conditional
G. Electronic (City)	permitted	---	---	permitted	---	permitted

Prohibited Sign Types

Any sign type not expressly permitted by this Code shall be prohibited. Examples of prohibited sign types include but are not limited to the following:

- Pole mounted signs.
- Signs referring to off-site commercial uses on non-contiguous parcels except as allowed elsewhere in this Chapter.
- Billboards.
- Flags & Bunting.
- Sandwich boards which block pedestrian access to public sidewalks and thoroughfares.

General Standards and Guidelines for all Types

1. For each establishment, 2 feet of total sign area is allowed per lineal foot of building frontage, distributed among permitted sign types.
2. Signs shall be located to coordinate with building architecture. Signs should be coordinated with architectural features, and shall not obscure or interfere with them.
3. Animated signs are discouraged. Electronic displays, blinking, flashing, or otherwise motioning signs should be designed in consideration of Riverbank's small-town character.
4. Signs shall promote the aesthetic of the envisioned Downtown Specific Plan. Signs shall in no way detract from the attractiveness of the Downtown as a place to live, work, and shop.
5. No permanent or temporary sign shall project above the roof lines or cornice or parapet lines of a building, except when the sign is an integral feature of the building such as a marquee sign.
6. Community directory signs such as public information signs shall not be deducted from the sign allotment of the private property on which it is located.
7. Temporary construction signs are limited to a maximum size of 16 square feet. No off-site construction signage is permitted. Such sign shall be removed 30 days after construction has been completed.

Content

1. Content may identify, advertise, or attract attention only to a business, product, service, event, or activity located on the premises.
2. Permanent signs should not include price information or phone numbers (except electronic city signs).

Materials and Colors

1. Materials should be consistent with building architecture and may include wood, metal, glass, and ceramic.
2. Synthetic materials including plastics and acrylics should be discouraged and only used if they are designed to a high level of quality and craft.
3. Each permanent sign shall be constructed using durable materials and shall be structurally secured to the building by direct attachment to a rigid wall, frame, or structural element.
4. Colors should relate to and contribute to overall building design and aesthetic. A simple palette of colors that creates attractive contrast between letters and background or graphics and borders is preferred.
5. Fluorescent colors are strongly discouraged.
6. Cabinet signs shall be discouraged.

Lighting

1. Lighting of signs should be considered an element of overall building and site design and presents an opportunity to heighten overall district character.
2. Signs should be illuminated directly from external lighting sources located immediately adjacent to the sign. Preferred methods include direct spot lighting, front lighting from above or below, and backlighting letter volumes to project a shadow or halo on a backing surface.

3. Lighting shall not cause glare on surrounding rights-of-way, properties, or adjacent structures.
4. Individual letters should be back-lit using low-level lighting that does not cause glare or cast light on other building elements, or shall be internally illuminated.
5. Recommended light sources include compact fluorescent, LED, neon gas signs, low wattage incandescent, and other energy-efficient modes.
6. High-pressure sodium, low pressure sodium, and tube fluorescent lighting is strongly discouraged.

Temporary Signs

A temporary sign includes any impermanent sign or banner advertising a business promotion, grand opening, sale, or community event. Only one temporary sign per business is permitted and shall be removed no longer than 30 days after the first day of the event.

Display Boards, Menu Boards, and Sidewalk Signs

Temporary signs including menu display boards and other pedestrian-oriented signs are encouraged for commercial uses throughout the Downtown Specific Plan Area. Signs shall be constructed with a heavy base and durable materials and should incorporate a free-swinging message board placed within an open designed, non- rectangular frame. Signs shall be located so that they do not interfere with pedestrians or sight distance requirements.

One (1) temporary on-site sign such as a display board, menu board, or sidewalk sign is permitted in front of each downtown business. Each downtown business is allowed one (1) directional a-frame sign (no larger than 48" x 32" x 4" closed) to be located on private property (with that property owner's permission) on either Highway 108/Atchison Street (between 1st and 4th Streets) or Patterson Road (between 1st and 3rd Streets), subject to any Caltrans or railroad restrictions. The directional sign may include the business name and/or logo and one (1) arrow on each side.

2.3.4.A WALL SIGNS

Located on and parallel to a building wall.

Standards

1. Maximum of 1 wall sign is permitted per business.
2. Maximum individual sign area is 1 square foot per 1 linear foot of primary business frontage.
3. One additional wall sign such as masonry or bronze plaque bearing an owner's or building's name is permitted in the building's cornice or parapet wall or under the eaves, not to exceed 8 square feet.
4. Maximum height of sign shall be 48 inches.
5. Letters should be 3 dimensional, created by raised letter forms mounted to the building's facade or sign panel. Maximum height of letters shall be 18 inches.
6. Signs shall be mounted a minimum of 2 feet below parapet or eave line.

Guidelines

1. Preferred locations for ground-floor uses include sign bands and architectural features within shop front architecture, above first floor windows, and between upper story windows.
2. Upper story uses may locate signs on walls centered between upper story windows.

2.3.4.B AWNING & CANOPY SIGNS

Standards

1. Maximum of 1 sign is permitted per awning
2. Maximum sign area is 50% of awning valence area.
3. Maximum height of letters on valence is 18" or 2/3 of valence height, whichever is smaller.

Guidelines

1. Signs may be painted directly on the awning or attached. Letters may also be "punched" into or cut out of metal awnings.
2. Awnings should be illuminated using external lighting sources.
3. Colors of letters and graphics should complement building architecture yet provide contrast to be visible and attractive.

2.3.4.C PROJECTED & BLADE SIGNS

Standards

1. Maximum of 1 sign is permitted per business frontage.
2. Maximum sign area is 8 square feet.
3. Signs must remain minimum 8 foot clear above the sidewalk.
4. Signs shall be mounted using durable structural elements.

Guidelines

1. Signs should be made of wood, metal, or other architecturally compatible material.
2. Signs should be consistent with overall character of building architecture.
3. Signs should be illuminated using external lighting sources.

2.3.4.D WINDOW SIGNS

Standards

1. Maximum of 1 sign is permitted per business window.
2. Maximum sign area shall be 25% of window area.
3. Maximum letter height is 18 inches.
4. Letters may be painted on windows or signs may be suspended behind or appended to the interior of windows.

Guidelines

1. Exposed neon tube illumination should be limited to a single color.
2. The combination of all window signs, including both primary and temporary window signs should not cover more than 25 percent of the total window area.

3. Window signs should present a neat and aligned appearance.
4. Adhesive “stick-on” letters should not be used.
5. Signs identifying hours of operation, menus, newspaper reviews and other customer information should be framed, board-mounted, or laminated for a finished appearance. Subtle window sign lettering complements Window and door signs designed to be building style.

2.3.4.E MARQUEE SIGNS

Standards

1. Marquee sign is limited to Theater, Playhouse, or similar Civic/Cultural Use.
2. Maximum of 1 sign is permitted per business.
3. Signs shall project a maximum of 12 feet from the façade of the building.
4. Signs must maintain a minimum 8 foot clear area above the sidewalk.

Guidelines

1. Signs should be consistent with overall character of building architecture.
2. Signs should be illuminated using external bulbs, exposed neon tubes, internal, or external lighting.

2.3.4.F MONUMENT SIGNS

A free standing sign resting on the ground (not pole mounted) used to announce an address, building name, or name of business.

