



**CITY OF RIVERBANK
REGULAR CITY COUNCIL AND
LOCAL REDEVELOPMENT AUTHORITY BOARD
MEETINGS**

(The City Council also serves as the LRA Board)
City Hall North • Council Chambers
6707 Third Street • Suite B • Riverbank • CA • 95367

AGENDA

TUESDAY, AUGUST 27, 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.
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1. PRESENTATIONS

Item 1.1: Proclamation – Childhood Cancer Awareness Month – September 2019.

2. PUBLIC COMMENTS (No Action Can Be Taken)

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

3. CONSENT CALENDAR

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

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

Item 3.B: Approval of the July 23, 2019, City Council and Local Redevelopment Authority Minutes.

Item 3.C: Out of State Travel Request to attend the Caselle Annual User Conference in Las Vegas, NV.

Item 3.D: A **Resolution** Approving the Senior Construction Inspector Job Classification and Salary Range; and Amending the City of Riverbank Compensation Plan to Reflect the New Salary Range and Title for the City Clerk Position and the New Salary Range for the Senior Parks Maintenance Worker/Facility Technician Position.

Item 3.E: A **Resolution** to Approve a 3-Year Extension to the Street Sweeping Contract between the City of Riverbank and Gilton Solid Waste Management.

Item 3.F: A **Resolution** to Approve a 3-Year Extension to the Solid Waste Contract between the City of Riverbank and Gilton Solid Waste Management.

Item 3.G: A **Resolution** to Approve and Adopt a Revision to the Bike and Pedestrian Improvements Project List Under the 2019 City of Riverbank Expenditure Plan Project List for Measure L Funds.

Item 3.H: A **Resolution** to Adopt the 2019-2020 Schedule of Fees for the City of Riverbank Park Amenity Rentals, Recreation Programs, and Facility Rentals.

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

4. UNFINISHED BUSINESS There are no items to consider.

5. PUBLIC HEARINGS There are no items to consider.

6. NEW BUSINESS

Item 6.1: **A Resolution Approving a Request from the Stanislaus Bicycle Club to Place a Bicycle Traffic Safety Sign as a Memorial to Doug Higgs to be placed near California Avenue and Claus Road** – It is recommended that the City Council consider approval of the proposed resolution which would allow placement of a bicycle traffic safety sign near Claus Road and California Avenue in memory of Doug Higgs.

Item 6.2: **A Resolution Authorizing Appropriation of Matching Funds for a Wastewater Regional Recycled Water Project and Wastewater Treatment Master Planning Studies Grant** – It is recommended that the City Council consider the proposed resolution appropriating matching funds from the Wastewater Operations and Maintenance budget.

Item 6.3: **A Resolution Approving a Waiver, Partial Waiver, and/or Deferral of System Development Fees for the one Church Modular Building Project Located at 6101 Oakdale Road** – It is recommended that the City Council listen to the presentation and consider the petition from One Church to waive and/or defer payment of their System Development Fees which will be assessed on the installation of a single-story 2,400 square foot modular classroom project.

Item 6.4: **Consideration of a Resolution Adopting the Revised General Fund Reserve Policy** – It is recommended that the City Council consider:

1. Resolution adopting the revised General Fund Reserve Policy, and
2. Directing staff to develop a long-term plan to achieve the proposed General Fund Reserve Target of 13%-15%.

Item 6.5: **Workshop on SB 2 Planning Grants Program - Tiny Houses; and Consideration of a Resolution Authorizing Application for, and Receipt of, SB 2 Planning Grants Program Funds** – Staff recommends that the City Council review the materials, listen to the presentation, consider the Planning Commission's comments on the topic, and approve the Resolution authorizing application for, and receipt of, SB 2 Planning Grants Program Funds.

Item 6.6: **Designation of a Voting Delegate and Alternate(s) to Attend the 2019 League of California Cities Annual Conference** – It is recommended that City Council designate Members of the Council as the Voting Delegate and one or two alternates to attend the 2019 League of California Cities Annual Conference on October 16-18 at the Long Beach Convention Center to participate in the Annual Business Meeting for the consideration of resolutions that establish League policy. To report the designations to the League, City Council is to ratify the designations by roll vote.

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 LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: Three (3) potential cases

Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Government Code § 54956.9(a)
Name of Case: Stanislaus Consolidated Fire Protection District v. City of Riverbank and DOES 1-20
Stanislaus County Superior Court Case No. CV-19-004402

Item 8.3: **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 8.4: **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to Government Code Section 54957.6
Agency representative: Sean Scully, City Manager
Unrepresented Employees: Public Works Director and Assistant City Manager/Director of Finance

9. REPORT FROM CLOSED SESSION

Item 9.1: Report from Closed Session on Item 8.1: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Three (3) potential cases

Item 9.2: Report from Closed Session on Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:** Stanislaus Consolidated Fire Protection District v. City of Riverbank and DOES 1-20

Item 9.3: Report from Closed Session on Item 8.3: **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS** – Aemetis, Inc.

