



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, APRIL 23, 2019– 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 1 Luis Uribe
Council/Authority Member District 2 Cindy Fosi
Council/Authority Member District 3 Cal Campbell

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

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

1. PRESENTATIONS There are no presentations.

2. PUBLIC COMMENTS (No Action Can Be Taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the City Council/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 March 12, 2019, City Council and Local Redevelopment Authority Minutes.

Item 3.C: Recommend Approval of a **Resolution** Adopting a List of Projects for Fiscal Year 2019-20 Funded by SB 1: The Road Repair and Accountability Act of 2017.

Item 3.D: A **Resolution** to Rescind Resolution No. 2018-082 and to Conditionally Award Bid for the Riverbank Industrial Complex High-Voltage Electrical Project to American Systems Controls and Integration Inc. and Authorize the City Manager to Execute Future Change Orders.

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

4. UNFINISHED BUSINESS There are no items to consider.

5. PUBLIC HEARINGS

The public notice for Item 5.1 was published in the Riverbank News on 04/03/2019 and again on 04/10/2019, and three (3) large conspicuous notices were posted at the property site.

Item 5.1: **Consideration of a Resolution to Approve the Vacation of the Old Burneyville Road Right of Way Adjacent to Lot APN 132-001-001** – It is recommended that the City Council formally vacate, by resolution, the right of way known as the Old Burneyville Road located north of the City Corporation Yard and adjacent to APN 132-001-001 for PG&E's use as a Gas Transmission In-Line Inspection Station site.

6. NEW BUSINESS

Item 6.1: **A Resolution to Appropriate an Additional \$265,000.00 from the Sewer Operations Reserve Fund (Fund 106) to Smoke Test the Entire Collection System for an Infiltration and Inflow Study** – It is recommended that the City Council adopt a Resolution authorizing the additional appropriation of \$265,000 to add to the \$400,000 already budgeted for in the Capital Improvement account for the contract to perform smoke testing throughout the entire city.

- Item 6.2:** **A Resolution to Award Bid for the Sewer Collection System Smoke Testing Project to National Plant Services, Inc. and Authorize the City Manager to Execute the Contract and Future Change Orders** – Staff recommends that the City Council adopt the proposed resolution by roll call vote.
- Item 6.3:** **2018 General Plan and Housing Element Annual Progress Reports. A Resolution Adopting the 2018 General Plan and Housing Element Annual Progress Reports (APRs) as well as authorizing Staff to submit said Reports to the California Office of Planning and Research and California Department of Housing and Community Development** – Staff recommends approval of the City's 2018 General Plan and Housing Element Annual Progress Reports and to authorize Staff to submit said reports to the California Office of Planning and Research and California Department of Housing and Community Development.
- Item 6.4:** **Proposition 68 Statewide Park Development and Community Revitalization Program Information** - It is recommended that the City Council hear information on upcoming Proposition 68 grants.
- Item 6.5:** **A Resolution to Award Bid for Completion of the Citywide Park Master Plan to Pros Consulting, Inc. and to Appropriate Funds from the Park System Development Fee Account** – It is recommended that the City Council consider approving the Resolution to award the Bid for the completion of the Citywide Park Master Plan to Pros Consulting, Inc. and designate \$109,625 from the Parks System Development Fee Account to pay for this professional service.
- Item 6.6:** **A Resolution Appointing a Primary Member and Alternate Member to the Stanislaus Homeless Alliance Board** – It is recommended that the City Council consider the appointment of a Member of the City Council, either by nomination or volunteer, to serve as the primary member on the Stanislaus Homeless Alliance (SHA) Board, and to appoint the City Manager as the alternate member, pursuant to the SHA draft bylaws, and to ratify the appointments by Resolution.
- Item 6.7:** **Workshop on Urban County HUD Entitlement Funding and Riverbank Housing Division** – for informational purposes only.

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 recessing 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 LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: (2) potential cases

9. REPORT FROM CLOSED SESSION

Item 9.1: Report from Closed Session on Item 8.1: **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – Aemetis, Inc.

Item 9.2: Report from Closed Session on Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** (2) potential cases

ADJOURNMENT (The next regular City Council meeting – Tuesday, May 14th @ 6:pm)

AFFIDAVIT OF POSTING

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

Posted this 18th day of April, 2019

/s/ Annabelle H. Aguilar, CMC, City Clerk / L R A 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 5:00 p.m. on the day of the meeting to allow for 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.
Written Public Comments	Anyone wishing to provide written public comments may do so <u>prior to 5:00 p.m. of the day of the meeting</u> to allow for distribution to the City Council. Comments must specify what agenda item they are referring to. Comments will become part of the record, however, they will not be read aloud at the meeting.
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 / LRA AGENDA ITEM NO. 3.A

SECTION 3: CONSENT CALENDAR

Meeting Date:	April 23, 2019
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/LRA Board may waive the reading of the text and introduce the ordinance or resolution by title only for the record.

The full text of 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/LRA Board; 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:	April 23, 2019
Subject:	Approval of the March 12, 2019, 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 March 12, 2019, 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. March 12, 2019, 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, MARCH 12, 2019**

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

CALL TO ORDER:

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

FLAG SALUTE

Mayor/Chair Richard D. O'Brien

INVOCATION

Reverend Charles Neal, Riverbank Ministerial Association

ROLL CALL

Present:

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

Absent:

Council/Authority Member District 2 Cindy Fosi (excused)

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

CONFLICT OF INTEREST

Any Council/Authority Member or Staff who has a direct Conflict of Interest on any scheduled agenda item to be considered is to declare their conflict at this time.
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No one declared a conflict.

1. PRESENTATIONS

Item 1.1: Certificate of Recognition – C.A.S.A. Del Rio Family Resource Center.

Mayor O'Brien presented the certificate to the Representatives of the Center.

Item 1.2: Proclamation – Women's History Month – March 2019.

Mayor O'Brien presented the proclamation to the Riverbank Federated Women's Club.

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.

No one spoke.

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 February 12, 2019, City Council and Local Redevelopment Authority Minutes.

Item 3.B-1: Approval of the February 25, 2019, Special City Council Minutes.

Item 3.C: A Resolution [No. 2019-010] to Approve the Appropriation of \$31,000 from the Sewer Capital Improvement Reserve Fund (Fund 108) for Emergency Repairs to the Muffin Monsters (grinder) at the Wastewater Treatment Plant.

Item 3.D: A Resolution [No. 2019-011] Authorizing the Execution of a Performance Agreement with Chris Ricci Presents, Inc. for the Coordination of the 2019 Cheese & Wine Festival.

Item 3.E: A Resolution [No. 2019-012] Authorizing the Mayor to Execute a Lease Agreement with Chris Ricci Presents, Inc. for the City's Property Area to Conduct the Riverbank Cheese and Wine Festival.

Recommendation:

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

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe / passed 4-0) to approve Consent Calendar Items 3.A through 3.E as presented; Motion carried by unanimous City Council and LRA Board roll call vote.*

AYES: Campbell, Uribe, Barber-Martinez, and Mayor/Chair O'Brien

NAYS: None / ABSENT: Fosi / ABSTAINED: None

4. UNFINISHED BUSINESS

There were no items to consider.

5. PUBLIC HEARINGS

There were no items to consider.

6. NEW BUSINESS

Item 6.1: **Status Update on the Riverbank Designated Local Authority** – It is recommended that the City Council receive a presentation from Mark Persico, Kosmont Companies regarding an update on the Riverbank Designated Local Authority (Successor Agency to the former Riverbank Redevelopment Authority) and provide direction to staff on potential options for the future of the Successor Agency.

Mr. Mark Persico, ACP, presented the report. DLA Treasurer Paul Baxter was also present. Three options were presented for City Council to consider: 1) Riverbank City Council elects to become Successor Agency, 2) County Auditor Controller could make bond payments and assume some Successor Agency duties (there is a legal question regarding this option), or 3) DLA Board continues with part-time City support.

City Council, Presenters, and Staff discussed the matter.

Mayor O'Brien and Vice Mayor Barber-Martinez called for a workshop to thoroughly discuss the matter; no one objected.

Item 6.2: **2020-2025 Strategic Plan** – Approve and/or Amend and Approve the City's Strategic Plan.

City Manager Sean Scully introduced Kendall Flint and Steve Flint of Regional Government Services.

Kendall Flint presented the report.

Mayor O'Brien requested the Mission statement to state "Municipal Services", and requested that the City Council pursue absentee landlords renting their buildings for the preservation of the Historic downtown; no one objected.

Public comment: Ms. Leanne Jones Cruz spoke in favor of the Dog Park as part of the strategic plan.

ACTION: *By motion moved and seconded (Campbell / Uribe / passed 4-0) to adopt the Strategic Plan with the amendment of the Mission Statement to read "professional municipal services".*

Motion carried by unanimous City Council roll call vote.

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

NAYS: None / ABSENT: Fosi / ABSTAINED: None

Item 6.3: **CalPERS (California Public Employees Retirement System) Pension Cost Update for the City of Riverbank** – It is recommended that the City Council receive a report from NHA Advisors who has prepared a CalPERS Pension Cost Update for the City of Riverbank.

*Mr. Craig Hill, NHS Advisors, presented the report.
City Council, Presenter, and Staff discussed the matter and the options to consider.*

Item 6.4: **2019 Cheese & Wine Festival Workshop** – It is recommended that the City Council provide ideas and suggestions for the upcoming 2019 Cheese & Wine Festival.

*Chris Ricci, Chris Ricci Presents, Inc., presented the new plans for 2019.
Council Members provided their suggestions to the event. City Manager Sean Scully voiced Councilmember Fosi's concerns in regards to having too many of the same type of vendors as part of the event.*

Public Comment was made by Ms. Leanne Jones Cruz who spoke in favor of vendor placement in the center of the street, and suggested placement of the six wine vendors.

Item 6.5: **Acceptance of the Patterson Road Sidewalk Project and Authorization to File a Notice of Completion** – It is recommended that the City Council accept the completion of the Patterson Road Sidewalk Project and authorize staff to file a Notice of Completion.

Kathleen Cleek presented the staff report.

Public comment was made by Marilyn Mc Ritchie requesting an update on the crosswalk at St. Romans Catholic Church. The Mayor and Staff responded.

ACTION: *By motion moved and seconded (Barber-Martinez / Campbell / passed 4-0) to accept Patterson Road Sidewalk Project and Authorize to file a Notice of Completion as presented.*

Motion carried by unanimous City Council roll call vote.

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

NAYS: None / ABSENT: Fosi / 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

· *City Manager Sean Scully announced the Special City Council Meeting next Tuesday to consider the Crossroads West Specific Plan Project*

Item 7.2: Council/Authority Member

- *Council/Authority Member Campbell announced the State of the City Address.*
- *Vice Mayor/Chair Barber-Martinez announced April 13th as “Love Riverbank” day, and that applications for Citizen of the Year and Youth of the Year were available, and invited everyone to attend the dinner.*

Item 7.3: Mayor/Chair

Mayor/Chair O’Brien: 1) announced that May was Bike to Work Month and Bike Safety and requested staff to have someone make a presentation on this; 2) announced that he would be out of state and would be teleconferencing to participate in the meeting, with Vice Mayor Barber-Martinez presiding; and 3) inquired about the electronic signs that were previously discussed.

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: APN 132-011-017
Agency Negotiator: Sean Scully, City Manager
Property Negotiator: Horisons Limited

Item 8.2: 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 8.3: CONFERENCE WITH LEGAL COUNSEL: INITIATION OF LITIGATION

Pursuant to Government Code Section 54956.9(d)(4)
Number of cases: (1) one

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 8:17 p.m.

9. REPORT FROM CLOSED SESSION

Mayor/Chair O’Brien reconvened the meetings at 8:38 p.m.

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

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

Item 9.2: Report from Closed Session on Item 8.2: **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – Aemetis, Inc.

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: INITIATION OF LITIGATION** – (1) case

Mayor O'Brien reported that the City Council unanimously voted 4-0; Councilmember Fosi – Absent, the City of Riverbank will file lawsuit against the State of California for violation of local control of cannabis delivery under Proposition 64.

ADJOURNMENT

There being no further business, Mayor/Chair O'Brien adjourned the meetings at 8:39 p.m.

ATTEST: (Adopted 04/23/2019)

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: CONCENT CALENDAR

Meeting Date:	April 23, 2019
Subject:	Recommend Approval of Resolution Adopting a List of Projects for Fiscal Year 2019-20 Funded by SB 1: The Road Repair and Accountability Act of 2017
From:	Sean Scully, City Manager
Submitted by:	Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION

It is recommended that the City Council approve a Resolution adopting a list of projects for fiscal Year 2019-20 funded by SB 1: The Road Repair and Accountability Act of 2017.

SUMMARY

On April 28, 2017, Governor Brown signed Senate Bill (SB) 1, which is known as the Road Repair and Accountability Act of 2017. The primary focus of the Bill is to address basic road maintenance, rehabilitation, and critical safety needs on both the state highways and local streets and roads system. Prior to receiving new Fiscal Year apportionments of Road Maintenance and Rehabilitation Account (RMRA) funds from the California State Controller, the city must adopt a list of projects proposed to be funded with these funds by resolution and submitted to the State by May 1st of each year.

The City brought before the City Council on October 10, 2017 an initial project list which was approved by the Council and submitted to the CTC. The projects included streets to be crack sealed. On April 24, 2018 Council approved a project list for Fiscal Year 2018-2019. Since the City did not begin receiving funds from the State Controller's Office until January 2018, most of the projects were carry-over from the October 10, 2017 initial list. The streets identified in the April 24, 2018 list have either been completed, or are scheduled to be completed with the new 2019 Pavement Restoration Project (Crack Seal/Slurry Seal) that will be going out to bid in May 2019.

For Fiscal Year 2019-2020, the City is projecting to receive \$420,000. The Exhibit "A" Project List attached includes roads requiring a double fiber slurry seal and improvements to Santa Fe Road from Claus Road to 300 feet east. Improvements to Santa Fe will include storm drain inlet repairs and a reconstruction of this portion of road.

FINANCIAL IMPACT

In January 2018, the City began receiving funds from the State Controller's Office, which were deposited into the newly created Road Maintenance and Rehabilitation Account (RMRA). The City continues to receive monthly installments. The funding the City of Riverbank received in Fiscal year 2017-2018 was \$92,043.07. The City used \$38,770.00 to crack seal a portion of the roads from the initial Fiscal Year 2017-2018 list. To date for Fiscal Year 2018-2019 the City has received \$317,726.29 in deposits. The City will be spending approximately \$250,000 of these funds on a Pavement Restoration Project (Crack Seal/Slurry Seal), which will go out to bid in May 2019.

Funds to be received for Fiscal Year 2010-2020 are estimated at \$420,000. The attached Exhibit "A" details the street and road maintenance that will be constructed with these funds.

The RMRA funds do require a Maintenance of Effort (MOE) from the City based on General Fund spending for street, road and highway purposes. City staff is continuing to work with the State to comply with the MOE requirements.

STRATEGIC PLAN

Recommendation for approval of the Fiscal Year 2019-2020 list of roads to be maintained is in line with the 2020-2025 Riverbank Strategic Plan goal to Improve Public Safety by maintaining safe and well-lit streets and roads.

RECOMMENDATION

It is recommended that the City Council approve a Resolution accepting the Fiscal Year 2019-2020 list of projects to be funded with Senate Bill (SB) 1 "The Road Repair and Accounting Act of 2017".