Standards

1. Maximum of 1 sign is permitted for each building.
2. Maximum permitted height of letters on monument is 18 inches.
3. Signs shall be constructed with a base treatment and a cap treatment.
4. Monument shall not exceed 6 feet in length and 5 feet in height. Maximum sign area occupied by text shall be 24 square feet.
5. Signs shall be located to allow sufficient sight distances at all intersections and driveways and to maintain adequate visibility for pedestrians, vehicles, and bicycles.

Guidelines

1. Monuments signs should be constructed of materials and style similar to that of primary building architecture. Recommended materials include masonry, wood, stucco, brick and pre-cast concrete.
2. Monument signs should be illuminated from external light sources only.
3. Colors of letters and graphics should complement building architecture yet provide contrast to be visible and attractive.

§ SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of

this chapter, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 2: This Ordinance shall become effective thirty (30) days from and after its final passage September 11, 2018, provided it is published pursuant to GC § 36933 in a newspaper of general circulation within fifteen (15) days after its adoption.

The foregoing ordinance was given its first reading and introduced by title only at a regular meeting of the City Council of the City of Riverbank on August 28, 2018. Said ordinance was given a second reading by title only and adopted.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Riverbank at a regular meeting on the 11th day of September; motioned by Councilmember _____, seconded by Councilmember _____; moved said ordinance by a City Council _____ vote of _____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Annabelle H. Aguilar, CMC
City Clerk

Richard D. O'Brien
Mayor

APPROVED AS TO FORM:

Tom P. Hallinan, City Attorney

CITY OF RIVERBANK

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AMENDING THE DOWNTOWN SPECIFIC PLAN: SECTION 2.3.4 SIGNAGE, BY REPEALING THIS SECTION IN ITS ENTIRETY AND SUBSTITUTING IT WITH NEW SECTION 2.3.4 SIGNAGE, TO THE DOWNTOWN SPECIFIC PLAN

WHEREAS, on June 19, 2018, the Planning Commission held a public workshop to discuss and take public comment on Section 2.3.4 Signage of the Downtown Specific Plan; and

WHEREAS, on June 6, 2018, notice of the Planning Commission public workshop was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City; and

WHEREAS, the Planning Commission held a public hearing on July 17, 2018, to consider an amendment to the City of Riverbank Downtown Specific Plan to regulate signage in the downtown; and

WHEREAS, on July 4, 2018, notice of the Planning Commission public hearing was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City; and

WHEREAS, the proposed Specific Plan amendment complies with the General Plan in that Policy ED-5.2 states the City will proactively maintain responsiveness to addressing any business climate shortcomings identified through outreach and communication with local businesses; and

WHEREAS, the amendment to the City of Riverbank Downtown Specific Plan is exempt from environmental review because it is not a project within the meaning of Section 15378 of the State CEQA Guidelines; and

WHEREAS, The Riverbank Planning Commission made the following finding:

1. The regulation of signage in the Downtown Specific Plan is consistent with the goals, policies, programs, and uses of the General Plan.

NOW, THEREFORE THE CITY OF RIVERBANK CITY COUNCIL DOES ORDAIN AS FOLLOWS (Please note that Section 2.3.4's existing photos, which are not currently shown in this document, will appear unmodified in the final document. They are not under

review for change. In addition, the Permitted Sign Types chart below will also appear in its existing colors in the final version of the document):

SECTION 1:

2.3.4 S I G N A G E

Purpose and Intent

This section contains standards and guidelines to control the location, type, and size of signage throughout the Downtown Specific Plan.

Applicability

New development that chooses to adorn their building or buildings with signage, whether to attract customers or to welcome home its residents, is required to follow the standards for permitted sign types contained within this section. Guidelines in this section suggest additional qualities that will help to shape the future look of Downtown as it continues to grow.

Overview

Signs in the Downtown Specific Plan shall embrace the qualities of scale and materials that are supportive of Riverbank's small-town character. Permanent signs throughout the Downtown are limited to types that are incorporated into building architecture or are affixed to buildings and/or the landscape.

Permitted Sign Types

DTSP Zones	Downtown Core	Downtown General	Mixed-Use Neighborhood	Highway Boulevard	Downtown Neighborhood	Cannery District
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C. Projected/Blade	permitted	permitted	permitted	permitted	---	permitted
D. Window	permitted	permitted	permitted	permitted	---	permitted
E. Marquee	permitted	permitted	---	permitted	---	permitted
F. Monument	---	---	---	permitted	---	conditional
<u>G. Electronic (City)</u>	<u>permitted</u>	<u>---</u>	<u>---</u>	<u>permitted</u>	<u>---</u>	<u>permitted</u>

Prohibited Sign Types

Any sign type not expressly permitted by this Code shall be prohibited. Examples of prohibited sign types include but are not limited to the following:

- Pole mounted signs.
- Signs referring to off-site commercial uses on non-contiguous parcels **except as allowed elsewhere in this Chapter.**
- Billboards.
- Flags & Bunting.
- Sandwich boards which block pedestrian access to public sidewalks and thoroughfares.

General Standards and Guidelines for all Types

1. For each establishment, 2 feet of total sign area is allowed per lineal foot of building frontage, distributed among permitted sign types.
2. Signs shall be located to coordinate with building architecture. Signs should be coordinated with architectural features, and shall not obscure or interfere with them.
3. Animated signs are discouraged. Electronic displays, blinking, flashing, or otherwise motioning signs should be designed in consideration of Riverbank's small-town character.
4. Signs shall promote the aesthetic of the envisioned Downtown Specific Plan. Signs shall in no way detract from the attractiveness of the Downtown as a place to live, work, and shop.
5. No permanent or temporary sign shall project above the roof lines or cornice or parapet lines of a building, except when the sign is an integral feature of the building such as a marquee sign.
6. Community directory signs such as public information signs shall not be deducted from the sign allotment of the private property on which it is located.
7. Temporary construction signs are limited to a maximum size of 16 square feet. No off-site construction signage is permitted. Such sign shall be removed 30 days after construction has been completed.

Content

1. Content may identify, advertise, or attract attention only to a business, product, service, event, or activity located on the premises.
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1. Materials should be consistent with building architecture and may include wood, metal, glass, and ceramic.
2. Synthetic materials including plastics and acrylics should be discouraged and only used if they are designed to a high level of quality and craft.
3. Each permanent sign shall be constructed using durable materials and shall be structurally secured to the building by direct attachment to a rigid wall, frame, or structural element.
4. Colors should relate to and contribute to overall building design and aesthetic. A simple palette of colors that creates attractive contrast between letters and background or graphics and borders is preferred.
5. Fluorescent colors are strongly discouraged.
6. Cabinet signs shall be discouraged.

Lighting

1. Lighting of signs should be considered an element of overall building and site design and presents an opportunity to heighten overall district character.
2. Signs should be illuminated directly from external lighting sources located immediately adjacent to the sign. Preferred methods include direct spot lighting, front

lighting from above or below, and backlighting letter volumes to project a shadow or halo on a backing surface.

3. Lighting shall not cause glare on surrounding rights-of-way, properties, or adjacent structures.

4. Individual letters should be back-lit using low-level lighting that does not cause glare or cast light on other building elements, or shall be internally illuminated.

5. Recommended light sources include compact fluorescent, LED, neon gas signs, low wattage incandescent, and other energy-efficient modes.