Item 9.4: Report from Closed Session on Item 8.4: **CONFERENCE WITH LABOR NEGOTIATORS:** Unrepresented Employees: Public Works Director and Assistant City Manager/Director of Finance

ADJOURNMENT (The next regular City Council meeting – Tuesday, Sept. 10th @ 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 22nd day of August, 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 AGENDA ITEM NO. 1.1

SECTION 1: PRESENTATIONS

Meeting Date:	August 27, 2019
Subject:	Proclamation – Childhood Cancer Awareness Month – September 2019
From:	Sean Scully, City Manager
Submitted by:	Gabriela Hernandez, Administrative Assistant-Confidential

RECOMMENDATION

It is recommended that the City Council read the Proclamation for Childhood Cancer Awareness Month – September 2019; and send a soft copy via mail to Anthony & Sandra Perez, parents to the late Jordan Perez.

SUMMARY

The goal of the Perez family is to raise awareness about childhood cancer, because their daughter, Jordan, passed away from a rare undiagnosed blood cancer at the age of 17. Because of this, the family joined the leukemia & lymphoma society to promote awareness and raise funds with their Light the Night campaign. Efforts and ongoing research to find a cure for childhood cancer are only possible with the help of communities and money donated for such research. The hope is to bring and raise awareness to the community of Riverbank

FINANCIAL IMPACT

There is no financial impact with the report.

ATTACHMENT

1. Proclamation



CITY OF RIVERBANK

PROCLAMATION

Declaring September 2019 Childhood Cancer Awareness Month

WHEREAS, each year more than 300,000 children and youth under the age of 19 are diagnosed with cancer worldwide; and

WHEREAS, childhood cancer is the #1 disease-related cause of death for children in the United States and many other countries; and

WHEREAS, two-thirds of those who survive childhood cancer endure chronic health conditions from the toxic effects of cancer treatment, including secondary cancers and other life threatening illnesses; and

WHEREAS, the causes of childhood cancer are largely unknown and more study is needed to understand which treatments work best for children; and

WHEREAS, cancer treatment for children often must differ from traditional adult treatments to take into account children's developmental needs and other factors; and

WHEREAS, Hesperia, CA youngster Jordan Perez is just one of many hundreds of children who have lost their battle with childhood cancer at the young age of 17, and now her family volunteers and helps to bring awareness and aide other families in their communities through the Lymphoma & Leukemia Foundation; and

WHEREAS, Riverbank is a caring community that supports children and families;

NOW, THEREFORE, LET IT BE PROCLAIMED by the City Council and our community, do hereby proclaim September 2019 as Childhood Cancer Awareness Month in the City of Riverbank. I encourage all Riverbank residents to learn more about childhood cancers and consider what we all can do to support children with cancer and their families.

August 27, 2019

Richard D. O'Brien
Mayor

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

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 27, 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 approval and adoption, 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:	August 27, 2019
Subject:	Approval of the July 23, 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 July 23, 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. July 23, 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, JULY 23, 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

There was no invocation.

ROLL CALL

Present:

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

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

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.

- *Mayor O'Brien declared that he would abstain from voting on Item 3.B: Minutes [due to his absence from the meeting].*
- *Councilmember Campbell declared a conflict and stated he would abstain from consideration of Item 3.C: St. Frances of Rome System Development Fees waiver/deferral. [The record will reflect a correction of action to show it is actually a recusal due to his personal relationship with the Church.]*
- *Vice Mayor Barber-Martinez declared a conflict and would recuse herself from consideration of Item 6.4: Electronic Signage. [The record will reflect that consideration of the Item may be a vote to place the signage in the downtown area of which she is an owner of a downtown business.]*

1. PRESENTATIONS

Item 1.1: Proclamation – National Health Center Week.

Mayor O'Brien presented the proclamation to Ms. Yamilet Valladolid representative of Golden Valley Health Centers.

Item 1.2: Update on Proposition 68 Grant: Community Center Renovation Project.

Director of Parks and Recreation Sue Fitzpatrick made the presentation.

2. PUBLIC COMMENTS (No Action Can Be Taken)

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

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 June 25, 2019, City Council and Local Redevelopment Authority Minutes.

Item 3.C: A **Resolution [No. 2019-072]** to Rescind Resolution No. 2019-033 and to Approve in its Place a New Amended Table of System Development Fees Waived or Deferred by the City that Includes a 2% Waiver and 98% Deferral Storm Drain Fee for the St. Frances of Rome Church Office Building Project Located at 2818 Topeka Street.