ATTACHMENT

1. Resolution
2. Exhibit "A"

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2019-20 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Riverbank are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City of Riverbank must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvements; and

WHEREAS, the City of Riverbank will receive an estimated \$420,000 in RMRA funding in Fiscal Year 2019-20 from SB 1; and

WHEREAS, this is the third year in which the City of Riverbank is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City of Riverbank used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City of Riverbank to continue to maintain and rehabilitate streets/roads, add active transportation infrastructure throughout the City for this year and similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City of Riverbank's streets and roads are in good condition

and this revenue will help us increase the overall quality of our road system and over the next decade will continue to sustain the quality of our roads as good condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank, State of California, does hereby find and order as follows:

1. The foregoing recitals are true and correct.
2. The following list of proposed projects will be funded in-part or solely with fiscal year 2019-20 Road Maintenance and Rehabilitation Account revenues:

Double Fiber Slurry:

Santa Fe Street	4 th Street to 8 th Street	10 Years	April 2020
Stanislaus Street	3 rd Street to 6 th Street	10 Years	April 2020
Sierra Street	1 st Street to 8 th Street	10 Years	April 2020
Aspen Lane	S. Rosebrook to Green Oaks Drive	10 Years	April 2020
Aspen Court	S. Rosebrook to End	10 Years	April 2020
Green Oaks Drive	S. Rosebrook to South End	10 Years	April 2020
Green Oaks Court	S. Rosebrook to End	10 Years	April 2020
S. Rosebrook	Roselle Avenue to Pierce Lane	10 Years	April 2020

Road Reconstruction:

Santa Fe Street	Claus Road to 300 ft. East	20 Years	April 2020
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PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 23rd day of April, 2019; 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

SB 1 Summary of Proposed Project List FY 2019/2020

Project No.	Project Title	Project Description	Project Location	Estimated Completion Date (mm/yyyy)		Estimated Useful Life (# of yrs)	
				Pre- Construction	Construction	Min.	Max.
PP63	Santa Fe Street	Double Fiber Slurry	4th Street to 8th Street	02/2020	04/2020	7	10
PP64	Stanislaus Street	Double Fiber Slurry	3rd Street to 6th Street	02/2020	04/2020	7	10
PP65	Sierra Street	Double Fiber Slurry	1st Street to 8th Street	02/2020	04/2020	7	10
PP66	Aspen Lane	Double Fiber Slurry	S. Rosebrook to Green Oaks Drive	02/2020	04/2020	7	10
PP67	Aspen Court	Double Fiber Slurry	S. Rosebrook to End	02/2020	04/2020	7	10
PP68	Green Oaks Drive	Double Fiber Slurry	S. Rosebrook to South End	02/2020	04/2020	7	10
PP69	Green Oaks Court	Double Fiber Slurry	S. Rosebrook to End	02/2020	04/2020	7	10
PP70	South Rosebrook	Double Fiber Slurry	Roselle Avenue to Pierce Lane	02/2020	04/2020	7	10
PP71	Santa Fe Street	Road Reconstruction	Claus Road to 300 Ft. East	02/2020	04/2020	15	20

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.D

SECTION 3: CONSENT CALENDAR

Meeting Date:	April 23, 2019
Subject:	A Resolution to Rescind Resolution No. 2018-082 and to Conditionally Award Bid for the Riverbank Industrial Complex High-Voltage Electrical Project to American Systems Controls and Integration Inc., and Authorize the City Manager to Execute Future Change Orders
From:	Sean Scully, City Manager
Submitted by:	Laura Graybill, Project Coordinator Melissa Holdaway, Administrative Analyst II

RECOMMENDATION:

It is recommended that City Council approve the proposed resolution to:

1. Rescind Resolution 2018-082 that Conditionally Awarded the Bid for the Riverbank Industrial Complex High-Voltage Electrical Project to Applied Power Systems and Authorized Execution of Future Change Orders; and
2. Award Bid for the Project to American System Controls and Integration Inc. subject to the bidder complying with applicable HCD grant requirements; and
3. Authorize the City Manager to execute Change Orders within total project budget.

SUMMARY:

On December 11, 2018 City Council previously approved Resolution 2018-082 to Conditionally Award Bid for Riverbank Industrial Complex High-Voltage Electrical Project to Applied Power Systems and Authorize Execution of Future Change Orders.

Applied Power Systems failed to execute and deliver the signed copies of the Notice of Award, Contract and the required Contractor's Performance Bond, Payment Bond, and Certificates of Insurance. City Staff made many phone calls, emails and sent certified letters to Applied Power Systems in an attempt to get the executed above mentioned documents returned. On April 3, 2019, City Staff sent a certified letter voiding the Notice of Award and Contract sent to Applied Power Systems.

The San Francisco Water and Power via Hetch Hetchy for converting the switchgear has given the City the deadline of May 29, 2019 for completion of the work. Staff has meet

with American System Controls and Integration Inc. (ASCII) and they have submitted a bid price of \$135,000.00 for this project.

Staff has requested approval to sole source this project with the Department of Housing and Community Development (HCD). We had previously advertised and gone out to bid twice in late 2018 and had only one contractor submit. We need to proceed with non-competitive procurement for this project as we believe there exists a public emergency or condition requiring urgency and will not permit a delay to employ any other procurement method. The City's request for single source procurement to ASCII has been approved by HCD.

This bid has been reviewed and we recommend City Council to award bid with a sole source contract with ASCII.

It is requested that the City Council provide the City Manager authorization to execute Change Orders if they are within total budget.

Work on the project includes, but is not limited to, furnishing all labor, materials, equipment, transportation, and incidentals necessary for installation of replacement oil circuit breakers to Line 8 with new SF6 Circuit breakers (provided by City/LRA) at the Riverbank Industrial Complex by a qualified licensed high-voltage electrical contractor and all other work necessary for the project.

BACKGROUND

The Local Redevelopment Authority prepared a CDBG "Over-the-Counter" application for up to \$902,019 in response to the May 2016 Notice of Funding Availability (NOFA).

On September 22, 2016 the City Council approved a Resolution approving the submittal of an application for funding and the execution of a grant agreement and any amendments thereto from the Economic Development "Over-the-counter" (OTC) allocation for fiscal year 2016 through the Community Development Block Grant in support of needed infrastructure improvements for Repsco, Inc. It was awarded in December 2016 and will expire October 2021. All awarded project funds will expire in October 2019. The scope of work has been phased for the electrical improvements. The project has been phased into multiple sections, portions of the electrical upgrade were made in the first phase in 2017, and this phase will continue this work in adding a circuit which will improve the overall electrical system on site.

FISCAL IMPACT:

Costs to be covered by the Community Development Block Grant. There will be no financial impact to the General Fund for this project.

ATTACHMENT

- 1) Proposed Resolution
- 2) Exhibit A - Letter of Approval of Single Source Procurement from HCD
- 3) Exhibit B - Site Map

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO RESCIND RESOLUTION NO. 2018-082 AND TO CONDITIONALLY AWARD BID FOR THE RIVERBANK INDUSTRIAL COMPLEX HIGH-VOLTAGE ELECTRICAL PROJECT TO AMERICAN SYSTEMS CONTROLS AND INTEGRATION INC. AND AUTHORIZE THE CITY MANAGER TO EXECUTE FUTURE CHANGE ORDERS

WHEREAS, in 2016 the City was awarded a grant by the California Department of Housing and Community Development (HCD) in support of Public Infrastructure for Repsco, Inc.; and

WHEREAS, one of the activities listed in the scope of work was for design and engineering and the replacement of an SF6 Circuit Breaker in Line 8; and

WHEREAS, the City Council previously approved City Council Resolution No. 2018-082 on December 11, 2018 to Conditionally Award Bid for Riverbank Industrial Complex High-Voltage Electrical Project to Applied Power Systems and Authorize Execution of Future Change Orders; and

WHEREAS, the City desires to rescind Resolution No. 2018-082 due to Applied Power Systems failure to execute the Notice of Award, Contract and submit the required Contractor's Performance Bond, Payment Bond, and Certificates of Insurance; and

WHEREAS, the City considers Applied Power Systems failure to execute the Notice of Award, Contract and submit the required Contractor's Performance Bond, Payment Bond, and Certificates of Insurance as abandonment of the project and as a forfeiture of their bid security; and

WHEREAS, on April 3, 2019, the City sent a certified letter voiding the Notice of Award and Contract sent to Applied Power Systems on February 19, 2019; and

WHEREAS, the City has determined that a public emergency or condition requiring urgency exists and therefore must proceed with a non-competitive procurement for this project to avoid further delay; and

WHEREAS, the City requested and received approval by the Community Development Block Grant Representative for single source bid; and

WHEREAS, on April 15, 2019 the City of Riverbank received a bid for the Riverbank Industrial Complex High-Voltage Electrical Project from American Systems Controls and Integration Inc. ("ASCII"); and

WHEREAS, on April 16, 2019 the City received a letter from HCD, **Exhibit A** attached hereto, approving the use of a single source procurement of ASCII; and

WHEREAS, it is in the best interest of the City to award the bid to ASCII in the amount of one hundred thirty-five thousand dollars (\$135,000.00).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby rescinds Resolution No. 2018-082 and approves to conditionally award the bid for the High-Voltage Electrical Project (**Exhibit B – site map**) to American Systems Controls and Integration Inc., and authorizes the City Manager to execute future change orders.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 23rd of April 2019; 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 - Copy of HCD Letter and Exhibit B - Site Map

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**DIVISION OF FINANCIAL ASSISTANCE**

2020 W. El Camino Avenue, Suite 500, 95833

P. O. Box 952054

Sacramento, CA 94252-2054

(916) 263-2771 / (FAX) 263-2763

www.hcd.ca.gov

April 16, 2019

Mr. Sean Scully
City Manager
City of Riverbank
6707 Third Street
Riverbank, CA 95367-2396

RE: Approval of Single Source Procurement – Phase II High Voltage Electrical Replacement Contractor – Non Performance Original Sole Source Approval Grant Agreement 16-CDBG-11211– Repsco Inc.

Dear Mr. Scully:

The City's 2nd request for single source procurement of American System Controls and Integration for completion of the Phase II High Voltage Electrical Improvements relative to the above referenced grant contract has been received. Based on the information provided in the request, the City completed a reasonable amount of outreach on two (2) occasions and received only one (1) bid for the completion of the work. Due to non-performance of the contractor initially approved for completion of the work and the deadline of May 29, 2019 imposed by San Francisco Water and Power via Hetch Hetchy for converting the switchgear, the use of single source procurement is approved.

Please maintain a copy of this letter in the grant's procurement file along with a copy of the Request for Proposals and all documentation relating to the outreach process. Prior to executing a full contract for services, please confirm the contractor is not on the federal debarred list and the contract for work includes all required CDBG language.

Please contact me via email at jon.diedesch@hcd.ca.gov or by phone at 916-263-2561 should you have questions or need any additional information or clarification.

Sincerely,

A handwritten signature in black ink, appearing to be "JD" followed by a long horizontal stroke.

Jon Diedesch
NOFA and Awards

Cc: Grant File



RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.1

SECTION 5: PUBLIC HEARING

Meeting Date:	April 23, 2019
Subject:	Consideration of a Resolution to Approve the Vacation of the Old Burneyville Road Right of Way Adjacent to Lot APN 132-001-001
From:	Sean Scully, City Manager
Submitted by:	Michael Riddell, Public Works Director

RECOMMENDATION

It is recommended that the City Council formally vacate, by resolution, the right of way known as the Old Burneyville Road located north of the City Corporation Yard and adjacent to APN 132-001-001 for PG&E's use as a Gas Transmission In-Line Inspection Station site.

SUMMARY

PG&E uses In Line Inspection (ILI) technology requiring the upgrade of pipelines to accommodate the insertion of a data collection tool (also known as "smart pig"), collecting data on the pipe, evaluating the data and if required, repair or replace sections of the pipe determined to not meet state and federal safety standards.

ILI technology requires a launcher and receiver station on each end of the pipeline. There are many factors on the location of these stations, including but not limited to, pipe diameter, line pressure, direction of gas flow, and length of pipeline. Since ILI uses the gas line pressure to move the "smart pig" in the pipeline, it allows uninterrupted service to PG&E customers during inspection.

The inspection of the line requires installing a launcher facility in the City of Modesto and receiver site in the City of Riverbank; gas flows northerly toward the City of Riverbank. The proposed station would allow PG&E to inspect its entire section of line from Coffee Road and Claratina Avenue in the City of Modesto to this location where the pipeline changes design (i.e. pipe diameter) and operating pressure. The proposed receiver site as indicated would receive the "smart pig". The primary value for the City in the vacation of the right of way is to facilitate this important safety improvement, especially since this line is a high pressure gas main. In addition, after vacating the right of way the City will have no property/maintenance responsibilities for the property.

PG&E has identified an area that would minimize or avoid impacts to the environment and landowners. The proposed location of ILI station is in an abandoned area of Old Burneyville Road, below and adjacent to parcel, APN 132-001-001; PG&E is currently under discussion with the landowner for APN 132-001-001 (exhibit "A"). The abandoned road area and the vacant parcel would provide the space required for the proposed ILI station. The abandoned roadway already is encumbered with two (2) active PG&E natural gas pipelines. The PG&E site assessment indicates both sites are disturbed and absent of special status species and their habitat and cultural resources.

STRATEGIC PLAN

The recommended action supports the City of Riverbank Strategic Plan Initiatives: Maintain and Improve the City's Infrastructure and Service Delivery System.

FINANCIAL IMPACT

None

ATTACHMENT

1. Exhibit "C" PG&E Request
2. Exhibit "A" Description of the property.
3. Exhibit "B" Map of the area.
4. Resolution

.



(Exhibit C)

Proposed Gas Transmission In-Line Inspection Station Site On Old Burneyville Road, City of Riverbank

February 5, 2019

PURPOSE AND NEED

The operation of natural gas transmission pipelines is subject to requirements governed by federal and state regulations; Title 14 Code of Federal Regulations (CFR) Part 191 & 192 and the California Public Utilities Commission General Order 112-F, respectively. One of these requirements include performing scheduled internal inspections of the pipes to ensure the continued delivery of safe and affordable energy to our customers. Currently, the required inspection cycle is every seven years, but could change in the future with shorter intervals.

PG&E uses ILI technology requiring the upgrade of pipelines to accommodate the insertion of a data collection tool (also known as “smart pig”), collecting data on the pipe, evaluating the data and if required, repair or replace sections of the pipe determined to not meet state and federal safety standards.

ILI technology requires a launcher and receiver station on each end of the pipeline. There are many factors on the location of these stations, including but not limited to, pipe diameter, line pressure, direction of gas flow, and length of pipeline. Since ILI uses the gas line pressure to move the “smart pig” in pipeline, it allows uninterrupted service to our customers during inspection.

The inspection of the line requires installing a launcher facility in the City of Modesto and a receiver site in the City of Riverbank; gas flows northerly toward the City of Riverbank. The proposed station would allow PG&E to inspect its entire section of line from Coffee Road and Claratina Avenue in the City of Modesto to this location where the pipeline changes design (i.e., pipe diameter) and operating pressure. The proposed receiver site as indicated would receive the “smart pig”. The location of these stations and their distance apart are dependent on gas pipeline design (i.e., no. of elbows, etc.) and operating pressure.

PROPOSED LOCATION

PG&E has identified an area that would minimize or avoid impacts to the environment and land owners. The proposed location of ILI station is in an abandoned area of Old Burneyville Road, shown in Figure 2 below and the adjacent parcel, APN 132-001-001; PG&E is currently under discussion with the landowner for APN 132-001-001. The abandoned road area and the vacant parcel would provide the space required for the proposed ILI station. The abandoned roadway is already encumbered with two active PG&E natural gas pipelines. PG&E site assessment indicates both sites are disturbed and absent of special status species and their habitat and cultural resources. The location is just north of the City’s administration complex and at the northwesterly perimeter of residential land use.



Proposed Gas Transmission In-Line Inspection Station Site
On Old Burneyville Road, City of Riverbank

February 5, 2019



Figure 2

Alternatives

PG&E site selection process first considers undeveloped or under-developed parcels of land before pursuing developed land if opportunities are available. These sites should be near the terminus of the line; sites being distant from the existing pipeline would require installing new pipeline to interconnect the station.

Undeveloped sites are not available in close proximity to the proposed location.

The nearest undeveloped sites along the existing pipeline are located approximately $\frac{3}{4}$ of a mile southeast of the proposed location. These parcels are undeveloped but have potential for single and multi-family residential dwellings. In addition, a section of pipeline between these sites and the terminus at the proposed location would not be able to be inspected using ILI technology.

The least desirable alternative is installing a temporary receiver site every inspection cycle. This would create temporary traffic impacts every inspection cycle since it would require excavation at the location, installation of the receiver equipment, the staging of other equipment to perform the work, demobilization and restoration; work would occur at Burneyville Road and Riverside Drive. PG&E



Proposed Gas Transmission In-Line Inspection Station Site
On Old Burneyville Road, City of Riverbank

February 5, 2019

believes this would create the most inconvenience to the community, as well as the least cost effective for our customers.



Proposed Gas Transmission In-Line Inspection Station Site
On Old Burneyville Road, City of Riverbank

February 5, 2019

EXECUTIVE SUMMARY

Pacific Gas and Electric (PG&E) Company is requesting the City of Riverbank to formerly vacate an abandoned section of Old Burneyville Road (see Figure 1) and reserve an easement to PG&E for two existing natural gas transmission pipelines.