6. High-pressure sodium, low pressure sodium, and tube fluorescent lighting is strongly discouraged.

Temporary Signs

A temporary sign includes any impermanent sign or banner advertising a business promotion, grand opening, sale, or community event. Only one temporary sign per business is permitted and shall be removed no longer than 30 days after the first day of the event.

Display Boards, Menu Boards, and Sidewalk Signs

Temporary signs including menu display boards and other pedestrian-oriented signs are encouraged for commercial uses throughout the Downtown Specific Plan Area. Signs shall be constructed with a heavy base and durable materials and should incorporate a free-swinging message board placed within an open designed, non- rectangular frame. Signs shall be located so that they do not interfere with pedestrians or sight distance requirements.

One (1) temporary on-site sign such as a display board, menu board, or sidewalk sign is permitted in front of each downtown business. Each downtown business is allowed one (1) directional a-frame sign (no larger than 48" x 32" x 4" closed) to be located on private property (with that property owner's permission) on either Highway 108/Atchison Street (between 1st and 4th Streets) or Patterson Road (between 1st and 3rd Streets), subject to any Caltrans or railroad restrictions. The directional sign may include the business name and/or logo and one (1) arrow on each side.

2.3.4.A WALL SIGNS

Located on and parallel to a building wall.

Standards

1. Maximum of 1 wall sign is permitted per business.

2. Maximum individual sign area is 1 square foot per 1 linear foot of primary business frontage.

3. One additional wall sign such as masonry or bronze plaque bearing an owner's or building's name is permitted in the building's cornice or parapet wall or under the eaves, not to exceed 8 square feet.

4. Maximum height of sign shall be 48 inches.

5. Letters should be 3 dimensional, created by raised letter forms mounted to the building's facade or sign panel. Maximum height of letters shall be 18 inches.

6. Signs shall be mounted a minimum of 2 feet below parapet or eave line.

Guidelines

1. Preferred locations for ground-floor uses include sign bands and architectural features within shop front architecture, above first floor windows, and between upper story windows.
2. Upper story uses may locate signs on walls centered between upper story windows.

2.3.4.B AWNING & CANOPY SIGNS

Standards

1. Maximum of 1 sign is permitted per awning
2. Maximum sign area is 50% of awning valence area.
3. Maximum height of letters on valence is 18" or 2/3 of valence height, whichever is smaller.

Guidelines

1. Signs may be painted directly on the awning or attached. Letters may also be "punched" into or cut out of metal awnings.
2. Awnings should be illuminated using external lighting sources.
3. Colors of letters and graphics should complement building architecture yet provide contrast to be visible and attractive.

2.3.4.C PROJECTED & BLADE SIGNS

Standards

1. Maximum of 1 sign is permitted per business frontage.
2. Maximum sign area is 8 square feet.
3. Signs must remain minimum 8 foot clear above the sidewalk.
4. Signs shall be mounted using durable structural elements.

Guidelines

1. Signs should be made of wood, metal, or other architecturally compatible material.
2. Signs should be consistent with overall character of building architecture.
3. Signs should be illuminated using external lighting sources.

2.3.4.D WINDOW SIGNS

Standards

1. Maximum of 1 sign is permitted per business window.
2. Maximum sign area shall be 25% of window area.
3. Maximum letter height is 18 inches.
4. Letters may be painted on windows or signs may be suspended behind or appended to the interior of windows.

Guidelines

1. Exposed neon tube illumination should be limited to a single color.
2. The combination of all window signs, including both primary and temporary window signs should not cover more than 25 percent of the total window area.
3. Window signs should present a neat and aligned appearance.
4. Adhesive “stick-on” letters should not be used.
5. Signs identifying hours of operation, menus, newspaper reviews and other customer information should be framed, board-mounted, or laminated for a finished appearance. Subtle window sign lettering complements Window and door signs designed to be building style.

2.3.4.E MARQUEE SIGNS

Standards

1. Marquee sign is limited to Theater, Playhouse, or similar Civic/Cultural Use.
2. Maximum of 1 sign is permitted per business.
3. Signs shall project a maximum of 12 feet from the façade of the building.
4. Signs must maintain a minimum 8 foot clear area above the sidewalk.

Guidelines

1. Signs should be consistent with overall character of building architecture.
2. Signs should be illuminated using external bulbs, exposed neon tubes, internal, or external lighting.

2.3.4.F MONUMENT SIGNS

A free standing sign resting on the ground (not pole mounted) used to announce an address, building name, or name of business.

Standards

1. Maximum of 1 sign is permitted for each building.
2. Maximum permitted height of letters on monument is 18 inches.
3. Signs shall be constructed with a base treatment and a cap treatment.
4. Monument shall not exceed 6 feet in length and 5 feet in height. Maximum sign area occupied by text shall be 24 square feet.
5. Signs shall be located to allow sufficient sight distances at all intersections and driveways and to maintain adequate visibility for pedestrians, vehicles, and bicycles.

Guidelines

1. Monuments signs should be constructed of materials and style similar to that of primary building architecture. Recommended materials include masonry, wood, stucco, brick and pre-cast concrete.
2. Monument signs should be illuminated from external light sources only.
3. Colors of letters and graphics should complement building architecture yet provide contrast to be visible and attractive.

**City of Riverbank
Planning Commission
Resolution No. 2018-004**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK
RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF AN ORDINANCE
AMENDING THE DOWNTOWN SPECIFIC PLAN, BY REPEALING SECTION 2.3.4
SIGNAGE AND ADDING A NEW SECTION 2.3.4 SIGNAGE.**

WHEREAS, on June 19, 2018, the Planning Commission held a public workshop to discuss and take public comment on Section 2.3.4 Signage of the Downtown Specific Plan; and

WHEREAS, on June 6, 2018, notice of the Planning Commission public workshop was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City; and

WHEREAS, the Planning Commission held a public hearing on July 17, 2018, to consider an amendment to the City of Riverbank Downtown Specific Plan to regulate signage in the downtown; and

WHEREAS, on July 4, 2018, notice of the Planning Commission public hearing was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City; and

WHEREAS, the proposed Specific Plan amendment complies with the General Plan in that Policy ED-5.2 states the City will proactively maintain responsiveness to addressing any business climate shortcomings identified through outreach and communication with local businesses; and

WHEREAS, the amendment to the City of Riverbank Downtown Specific Plan is exempt from environmental review because it is not a project within the meaning of Section 15378 of the State CEQA Guidelines; and

WHEREAS, The Riverbank Planning Commission made the following finding:

1. The regulation of signage in the Downtown Specific Plan is consistent with the goals, policies, programs, and uses of the General Plan.

NOW THEREFORE, BE IT RESOLVED the City of Riverbank Planning Commission forwards its recommendation to the City Council to adopt draft Ordinance No. 2018-XXX (Exhibit A).

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a regular meeting held on the 17th of July 2018, by the following vote 5-0:

AYES: Planning Commissioners: Dinan, Ball, Stewart, Hughes and Fenrich

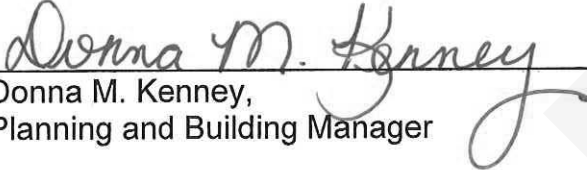
NOES: None

ABSENT: None

ABSTAIN: None

Attest:

Approved:


Donna M. Kenney,
Planning and Building Manager

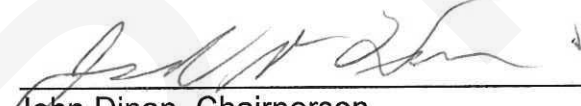

John Dinan, Chairperson
Planning Commission

EXHIBIT A

THE CITY COUNCIL OF THE CITY OF RIVERBANK ORDINANCE NO. 2018-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AMENDING THE DOWNTOWN SPECIFIC PLAN: SECTION 2.3.4 SIGNAGE, BY REPEALING THIS SECTION IN ITS ENTIRETY AND SUBSTITUTING IT WITH NEW SECTION 2.3.4 SIGNAGE, TO THE DOWNTOWN SPECIFIC PLAN

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NOW, THEREFORE THE CITY OF RIVERBANK CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1:

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This section contains standards and guidelines to control the location, type, and size of signage throughout the Downtown Specific Plan.

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C. Projected/Blade	permitted	permitted	permitted	permitted	---	permitted
D. Window	permitted	permitted	permitted	permitted	---	permitted
E. Marquee	permitted	permitted	---	permitted	---	permitted
F. Monument	---	---	---	permitted	---	conditional
G. Electronic (City)	permitted	---	---	permitted	---	permitted

Prohibited Sign Types

Any sign type not expressly permitted by this Code shall be prohibited. Examples of prohibited sign types include but are not limited to the following:

- Pole mounted signs.
- Signs referring to off-site commercial uses on non-contiguous parcels.
- Billboards.
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- Sandwich boards which block pedestrian access to public sidewalks and thoroughfares.

General Standards and Guidelines for all Types

1. For each establishment, 2 feet of total sign area is allowed per lineal foot of building frontage, distributed among permitted sign types.
2. Signs shall be located to coordinate with building architecture. Signs should be coordinated with architectural features, and shall not obscure or interfere with them.
3. Animated signs are discouraged. Electronic displays, blinking, flashing, or otherwise motioning signs should be designed in consideration of Riverbank's small-town character.
4. Signs shall promote the aesthetic of the envisioned Downtown Specific Plan. Signs shall in no way detract from the attractiveness of the Downtown as a place to live, work, and shop.
5. No permanent or temporary sign shall project above the roof lines or cornice or parapet lines of a building, except when the sign is an integral feature of the building such as a marquee sign.
6. Community directory signs such as public information signs shall not be deducted from the sign allotment of the private property on which it is located.
7. Temporary construction signs are limited to a maximum size of 16 square feet. No off-site construction signage is permitted. Such sign shall be removed 30 days after construction has been completed.

Content

1. Content may identify, advertise, or attract attention only to a business, product, service, event, or activity located on the premises.
2. Permanent signs should not include price information or phone numbers (except electronic city signs).

Materials and Colors

1. Materials should be consistent with building architecture and may include wood, metal, glass, and ceramic.
2. Synthetic materials including plastics and acrylics should be discouraged and only used if they are designed to a high level of quality and craft.
3. Each permanent sign shall be constructed using durable materials and shall be structurally secured to the building by direct attachment to a rigid wall, frame, or structural element.
4. Colors should relate to and contribute to overall building design and aesthetic. A simple palette of colors that creates attractive contrast between letters and background or graphics and borders is preferred.
5. Fluorescent colors are strongly discouraged.
6. Cabinet signs shall be discouraged.

Lighting

1. Lighting of signs should be considered an element of overall building and site design and presents an opportunity to heighten overall district character.
2. Signs should be illuminated directly from external lighting sources located immediately adjacent to the sign. Preferred methods include direct spot lighting, front

lighting from above or below, and backlighting letter volumes to project a shadow or halo on a backing surface.

3. Lighting shall not cause glare on surrounding rights-of-way, properties, or adjacent structures.

4. Individual letters should be back-lit using low-level lighting that does not cause glare or cast light on other building elements, or shall be internally illuminated.

5. Recommended light sources include compact fluorescent, LED, neon gas signs, low wattage incandescent, and other energy-efficient modes.

6. High-pressure sodium, low pressure sodium, and tube fluorescent lighting is strongly discouraged.

Temporary Signs

A temporary sign includes any impermanent sign or banner advertising a business promotion, grand opening, sale, or community event. Only one temporary sign per business is permitted and shall be removed no longer than 30 days after the first day of the event.

Display Boards, Menu Boards, and Sidewalk Signs

Temporary signs including menu display boards and other pedestrian-oriented signs are encouraged for commercial uses throughout the Downtown Specific Plan Area. Signs shall be constructed with a heavy base and durable materials and should incorporate a free-swinging message board placed within an open designed, non- rectangular frame. Signs shall be located so that they do not interfere with pedestrians or sight distance requirements.

One (1) temporary on-site sign such as a display board, menu board, or sidewalk sign is permitted in front of each downtown business. Each downtown business is allowed one (1) directional a-frame sign (no larger than 48" x 32" x 4" closed) to be located on private property (with that property owner's permission) on either Highway 108/Atchison Street (between 1st and 4th Streets) or Patterson Road (between 1st and 3rd Streets), subject to any Caltrans or railroad restrictions. The directional sign may include the business name and/or logo and one (1) arrow on each side.

2.3.4.A WALL SIGNS

Located on and parallel to a building wall.

Standards

1. Maximum of 1 wall sign is permitted per business.

2. Maximum individual sign area is 1 square foot per 1 linear foot of primary business frontage.

3. One additional wall sign such as masonry or bronze plaque bearing an owner's or building's name is permitted in the building's cornice or parapet wall or under the eaves, not to exceed 8 square feet.

4. Maximum height of sign shall be 48 inches.

5. Letters should be 3 dimensional, created by raised letter forms mounted to the building's facade or sign panel. Maximum height of letters shall be 18 inches.

6. Signs shall be mounted a minimum of 2 feet below parapet or eave line.

Guidelines

1. Preferred locations for ground-floor uses include sign bands and architectural features within shop front architecture, above first floor windows, and between upper story windows.
2. Upper story uses may locate signs on walls centered between upper story windows.

2.3.4.B AWNING & CANOPY SIGNS

Standards

1. Maximum of 1 sign is permitted per awning
2. Maximum sign area is 50% of awning valence area.
3. Maximum height of letters on valence is 18" or 2/3 of valence height, whichever is smaller.

Guidelines

1. Signs may be painted directly on the awning or attached. Letters may also be "punched" into or cut out of metal awnings.
2. Awnings should be illuminated using external lighting sources.
3. Colors of letters and graphics should complement building architecture yet provide contrast to be visible and attractive.

2.3.4.C PROJECTED & BLADE SIGNS

Standards

1. Maximum of 1 sign is permitted per business frontage.
2. Maximum sign area is 8 square feet.
3. Signs must remain minimum 8 foot clear above the sidewalk.
4. Signs shall be mounted using durable structural elements.

Guidelines

1. Signs should be made of wood, metal, or other architecturally compatible material.
2. Signs should be consistent with overall character of building architecture.
3. Signs should be illuminated using external lighting sources.