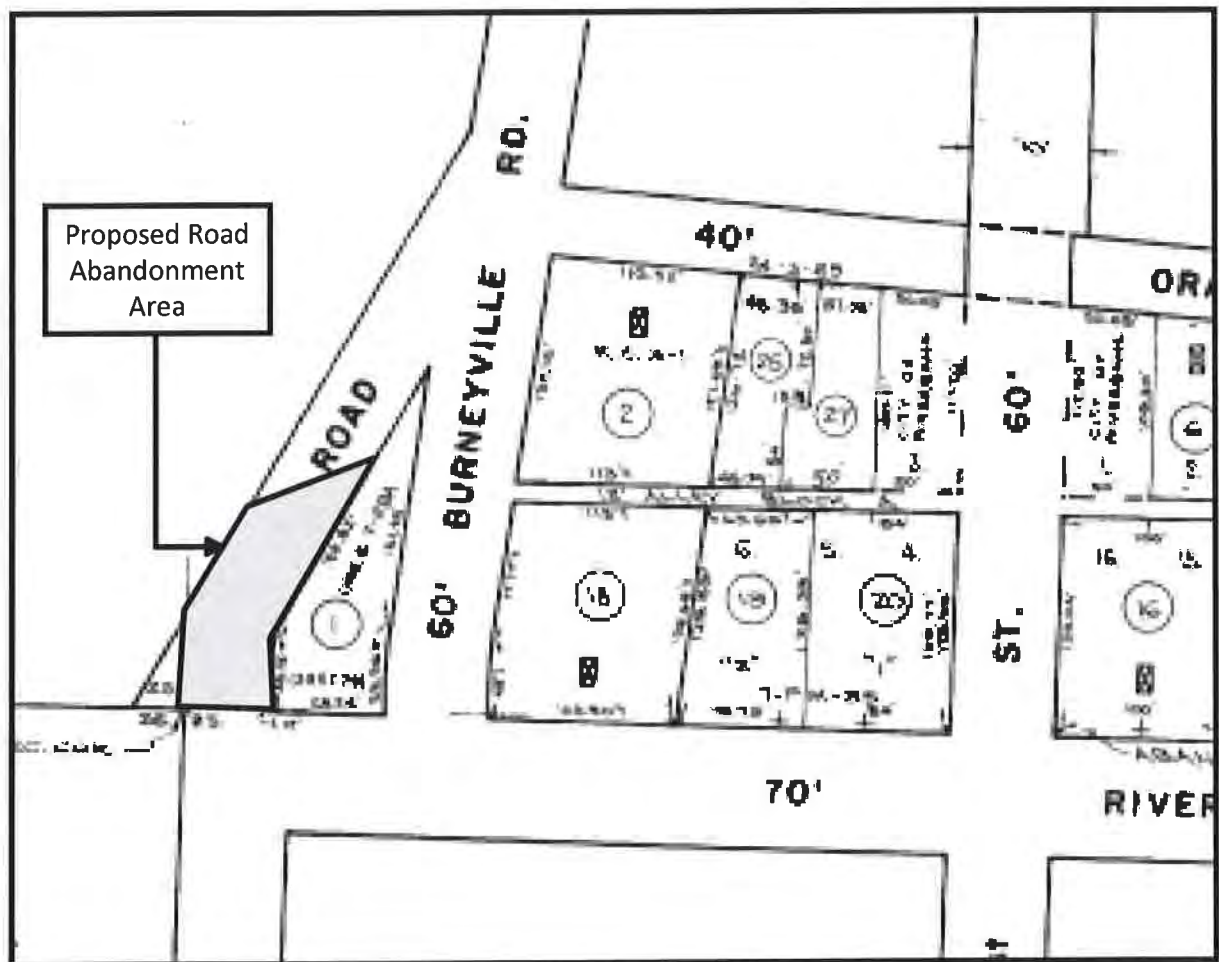


Figure 1

EXHIBIT "A"

Real property situate in the City of Riverbank, County of Stanislaus, State of California, and being a portion of the southwest quarter of the southwest quarter of the southwest quarter of Section 24, Township 2 South, Range 9 East, MDB&M, more particularly described as follows:

Commencing at the found iron pipe shown on the Record of Survey filed for record December 29, 2004 in Book 28 of Surveys at page 79, Stanislaus County Records, marking the southeasterly end of a curve on River Cove Drive, from which the iron pipe also shown on said map, marking the northwesterly end of said curve, bears North 57°24'02" West 212.01 feet, and running

(a) South 00°14'52" West 257.04 feet to a point on the easterly line of Old Burneyville Road as shown on said map, also being the point of beginning; thence along said easterly line

- (1) South 29°29'06" West 140.23 feet; thence continuing along said easterly line
- (2) South 00°02'24" East 43.83 feet to the southerly line of the southwest quarter of said Section 24; thence leaving said easterly line and running westerly along said Section line
- (3) North 89°27'33" West 50.00 feet to the westerly line of the southwest quarter of said Section 24 as shown on said map, also being the westerly line of Old Burneyville Road; thence leaving said southerly line and running northerly along said westerly line of the southwest quarter of said Section 24
- (4) North 00°02'24" West 56.50 feet; thence leaving said westerly line and running northeasterly along the westerly line of Old Burneyville Road
- (5) North 29°29'06" East 86.61 feet; thence leaving said westerly line
- (6) North 66°18'11" East 83.43 feet to the point of beginning.

And containing an area of 8,179 square feet;

And as shown on Exhibit "B" attached hereto and made a part hereof.

The bearings and distances used in the above descriptions are based upon the chord bearing between the two monuments along River Cove Drive taken as South 57°24'02" East, shown upon the Record of Survey filed for record December 29, 2004 and recorded in Book 28 at page 79, Stanislaus County Records.

Prepared By: Michael David Jones
Michael David Jones
L.S. No. 6173

Date: January 31, 2019



TOWNSHIP 2 SOUTH,
RANGE 9 EAST, MDB&M
SW 1/4 SEC. 24

FD. I.P. IN MON. WELL
28 RS 79, S.C.R.

BASIS OF BEARING
S57°24'02"E 212.01'
(S57°24'02"E 212.01')

CHORD BEARING BETWEEN CURVE
MONUMENTS ALONG RIVER COVE
DRIVE, 28 RS 79, S.C.R.

POINT OF
COMMENCEMENT

FD. I.P. IN MON. WELL
28 RS 79, S.C.R.

Map Legend	
	PROPERTY LINE
	ROAD CENTERLINE
	SECTION LINE
	PARCEL BEING GRANTED
	OLD RIGHT OF WAY/ CENTERLINE
()	28 RS 79, STANISLAUS COUNTY RECORDS

0 20 40 80 120



1 INCH = 40 FEET



SMITH
APN 132-035-011

POINT OF
BEGINNING

T&B SMITH
CONSTRUCTION
APN 132-035-012

56.50' N00°02'24"W
86.61' N29°29'06"E
OLD BURNEYVILLE ROAD
AREA = 8,179 SQFT
43.83' S00°02'24"E
50.00' N89°27'33"W

SMITH
APN 132-001-001
DOC. NO. 2016-0029556

83.43'
N66°18'11"E

S00°14'52"W 257.04' TIE

CENTERLINE OF OLD
BURNEYVILLE ROAD
28 RS 79, S.C.R.

BURNEYVILLE ROAD

ORANGE AVE



CITY OF RIVERBANK
APN 132-003-048

POSITION FOR SOUTHWEST
CORNER OF SECTION 24 2/9

RIVERSIDE DRIVE

AUTHORIZATION 74007544	
BY	AABM
DR	AABM
CH	MDJF
O.K.	MDJF
DATE	01/24/19

EXHIBIT "B"

I-178B L-7226-01 RECEIVER

PACIFIC GAS AND ELECTRIC COMPANY
San Francisco California



JCN	03-17-018
AREA	4
COUNTY	STANISLAUS
SCALE	1" = 40'
SHEET NO. 1	OF 1
DRAWING NUMBER	CHANGE
JL-994	2

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO APPROVE THE VACATION OF THE OLD BURNEYVILLE ROAD RIGHT OF WAY ADJACENT TO LOT APN 132-001-001

WHEREAS, Streets and Highways Code, Division 9. Change of Grade and Vacation (Sections 8000-8363); Part 3. Public Streets, Highways, and Service Easements Vacation Law provides Chapter 3. General Vacation Procedure (8320-8325); and

WHEREAS, in accordance with Section 8320. (a) (2) Upon a petition or request for an interested person, at the discretion of the legislative, except as provided in subdivision (e) of Section 8321, where the clerk of the legislative body shall administratively set a hearing by fixing the date, hour, and place of the hearing and cause the publishing and posting of the notices required by this chapter; and

WHEREAS, Pacific Gas and Electric (PG&E) has petitioned (**Exhibit C**) the City Council of the City of Riverbank for the vacation of the City's Old Burneyville Road right of way., and referenced hereto in **Exhibit A and Exhibit B**, to install Gas Transmission In-Line Inspection Station site; and

WHEREAS, PG&E has stated the adjacent land is in need and they are in negotiations with the landowner of the adjacent parcel (APN 132-001-001) for the Station site; and

WHEREAS, this proposed location has been identified by PG&E as an area that would minimize or avoid impacts to the environment and land owners and therefore is considered an optimal location for the station; and

WHEREAS, the City has determined that the value in the vacation of the right of way is to facilitate this important safety improvement, and ultimately will transfer the property/maintenance responsibilities of the abandoned Old Burneyville Road area; and

WHEREAS, the City Clerk set the date, time, and location of the public hearing for consideration of this matter by the City Council to be conducted during their regular meeting on Tuesday, April 23, 2019 at 6:00 p.m. or soon thereafter; and

WHEREAS, in accordance to SHC Section 8322 public hearing notices were published in the weekly local newspaper of the Riverbank News on April 3, 2019 and again on April 10, 2019; and in accordance to SHC Section 8323, three (3) large, conspicuous public notices were posted at the property to be vacated.

NOW, THEREFORE, BE IT RESOLVED THAT THE City Council of the City of Riverbank does hereby determine the following conditions for approval of the vacation of the City's said property:

- 1.) Final recordation of the vacation of the property by the City Clerk will occur upon PG&E succeeding in the purchase of the adjacent property, APN 132-001-001; and
- 2.) PG&E will contact and coordinate with the appropriate City of Riverbank Department(s) to obtain any necessary permits and approvals for the construction of the Gas Transmission In-Line Inspection Station project.

AND BE IT FURTHER RESOLVED that the City Council of the City of Riverbank does hereby declare and approve the vacation of the public right of way, known as the Old Burneyville Road, located adjacent to lot APN 132-001-001, as described and shown in Exhibit A and Exhibit B attached hereto, with the aforementioned conditions.

AND BE IT FURTHER RESOLVED that the City Council of the City of Riverbank in accordance with SHC Section 8325 orders the City Clerk to: (a) cause a certified copy of this resolution of vacation, attested by the Clerk under seal, to be recorded without acknowledgement, certificate of acknowledgement, or further proof in the office of the recorder of the County in which the property is located, of which no fee shall be charged for recordation; and (b) Upon the recordation, the vacation is complete.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 23rd day of April, 2019; 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: Exhibits A, B, and C

City Seal (here)

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date:	April 23, 2019
Subject:	A Resolution to Appropriate an Additional \$265,000.00 from the Sewer Operations Reserve Fund (Fund 106) to Smoke Test the Entire Collection System for an Infiltration and Inflow Study
From:	Sean Scully, City Manager
Submitted by:	Michael Riddell, Director of Public Works

RECOMMENDATION

It is recommended that the City Council adopt a Resolution authorizing the additional appropriation of \$265,000 to add to the \$400,000 already budgeted for in the Capital Improvement account for the contract to perform smoke testing throughout the entire city.

SUMMARY

The purpose of smoke testing is to find potential points of inflow and infiltration in the public portion of the sanitary sewer system that could lead to high flows during storms. In addition, smoke testing will allow us to identify any illegal and defective sewer connections to our collection system that could potentially allow sewer gases into a building.

BACKGROUND

An important component of the City of Riverbank's Sanitary Sewer Management Plan (SSMP) is a requirement to perform an infiltration and inflow study (I&I, also known as smoke testing). The main component of the I&I study is to smoke test the collection system. In 2015, the City Council incorporated funding towards this I&I in the five-year rate adoption. To that end, staff budgeted \$200,000 per year for five (5) years starting in 2017 ending 2021 for a total of \$1,000,000. Staff hired KSN Engineering to put together the scope of work, oversee the bid process, and be project manager for this project.

On March 26th of this year, KSN received the following two (2) bids shown below.

Bid Summary	Bidder	Total of Bid
1.	National Plant Services Inc.	\$ 661,460.00
2.	Sanact Inc.	\$ 760,000.00

These bids are to perform the I&I study for the entire system. By having the project done on the whole collection system at one time, the city will save \$335,000 on the total cost of \$1,000,000 budgeted over the five (5) year Capital Improvement Plan.

FINANCIAL IMPACT

The funding for this project is being collected as part of the five-year sewer rate increases adopted in October 2015. The total anticipated collection amount over the five year period was estimated at \$1,000,000. Staff is requesting an advance in the funding in order to achieve the cost savings associated with performing the project city-wide.

Current Funding Appropriated (FY 2017-18 & FY 2018-19):	\$400,000
Additional Funding Requested (FY 2019-20 Advance):	<u>\$265,000</u>
Total Project Cost:	\$665,000

Funding to be appropriated to the Sewer Operations Reserve Fund 106.

ATTACHMENT

1. Resolution
2. KSN Bid Review, Recommendation, and Summary

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO APPROPRIATE AN ADDITIONAL \$265,000 FROM THE SEWER OPERATIONS RESERVE FUND (FUND106) TO SMOKE TEST THE ENTIRE CITY FOR AN INFILTRATION & INFLOW STUDY

WHEREAS, the City Council previously adopted a five-year sewer rate increase in 2015 which established a Sewer Capital Improvement Plan to set-aside funding for future projects within the city; and

WHEREAS, per the city's Sanitary Sewer Manage Plan (SSMP) we are required to perform an Infiltration & Inflow Study (I&I); and

WHEREAS, the major component of the I&I study is smoking testing of the entire collection system; and

WHEREAS, an additional appropriation of \$265,000 in addition to the \$400,000 in funds already budgeted will enable the city to perform the project and save \$335,000 of the funds budgeted over the five (5) year capital Improvement period.

WHEREAS, the transfer from Sewer Operations Reserves to account number 106-423.000-707.003 (Equipment/Projects) will allow the City to achieve cost-savings for this project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorize the additional appropriation of \$265,000 from the Sewer Operations Reserve Fund for the 2019 Collection System Smoke Testing Project.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 23rd day of April, 2019; 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



Stephen K. Sinnock, P.E.
Christopher H. Neudeck, P.E.
Neal T. Colwell, P.E.
Barry O'Regan, P.E.

2249-0120

March 29, 2019

VIA E-MAIL

City of Riverbank
Attn: Michael Riddell, Public Works Director
6707 Third Street
Riverbank, CA 95367

Re: City of Riverbank Sewer Collection System Smoke Testing Project Bid Results

Dear Michael,

On behalf of the City of Riverbank (City), KSN received bids for the above-referenced project. Before the bid time of 2:00 pm, two bids were received from contractors. The total bid price for the two bids is summarized below, organized from lowest apparent bidder to highest:

Contractor	Place of Business	Bid Amount
National Plant Services, Inc.	Hayward, CA	\$661,460.00
Sanact, Inc.	Livermore, CA	\$760,000.00

Based on the bid amount, National Plant Services, Inc. is the apparent lowest bidder. National Plant Services, Inc. supplied a bid-bond in an amount of 10% of their bid, as required by the bidding documents. Based on information provided in their bid, consistent with the instructions to bidders and bid forms provided as part of this project, National Plant Services, Inc. appears to be responsive to the District's bidding documents and possesses the minimum license and registration requirements for this project including:

1. California State Contractor's License No. 351503, currently active with classifications of A- General Engineering Contractor, C42 – Sanitation System, C33 – Painting and Decorating, and C61/D38 – Sand and Water Blasting.
2. Registered as a Public Works Contractor as listed and active by the California Department of Industrial Relations No. 1000002703;

Based on this information, we recommend that the City consider award of the City of Riverbank Sewer Collection System Smoke Testing Project to National Plant Services, Inc. of Hayward, CA as the apparent lowest, responsive, and responsible bidder based on a bid amount of \$661,460.00.

We recommend the City award to National Plant Services, Inc. a contract amount of \$659,960.00 based on the sum of Bid Items 1 through 6, less Bid Item 7. Bid Item 7 is a unit price additive item for traffic control associated with smoke testing sewer pipe lengths in excess of the sum of the total estimated quantities of Bid Item 3A & 3B.

If you have any questions, feel free to contact me at (916) 403-5900 or ncolwel@ksninc.com.

Sincerely,
KJELDSSEN, SINNOCK & NEUDECK, INC.

Neal T. Colwell, RCE 59437

w/enclosures
Bid Summary

Bid Summary

Owner: City of Riverbank

Job Name: City of Riverbank Sewer Collection System Smoke Testing

Job No.: 2249-0120

Bid Opening Date: 3/26/2019

Time: 2:00 p.m.

BASE BID			National Plant Services, Inc.	Sanact, Inc.
Item	Description	Quantity/ Unit	Unit Price Total	Unit Price Total
1.	Mobilize/Demobilize (Not to exceed 5% of total bid price)	1 LS	\$20,000.00 \$20,000.00	\$10,000.00 \$10,000.00
2.	Public Communication and Outreach	1 LS	\$10,360.00 \$10,360.00	\$1,000.00 \$1,000.00
3A.	Conduct Sewer Smoke Testing of Sewer Pipes with 12-inch diameters and smaller	334,000 LF	\$1.20 \$400,800.00	\$1.40 \$467,600.00
3B.	Conduct Sewer Smoke Testing of Sewer Pipes greater than 12-inches in diameter	26,000 LF	\$1.30 \$33,800.00	\$1.40 \$36,400.00
4.	Conduct Manhole Assessment	1,500 EA	\$97.00 \$145,500.00	\$160.00 \$240,000.00
5.	Traffic Control	1 LS	\$14,500.00 \$14,500.00	\$2,500.00 \$2,500.00
6.	Prepare Report Summary of Smoke Testing Results	1 LS	\$35,000.00 \$35,000.00	\$1,000.00 \$1,000.00
7.	Additional Traffic Control (for an additional 500 LF of smoke testing)	1 LS	\$1,500.00 \$1,500.00	\$1,500.00 \$1,500.00
TOTAL OF BID ITEMS PRICE =			\$661,460.00	\$760,000.00

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.2

SECTION 6: NEW BUSINESS

Meeting Date:	April 23, 2019
Subject:	A Resolution to Award Bid for the Sewer Collection System Smoke Testing Project to National Plant Services, Inc. and Authorize the City Manager to Execute the Contract and Future Change Orders
From:	Sean Scully, City Manager
Submitted by:	Michael Riddell, Public Works Director

RECOMMENDATION

Staff recommends that City Council adopt the proposed resolution by roll call vote.

SUMMARY

On behalf of the (City), on March 27, 2019 KSN received bids for the above-referenced project. Before the bid time of 2:00pm, two (2) bids received from contractors. The total bid price for the two bids summarized below, organized from lowest apparent to highest:

National Plant Services, Inc.	\$661,460.00
Sanact, Inc.	\$760,000.00

Based on the bid amount, National Plant Services, Inc. is the lowest apparent bidder. National Plant Services, Inc. supplied a bid-bond for 10 % of their bid as required by the bidding documents. Based on information provided in their bid, consistent with the instructions to bidders and bid forms provided as part of this project, National Plant Services, Inc. appears to be responsive to the City of Riverbank's bidding documents and possesses the license and registration requirements for this project.

Based on this information staff and KSN recommend that City Council consider award of the City of Riverbank Sewer Collection System Smoke Testing Project to National Services Plant, Inc. of Hayward, CA as the lowest, responsive, and responsible bidder based on a low bid amount of \$661,460.00, in the contract amount of \$659,960.00 with an allowance of \$10,000.00 for unit price items including potential additional traffic control to be authorized by staff under Contract Change Order.

BACKGROUND

On July 9, 2018, the City of Riverbank entered into contract with Kjeldsen, Sinnock, & Neudeck, Inc. (KSN) as consultant for contract administration and project management for the Collection System Smoke Testing Project.

The City of Riverbank is mandated to do an Infiltration and Inflow (I&I), Cross Connection Study per our Collection System WDR permit from the Regional Water Quality Control Board (RWQCB) and Sanitary Sewer Management Plan (SSMP). To this end, funds were budgeted in the City of Riverbank 2018-2023 five (5) Year Capital Improvement Plan. An amount of \$200k per year was budgeted for a total of \$1,000,000.00.

Staff looked at doing small segments of the city over the five (5) year period versus doing the city as a whole in one (1) year.

By doing this project in a single year the city will save \$330,040.00.

FINANCIAL IMPACT

The Cross Connection Reduction Fund 108 will fund project. These funds, which are allocated within the 2018-2023 Capital Improvement Plan for a total cost of \$669,960.00.

ATTACHMENT

- 1) Resolution
- 2) Contract

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO
AWARD BID FOR THE SEWER COLLECTION SYSTEM SMOKE TESTING PROJECT TO
NATIONAL PLANT SERVICES, INC. AND AUTHORIZE THE CITY MANAGER TO EXECUTE
A CONTRACT AND FUTURE CHANGE ORDERS**

WHEREAS, on July 9, 2019 the city entered into contract with Kjeldsen, Sinnock, & Neudec, Inc. (KSN) for contract administration and project management for the Sewer Collection System Smoke Testing Project; and

WHEREAS, one of the major components of the Infiltration & Inflow (I&I) Cross Connection study is to smoke test the entire collection system in order to detect defects and cross connection in the sanitary sewer collection system that allow storm water to enter into the sanitary sewer collection system; and

WHEREAS, on behalf of the City, KSN issued a Notice to Bidders on March 29, 2019 for the Sewer Collection Smoke Testing Project and received two (2) bids by the specified time ; and

WHEREAS, based on the bid amount of \$661,460.00 National Plant Services is the apparent lowest, responsive, and responsible bidder; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank does hereby award bid to National Plant Services, Inc. and authorizes the City Manager to execute a contract in the amount of \$661,460.00, and future change orders within budget, for the Sewer Collection System Smoke Testing Project.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 23rd day of April, 2019; 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: Copy of Contract

**SECTION 00 52 00
AGREEMENT FORM**

Job No. 2249-0120
Contract No. 2249-04-01-19-01
City of Riverbank

THIS AGREEMENT is by and between the City of Riverbank (hereinafter called "City") and National Plant Services, Inc. (hereinafter called "Contractor"). City and Contractor hereby agree as follows.

ARTICLE 1 - THE PROJECT

- 1.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows:

City of Riverbank Sewer Collection System Smoke Testing

ARTICLE 2 - WORK

- 2.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

Provide all equipment, materials, labor and services to perform smoke testing of approximately 360,000 lineal feet of sewer pipelines ranging from 6 inches to 30 inches in diameter within the City limits, except for those in areas shown as not in scope; site management including the preparation of traffic control plans, and implement traffic control measures; prepare and administer a community and public outreach program; conduct a manhole assessment program and prepare a summary report for approximately 1,500 manholes; and prepare a final summary report for results from sewer smoke testing.

ARTICLE 3 - ENGINEER

- 3.01 The Project has been designed by Kjeldsen, Sinnock & Neudeck, Inc..
- 3.02 City has retained Kjeldsen, Sinnock & Neudeck, Inc. (hereinafter called "Engineer") to act as City's representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4 - CONTRACT TIMES

- 4.01 Time of the Essence

A. All time limits for Substantial Completion and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

- 4.02 Contract Times: Days

- A. The Work will be substantially completed within 60 working days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions.
- B. The Work will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 80 working days after the date when the Contract Times commence to run.

- 4.03 Liquidated Damages

- A. Contractor and City recognize that time is of the essence as stated in Paragraph 4.01 above and that City will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with the Contract. The parties also recognize the delays, expense, and



difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by City if the Work is not completed on time. Accordingly, instead of requiring any such proof, City and Contractor agree that as liquidated damages for delay (but not as a penalty):

1. Substantial Completion: Contractor shall pay City \$500 for each working day that expires after the time (as duly adjusted pursuant to the Contract) specified in Paragraph 4.02.A above for Substantial Completion until the Work is substantially complete.
2. Completion of Remaining Work: After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay City \$500 for each working day that expires after such time until the Work is completed and ready for final payment.
3. Liquidated damages for failing to timely attain Substantial Completion and final completion are not additive and will not be imposed concurrently.

ARTICLE 5 - CONTRACT PRICE

5.01 City shall pay Contractor for completion of the Work in accordance with the Contract Documents the amounts that follow, subject to adjustment under the Contract:

- A. For all Work, an amount equal to the sum of the extended prices (established for each separately identified item of Unit Price Work by multiplying the unit price times the actual quantity of that item):

<u>ITEM</u>	<u>DESCRIPTION*</u>	<u>ESTIMATED QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
1.	Mobilize/Demobilize (Not to exceed 5% of total bid price)	1 Job	Lump Sum	\$20,000.00
2.	Public Communication and Outreach	1 Job	Lump Sum	\$10,360.00
3A.	Conduct Sewer Smoke Testing of Sewer Pipes with 12-inch diameters and smaller	334,000 LF	\$1.20	\$400,800.00
3B.	Conduct Sewer Smoke Testing of Sewer Pipes greater than 12-inches in diameter	26,000 LF	\$1.30	\$33,800.00
4.	Conduct Manhole Assessment	1,500 Each	\$97.00	\$145,500.00
5.	Traffic Control	1 Job	Lump Sum	\$14,500.00
6.	Prepare Report Summary of Smoke Testing Results	1 Job	Lump Sum	\$35,000.00
7.	Additional Traffic Control	--	Lump Sum	\$0.00
TOTAL ACCEPTED BID PRICE:				\$659,960.00

The extended prices for Unit Price Work set forth as of the Effective Date of the Contract are based on estimated quantities. As provided in Paragraph 13.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer.

ARTICLE 6 - PAYMENT PROCEDURES

6.01 Submittal and Processing of Payments

- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 Progress Payments; Retainage

- A. City shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about the 30th day of each month during performance of the Work as provided in Paragraph 6.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.

- 1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as City may withhold, including but not limited to liquidated damages, in accordance with the Contract

- a. 95 percent of Work completed (with the balance being retainage; and if the Work has been 50 percent completed as determined by Engineer, and if the character and progress of the Work have been satisfactory to City and Engineer, then as long as the character and progress of the Work remain satisfactory to City and Engineer, there will be no additional retainage; and
 - b. 95 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).

- B. Upon Substantial Completion, City shall pay an amount sufficient to increase total payments to Contractor to 95 percent of the Work completed, less such amounts set off by City pursuant to Paragraph 15.01.E of the General Conditions, and less 150 percent of Engineer's estimate of the value of Work to be completed or corrected as shown on the punch list of items to be completed or corrected prior to final payment.

6.03 Final Payment

- A. Upon final completion and acceptance of the Work in accordance with Paragraph 15.06 of the General Conditions, City shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 15.06.

ARTICLE 7 - (NOT USED)

ARTICLE 8 - CONTRACTOR'S REPRESENTATIONS

8.01 In order to induce City to enter into this Contract, Contractor makes the following representations:

- A. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.
- B. Contractor has carefully examined the supplied site maps and performed site investigations as necessary to become familiar with and satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Contractor has carefully studied all:

1. Reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings; and
 2. Reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
- E. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (3) Contractor's safety precautions and programs.
 - F. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
 - G. Contractor is aware of the general nature of work to be performed by City and others at the Site that relates to the Work as indicated in the Contract Documents.
 - H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
 - I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
 - J. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 9 - CONTRACT DOCUMENTS

9.01 Contents

- A. The Contract Documents consist of the following:
 1. This Agreement
 2. Performance bond
 3. Payment bond
 4. Section 00 72 00 - General Conditions
 5. Section 00 73 00 - Supplementary Conditions
 6. Section 00 73 19 - Drug-Free Workplace Policy
 7. Specifications as listed in the table of contents of the Project Manual.
 8. Drawings as listed in the table of contents of the Project Manual.
 9. Addenda (numbers 1 to 3, inclusive).
 10. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid
 - 1) Section 00 41 00 - Bid Form
 - 2) Section 00 43 36 - Proposed Subcontractors Form
 - 3) Section 00 43 37 - Public Contract Code §10162 Questionnaire Form
 - 4) Section 00 43 40 - Noncollusion Declaration Form

11. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Notice to Proceed
 - b. Work Change Directives
 - c. Change Orders
 - d. Field Orders
- B. The documents listed above in this Article 9 are incorporated into this Agreement by this reference as if fully set forth herein.
- C. There are no Contract Documents other than those listed above in this Article 9.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in the General Conditions.

ARTICLE 10 - MISCELLANEOUS

10.01 Terms

- A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

10.02 Assignment of Contract

- A. Unless expressly agreed to elsewhere in the Contract, no assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, money that may become due and money that is due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 Successors and Assigns

- A. City and Contractor each binds itself, its successors, assigns, and legal representatives to the other party hereto, its successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 Severability

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon City and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.05 Contractor's Certifications

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 10.05:
 1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process or in the Contract execution;
 2. "practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of City, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive City of the benefits of free and open competition;
 3. "practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of City, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

IN WITNESS WHEREOF, City and Contractor have signed this Agreement.

This Agreement will be effective on _____ (which is the Effective Date of the Contract).

City:

City of Riverbank, CA

Signature: _____

Print Name: _____

Title: _____

Address for giving notices (postal and e-mail):

Contractor:

National Plant Services, Inc.

Signature: _____

Print Name: _____

Title: _____

Address for giving notices (postal and e-mail):

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END OF SECTION

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.3

SECTION 6: NEW BUSINESS

Meeting Date:	April 23, 2019
Subject/ Title:	2018 General Plan and Housing Element Annual Progress Reports. A Resolution Adopting the 2018 General Plan and Housing Element Annual Progress Reports (APRs) as well as authorizing Staff to submit said Reports to the California Office of Planning and Research and California Department of Housing and Community Development
From:	Sean Scully, City Manager
Submitted by:	Donna M. Kenney, Planning and Building Manager

RECOMMENDATION

Staff recommends approval of the City's 2018 General Plan and Housing Element Annual Progress Reports (APR) and to authorize Staff to submit said reports to the California Office of Planning and Research (OPR) and California Department of Housing and Community Development (HCD).

SUMMARY

Section 65400(a)(2) of the Government Code requires each jurisdiction to prepare and submit an annual progress report on its General Plan by April 1 of each year. The annual report is required to contain the following: status of the City's General Plan and progress in its implementation, progress in meeting the City's regional housing need, and any actions taken by the City toward completion of Programs identified in the City's Housing Element.

This report is required to be reviewed and considered by the City's legislative body (City Council), and subsequently submitted to the California Office of Planning and Research, and the California Department of Housing and Community Development. The annual report does not require approval by these State Agencies.

The 2018 General Plan and Housing Element APRs are attached to this Staff Report as Attachment 2, Exhibits A and B. The purpose of these documents is to:

- 1) Remain compliant with Government Code Section 65400(a)(2) and Housing Element Law;
- 2) To update City Council on housing development and implementation of general plan programs, including the Housing Element; and
- 3) Ensure eligibility for State grant funding, such as the Housing-Related Parks Program.

For the City to be eligible for State funding for a variety of housing and park grants, the State typically requires the City's Housing Element to be in compliance with State Housing Law (certified) and for the City to make Annual Progress Reports OPR and HCD annually (by April 1 of each year). The City's 2014-2023 Housing Element was adopted in February, 2016 and received State certification in December, 2015. The proposed Annual Progress Reports ensure that the City will remain up-to-date in regards to the requirements imposed by future grant opportunities.

Grants that the City might pursue include:

- **Home Investment Partnership Program** – Provides decent and affordable housing, particularly for low- and very low-income households. Approximately \$26 million in federal funds for the HOME Program.
- **Community Development Block Grant** – Funds local community development activities such as affordable housing, anti-poverty programs, and infrastructure development. In Fiscal Year 2017, the largest categories of CDBG spending were public infrastructure (36%) and housing (24.7%).

A variety of other grant programs intended to improve communities, provide access to housing and rental/mortgage relief is available for the City to pursue.

In the 2018 Annual General Plan Report, progress was made on the following:

- 1) LAND-3 – Grants
- 2) LAND-5 – Zoning Amendments
- 3) ED-4 – Job Training Program

Progress Towards RHNA Goals

The RHNA table for the current Housing Cycle has been updated to reflect progress made towards the City's RHNA goal, and is presented in the Attachment to this Staff Report. In Summary the City has completed:

- o Ten (10) percent of the Very Low Income goal;
- o Fourteen (14) percent of the Low Income goal;
- o Zero (0) percent of the Moderate Income goal; and
- o Twenty (20) percent of the Above Moderate Income goal

New Home Construction

The City of Riverbank issued building permits for forty (40) above moderate residential units in 2018, all of which were single-family residences. The majority of the building permits were issued in East Riverbank (Diamond Bar West and Elmwood Estates). No building permits were issued for very low-, low-, and/or moderate-income categories.

PLANNING COMMISSION

A presentation on the 2018 General Plan and Housing Element Annual Progress Reports was presented to the Planning Commission at their regular meeting of April 16, 2019.

ENVIRONMENTAL DETERMINATION

Not applicable.

FINANCIAL IMPACT

Staff and contract staff support with J.B. Anderson Land Use Planning prepared the 2018 General Plan and Housing Element Annual Progress Reports.

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 years. The proposed Resolution adopting the City's 2018 General Plan and Housing Element Annual Progress Reports is not part of these goals.

ATTACHMENTS

1. City Council Resolution No. 2019-XXX
2. City of Riverbank 2018 General Plan Annual Progress Report, dated March, 2019
 - Exhibit A - 2018 General Plan Annual Implementation Report
 - Exhibit B - 2018 Housing Element Annual Progress Report

**CITY OF RIVERBANK
RESOLUTION NO. 2019-XXX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, ADOPTING THE 2018 ANNUAL GENERAL PLAN PROGRESS
REPORT AS WELL AS THE 2018 ANNUAL PROGRESS REPORT OF THE
GENERAL PLAN HOUSING ELEMENT**

WHEREAS, the City of Riverbank is required by Government Code Section 65400 to provide an Annual Progress Report on the General Plan for the preceding year; and

WHEREAS, the Annual General Plan Progress Report must be transmitted to the City Council, the California Office of Planning and Research, and the California Department of Housing and Community Development; and

WHEREAS, the Annual General Plan Progress Report must include all of the following: a) the status of the General Plan and progress in its implementation, b) the progress in meeting its share of the regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing, the degree which its approved General Plan complies with the guidelines adopted pursuant to Section 65040.2 as well as the date of the last revision to the General Plan; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby adopts the City's 2018 Annual General Plan Progress Report and 2018 Housing Element Annual Progress Report and authorizes staff to submit said report to the California Office of Planning and Research and 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 23rd day of April, 2019; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

**Annabelle H. Aguilar, CMC
City Clerk**

**Richard D. O'Brien
Mayor**

Attachments: Annual GP and HE Progress Reports



2017 General Plan Annual Progress Report

City of Riverbank

March 2018

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CHAPTER 1 – INTRODUCTION AND SUMMARY

A. PURPOSE OF THE ANNUAL PROGRESS REPORT

Section 65400 of the California Government Code requires the City to file an annual report addressing the status of the General Plan and progress made toward implementing its goals and policies. The progress report must be submitted to the Governor's Office of Planning and Research (OPR) and the Housing and Community Development Department (HCD). The annual progress report provides a means to monitor the success of implementing the General Plan and determine if changes are needed in the plan or its implementation programs.