2.3.4.D WINDOW SIGNS

Standards

1. Maximum of 1 sign is permitted per business window.
2. Maximum sign area shall be 25% of window area.
3. Maximum letter height is 18 inches.
4. Letters may be painted on windows or signs may be suspended behind or appended to the interior of windows.

Guidelines

1. Exposed neon tube illumination should be limited to a single color.
2. The combination of all window signs, including both primary and temporary window signs should not cover more than 25 percent of the total window area.
3. Window signs should present a neat and aligned appearance.
4. Adhesive "stick-on" letters should not be used.
5. Signs identifying hours of operation, menus, newspaper reviews and other customer information should be framed, board-mounted, or laminated for a finished appearance. Subtle window sign lettering complements Window and door signs designed to be building style.

2.3.4.E MARQUEE SIGNS

Standards

1. Marquee sign is limited to Theater, Playhouse, or similar Civic/Cultural Use.
2. Maximum of 1 sign is permitted per business.
3. Signs shall project a maximum of 12 feet from the façade of the building.
4. Signs must maintain a minimum 8 foot clear area above the sidewalk.

Guidelines

1. Signs should be consistent with overall character of building architecture.
2. Signs should be illuminated using external bulbs, exposed neon tubes, internal, or external lighting.

2.3.4.F MONUMENT SIGNS

A free standing sign resting on the ground (not pole mounted) used to announce an address, building name, or name of business.

Standards

1. Maximum of 1 sign is permitted for each building.
2. Maximum permitted height of letters on monument is 18 inches.
3. Signs shall be constructed with a base treatment and a cap treatment.
4. Monument shall not exceed 6 feet in length and 5 feet in height. Maximum sign area occupied by text shall be 24 square feet.
5. Signs shall be located to allow sufficient sight distances at all intersections and driveways and to maintain adequate visibility for pedestrians, vehicles, and bicycles.

Guidelines

1. Monuments signs should be constructed of materials and style similar to that of primary building architecture. Recommended materials include masonry, wood, stucco, brick and pre-cast concrete.
2. Monument signs should be illuminated from external light sources only.
3. Colors of letters and graphics should complement building architecture yet provide contrast to be visible and attractive.

§ SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this chapter, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 2. If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3: This Ordinance shall become effective thirty (30) days from and after its final passage September 11, 2018, provided it is published pursuant to GC § 36933 in a newspaper of general circulation within fifteen (15) days after its adoption.

The foregoing ordinance was given its first reading and introduced by title only at a regular meeting of the City Council of the City of Riverbank on August 28, 2018. Said ordinance was given a second reading by title only and adopted.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Riverbank at a regular meeting on the 11th day of September; motioned by Councilmember _____, seconded by Councilmember _____; moved said ordinance by a City Council _____ vote of _____:

AYES:
NAYS:
ABSENT:
ABSTAINED:

ATTEST:

APPROVED:

Annabelle H. Aguilar, CMC
City Clerk

Richard D. O'Brien
Mayor

APPROVED AS TO FORM:

Tom P. Hallinan, City Attorney

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date: August 28, 2018

Subject: Approval of Six Month Strategic Objectives (June 2018 – December, 2018)

From: Sean Scully, City Manager

RECOMMENDATION

It is recommended that the City Council approve the Six Month Strategic Objectives (Exhibit A) that were developed during the Strategic Planning Session held on May 25th 2018.

SUMMARY

On May 25th the City Council held a bi annual Strategic Planning Sessions. The sessions are intended to allow the Council and staff the opportunity to discuss and prioritize projects/objectives for the upcoming year. The planning process includes a SWOT analysis, team building and brain storming session on potential objectives that specifically serve the three year goals identified by the Council. The process was altered slightly this strategic planning session as the process focused more on Councilmember goals and consensus among the Council as a whole.

Over the course of the strategic planning session the group developed, amended and restructured the objective list which will serve as the blue print for staff work over the this current 6 month period. As this list was developed two months ago, progress on the objectives have already begun. In accordance with the commitment made at the meeting the City Manager's office has examined the objectives and will be continuously determining/updating which staff member will be responsible for each objective and the associated time frame of completion.

Staff will provide Council and the community with ongoing updates of progress on the strategic objectives throughout the next 6 month period. If substantive amendments or additions are needed, staff will present those for Council consideration.

BACKGROUND

The City Council has been committed to the strategic planning process for the past 7 years as a method to guide and shape the workflow of the organization. The strategic planning process also allows for the resources of the organization to be used in a way that specifically serves the 3 year (2016-2019) goals. Those goals are as follows:

Achieve and maintain financial stability and sustainability

Attract, develop and retain quality staff

Maintain and improve the City's infrastructure and service delivery systems

Expand economic development opportunities for businesses

Enhance public safety

Each of the strategic objectives referenced in Exhibit A are designed to specifically work toward achievement of the three year goals.

FINANCIAL IMPACT

Since all of the strategic objectives will need resources (in some form) in order to achieve completion, financial impact is expected. However, staff will work with Council through the budget process to make sure they are responsibly budgeted for and propose amendments to the objectives if an objective is found to be financially unfeasible.

ATTACHMENTS

- 1) Exhibit A - Six Month Objectives

CITY OF RIVERBANK • SIX-MONTH STRATEGIC OBJECTIVES

25 June 2018 – November 15, 2018

THREE-YEAR GOAL: <i>ACHIEVE AND MAINTAIN FINANCIAL STABILITY AND SUSTAINABILITY</i>						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
November 2018	City Manager Assistant City Manager LRA Admin Analyst II	Award the master developer contract.				
October 2018	City Manager Assistant City Manager	Consider options and associated analysis for feasibility of opting out of CalPERS				
November 2018	All Management Staff	Conduct a User Fee Study and make recommendations to the City Council for updates.				
4 th Quarter 2018	City Manager Assistant City Manager	Achieve a tax sharing agreement with the county in relation to property taxes and Public Facility Fees.				

THREE-YEAR GOAL: <i>ATTRACT, DEVELOP AND RETAIN QUALITY STAFF</i>						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
November 2018	Assistant City Manager / Finance Director - Human Resource Dept.	Identify proper staffing for each department and develop a Five-Year Staffing and Succession Plan.				
October 2018	Human Resources Dept.	Hold team building for staff.				
September 2018	Human Resources Dept.	Update the Employee Survey with recommendations for follow up.				

THREE-YEAR GOAL: <i>MAINTAIN AND IMPROVE THE CITY'S INFRASTRUCTURE AND SERVICE DELIVERY SYSTEMS</i>						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
At the July 24, 2018 City Council meeting	Development Services, Admin Manager; Planning & Building Mgr., Human Services Spec/Admin Analyst II	Present to the city Council for direction options for hiring and funding staff to administer GIS to implement PIO/IT.				
November, 2018	Parks and Recreation Dir.	Identify funding and present a City-wide Park and Facility Master Plan to the City Council for action.				
November 2018	City Manager, Assistant City Manager, Input from all Management Staff	Conduct a spatial analysis of all city facilities, identifying needs for the next 50 years, including emerging technology and reserving an additional department to be identified in the future.				
October 2018	Accounting Manager	Develop a plan of action for completion of the water meter project and roll-out of consumption billing.				
September 2018	City Manager, Public Works Director	Identify water needs (storm, waste, potable) within the city in light of potential state charging for groundwater and report the results, with options, to the City Council.				
FUTURE OBJECTIVE	Dev Services Admin Manager	Determine the feasibility of funding stormwater improvement under SB 231 and make a recommendation to the City Council for action.				
FUTURE OBJECTIVE	City Manager, Contract Planner	Develop the East Side Industrial Master Plan.				