B. PURPOSE OF THE GENERAL PLAN

The General Plan is mandated by California Government Code Section 65300, which requires each city and county to adopt a general plan for the physical development of the jurisdiction. The Riverbank General Plan establishes a vision for the City's long-term growth and enhancement and provides strategies and implementing actions to achieve this vision. The Plan also conveys to City departments, other agencies, and private developers the community goals and policies, and establishes a basis for determining if development proposals and public projects are consistent. The Plan provides for establishing and prioritizing detailed plans and implementation programs.

C. STATUS OF THE ADOPTED ELEMENTS OF THE RIVERBANK GENERAL PLAN

State law requires that general plans include seven elements which must cover the following topics: Land Use, Circulation, Housing, Safety, Noise, Conservation, and Open Space. Elements for other topics of local concern may also be included. The Riverbank General Plan includes four optional elements: Community Character and Design, Economic Development, Public Services and Facilities and Air Quality. Except for the Housing Element, all elements of the Riverbank general Plan were adopted as a single document on April 22, 2009. State requirements for housing elements are more detailed and specific than for the other general plan elements. Housing elements are updated every eight years according to a schedule set by the State. For these reasons the Riverbank Housing Element is contained in a separate document which was adopted by the City Council February 23, 2016 and certified by the State HCD on December 30, 2015. The Housing Element covers the eight year period from 2015 to 2023. Other elements may be updated less frequently and typically have a 20-year horizon.

The correspondence between State mandated elements and the Riverbank General Plan is illustrated in the table below.

Correspondence Between Required General Plan Elements and the Riverbank General Plan	
Element	Riverbank General Plan
Land Use	LAND-1-20: Land Use
Circulation	CIRC-1-18: Circulation
Conservation	CONS-1-10: Conservation and Open Space
Open Space	CONS-1-10: Conservation and Open Space
Safety	SAFE-1-4: Safety Element
Noise	NOISE-1-7: Noise
Community Character and Design (optional)	DES-1-17: Community Character and Design
Economic Development (optional)	ED-1-12: Economic Development
Public Services and Facilities (optional)	PUBLIC-1-12: Public Services and Facilities
Air Quality (optional)	AIR-1-15: Air Quality
Housing	Separate Document

Compliance with OPR Guidelines

Riverbank's General Plan was updated in 2009 according to OPR's Guidelines and remained consistent with the Guidelines.

CHAPTER 2 – IMPLEMENTATION OF THE GENERAL PLAN

This chapter discusses the implementation of all of the adopted elements of the General Plan except for the Housing Element. The annual progress report on the Housing Element is contained in Chapter 3. Exhibit A shows the implementation status of each General Plan policy.

A. REVIEW OF IMPLEMENTATION MEASURES

Progress Report Highlights

The following are highlights of the progress made in calendar year 2017 organized by general plan element:

Land Use:

- *Amendments.*
 - On October 10, 2017, the City Council adopted a Resolution approving a General Plan Amendment to establish a Specific Plan Land Use Designation in the General Plan Land Use Map.
 - On November 28, 2017, the City Council adopted a Resolution approving a General Plan Amendment to designate 2.4 acres to Higher Density Residential, located at APN 075-030-001, a project known as 2644 Morrill Road.
 - On December 12, 2017, the City Council adopted a Resolution approving a General Plan Amendment to designate 9.1 acres to Low Density Residential, located at APN 062-021-008, a project known as River Run.
- *Permitting and New Development.* The following is a summary of the building permits issued for the year 2017:

- o *Diamond Bar West* – Approved in 2015, construction continues on this fifty-eight (58) single-family residential project, located in eastern Riverbank. Thirteen (13) building permits were issued in 2017.

Circulation:

- *Amendments.* There were no amendments to the Circulation Element in 2017.

Community Character and Design:

- *Amendments.* There were no amendments to the Community Character and Design Element in 2017.

Economic Development:

- *Amendments.* There were no amendments to the Economic Development Element in 2017.

Conservation and Open Space:

- *Amendments.* There were no amendments to the Conservation and Open Space Element in 2017.

Safety:

- *Amendments.* There were no amendments to the Safety Element in 2017.

Noise:

- *Amendments.* There were no amendments to the Noise Element in 2017.

Public Services and Facilities:

- *Amendments.* There were no amendments to the Public Services and Facilities Element in 2017.

Air Quality:

- *Amendments.* There were no amendments to the Air Quality Element in 2017.

Housing

- *Amendments.* There were no amendments to the Housing Element in 2017.

Regional Coordination

- *North County Corridor.* The Mayor and City Staff continued to participate with the Stanislaus Council of Governments (StanCOG) to provide input and direction as to how the North County Corridor should be aligned as it passes Riverbank. The Mayor Richard D. O'Brien is a member of the Stanislaus Council of Governments Policy Board and Kathleen Cleek, a City Staff member, is part of the Valley Vision Stanislaus Steering Committee to help collaboratively address the requirements of Senate Bill 375 (SB 375).
- *Regional Transportation Plan / Sustainable Communities Strategies (RTP / SCS).* City staff continued to participate with Stanislaus Council of Governments in the Sustainable Communities Strategy process to develop and implement an action plan that will lead to a more sustainable region, and implement SB 375. Staff regularly attended Valley Vision Stanislaus Steering

Committee meetings and made periodic presentations to the City Council and Planning Commission.

- *Stanislaus County Planning Directors Meeting.* The Planning and Building Manager meets regularly with the Planning Directors of other cities in Stanislaus County to share information and discuss topics of mutual interest.

General Plan Amendments

Three (3) General Plan Amendments were processed in 2017. Two (2) were City-initiated and included the creation of a Specific Plan Land Use Designation and the redesignation from R-1 to R-3 of 2644 Morrill Road. One (1) was developer driven. They are described below:

- *General Plan Amendment – Specific Plan Designation on General Plan Land Use Map.* On October 10, 2017, the City Council adopted a Resolution approving a General Plan Amendment to establish a Specific Plan Land Use Designation in the General Plan Land Use Map.
- *General Plan Amendment – 2644 Morrill Road.* On November 28, 2017, the City Council adopted a Resolution approving a General Plan Amendment to designate 2.4 acres to Higher Density Residential, located at APN 075-030-001, a project known as 2644 Morrill Road.
- *General Plan Amendment – River Run.* On December 12, 2017, the City Council adopted a Resolution approving a General Plan Amendment to designate 9.1 acres to Low Density Residential, located at APN 062-021-008, a project known as River Run.

B. GOALS, POLICIES, OBJECTIVES, STANDARD OR OTHER PLAN PROPOSALS THAT NEED TO BE ADDED OR WERE DELETED, AMENDED OR OTHERWISE ADJUSTED.

Other than the General Plan Amendment described above, no changes to goals, policies, objectives, standards, or other plan proposals were identified in 2017.

CHAPTER 3 – ANNUAL PROGRESS REPORT ON IMPLEMENTATION OF THE HOUSING ELEMENT

The report addresses the progress in meeting the Regional Housing Need Allocation (RHNA) housing goals and the attainment of housing goals and objectives specified in the 2015-2023 Housing Element, adopted February 23, 2016. The State of California Department of Housing and Community Development requires an annual report attached as Exhibit B.

Following are highlights of the Calendar Year 2017 Housing Element Annual Progress Report:

Housing Element Implementation Highlights

The following are highlights of the Calendar Year 2017 Housing Element Annual Progress Report:

- Four (4) years have elapsed for the January 2014 through September 2023 Regional Housing Needs Allocation (RHNA) period. As measured through the issuance of building permits, the City has met:

- o Ten (10) percent of the Very Low Income goal;
 - o Eighteen (18) percent of the Low Income goal;
 - o Zero (0) percent of the Moderate Income goal; and
 - o Twelve (12) percent of the Above Moderate Income goal.
- *Building Permits Issued in 2017.* In 2017, 13 building permits were issued for single and multi-family development.

2017 General Plan Annual Progress Report

Exhibit A: General Plan Annual Implementation Report – 2017

Table I: General Plan Annual Implementation Report - 2017

Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
Land Use Element					
Land – 1	The City will conduct a comprehensive review of the land use element, including analysis and actions to ensure there is adequate land in appropriate locations for employment-generating land uses.		X, No Later Than 2013	CDD	The City continues to monitor and review the Land Use Element for adequate land in appropriate locations. Three updates to the Land Use Element occurred in the year 2017.
Land – 2	The CDD will maintain an inventory of vacant and underutilized land to (a) evaluate proposed annexations and (b) ensure an adequate supply of vacant land to meet the community’s needs.	X		CDD	In 2017, the City joined a network if real estate professionals looking for land to develop. The network is titled ‘Oppsites’ where the City has listed 14 vacant and/or underutilized properties. The City has been in contact with multiple real estate professionals as a result if this listing, and will continue to maintain the City’s listings.
Land – 3	The City and Redevelopment Agency will pursue grant monies, as well as other funding sources for road and public infrastructure improvements to revitalize areas in need.	X		EDH, F, CDD,	In 2017, the City received various funding from the following grants: -Community Development Block Grant-Housing Related Parks Grant; and -CMAQ-Patterson Road between Third and Eighth Streets sidewalk Construction. -CMAQ – Roselle Road between Patterson and Pocket sidewalk construction.
Land – 4	The City will develop a comprehensive infill development streamlining and incentive program to encourage the redevelopment and revitalization of the Infill Opportunity Area.	X		CDD	There has not been any work done to develop infill development streamlining and incentive program due to staff constraints.

Agency Codes**City of Riverbank & Local**

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Regional, State, Federal and Private

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Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
Land – 5	The City will update the Zoning Code and other Municipal Code sections regulating land development to ensure consistency with the General Plan.	X		CDD	In 2017, the city processed various zoning code updates in order to ensure consistency between the General Plan and the Municipal Code, including revisions to the City’s residential zoning districts.
Land – 6	The City will coordinate with StanCOG and member jurisdictions and Caltrans to remove the State Highway 108 designation as it occurs through Riverbank and plan and condition land uses along a future alignment to enable Caltrans to redesignate Highway 108 near the Riverbank Planning Area.	X		CDD	In 2017, the environmental document for the North County Corridor was released for public review. This is relevant to Land-6 because Cal-trans will not consider re-designating State Highway 108 until the North County Corridor is built.
Land – 7	The City will draft an implementing ordinance for the Clustered Rural Residential land use designation consistent with the policies presented in the General Plan.	X		CDD	No Action in 2017.
Land – 8	Update the General Plan using data to be made available by the DWR and the Central Valley Flood Protection Board.	X		CDD	The update to the General Plan Safety Element occurred in 2015 as it relates to SB5 (2007) and 200-year floodplain protection. No action in 2017.

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Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
Circulation Element					
CIRC – 1	Develop and implement a Bicycle Master Plan.	X		CDD	In 2017, the City applied for ATP grant monies to assist in the development of a Bicycle Master Plan, but that application was ultimately rejected by the State.
CIRC – 2	As a part of implementation of the City’s bicycle master plan, the City will work with local irrigation districts, the County, local railroad concerns, other property owners, and other agencies and interested parties to acquire and/or use existing easements and rights-of-way for development of off-street pedestrian and bicycle pathways.	X		CDD	In 2017, the City applied for ATP grant monies to assist in the development of a Bicycle Master Plan, but that application was ultimately rejected by the State.
CIRC – 3	Develop a Travel Demand Management ordinance that requires large employers to provide incentives for employees to commute via transit, bicycle, on foot or by carpool rather than the SOV commute	X		CDD	No Action in 2017.
CIRC – 4	Revise street improvement standards to be consistent with this Circulation Element, including consideration on equal footing of all locally available forms of travel.	X		CDD, PW, ENG	The City revised street improvement standards to be consistent with Complete Streets, LID Development Standards and MS4 requirements. The new street standards were adopted by City Council in 2015. No Action in 2017.
Action	Implementation Action	Timeframe		Dept/	Status of Implementation

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Number		On-going	0 – 5 years	Agency	
CIRC – 5	Coordinate with relevant transit providers and include, as appropriate, transit improvements in the Capital Improvements Plan (CIP).	X		CDD, PW, F	The Community Development Department, Finance Department and the Public Works Department update the City's Capital Improvement Plans (CIP) annually.
CIRC – 6	The City will actively pursue State and Federal funding for developing, improving, and enhancing bicycle and pedestrian routes in the existing developed City.	X		CDD, F	In 2017, the City received CMAQ funding for bicycle land striping along Roselle Avenue.
CIRC – 7	Develop and implement a Parking Master Plan to coordinate and manage parking in the City.	X		CDD, PW	City staff is currently working on a downtown parking analysis and report for adoption in 2018.
CIRC – 8	Work with surrounding jurisdictions, the County, and StanCOG to develop regional solutions to regional vehicular transportation issues.	X		CDD, PW, ENG	In 2017, the City of Riverbank in coordination with the City of Modesto, and Stanislaus County applied for an ATP grant to provide a safe route to Enochs High School for residents to utilize from Crawford Road to Sylvan Road along Roselle Road. The grant application was ultimately rejected by the State.
Community Character and Design Element					
DESIGN – 1	Establish distinctive crosswalks at major street intersections and other locations expected to generate significant pedestrian traffic in the existing City, as funding allows.	X		F, CDD	Utilizing CMAC and Safe Routes to School funds, the City is currently re-designing the Patterson Road and Roselle Avenue intersection to improve circulation and overall safety for non-motorized travelers, including students on bicycles.
Action	Implementation Action	Timeframe		Dept/	Status of Implementation

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Number		On-going	0 – 5 years	Agency	
DESIGN – 2	Where appropriate opportunities and sufficient right-of-way exists, the City will modify wide streets into boulevards with landscaped medians or landscaped strips between the roadway and sidewalks to visually and functionally enhance streets for pedestrian use.	X		CDD, ENG, PW	In 2017, the City developed an ultimate streetscape for Calendar Avenue using Measure L funds, which features a pedestrian crosswalk and landscape median in an area with high pedestrian traffic.
DESIGN – 3	The City will establish design standards and parking requirements for accessory dwelling units.	X		CDD	In 2017 the City adopted reduced parking standards for accessory dwelling units.
DESIGN – 4	Pursue improvements downtown that reduce effective Downtown street widths in relationship to building height and bulk, while allowing for automobile movements.		2015	CDD	The Downtown Specific Plan was adopted in 2015. No Action in 2017.
DESIGN – 5	Prepare comprehensive streetscape plans for Patterson Road, Atchison Street/Highway 108, 1 st Street, Claribel Road, Oakdale Road, Roselle Avenue, and Claus Road.		2015	CDD, ENG	A Streetscape plan for Patterson Road, east of Roselle Avenue is currently being developed to include Complete Streets Principles, including a Bicycle Path adjacent to the BNSF/Sierra Railroad. Other Streets and intersections will be improved as funds become available.
Action	Implementation Action	Timeframe		Dept/	Status of Implementation

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Number		On-going	0 – 5 years	Agency	
DESIGN – 6	The City will define the edges, focal points, and landmarks of the Downtown. The City will establish gateways to Riverbank.	X		CDD	The Downtown Specific Plan identifies “gateways to Downtown” as 108/Patterson Road to the west and Atchison Street/Highway 108 to the east. Additionally, the revised DTSP expanded the east gateway, along Atchison Street.
DESIGN – 7	Adopt development standards that minimize environmental impacts of development through an appropriate balance of regulations and incentives	X		CDD	In 2017 the city adopted a covered trash enclosure standard with hose bib and grease/sand trap requirements.
DESIGN – 8	Projects shall provide artwork by a qualified artisan(s) within their developments as approved by the Director of Community Development	X		CDD	The Community Development Department, Planning Commission and City Council continue to consider artwork by qualified artisan(s) within development projects. This will continue to be approved by the Community Development Director.
Economic Development Element					
ED – 1	Continue to dedicate staff resources to economic development activities, and identify ways to improve upon existing initiatives	X		F, CDD, EDD	The Finance Department, Community Development Department and Economic Development Department continue to dedicate staff resources to economic development activities. No Action in 2017.

Action	Implementation Action	Timeframe	Dept/	Status of Implementation
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Number		On-going	0 – 5 years	Agency	
ED – 2	Continue to identify funding resources, and apply for those resources for which the City of Riverbank qualifies	X		EDD, F	The City will continue to identify funding resources and apply for those resources for which the City of Riverbank qualifies.
ED – 3	Continue to leverage redevelopment funds to develop programs and initiatives that improve the physical environment and business climate within the project area	X		EDD, CDD	There has not been any work done to leverage redevelopment funds due to the demise of redevelopment.
ED – 4	Work with Modesto Junior College, Stanislaus Alliance Worknet, other public agencies, and private job training providers to develop and refine job training programs that meet the needs of private industry and prospective businesses seeking to locate in Riverbank	X		EDD	In 2017, the City in coordination with Stanislaus Alliance Worknet (Opportunity Stanislaus) hired three (3) temporary employees.
ED – 5	Identify opportunities to locate job training sites in Riverbank. Most of the existing job training and business assistance resources are based in Modesto. If a major facility development or expansion can be attracted to Riverbank, opportunities should be explored to base any resultant job training activities within Riverbank.	X		EDD, CDD	No action necessary. The Economic Development Department and Community Development Department will explore options for job training in Riverbank as opportunities arise when new expansion or development occurs.
Action	Implementation Action	Timeframe		Dept/	Status of Implementation

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Number		On-going	0 – 5 years	Agency	
ED – 6	Implement a business outreach program that identified home-based businesses operating in Riverbank	X		EDD	No action in 2017.
ED – 7	Implement a business outreach program that prioritizes businesses and/or industry sectors that constitute the most prominent sources for jobs and fiscal revenue in Riverbank	X		EDD	No action in 2017.
Ed – 8	Assign City staff and personnel from appropriate agencies to a “rapid response” team that will respond to changes in the job training and workforce development needs for large employers in Riverbank	X		All Depts.	No Action in 2017.
Ed – 9	Develop specific marketing messages for different industry sectors, based on Riverbank’s strengths, market position, and future growth opportunities	X		EDD	In 2017 the City created an Oppsites page to promote the sale and development of vacant and underutilized parcels in the city.
ED – 10	Refine business attraction targets to include business-to-business suppliers. Business suppliers would potentially include material distributors, services providers, and component manufacturing.	X		EDD	No action in 2017.
ED – 11	Systematically track available land, and available building vacancies. Continually update the information and identify the most efficient and cost-effective methods for distributing the information, including web-based systems.	X		CDD	In 2017, the City joined a network of real estate professionals looking for land to develop. The network is titled ‘opposite’ where the City has listed 14 vacant and/or underutilized properties. The City has been in contact with multiple real estate professionals as a result of this listing, and will continue to maintain the City’s listings.

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Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
ED – 12	The City should contract with a sales tax accounting firm to provide customized and quarterly updated audits of the City's sales tax receipts	X		EDD	No Action in 2017.
ED – 13	Dedicate staff resources to tracking employment and payroll trends, in order to monitor progress toward community goals for economic development	X		EDD	No Action in 2017.
ED – 14	Implement a residential survey that includes information on where Riverbank residents work and their occupations	X		EDD	No Action in 2017.
Ed – 15	Facilitate the formation of business district committees, and assist those districts that wish to further explore the benefits and implementation steps for the creation of a Business Improvement District	X		EDD	No action in 2017 due to a lack of interest by businesses.
ED – 16	Proactively use the business outreach process to identify priorities for business climate improvement	X		EDD	No Action in 2017.
ED – 17	Include the redevelopment agency in any efforts to improve the local business climate within the redevelopment district	X		EDD, CDD	There has not been any work done to include the redevelopment agency due to the demise of redevelopment.

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Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
ED – 18	Initiate a hotel/lodging feasibility study to identify the types, numbers, and appropriate locations of lodging facilities that Riverbank could attract.	X		EDD	In 2017, the City worked with a number of different developers who were assessing the feasibility of lodging facilities in various locations. One site that is receiving a lot of attention for this type of use is the Cannery site, located in the geographical center of the City.
ED – 19	Prioritize business attraction initiatives in the categories identified in Goal ED-6.	X		EDD	In late 2015 the City adopted a Grease Inteceptor Loan Program and a Conditional Waiver to Install Grease Interceptors Program to encourage restaurants to locate in the downtown. No Action in 2017.
ED – 20	Identify options and preferred alternatives for rail spur locations and potential relocations, particularly as they pertain to the reuse of the Riverbank Army Munitions site.	X		CC, LRA	In 2017, the City developed and released a request for proposals for a master developer of the former army ammunitions plant who will identify options and preferred alternatives for rail spur locations.
ED – 21	Initiate a retail leakage study in order to identify retail and other local-serving attraction opportunities that remain, and project the future growth in household retail demand and supportable establishments.	X		EDD	No Action in 2017.

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ED – 22	Initiate a feasibility study that identifies market opportunities for entertainment and recreational uses in Riverbank, particularly as they apply to creating an arts district in downtown Riverbank.	X		EDD	No Action in 2017.
Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
ED – 23	Continue to identify and procure the necessary funding to fully implement the streetscape improvement plans identified in the Downtown Revitalization Plan.	X		F, EDD, CDD	No Action in 2017.
ED – 24	Continue to facilitate special events in downtown Riverbank.	X		P&R, F, EDD	During 2017, the Parks and Recreation Department held many successful events and will continue to do so in 2018. The largest event was the Riverbank Cheese and Wine Festival, where over 100 vendors were present and thousands of people attended.
ED – 25	Initiate a fiscal impact analysis that identifies fiscal costs and benefits associated with specific types of development.	X		F, EDD, CDD	No Action in 2017.
ED – 26	Identify options such as Zoning Code changes, corridor planning for older commercial areas, and specific plans for new growth areas that would implement and promote mixed use development.	X		CDD	No Action in 2017.
ED – 27	Prepare an urban design plan for downtown Riverbank to compliment business attraction, redevelopment strategies, and streetscape improvements.	X		CDD	The Downtown Specific Plan was adopted in 2015 and includes urban design standards for the Downtown area.

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ED – 28	Continue to network with regional agencies as part of the City’s economic development program, and include Latino/Hispanic business organizations as part of this strategy.	X		EDD	The City continues to network with regional agencies as part of the City’s economic development program. No action necessary.
Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
Conservation and Open Space Element					
CONS-1	1) Require development projects and subdivisions be consistent with, and implement land use planning and greenhouse gas emission reduction measures developed pursuant to the regional Sustainable Community Strategy. 2) Develop a Sustainable Agricultural Strategy to minimize the agricultural production loss to urban development	X		CDD, CC, PC	This Action is ongoing. Development Projects, as they are processed, are required to comply with the County’s Sustainable Community Strategy.
CONS – 2	Adopt a “right-to-farm” ordinance that informs residents of ongoing agricultural practices at the edges of Riverbank and protects farmers and other agriculture interests from dumping, nuisance, complaints, and other problems typically associated with new residents on the City fringe.		X	CDD	No Action in 2017. The City of Riverbank Sustainable Agricultural Strategy was adopted by City Council in 2016.
CONS – 3	Seek funding to assist private owners in the preservation of buildings and site of historic importance	X		CDD, EDD	No Action in 2017.

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CONS - 4	Seek funding for implementing energy efficient improvement and utilities infrastructure renewal projects	X		CDD, PW, EDD	No Action in 2017.
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Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
Safety Element					
SAFE – 1	Work with the Department of the Army to ensure successful clean-up and reuse of the decommissioned Riverbank Ammunition Plant	X			The Riverbank RAAP was selected for closure as part of the Base Realignment and Closure (BRAC) plan of 2008. The Local Redevelopment Agency continues to work with the Department of the Army and the Federal Environmental Protection Agency to ensure the successful clean-up and reuse of the plant. In November of 2013, the Riverbank Industrial Complex Specific Plan was adopted by City Council. In 2017 PCB clean-up was completed at the site.
SAFE – 2	Implement and periodically update disaster plans, including the City’s Emergency Operations Plan		X	CDD, EDD	In 2016 the City updated and adopted its Emergency Operations Plan. No action in 2017.

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MID	Modesto Irrigation District
CEPA	California Environmental Protection Agency
SJVAPCD	San Joaquin Valley Air Pollution Control District

SAFE – 3	Will coordinate with public safety service providers serving the City to ensure proper training and disaster preparedness and periodic testing of equipment and facilities	X			No Action in 2017.
SAFE – 4	Support the purchase and maintenance of proper emergency communication systems and equipment and other necessary tools dealing with emergencies.	X			No Action in 2017.

Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
Noise Element					
NOISE – 1	Update implementing ordinances related to noise consistent with the policies of this element and City redevelopment and revitalization planning	X		CC, PC, CDD	This action has not been implemented due to the demise of Redevelopment. The Community Development Department, City Council and Planning Commission will continue to implement the Noise element on a project-by-project basis, ensuring that specific projects do not affect adjacent land uses that may be sensitive, such as schools and residential.
NOISE – 2	Ensure that personnel charged with enforcing such ordinances are properly trained and equipped for on-site measurement techniques and other necessary tasks	X		CDD	Depending on the Project, a Noise Analysis may be commissioned to ensure that the project is consistent with the Noise Element of the General Plan and any applicable Ordinances. This may be done in-house or by an outside consultant.

Agency Codes

City of Riverbank & Local

CC City Council
 CM City Manager
 PC Planning Commission
 CDD Community Development Department
 ENG Engineering Department
 LRA Local Redevelopment Agency

PW Public Works Dept
 F Finance Department
 EDH Economic Development and Housing
 P&R Parks and Recreation
 EDD Economic Development Department

Regional, State, Federal and Private

StanCOG Stanislaus Council Of Governments
 SC Stanislaus County
 DOT Caltrans
 MID Modesto Irrigation District
 CEPA California Environmental Protection Agency
 SJVAPCD San Joaquin Valley Air Pollution Control District

NOISE – 3	Coordinate with StanCOG and Caltrans to ensure transportation planning and improvement programs are consistent with this element	X		CC, PC, CDD	The City Council, Planning Commission and Community Development Department will continue to work with StanCOG and Caltrans to ensure transportation planning and programs are consistent with the Noise Element.
Public Services and Facilities Element					
PUBLIC – 1	Coordinate with area reclamation districts, Stanislaus County, the City of Modesto, and other agencies and jurisdictions for planning and coordinating drainage programs and policies on an area wide and regional basis	X		CDD	In 2017, the City joined other cities in the creation of the Stanislaus Multi Agency Regional Stormwater Resource Plan, and submitted a list of projects to be included in the plan.
Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
PUBLIC – 2	Develop a park master plan that describes the standards, design, land requirements, locations, planning, and funding to support the City's existing and future park system	X		P&R	In 2017 the Parks and Recreation Director updated the exhibits to draft a parks master plan when funding becomes available.
PUBLIC – 3	Update the water, wastewater, and stormwater drainage master plans at least every five years to ensure the appropriate level of service is maintained as the City grows, and to ensure that appropriate projects include a capital improvements planning and can be funded		Complete, 2015	CDD	The City's 2010 Urban Water Management Plan was adopted by City Council on January 27, 2015. The scope was defined to update the UWMP. The updated UWMP was adopted in 2016.

Agency Codes**City of Riverbank & Local**

CC	City Council	PW Public Works Dept
CM	City Manager	F Finance Department
PC	Planning Commission	EDH Economic Development and Housing
CDD	Community Development Department	P&R Parks and Recreation
ENG	Engineering Department	EDD Economic Development Department
LRA	Local Redevelopment Agency	

Regional, State, Federal and Private

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PUBLIC – 4	Coordinate with the United States Postal Service and other public agencies serving Riverbank, regarding needs for expansion, satellite locations, and other issues related to land use planning	X		CDD	No Action in 2017.
Air Quality Element					
AIR – 1	Develop a program to reduce daily emissions of nitrogen oxides	X		CDD	No Action in 2017.
AIR – 2	Develop a local greenhouse gas reduction program	X		CDD	No Action in 2017.

Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	0 – 5 years		
AIR – 3	Pursue and use State and Federal funds earmarked for bicycle and transit improvements, transit-oriented planning and development, and other planning and improvement grant programs intended to encourage alternatives to automobile transportation	X		CDD, EDD, F	In 2017, the City received funds for bicycle striping along multiple roadways throughout the City. In 2017, the City applied for funds to create a safe route to school for residents to get to Enochs High School, but that application was ultimately denied by the State.

Agency Codes

City of Riverbank & Local

CC	City Council
CM	City Manager
PC	Planning Commission
CDD	Community Development Department
ENG	Engineering Department
LRA	Local Redevelopment Agency

PW	Public Works Dept
F	Finance Department
EDH	Economic Development and Housing
P&R	Parks and Recreation
EDD	Economic Development Department

Regional, State, Federal and Private

StanCOG	Stanislaus Council Of Governments
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AIR – 4	Coordinate with local irrigation districts, the County, Caltrans, and other interested parties to develop bikeways and pedestrian paths along canals, abandoned railroad lines, and other easements and rights-of-ways	X		CDD, P&R	The Community Development Department has been in discussion with Hetch-Hetchy Water and Power to develop a dog park or multi-use path on SFPUC Right-of-Way. No Action in 2017.
AIR – 5	Develop planning strategies and supportive ordinances addressing Downtown Riverbank and West Riverbank	X		CDD	In 2017 the City Council adopted a General Plan amendment to create a Specific Plan designation for the General Plan Map.
AIR – 6	In planning and budgeting for transportation infrastructure, before considering constructing more roadway capacity, the City of Riverbank will consider measures to increase the capacity of the existing road network	X		CC, PC, CDD, PW, ENG	The Community Development Department, Public Works Department and Engineering will continue to consider measures to increase the capacity of the existing road network prior to considering constructing more roadway capacity. City Staff is currently revising the City's Standard Street Widths, which will incorporate DOT's directive of Complete Streets and LID Standards (MS4 Requirements).
Action Number	Implementation Action	Timeframe		Dept/ Agency	Status of Implementation
		On-going	On-going		
AIR – 7	Coordinate with transit providers on the portion of long-range transit plans serving Riverbank and accommodate necessary facilities such as bus pull-outs, bus shelters, information kiosks, street furniture, lighting, etc.	X		CDD	The Community Development Department continues to consider transit plans serving Riverbank for new development.

Agency Codes

City of Riverbank & Local

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F	Finance Department
EDH	Economic Development and Housing
P&R	Parks and Recreation
EDD	Economic Development Department

Regional, State, Federal and Private

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AIR – 8	Require project proponents to prepare health risk assessments in accordance with Air District-recommended procedures as part of environmental review when the proposed industrial process has associated air emissions that have been designated by the State as a toxic air contaminant or, similarly, by the federal government as a hazardous air pollutant	X		CDD	The Community Development Department will continue to work with SJVAPCD to ensure that new projects are mitigating air quality impacts. Air Emissions are calculated and reviewed by SJVAPCD.
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Agency Codes

City of Riverbank & Local

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Regional, State, Federal and Private

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2017 General Plan Annual Progress Report
Exhibit B: Housing Element Annual Progress Report – 2017
Reported Data – January 1, 2017 – December 31, 2017

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction RIVERBANK

Reporting Period 01/01/2017 - 12/31/2017

Pursuant to GC 65400 local governments must provide by April 1 of each year the annual report for the previous calendar year to the legislative body, the Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD). By checking the “Final” button and clicking the “Submit” button, you have submitted the housing portion of your annual report to HCD only. Once finalized, the report will no longer be available for editing.

The report must be printed and submitted along with your general plan report directly to OPR at the address listed below:

**Governor’s Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044**

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction RIVERBANK

Reporting Period 01/01/2017 - 12/31/2017

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information									Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions	
(9) Total of Moderate and Above Moderate from Table A3						0	13				
(10) Total by Income Table A/A3			0	0	0	13					
(11) Total Extremely Low-Income Units*			0								

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction RIVERBANK

Reporting Period 01/01/2017 - 12/31/2017

Table A2

Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction RIVERBANK
 Reporting Period 01/01/2017 - 12/31/2017

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	0	0	0	0	0	0	0
No. of Units Permitted for Above Moderate	13	0	0	0	0	13	0

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction RIVERBANK

Reporting Period 01/01/2017 - 12/31/2017

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.												Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	321	0	33	0	0	0	0	0	0	0	33	288
	Non-Restricted		0	0	0	0	0	0	0	0	0		
Low	Deed Restricted	206	0	38	0	0	0	0	0	0	0	38	168
	Non-Restricted		0	0	0	0	0	0	0	0	0		
Moderate		217	0	0	0	0	0	0	0	0	0	0	217
Above Moderate		536	52	0	13	0	0	0	0	0	-	65	471
Total RHNA by COG. Enter allocation number:		1280	52	71	13	0	0	0	0	0	0	136	1144
Total Units ▶▶▶													
Remaining Need for RHNA Period ▶▶▶▶▶													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction RIVERBANK

Reporting Period 01/01/2017 - 12/31/2017

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program 2.1k.	Regional cooperation with homeless needs. The City shall participate in the Stanislaus County Housing and Support Collaborative (SCHSCC) and the Continuum of Care to help address homeless needs in Riverbank and Stanislaus County.	12/31/2023	The City of Riverbank continues to participate in the Stanislaus County Housing and Support Collaborative (SCHSCC) and the Continuum of Care to help address homeless needs in Riverbank and Stanislaus County.
Program 2.2a.	To ensure there is no net loss of residential development potential for the vacant sites designated Downtown Core, Mixed Use Neighborhood, and Downtown Neighborhood, as identified in the Downtown Specific Plan, the City shall encourage redevelopment in the Downtown area that results in a two to one replacement of any existing housing units displaced by redevelopment projects in the Downtown area.	12/31/2023	The City continues to work with developers seeking to redevelop property within the Downtown Specific Plan Area. Further, the City continues to encourage two to one replacement of any existing housing units displaced by redevelopment projects in the Downtown Area. In 2017, there were no projects within the Downtown Specific Plan Area that displaced any housing units.