THREE-YEAR GOAL: EXPAND ECONOMIC DEVELOPMENT OPPORTUNITIES FOR BUSINESSES						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
September 2018	Planning/Building Manager, Dev Services Admin Manager	Provide the City Council with an update on the removal of obstacles to development at Patterson and Estelle				
October 2018	CM, ACM Planning/Building Manager, Dev Services Admin Manager	Continue development of online processes, e.g., paying fees				
September 2018	City Manager, Contract Planner	Hold a joint City Council-Planning Commission workshop to discuss the plan for Crossroads West.				
September 2018	City Manager, City Attorney, Planning Building Manager, Contract Planner	Negotiate the development agreement for Crossroads West.				
October 2018	Parks and Rec Director, Planning Building Manager	Identify ways to direct traffic to downtown to promote downtown activity, e.g., signs-one on Atchison, one on Patterson; install an arch over 3 rd St.				
October 2018	City Manager, Admin Analyst / Human Services Specialist	Develop and present to the City Council for action an incentive system for the businesses downtown.				

THREE-YEAR GOAL: <i>ENHANCE PUBLIC SAFETY</i>						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
September 2018 (As part of final budget)	City Manager, Assistant City Manager	Hire at least one deputy sheriff, making progress toward 1:1000 of population.				
4 th Quarter 2018	Admin Analyst II / Human Services Specialist	Hold a mock disaster preparedness event.				
October 2018	Dev Services Admin Manager, Public Works Director	Identify funding for additional streetlights				
October 2018	City Clerk	Present the Illegal Fireworks Ordinance to the City Council for action.				
FUTURE OBJECTIVE	CM, Parks Rec Director, PW Director, Dev Services Admin Manager	Install police cameras in parks, public places and roads.				

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.2

SECTION 6: NEW BUSINESS

Meeting Date:	August 28, 2018
Subject:	Request for Waiver of Fees for Downtown Sip and Stroll Event
From:	Sean Scully, City Manager

RECOMMENDATION

It is recommended that the City Council consider approving a request from Kiwi's Custom Guns and the Riverbank Federated Women's Club to waive associated City fee's for street closure and use of public streets for a downtown sip and stroll event to promote economic development in the downtown area.

SUMMARY

Staff has received a request from Kiwi's Custom Guns (in addition to other involved downtown businesses) and the Riverbank Federated Women's Club for a fee waiver for fees associated with a street closure application. The street closure is requested to facilitate a "Sip and Stroll" event intended to showcase downtown businesses. The Sip and Stroll event concept includes inviting the community to the downtown to visit the local businesses. The local businesses will have beer and wine available for interested community members to enjoy while visiting the downtown businesses. In addition, a car club has been invited to attend and will have their show cars on Santa Fe Street for the community to view. Finally, food vendors will also be present. The event is scheduled for September 14th from 6PM-9PM. The requested street closure is Santa Fe Street from 3rd St to 4th St. If approved the streets will be closed, businesses will be notified prior to the event by the event organizer. The event organizers will be required to provide endorsements of appropriate insurance coverage, naming the City as additionally insured for the event.

Council may waive fees of these types of activities when it is found that there is a significant public benefit. The goal of this type of event is to draw attention to the downtown, and to promote economic activity in the downtown core area.

FINANCIAL IMPACT

Minor, total impact of fees and staff time is not expected to exceed \$150. If Council chooses to waive these fees

ATTACHMENTS

None

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.3

SECTION 6: NEW BUSINESS

Meeting Date:	August 28, 2018
Subject:	A Resolution Amending the Discount Amounts and Eligibility Program Requirements of the Utility Rate Assistance Program (URAP) for Water and Sewer Rates
From:	Sean Scully, City Manager
Submitted by:	Marisela H. Garcia, Assistant City Manager/Director of Finance

RECOMMENDATION

It is recommended that the City Council consider adopting a resolution amending Section 1 and 2 of Resolution No. 2016-027 to establish new criteria for the Utility Rate Assistance Program for low-income senior and low-income permanently-disabled residents.

SUMMARY

In April 2016, the City Council adopted Resolution 2016-027 which established the Utility Rate Assistance Program and established the eligibility requirements. During this two year period, staff has had the opportunity to evaluate the program and based on feedback and experience is recommending several changes to the program eligibility requirements.

BACKGROUND

Resolution 2016-027 established the following eligibility requirements for participation in the Utility Rate Assistance Program:

- Ø Senior, age 65 or older, or Permanently-disabled resident.
- Ø Available to residential customers only.
- Ø Applicant must be the current account holder.
- Ø Applicant must live at the address where the discount will be received.
- Ø Applicant must be considered "Extremely-Low Income" ("30%" Limit) in Stanislaus County as established by the California Housing and Community Development (HCD) Annual Household Income Limits. Such limits are subject to change annually. Eligibility will be based on the income limits in effect at the time when the application is submitted.
- Ø Proof of Residence is required.
- Ø Proof of Income is required.
- Ø Applicant must re-certify (re-apply) every two years.

- Ø Program will be first-come, first-serve based on funding availability.
- Ø New applications will be accepted once per year in June for the discount to become effective July 1.

The following are recommended amendments to the program:

Section 1. Utility Rate Assistance Program (URAP)

The \$15.00 per month discount originally provided a 27% savings to our eligible residents. Since that time there has been two rate increases which has decreased the savings to 21%. It is recommended that the discount rate be increased as follows in order to bring the savings back to a 27% savings level:

Utility Service	Current Monthly Discount	Proposed Monthly Discount
Water	\$9.00	\$11.00
Sewer	\$6.00	\$8.00
Total Monthly Discount	\$15.00	\$19.00

Section 2. Eligibility

- Ø Applicant must be considered ~~“Extremely Low Income” (“30%” Limit)~~ **to be in the Very Low Income category** in Stanislaus County as established by the California Housing and Community Development (HCD) Annual Household Income Limits. Such limits are subject to change annually. Eligibility will be based on the income limits in effect at the time when the application is submitted.
- Ø New applications will be accepted ~~once per year in June for the discount to become effective July 1~~ **year-round with the discount to become effective the next full billing cycle.**

All other eligibility requirements will remain the same.

STRATEGIC PLAN

This item is consistent with the City’s Mission Statement wherein “The City of Riverbank is committed to providing exceptional municipal services in a fiscally sound and professionally responsible manner for our community.

FINANCIAL IMPACT

The cost of the proposed Utility Rate Assistance Program (URAP) for low-income seniors and low-income permanently-disabled residents will be dependent upon the number of residents that apply. An annual budget allocation will be made during the preparation of the Annual Budget for funding of the program.