Program 2.2c.	The City shall encourage the development of new housing of upper stories and mixed-use buildings in the Downtown Core area of the Downtown Specific Plan.	12/31/2023	In 2017, the City worked with various developers interested in the Downtown Specific Plan Area and encouraged mixed-use development within the City.
Program 3.1a.	Continue to promote the use of Planned Development zones for developers who wish to deviate from setback, parking, or other standards which may limit their ability to develop at a desired density.	12/31/2023	The City continues to recommend and promote Planned Development zoning for developers that wish to deviate from City standards.
Program 3.1c.	Continue to utilize computer software to help fast track building permits, saving both developer and staff time.	12/31/2023	The City continues to upgrade and meet with software developers to improve their computer software to help fast-track building permits.
Program 3.1d.	City shall review and amend to reduce the City's parking standards.	12/31/2023	City staff is currently conducting a parking space analysis in the downtown and drafting a report.
Program 3.1b.	The City will waive fees for General Plan Amendments intended solely to increase residential designations from low-to-medium density to medium-to-high density residential.	12/31/2023	In 2017, the city worked with the property owner located at 2644 Morrill Road to rezone the property from low density residential to high density residential. In conformance with this program the City waived all fees associated with this rezone.
Program 4.2a.	Discourage land division of sites currently zoned high-density residential.	12/31/2023	In 2017, there were no high density sites subdivided, and the City will continue to support the preservation of high density sites.
Program 4.2b.	Monitor any units that may be deemed at-risk for conversion into market-rate housing.	12/31/2023	The City continues to monitor at-risk housing units. As discussed in the Housing Element, there are no at-risk housing units in the City. The program is on-going.
Program 5.1b.	Maintain the Draft General Plan Housing Element Review on the City's Website. Develop an evaluation matrix to determine the consistency between the Housing Element policies and programs and other Elements of the General Plan.	12/31/2023	The 2017 Housing Element Annual Progress Report will be posted on the City's website for review. In addition, the Planning Commission and City Council will review APRs at regularly scheduled meetings. Staff continues to develop a consistency matrix. The program is on-going.
Program 5.1c.	To promote Public Participation in the Housing Element update, the City shall utilize the following actions: Public workshops posted in English and Spanish, partner with local churches to present and solicit input, Public Notices shall be delivered in the Monthly water bill	12/31/2023	The City will implement this program at the next Housing Element Cycle.

	and printed in English and Spanish.		
Program 6.1a.	Continue to implement state energy-efficient standards, including the addition of energy-efficient conditions to planned development approvals.	12/31/2023	In 2017, the City implemented state energy-efficient standards through the building permit process. Conditions are developed as part of the entitlement process to be consistent with state energy-efficient standards.
Program 6.2a	Include energy conservation guidelines as part of the development standards for specific plan areas.	12/31/2023	As the City receives applications for specific plan areas the city will continue to implement this program.
Program 1.1a; Program 1.1b	The City shall designate sufficient land at various densities to allow for the construction of sufficient housing to meet its legally adopted HCD Regional Housing Need Allocation (RHNA) between 2014 and 2023.	12/31/2023	The City continues to work with the land owners of Crossroads West Specific Plan Area. As part of this work the Environment Impact Report and Specific Plan will be released to the public in Spring of 2018.
Program 1.1c	To meet the unaccommodated need from the 4th cycle identified in Program 1.1a and AB1233 Analysis located in Section VIII, the city will rezone the site listed in Table VIII-7 and adopt a general plan amendment.	12/31/2023	The program was accomplished in 2017. The site identified in Table VIII-7 has been rezoned from R-1 to R-3 to accommodate higher density development.
Program 1.2a	Track changes in land availability and accomplishments in multi-family development in order to determine if further rezoning is necessary to better facilitate high density developments.	12/31/2023	In 2017, the City started participation in 'Oppsites', which showcase vacant and/or underutilized sites within the City. The City has been responsive to inquiries regarding these sites, and will continue participation throughout the cycle.
Program 2.1a; Program 2.1f	Seek assistance from non-profit developers, including Self-Help Enterprises and Habitat for Humanity to develop homes for lower-income families. The City will meet with non-profit developers to discuss available sites for affordable housing projects, potential funding sources, and actions the City can take to assist housing providers in obtaining funding.	12/31/2023	The City continually is responsive to inquiries regarding affordable housing projects. Additionally, the city is proactive in working with affordable housing developers in assessing suitable sites for affordable housing development.
Program 3.1g.	Assign primary contact for priority housing developments to assist with all necessary entitlements and assist navigating various local departments. Hold pre-application	12/31/2023	All development within the city is assigned one (1) primary contact to assist with all necessary entitlements and assist in navigating various local departments. Pre-Application meetings are available and encouraged to assist potential applicants with any type of application package.

	development conferences. Provide information about permit streamlining.		
Program 4.1a	Continue to actively seek State and federal funding for rehabilitation of homes.	12/31/2023	The City did not successfully fund rehabilitation of homes in 2016. The City is hopeful that this program can be successful in 2018.
Program 2.1c	Encourage developers to include second dwelling units in new subdivisions as well as a variety of higher density options	12/31/2017	In 2017, the City updated their second dwelling unit ordinance to include new state standards, which eliminate restrictions on second dwelling units. The City makes sure that developers throughout the City are made aware of the second dwelling unit ordinance.
Program 2.1e	Assist in the development of housing for farmworkers. Actions will include assistance with site identification and support of applications for funding.	12/31/2017	In 2017, The City created an exhibit, and posted it to their website, which details areas of underutilized and vacant sites.
Program 2.1g	The City will update the uses permitted in the R-1 and R-2 Zone to include Transitional and Supportive Housing as a permitted use. In addition, the City shall amend the Uses Permitted with a Use Permit in the C-1, C-2, and C-M Zone to remove Transitional and Supportive Housing.	12/31/2017	The City has updated their R-1 and R-2 zones to include Transitional and Supportive Housing, in 2017. Further, the City has updated their C-1, C-2, and C-M zones to remove Transitional and Supportive Housing.
Program 2.1h	The City shall amend its Zoning Ordinance to comply with Health and Safety Act Sections 17021.5 and 17021.6 and permit Employee Housing/Farmworker Housing in the R-1 Zone.	12/31/2017	In 2017, the City amended their Zoning Ordinance to comply with Health and Safety Act Sections 17021.5 and 17021.6 and permit Employee Housing/Farmworker Housing in the R-1 Zone.
Program 2.1i	The City shall refer residents to the Valley Mountain Regional Center for housing and services available to persons with developmental disabilities.	12/31/2023	As needed, the City will refer residents to the Valley Mountain Regional Center. The City has not yet pursued State and federal monies for direct support of housing construction and rehabilitation specifically targeted for housing for persons with developmental disabilities.
Program 2.1j	The City shall encourage housing development within the General Plan Infill Opportunity Area and specifically, sites designated Mixed Use.	12/31/2023	As development applications are received, the City will encourage and provide opportunities for development within the Infill Opportunity Area. Further, in 2017, the City created a profile on Oppsites, which feature areas of the city that are undeveloped or underutilized. Many of the sites that are listed are infill opportunity areas.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction RIVERBANK

Reporting Period 01/01/2017 - 12/31/2017

General Comments:

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.4

SECTION 6: NEW BUSINESS

Meeting Date:	April 23, 2019
Subject:	Proposition 68 Statewide Park Development and Community Revitalization Program Information
From:	Sean Scully, City Manager
Submitted by:	Sue Fitzpatrick, Director of Parks and Recreation

RECOMMENDATION

It is recommended that the City Council hear information on upcoming proposition 68 grants.

SUMMARY

The Director of Parks and Recreation attended the Prop. 68 workshop in Sacramento in January and an informational session at the annual California Parks and Recreation Society conference in Sacramento in March. Information will be shared tonight on competitive grants and non-competitive funding that the City of Riverbank is eligible to apply for in the near future.

BACKGROUND

The Statewide Park Development and Community Revitalization Program is the largest park related grant program in California's history and possibly U.S. history, with over \$1 Million in funding between the 2018 Prop. 68 and the 2006 Prop. 84 Bond Acts. Statewide Park Program competitive grants will create new parks and new recreation opportunities in critically underserved communities across California.

GRANT APPLICATION & FUNDING

Proposition 68 funding will distribute \$650,275,000 throughout competitive grants in multiple rounds. The projects must create a new park, expand an existing park or renovate an existing park. The minimum grant application is for \$200,000 and the maximum grant request is for \$8,500,000.

The grant applications submitted must be for sites that meet the criteria of less than 3 acres per 1,000 people within a half mile radius or have a median household income below \$51,026. Both our Community Center (Veteran's Park) and Castleberg Park meet

both of those criteria. Jacob Myers Park meets the median household income. Only one of the required criteria needs to be met to be eligible.

An application for the first round of funding is in process for the pool & locker room renovation and expansion, playground update, fitness equipment and possibly the Community Center kitchen renovation. Five site specific community meetings will need to be held to hear ideas from the community. The grant is due August 5, 2019.

For round two of the grant applications, the renovation of Castleberg park including improvements to the trail around the park, renovation of the restrooms and basketball court and installation of fitness equipment would be an eligible project as well as the amphi-theatre at JMP with expanded parking and the lease of the Army Corp property for a bike/pedestrian trail.

PER CAPITA FUNDING

There are non-competitive funds that the City of Riverbank will be eligible for. This funding and the amounts will be determined over the next couple of months but the minimum allocation will be \$200,000. This could take care of smaller projects such as a fence for a dog park, or additional improvements that we would like to add to current parks. There is no match required if the project is located in an area where the median household income is less than 60% of the statewide average. Otherwise there is a 20% match of funds.

FUTURE ROUNDS OF FUNDING

There will be a Regional Parks Program grant available to create, expand or improve regional parks and regional park facilities. The City is not eligible for this grant but the County and Friends of Jacob Myers Park would be. This may be something that can be a joint effort.

A draft application guide will be available in Spring 2019. Applications will not be due in 2019 but an application due date will be announced after the application guide is complete.

STRATEGIC PLAN

This item is relevant to the Strategic Plan by *Enhancing the Quality* of Life through maintaining, refreshing and developing our parks.

FINANCIAL IMPACT

The financial impact would be positive as there are no match funds required for these grants or for the per capita funding.

ATTACHMENT

There are no attachments to this report.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.5

SECTION 6: NEW BUSINESS

Meeting Date:	April 23, 2019
Subject:	A Resolution to Award Bid for Completion of the Citywide Park Master Plan to Pros Consulting, Inc. and to Appropriate Funds from the Park System Development Fee Account
From:	Sean Scully, City Manager
Submitted by:	Sue Fitzpatrick, Director of Parks and Recreation

RECOMMENDATION

It is recommended that the City Council consider approving the Resolution to award the Bid for the completion of the Citywide Park Master Plan to Pros Consulting, Inc. and designate \$109,625 from the Parks System Development Fee Account to pay for this professional service.

SUMMARY

Request for Proposals for the Citywide Park Master Plan were sent out in December 2018 and received January 31st for the Citywide Park Master Plan project. Proposals were reviewed and the top four firms were interviewed to determine the most qualified. All proposals and presentations received were of high quality. Staff is recommending that the bid be awarded to Pros Consulting, Inc. and funds be designated from the Park System Development Fee Account.

BACKGROUND

The City of Riverbank does not have a Citywide Park Master Plan. The City is currently operating at capacity at most of its facilities and parks and would like to prepare for growth to ensure that adequate recreation facilities are included as the population of the City increases. One of the City's goals for the plan is to research existing parks and facilities and map out the amenities that will be needed in the future.

The plan will include research, data gathering and analysis, community involvement and the development of goals, recommendations and action plans for all aspects of the Master Plan. The Master Plan will serve as a usable "blueprint" to the City Council and Parks and Recreation Department staff for future growth and maintenance of parks, facilities, programs and services.

The Master Plan will include at a minimum the following components:

- Engage the diverse Riverbank Community, leadership and stakeholders through an innovative public outreach process to build a shared vision for parks, facilities and recreation services for the next five to ten years.
- Utilize a wide variety of data sources and best practices including a statistically valid survey to predict trends and patterns of use and how to address unmet needs in Riverbank.
- Determine unique level of Service Standards, validated by local data, to develop appropriate actions, regarding parks, recreation services and facilities that reflect the City's strong commitment in providing high quality recreational activities for the community.
- Shape Financial and Operational Preparedness through innovation and "next" practices for the City to achieve strategic objectives and recommended actions and strategies outlined in the Master Plan.
- Develop a dynamic and realistic strategic action plan that is clear, concise and adaptable to ensure long term success and financial sustainability for the City's parks, recreation programs and facilities.

Government Code section 4529.10, et seq. (the "Mini Brooks Act") requires all engineering services to be procured pursuant to a fair, competitive selection process. Four firms were identified as meeting the qualifications requirements of the Request for Proposals. After each firm was interviewed, Staff concluded that the top two firms were equally qualified to meet the City's needs. While demonstrated competence and qualifications are the primary bases for evaluation of proposals under the Mini Brooks Act, the Act also requires that the services selected be at a fair and reasonable price to the City.¹ Due to the top two firms being equally qualified, Staff recommends the Bid be awarded to the bidder presenting the lower cost proposal of the two, Pros Consulting, Inc.

Pros Consulting, Inc. is a full-service management consulting and strategic master planning firm that focuses on services to government agencies, with specialized experience in parks and recreation, open space planning, tourism, economic development, sports strategy and marketing and branding. The planning team has a great depth of operational experience with over 100 combined years as former parks and recreation managers. Pros Consulting works nationally but is in California working on projects often. Some of the local completed projects are in Lodi, West Sacramento and Tracy.

The cost for the Citywide Park Master Plan with an additional scope of work to include assistance with the site plans and cost estimates for Proposition 68 projects is \$109,625. This cost would be paid from the Park System Development Fee Funds. The timeline for project completion would be approximately 10 months. The Proposition 68 assistance would be complete by grant due date in August 2019.

¹ Government Code section 4529.12; *Professional Engineers in California Government v. Morales* (2007) 40 Cal.4th 1016, 1049 ["while cost may be a less salient consideration in the qualification-based selection procedure than in a competitive bidding process, it is a consideration nevertheless."]

The Citywide Park Master Plan Project is relevant to the Strategic Plan's vision; ***The City of Riverbank is a regional leader in sustainable development offering a unique, culturally diverse, safe, and welcoming community with a thriving downtown, recreational opportunities for all ages and sustainable economy that supports our growing population.*** In addition, conducting a parks master plan has been discussed during multiple strategic planning sessions in the past and was stated that would be considering if adequate funding was available.

FINANCIAL IMPACT

There would be no financial impact to the General Fund as there is adequate funding within the Parks System Development Fee Fund.

ATTACHMENT

1. Resolution

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO
AWARD BID FOR COMPLETION OF THE CITYWIDE PARK MASTER PLAN TO PROS
CONSULTING, INC. AND TO APPROPRIATE FUNDS FROM THE PARK SYSTEM
DEVELOPMENT FEE ACCOUNT**

WHEREAS, the City of Riverbank does not have a Citywide Park Master Plan; and

WHEREAS, the City is currently operating at capacity at most of its facilities and parks and would like to prepare for growth to ensure that adequate recreation facilities are included as the population of the City increases; and

WHEREAS, one of the City's goal for the plan is to research existing parks and facilities and map out the amenities that will be needed in the future; and

WHEREAS, the plan will include research, data gathering, community involvement, development of goals, recommendations and action plans for the Master Plan; and

WHEREAS, the City sent out a Request for Proposal and recommends Award of the Bid for the Citywide Park Master Plan to Pros Consulting, Inc.; and

WHEREAS, Park System Development Fees have been collected for this purpose and sufficient fees are available;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank Approves the Award of Bid to Pros Consulting, Inc. in the amount of \$109,625 to be paid from Parks System Development Fees.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 23rd day of April, 2019; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following City Council vote of _____ :

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

Annabelle H. Aguilar, CMC
City Clerk

APPROVED:

Richard D. O'Brien
Mayor

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.6

SECTION 6: NEW BUSINESS

Meeting Date:	April 23, 2019
Subject:	A Resolution Appointing a Primary Member and Alternate Member to the Stanislaus Homeless Alliance Board
Submitted by:	Sean Scully, City Manager

RECOMMENDATION

It is recommended that the City Council consider the appointment of a Member of the City Council, either by nomination or volunteer, to serve as the primary member on the Stanislaus Homeless Alliance (SHA) Board, and to appoint the City Manager as the alternate member, pursuant to the SHA draft bylaws, and to ratify the appointments by Resolution.

BACKGROUND/SUMMARY

As Council is aware, over the past few years a coalition within Stanislaus County made up of public, private, community and non-profit members have been working to develop new approaches to address the regional situation of chronic homelessness in Stanislaus County. These efforts have resulted in a number of groups who have been formed to coordinate and manage services and new initiatives aimed at addressing homelessness. The primary group for this is the Community Systems of Care (CSOC) of which Riverbank is a participating member.