ATTACHMENT

1. Resolution

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AMENDING THE DISCOUNT AMOUNTS AND ELIGIBILITY PROGRAM REQUIREMENTS OF THE UTILITY RATE ASSISTANCE PROGRAM (URAP) FOR WATER AND SEWER RATES

WHEREAS, the City Council desires to maintain the Utility Rate Assistance Program established by the adoption of Resolution No. 2016-027 to assist the City's low-income senior and low-income permanently-disabled residents with payment of their water and sewer bills; and,

WHEREAS, the City Council considered a range of alternatives for doing so that are in the mainstream of programs offered by private and public sector utility companies in California and that are in accordance with Article XIII (B) of the California Constitution; and

WHEREAS, in order to offer an assistance program that reflects the changing economic conditions affecting the residents, the City will refer to the Income Limit Standards and Income Categories as defined by the California Housing and Community Development (HCD) Annual Household Income Limits for Stanislaus County; and

WHEREAS, it is acknowledged that amendments to the program criteria will need to be made from time to time by resolution to provide a reasonable savings as determined by the City Council, which is currently a 27% savings, and to also define the income limit category that may receive the assistance.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby amends the Utility Rate Assistance Program's monthly discount amounts and eligibility requirements which, by this resolution, will be as follows:

Section 1. Utility Rate Assistance Program (URAP)

The City Council of the City of Riverbank hereby establishes the following low-income senior and low-income permanently-disabled resident utility rate assistance program monthly discount amounts for water and sewer rate charges:

Utility Service	Monthly Discount
Water	\$11.00
Sewer	\$ 8.00
Total Monthly Discount	\$19.00

Section 2. Eligibility

Eligibility for rate assistance shall be determined based on the following requirements:

- Ø Senior, age 65 or older, or Permanently-disabled resident.
- Ø Available to residential customers only.
- Ø Applicant must be the current account holder.
- Ø Applicant must live at the address where the discount will be received.
- Ø Applicant must be considered to be in the *Very Low Income* category in Stanislaus County as established by the California Housing and Community Development (HCD) Annual Household Income Limits. Such limits are subject to change annually. Eligibility will be based on the income limits in effect at the time when the application is submitted.
- Ø Proof of Residence is required.
- Ø Proof of Income is required.
- Ø Applicant must re-certify (re-apply) every two years.
- Ø Program will be first-come, first-serve based on funding availability.
- Ø New applications will be accepted year-round with the discount to become effective the next full billing cycle.

Section 3: Funding

The program will be funded via the fines, forfeitures, penalties revenue from the Water and Sewer Fund. These revenues are collected from the 10% penalty fee and water reconnection fee assessed on delinquent accounts, which are not related to the water & sewer rates adopted by the City Council.

The City Council will appropriate funds for the Utility Rate Assistance Program (URAP) on an annual basis during the preparation of the annual operating budget.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of August, 2018; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Annabelle H. Aguilar, CMC
City Clerk

Richard D. O'Brien
Mayor

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.4

SECTION 6: NEW BUSINESS

Meeting Date:	August 28, 2018
Subject:	A Resolution Formally Opposing Proposition 6 (SB1 Repeal)
From:	Sean Scully, City Manager

RECOMMENDATION

It is recommended that the City Council consider whether or not approve the attached resolution requested by the League of California Cities opposing Proposition 6 which would repeal Senate Bill 1 (commonly known as the Road Repair and Accountability Act of 2017).

SUMMARY

In 2017 the California Legislature passed Senate Bill 1 (SB1), which is also known as the Road Repair and Accountability Act. The core component of SB1 was an increase to the State of California's Gas Tax and Registration Fees which would raise approximately \$52.4 billion in new revenue over the next 10 years. These funds were proposed to be split between various transportation related allocations including: local street and road maintenance, transit, bridge maintenance/rehabilitation, congestion relief, active transportation grants/programs, regional and statewide transportation projects, local planning grants etc. Since its approval SB1 has partially funded a slurry seal project in Riverbank and (if the tax remains in place after November) will be responsible for the funding of many maintenance and new transportation infrastructure projects in the future. Proposition 6 would repeal the provisions of SB1 by constitutional amendment and has qualified for consideration on the November ballot. In addition, Prop 6 would require that the Legislature submit certain proposals which raise taxes and fees on Gas to the voters for approval. The outcome of Proposition 6 will have significant impacts on the City of Riverbank's transportation infrastructure.

BACKGROUND

As Council is aware, SB1 went through a number of iterations, trials and tribulation before it was eventually approved in 2017. The concept was a program that would work to upgrade local, regional and statewide roadways many of which had fallen into a state of disrepair or had reached operational capacity. The plan ended up including funding for alternate transportation modes, safety projects, and congestion mitigation. Riverbank is receiving an average amount of approximately \$685,000 yearly. This

amount could increase (or potentially decrease) based on a variety of economic and growth factors. However, in general this funding (teamed with Measure L and other transportation funds) will provide the backbone financial structure for Riverbank to complete meaningful roadway maintenance and infrastructure upgrade projects for the foreseeable future. Without SB1 the City of Riverbank will need to reassess its future transportation priorities as constricted funding will push deferred maintenance and new infrastructure projects further into the future.

Proponents of Proposition 6 (SB1 repeal) have a number of arguments in favor of the proposition. The primary points relate to the significant expense of the gas tax and its impact on cost of living affordability in California. Proponents also express skepticism that politicians will exclusively use these funds for their intended purpose and have also voiced concerns over the high levels of monetary waste which does not lead to actual physical roadway improvements.

Opponents of Proposition 6 (SB1 to remain in place) also have expressed a number of arguments in favor of keeping the road tax. Primary arguments are related to job loss, effect on current funded projects, effect on economy and significant safety needs that will be unmet due to lack of transportation funding.

FINANCIAL IMPACT

The exact financial impact is difficult to forecast, but minimally it would be approximately \$685,000 per year for the approximate allocation to Riverbank. There are additional impacts that are more difficult to quantify such as less ability to leverage funds through grants, and additional costs due to increased deferred maintenance.

ATTACHMENTS

- 1) Proposed Resolution

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, FORMALLY OPPOSING PROPOSITION 6 (SB1 REPEAL)

WHEREAS, cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment, which provides critical analysis and information on the local transportation network's condition and funding needs, indicates that the condition of the local transportation network is deteriorating at an increasing rate; and

WHEREAS, California has more than 1,600 bridges and overpasses that are structurally deficient and unsafe and 89% of counties have roads that are in 'poor' or 'at-risk' condition; and

WHEREAS, according to the National Highway Traffic Safety Association, there were more than 3,600 fatalities on California roads in 2016, with poor road conditions as a major factor in vehicle collisions and accidents; and

WHEREAS, Prop 6 would eliminate more than \$52 billion over the next 10 years in existing transportation funding, including the \$15 billion in direct apportionments, and \$11 billion in available competitive grant funding, to cities and counties statewide; and

WHEREAS, Prop 6 would stop funding for more than 6,500 transportation improvement projects currently underway or planned in every California community; and

WHEREAS, Prop 6 would jeopardize public safety by eliminating thousands of projects to fix unsafe bridges and overpasses, repair crumbling and unsafe roads, and enhance pedestrian safety; and

WHEREAS, Prop 6 would raid \$685,000 annually dedicated to The City of Riverbank, and halt critical investments in future transportation improvement projects in our community.

WHEREAS, voters overwhelmingly passed Prop 69 in June thereby ensuring transportation funds can only be used for transportation purposes and the State and local governments are accountable to taxpayers; and

WHEREAS, Prop 6 would eliminate transportation revenues that are accountable to taxpayers, can't be diverted or borrowed, and that voters overwhelmingly dedicated to fixing our roads.