Senate Bill 850 was signed into law in June of 2018 which provided a \$500 million in funding for direct assistance to cities, counties and Continuums of Care (such as CSOC) to address the homelessness crisis throughout California. This funding is titled HEAP funding (Homeless Emergency Aid Program). In late 2018 the City Council (along with the other jurisdictions in Stanislaus County) declared a shelter crisis which opened up eligibility to approximately \$7,236,985 in funding for 2019. Funding was awarded to our region by the State and since that time the process of establishing a framework for the administration of these funds has been underway. It is anticipated that significant ongoing funding to address the homelessness crisis will continue to be allocated to our region on a yearly basis. Therefore the creation of a system that aligns service providers, non-profits, community stakeholders and local governments is more important than ever. Over the past two months, executives from each incorporated jurisdiction and Stanislaus County have met to design a board that would incorporate local jurisdictions into the collaboration and decision making process as it relates to

projects to address homelessness. The outcome of that work was the concept of the Stanislaus Homeless Alliance (SHA).

To culminate that work the Stanislaus County CEO sent a letter to each of the Stanislaus County jurisdictions in March (attached) requesting that each community consider appointing an elected official as a primary member and their top executive staff person (City Manager in the Cities and the Stanislaus County CEO for the County) as an alternate representative to the Stanislaus Homeless Alliance board. The letter notes that the intent of this new strategy/board is to “develop one vision, one program strategy, one funding strategy, and one annual report card to communicate performance outcomes to the community and serve as the framework for our mutual accountability”. The concept of the SHA board is to incorporate elected officials from jurisdictions to engage and participate in solutions to address homelessness. This is particularly important now that significant funding will regularly allocated to our region and those funds will require local government action in their application.

The attached letter outlines the board makeup would include two seats for east County cities (Riverbank, Oakdale, Waterford and Hughson). Initial discussions have indicated that the east County cities will discuss amongst themselves a reasonable rotation for the two available seats as each appointment will be for a yearly basis. At this stage it appears that Riverbank and Oakdale will be the first to appoint to those seats and then next year coordination will occur between the four east County cities on appointments for the subsequent terms.

The SHA board will be a Brown Act body with regular and noticed meetings. There will be an upfront training process to bring all new board members up to speed on the past and future proposals for projects to address homelessness. The span on the board will likely be very broad as the concepts for programs and projects to address homelessness are wide ranging. Draft bylaws are also attached to this report for reference.

The primary importance from staff’s perspective in participation on the SHA is to continue to be engaged on a regional level on this issue. Not only is there potential for future funding of projects in Riverbank to address homelessness, but there is also increased potential for collaboration with other jurisdictions and non-profits to engage in solutions that begin to view about homelessness as an issue that spans across city limit lines.

FINANCIAL IMPACT

No direct financial impact at this time but potential future fund would be available for projects within and around Riverbank.

STRATEGIC PLAN

This item would begin progress toward the strategic objective 8 “enhance quality of life” and more specifically strategy 8.7 which specifically states “engage the community and

nonprofit partners in the development of programs and/or solutions for homeless services”.

ATTACHMENTS:

- 1) Resolution appointing primary and alternate members to the SHA Board.
- 2) Letter from Stanislaus County CEO Jody Hayes
- 3) Draft Bylaws of SHA

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, APPOINTING A PRIMARY MEMBER AND ALTERNATE MEMBER TO
THE STANISLAUS HOMELESSNESS ALLIANCE (SHA) BOARD**

WHEREAS, the City of Riverbank has been engaged in regional and local discussions on homelessness for many years; and

WHEREAS, more recently a more formal regional structure has been discussed and designed taking the form of the Stanislaus Homelessness Alliance board (SHA) and;

WHEREAS, Riverbank desires to be a participant on the Stanislaus Homelessness Alliance board; and

WHEREAS, the SHA draft bylaws attached hereto request an elected official as the primary representative and the top executive official (City Manager) as the alternate to represent the City of Riverbank; and

WHEREAS, each year the east county cities (Riverbank, Oakdale, Waterford, and Hughson) will discuss who to appoint to fill the two available seats on a yearly basis; and

WHEREAS, the Cities of Riverbank and Oakdale will be the first cities to appoint their primary and alternate representatives to the two seats.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby appoints Councilmember _____ as the primary member and City Manager Sean Scully as alternate member to the Stanislaus Homelessness Alliance Board.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 23rd day of April, 2019; 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: Copy of Stanislaus County Letter of March 15, 2019 and SHA Board draft bylaws



CHIEF EXECUTIVE OFFICE

Jody L. Hayes
Chief Executive Officer

Patricia Hill Thomas
*Chief Operations Officer/
Assistant Executive Officer*

Keith D. Boggs
Assistant Executive Officer

Patrice M. Dietrich
Assistant Executive Officer

March 15, 2019

To: All City Managers

I want to thank each of you for supporting the efforts of our homeless workgroup over the last several months; we are very pleased to share the outcomes and recommendations developed during that process. This letter will summarize the work completed, as well as next steps and actions necessary to fully implement our recommendations for a new community-wide strategic direction to address homelessness in Stanislaus County.

Background

The County and many other stakeholders recognize that the current design of the homeless Community System of Care (CSOC) limits our ability to align formal authority with the actions necessary to fully implement needed homelessness strategies. While much progress has been made to develop a framework for future homeless services, there is broad recognition that the current model and relationships between CSOC and local governments must evolve. In October 2018, a workgroup was formed in partnership with City Managers, Focus on Prevention and the existing CSOC leadership council to address this issue. The workgroup was tasked with (1) developing a model for the strategic governance of homeless services in Stanislaus County, and (2) developing recommendations for allocation and distribution of \$7.2 million in Homeless Emergency Aid Program (HEAP) funding available through the State of California. Homebase, a nonprofit with experience in homeless service capacity building and technical assistance, facilitated several planning sessions to support the workgroup. The following members have participated regularly throughout these planning sessions:

- Kathryn Harwell, CSOC Co-Chair (Stanislaus County Community Services Agency Director)
- Francine DiCiano, CSOC Co-Chair (President/CEO United Way of Stanislaus County)
- Jody Hayes, Stanislaus County Chief Executive Officer
- Joe Lopez, Modesto City Manager
- Bob Lawton, Turlock City Manager
- Toby Wells, Ceres City Manager
- Bryan Whitemyer, Oakdale City Manager
- Sean Scully, Riverbank City Manager
- Ken Irwin, Patterson City Manager
- Brad Hawn, Focus on Prevention Stewardship Council Chair
- Cindy Duenas, Focus on Prevention Stewardship Council Vice Chair

Homeless Emergency Aid Program Recommendations

Of the \$7.2 million in HEAP funding, \$5 million has been designated for Capital Improvements. The eligible uses for HEAP Capital Improvements funds include emergency shelter, navigation centers, transitional housing, permanent supportive housing, small/tiny houses, and improvements to current structures that serve homeless individuals and families. \$4 million of the HEAP Capital Improvement funds will be used towards the Permanent Access Center and Emergency Shelter for the City of Modesto, and the remaining \$1 million was recommended to be used for projects currently under development in Turlock, Patterson and Oakdale. Remaining funds are designated for development of a homeless youth navigation center (\$1 million) and flexible funding/rental assistance (\$875,000). The County has been designated as the Administrative Entity for receipt and distribution of HEAP funds in coordination with CSOC. We are currently developing procedures to finalize each of these projects and bring them forward for the approval and distribution of funding.

Homeless Programs and Strategic Governance Structure

The primary focus of the workgroup recommendations is the creation of a formal public/private governance structure to establish a single point of community leadership and oversight to guide our response to homelessness in Stanislaus County. This new governance structure is called the "Stanislaus Homeless Alliance (SHA): Community Leaders Working to End Homelessness." The intent of this new community-wide leadership structure is to develop one vision, one program strategy, one funding strategy and one annual report card to communicate performance outcomes to the community and serve as the framework for our mutual accountability. To accomplish this, the SHA is intentionally designed to include elected officials, executive staff and non-government community leaders to reinforce the core principle that effective solutions must include all sectors of the community working together with a common purpose and strategy.

The workgroup has developed draft bylaws to establish the initial structure of the SHA, including a framework for representation and participation from throughout the community. The SHA will consist of the following participating organizations:

- Stanislaus County
- City of Modesto
- City of Turlock
- City of Ceres
- West County Representative (Patterson/Newman)
- (2) East County Representatives (Riverbank, Oakdale, Waterford and Hughson)
- Focus on Prevention (non-government representative)
- Community System of Care (non-government representative)
- Stanislaus Regional Housing Authority

The bylaws state that each entity will provide a primary representative and an alternate. For government agencies, the bylaws require the primary representative to be an elected official selected by a vote of your respective governing body. The bylaws also state that the alternative government representatives will be the lead executive administrator for the organization (City Manager/County CEO).

Next Steps

My "ask" to all of you is to bring this information to each of your respective city councils to appoint an elected official to serve as the primary member on the SHA, with the City Manager as the alternate. For those cities with shared representation, we ask that you work together to coordinate the selection process and any expectations for rotating assignments in the future.

The first Alliance meeting will occur in late April or early May; we are targeting Wednesday evening as a standard meeting day and time for ongoing meetings. Meetings will comply with Brown Act requirements for notification and participation from the public. We expect the group to meet at least monthly with agendas taking 2-3 hours on average. The first meeting will serve as an introductory onboarding and educational session on the roles and responsibilities of the SHA, along with approval of the founding bylaws and election of a committee chair and vice chair. Attached for reference is the latest version of the draft bylaws as well as two County Board of Supervisors' agenda reports for further background information of when the concept of this leadership structure was adopted and an overview of the HEAP funding recommendations. We are also available to join you in presenting this information to your city councils, and will prepare draft presentation materials to assist.

Thank you once again for your continued support in moving this important conversation forward in our community. We appreciate your participation in the workgroup process and the development of this new strategic direction to address homelessness in Stanislaus County. Please feel free to reach out to any member of our team if we can be of assistance at any time.

Sincerely,



Jody L. Hayes
Chief Executive Officer

Enclosures

Distribution: Toby Wells, City of Ceres
Bryan Whitemyer, City of Oakdale
Ken Irwin, City of Patterson
Bob Lawton, City of Turlock
Joe Lopez, City of Modesto
Raul Mendez, City of Hughson
Michael Holland, City of Newman
Sean Scully, City of Riverbank
Michael Pitcock, City of Waterford

STANISLAUS HOMELESS ALLIANCE: BYLAWS

OVERVIEW

1. Overview

Stanislaus Homeless Alliance is the name of the collaborative entity formed to align homelessness services, planning, and funding among stakeholders in Stanislaus County. The Stanislaus Homeless Alliance consists of community leaders working to end homelessness.

2. Purpose of the Stanislaus Homeless Alliance

The purpose of the Stanislaus Homeless Alliance includes the following:

- A. Promote alignment and coordination of homeless services funding in Stanislaus County.
- B. Support the further development and full implementation of the Common Agenda to Prevent and Reduce homelessness, informed by aligning the multiple homelessness plans, funding and community efforts into a single vision and integrated plan.¹
- C. Coordinate the development of a shared performance measurement system to assess effectiveness, quality, efficiency, access and availability of homeless services throughout Stanislaus County.²
- D. Coordinate with community partners to ensure alignment of efforts to address and end homelessness.
- E. Adopt Memorandums of Understanding (MOUs) necessary to align community resources to end homelessness.
- F. Create and implement necessary committees to carry out the responsibilities of the Stanislaus Homeless Alliance.
- G. Coordinate policies and procedures governing the provision and delivery of homeless services in Stanislaus County.
- H. Create and implement membership rules for the Stanislaus Homeless Alliance.
- I. Develop, follow, and update annually bylaws governing the Stanislaus Homeless Alliance.

3. Structure of the Stanislaus Homeless Alliance

The Stanislaus Homeless Alliance will consist of a membership body, as described in Section 4, a chair, and a vice-chair person. The chair and vice-chair person will be nominated by the Stanislaus Homeless Alliance and voted in annually by a majority of primary voting members or their designated alternates.

¹ Common Agenda – A vision for change shared by all participants that includes a common understanding of the problem and a joint approach to solving the problem through agreed-upon actions.

² Shared performance measurement system – A common set of performance measures that multiple organizations use to evaluate performance and track progress.

4. Stanislaus Homeless Alliance Membership

The Stanislaus Homeless Alliance will consist of one primary voting member and one alternate member from each of the following entities: Stanislaus County, City of Modesto, City of Turlock, City of Ceres, West County City, East County City, Focus on Prevention Stewardship Council, CSOC Leadership Council, and the Housing Authority of Stanislaus County.

4.1 Primary Member Appointments

Primary members are voting members of the Stanislaus Homeless Alliance.

For each governmental entity listed in Section 5, primary voting members of the Stanislaus Homeless Alliance will be elected officials. The board of supervisors, city council, or other governing body of each entity will vote on the elected official chosen to represent that entity on the Stanislaus Homeless Alliance.

For each non-government entity listed in Section 5, primary voting members representing non-government entities will be nominated by the governing bodies of these entities and approved by a majority of that body. Subject to the bylaws of those organizations, non-governmental entities shall prioritize the election of representatives not currently employed by a governmental entity.

Primary voting members from both government and non-government entities shall be annually appointed by governing body of their jurisdiction. In the absence of annual appointment, primary voting members' terms shall roll over, subject to the attendance provisions in Section 4.5.

4.2 Alternate Member Appointments

For each government entity listed in Section 5, alternate members of the Stanislaus Homeless Alliance will be the highest-ranking administrative official in each government entity.

For each non-government entity listed in Section 5, alternate members will be nominated by the governing bodies of these entities and approved by a majority of that body. Subject to the bylaws of those organizations, non-governmental entities shall prioritize the election of representatives not currently employed by a governmental entity.

4.3 East and West County Cities

The East and West County Cities will decide amongst themselves which two cities will represent these regions.

East County Cities include: Oakdale, Waterford, Hughson, Riverbank, Salida, Empire, Denair, East Oakdale, Bystrom, Del Rio, and Hickman.

West County Cities include: Patterson, Newman, Riverdale, West Modesto, Shackelford, Brete Harte, Grayson, and Westley.

Two primary voting members and two alternates from two different East County Cities and one primary voting member and one alternate from one West County City will be selected to represent the interests of these two areas.

The primary voting members shall be elected officials, appointed in the same manner as those in Section 4.1; and alternate members shall represent the highest-ranking administrative official in each government entity selected to represent these two areas. Terms and other provisions shall be the same as those in Section 4.1.

4.4 Attendance

If a primary member fails to appear or provide an alternate for three consecutive meetings the Stanislaus Homeless Alliance, or a majority of meetings held in a calendar year, the chair may send a letter to that members' electing body requesting that a new member be appointed.

5. Meetings

The chair or designee shall convene meetings of the Stanislaus Homeless Alliance on a monthly basis, with the ability to call special meetings as needed. The meetings will follow the requirements of the Brown Act, contained in the California Government Code Section 54950, and any other applicable open-meetings laws in the jurisdictions from which members are elected.

5.1 Alliance Staff

One or more staff member(s) of an Alliance member organization shall be designated and confirmed by vote of the Alliance. Staff responsibilities include notice and conduct of meetings and subcommittees, including publication of meeting dates, times and agendas, and retention of minutes and other documents, in compliance with the Brown Act, and other such responsibilities as identified by the Alliance members.

5.2 Public Access and Comment

Alliance staff, as designated in Section 5.1, shall ensure that members of the community may contact the Alliance for comment and input on the agenda through electronic communication or other means, as well as through public comment at meetings.

6. Committees

The Stanislaus Homeless Alliance shall establish committees to further the work of the Alliance and ensure community and expert participation.

7. Quorum for Stanislaus Homeless Alliance

A quorum of the Stanislaus Homeless Alliance primary voting member positions filled is required for decisions that require a vote of the membership. A quorum constitutes no fewer than 5 primary members, if 9 positions are filled. In the absence of a primary voting member, designated alternates may vote.

8. Conduct & Conflict of Interest

Each Stanislaus Homeless Alliance member will uphold certain standards of performance and good conduct and avoid real or apparent conflicts of interest. A member must disclose personal, professional, and business relationships when voting on funding decisions. If there is a conflict of interest, the member must recuse herself or himself from the role.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.7

SECTION 6: NEW BUSINESS

Meeting Date: April 23, 2019

Subject: Workshop on Urban County HUD Entitlement Funding and Riverbank Housing Division

Submitted by: Sean Scully, City Manager

RECOMMENDATION

None at this time, this workshop is for informational purposes only.

SUMMARY

On a yearly basis Stanislaus County solicits the City of Riverbank's interest in joining the Stanislaus Urban County HUD Entitlement Funding group. The group is currently made up of Ceres, Hughson, Newman, Oakdale, Patterson, Waterford and Stanislaus County. Traditionally the City of Riverbank has respectfully declined this invitation as the City has had its own internal active housing and grants program for many years. However recently conditions and regulations have hampered the City's ability to have as active a housing division as it once had. There are a variety of advantages and disadvantages to joining the Urban County program. This workshop is designed to educate the Council and community on Riverbank's current programs as well as the opportunities and constraints with any potential future decision to join the Stanislaus Urban County program. More information on this will be provided at the time of the meeting. The workshop will include updates and info on the following:

- Stanislaus Urban County Program
- Riverbank Housing Services (Past and Current Programs)
- Current grant opportunities and constraints
- Grant opportunities and constraints to the Urban County

STRATEGIC PLAN

This workshop directly relates to the goals of "ensure the City's continued financial stability" and "enhance quality of life".

ATTACHMENTS

None – presentation materials will be provided at time of the meeting.