THEREFORE BE IT RESOLVED, that the City of Riverbank hereby opposes Prop 6 on the November 2018 ballot; and

AND THEREFORE BE IT FURTHER RESOLVED, that the City of Riverbank can be listed as a member of the No on Prop 6 coalition, a diverse coalition of local governments, public safety organizations, business, labor, environmental leaders, transportation advocates and other organizations throughout the state.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 24th day of August, 2018; motioned by Councilmember , seconded by Councilmember , and upon roll call was carried by the following City Council vote of :

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Annabelle H. Aguilar, CMC
City Clerk

Richard D. O'Brien
Mayor

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.5

SECTION 6: NEW BUSINESS

Meeting Date: August 28, 2018

Subject: Consideration of Whether to Adopt or Not Adopt a **Resolution** Opposing the State Water Resources Control Board's Bay Delta Plan and Substitute Environmental Document

From: Sean Scully, City Manager

RECOMMENDATION

It is recommended that the City Council consider the proposed resolution.

SUMMARY/BACKGROUND

During the public comment period at the last regularly scheduled Council meeting, Vice President of the Modesto Irrigation District Board of Directors Larry Byrd spoke to Council about the Bay Delta Plan and Substitute Environmental Document (SED) currently under consideration by the State Water Board. During public comment Mr. Byrd communicated the significant concern that MID has over the plan and the potential ramifications to our geographic area. Subsequently, the City has received multiple inquiries as to whether the Council has taken a formal policy position on this issue. While a number of individual Councilmembers over the years have expressed concern over the Bay Delta Plan and SED it does not appear that the Council has ever formally taken a position on the matter.

The State Water Quality Control Board is responsible for modifying and updating the Bay Delta Plan every three years, the plan is intended to establish water quality and use objectives for the various needs that the water flows serves in our region (agriculture, environment etc). The general assumption from the State Water Board is that because of the dams along the water tributaries (which store water and help to prevent flooding), insufficient flow is available for ecological purposes. They theorize that if that water flow was unimpeded it would work to restore the ecological issues with regard to certain fish and wildlife. In its current iteration, the proposed Bay Delta Plan would require certain irrigation districts to dedicate a large percentage (40%) of unimpaired water flows from the Stanislaus, Tuolumne and Merced rivers for fish and pulse flows from February to June each year. Essentially, the plan intends the increased unimpaired flows percentages to benefit the fish ecosystem and salinity control within these waterways. Local irrigation districts such as Oakdale Irrigation District and South San Joaquin

Irrigation District anticipate reductions of approximately 20% in water allotments. During drought conditions these reductions would be even more significant.

There has been significant debate and discussion regarding this matter over the past 5 years. The issue is complicated due to a number of divergent opinions on how best to use the limited resource of water along these waterways. Locally, there are specific concerns with regard to this matter. Some of those include:

- The fallowing of agricultural land and lower agricultural production resulting in the reduced economic multiplier effect.
- Increased groundwater pumping to make up for the loss of surface irrigation water.
- Declining aquifer levels and groundwater quality.
- Challenges in complying with the requirements of the Sustainable Groundwater Management Act of 2014.
- Disagreements over the base scientific assumptions as to the best way to rehabilitate the fish population.
- Concern over whether the Bay Delta Plan as proposed would actually contribute to improved ecological health.

A number of local communities in Stanislaus County and the greater valley area have voiced formal opposition to the Bay Delta Plan and SED including Oakdale, Modesto, Patterson, Waterford and others. While the discussion surrounding this matter have been widespread in recent months due to comment period deadlines on the SED, it is anticipate that the debate on this issue will continue for the foreseeable future.

Normally, staff would attach this plan and associated environmental document to the staff report as a reference, however both documents are extremely lengthy with numerous attachments. If additional information on this issue is desired please visit the following link for copies of both documents, as well as comments letters and other materials on this issue.

https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/

FINANCIAL IMPACT

Financial impact is difficult to quantify. With that said, spillover effects from significant economic ramifications are possible. In addition, any policy that potentially could effect the City of Riverbank's water supply could have costly consequences.

ATTACHMENTS

- 1) Resolution of Opposition

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, OPPOSING THE STATE WATER RESOURCES CONTROL BOARD'S BAY-DELTA PLAN AND SUBSTITUTE ENVIRONMENTAL DOCUMENT

WHEREAS, the State Water Resources Control Board's Bay-Delta Plan, Substitute Environmental Document ("SED") issued in December 2012 proposed to require the Stanislaus, Tuolumne, and Merced rivers release 35 percent of unimpaired flows from February to June each year for environmental benefit; and

WHEREAS, the State Water Resources Control Board, after a two-day hearing in March 2013 regarding the adequacy of the SED, decided to revise the analyses and recommendations provided in the Draft SED, with the ultimate intent of bringing a Final SED and to its Board for adoption at a date to be determined; and

WHEREAS, a revised Draft SED was issued on September 15, 2016 and is currently being circulated for public comment; and

WHEREAS, Governor Edmund G. Brown, Jr. declared on January 17, 2014 California to be in a state of emergency due to an unprecedented three-year drought; and

WHEREAS, flows described in the SED will create "significant and unavoidable" lasting impacts that will harm the socioeconomic welfare of those within Stanislaus, San Joaquin and Merced counties; and

WHEREAS, water supply impacts of flows described in the SED include the loss of hundreds of thousands of acre-feet of surface water that is used to keep agriculture—the region's economic engine—stable. This loss of water would result in the fallowing of some of the most prime farmland in California; and

WHEREAS, if the SED's unimpaired flows were in effect in 2015, in addition to already-incurred impacts from the fourth year of a drought, the economic impacts of the SED would have included \$1.6 billion in economic output loss, \$167 million farm-gate revenue loss, \$330 million in labor income loss, and 6,576 jobs would have been lost, all within the region served by Modesto and Turlock irrigation districts; and

WHEREAS, groundwater impacts of flows described in the SED include increased groundwater pumping at a time when California is working to implement the landmark Sustainable Groundwater Management Act. Impacts from flow increases

described in the SED include a severely hampered ability to conjunctively use surface water on farms to provide adequate groundwater recharge; and

WHEREAS, power impacts of flows described in the SED include public power agencies being resigned to generating more hydropower at a time of low demand, meaning less water is available to generate hydropower in summer when power demand is at its peak. This has economic impacts to public power agencies, and such impacts bear a direct relation to customer electric rates; and

WHEREAS, there is reasonable and significant doubt that the flows described in the SED will benefit native fish populations or promote ecosystem restoration. The SED focuses narrowly on flows as a solution to environmental concerns while ignoring non-flow alternatives such as predator suppression and fish habitat restoration. Such non-flow management measures are often less costly and more effective; and

WHEREAS, the cities within Stanislaus County have made significant investments in diversifying their drinking water sources, to include the use of water from the Tuolumne River. With the implementation of the SED, the use of river water for drinking water is threatened and will leave municipalities and disadvantaged communities even more vulnerable to the impacts of drought.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Riverbank finds that the State Water Resources Control Board should pursue a comprehensive solution which takes into account, rather than dismisses, the impacts listed above. This solution must prioritize non-flow measures to protect native fish species, such as predation reduction programs, before requiring flow increases that would threaten the economic vitality of our region's counties, cities and small family farms.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 28th day of August, 2018; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____ :

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Annabelle H. Aguilar, CMC

City Clerk

Richard D. O'Brien

Mayor

PROPOSED