Item 3.D: A **Resolution [No. 2019-073]** Approving Final Map 01-2019 for Dennis Monterosso and California Estates Subdivision – It is recommended that City Council Approve the Final Map ("FM") for California Estates based on the required finding that the map is in conformity with the provisions of law and city code. Final Map 01-2019 California Estates – APN: 132-046-078 and -079. The project consists of a Tentative Map to subdivide approximately 2.21 acres into ten (10) single-family detached residential

lots (overall density of 4.5 du/acre), one (1) landscaped storm drainage basin, associated street, sewer, water, and storm drainage improvements.

Recommendation:

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

ACTION: *By motion moved and seconded (Uribe / Barber-Martinez / passed 5-0) to approve Consent Calendar Items 3.A and 3.D as presented.*

Motion carried by unanimous City Council roll call vote.

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

NAYS: None / ABSENT: None / ABSTAINED: None

ACTION: *By motion moved and seconded (Barber-Martinez / Fosi / passed 4-0-0-1) to approve Consent Calendar Items 3.B as presented.*

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

AYES: Campbell, Fosi, Uribe, and Vice Mayor/Vice Chair Barber-Martinez

NAYS: None / ABSENT: None / ABSTAINED: Mayor/Chair O'Brien

ACTION: *By motion moved and seconded (Uribe / Barber-Martinez / passed *4-0-0-0) to approve Consent Calendar Items 3.C as presented.*

Motion carried by unanimous City Council roll call vote.

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

NAYS: None / ABSENT: None / ABSTAINED: None

** Councilmember Campbell's declared to abstain [for the record is a recusal] from Item 3.C., however he remained at the dais due to no discussion of the Consent Item.*

4. UNFINISHED BUSINESS

There are no items to consider.

5. PUBLIC HEARINGS

There are no items to consider.

6. NEW BUSINESS

Item 6.1: **Informational item: Presentation of The Feral Cat Ordinance Adopted by the City of Oakdale** – It is recommended that the Riverbank City Council hear the presentation by the City of Oakdale regarding the adoption of the feral cat ordinance.

City Manager Sean Scully announced that the presentation was being made due to Riverbank adopting Oakdale's Animal Control Ordinance by reference, and a recent amendment was made

to their Ordinance. He introduced Oakdale Police Chief Scott Heller who made the presentation of the amendments made to their City's Animal Control Ordinance to add feral cat regulations, and amendment to the Criminal Sanctions section.

- Item 6.2:** **Consideration of a Resolution [No. 2019-074] to Approve Creating a Permanent Moratorium on the Processing and Issuance of Additional Permits for a Cannabis Dispensary within the City of Riverbank and Directing Staff to Bring Forward an Amendment to Riverbank Municipal Code Chapter 120: Cannabis Regulations; or Allow the Moratorium to Expire on July 23, 2019** – It is recommended that the City Council review the provided information, take public comment, and chose one of the following options:
1. Approve the proposed Resolution 2019-XXX to make the moratorium on cannabis dispensaries permanent and direct staff to bring forward an amendment to Chapter 120 of the Riverbank Municipal Code; or
 2. Allow the moratorium to expire on July 23, 2019.

Planning and Building Manager Donna Kenney presented the staff report.

Mayor O'Brien clarified that the [dispensary] application on hold had no bearing on consideration of the matter.

City Council discussed the Item.

Public comment: Mrs. Evelyn Halbert spoke in favor of a permanent moratorium, and increased restrictions.

ACTION: *By motion moved and seconded (Uribe / Campbell / passed 3-2) to allow the moratorium to expire, Option B [#2 above].*

Motion carried by City Council roll call vote.

AYES: Campbell, Uribe and Mayor O'Brien

NAYS: Fosi and Barber-Martinez / ABSENT: None / ABSTAINED: None

- Item 6.3:** **Consideration of a Request for Amendment to the Riverbank Cannabis Collective Development Agreement Amending Payment Schedule and Days of Operation by Adoption of a Resolution [No 2019-074] to Approve the Execution of a Side Letter to the Development Agreement (Ordinance No. 2018-003) Between the City of Riverbank and Family and Friends Association, Inc. doing business as Riverbank Cannabis Collective, A California Cooperative Corporation, for A Cannabis Dispensary** – It is recommended that the City Council review the provided information, take public comment, and chose one of the following options:
1. Authorize City Manager and City Attorney to create and execute a side letter agreement to the Riverbank Cannabis Collective Development agreement that would postpone the second payment tier (of \$7,500) to December of 2019 and allowing operation of the Dispensary during the Wine and Cheese event and Christmas Festival.

2. Deny request by Riverbank Cannabis Collective, which would keep the current provisions of their Development Agreement in place.
3. A combination of the provisions of option 1 or option 2 listed above.

City Manager Sean Scully presented the staff report.

City Council discussed the Item.

Public Comment: Ms. Danielle Gravelle, an owner of the Dispensary spoke in regards to the challenges of being located in the downtown area, and how the assistance would help their business. Ms. Alise Frasceno, owner of Stuff n Things, spoke in support of the Dispensary. Mrs. Evelyn Halbert spoke in opposition of allowing the Dispensary to be open during the requested City events.

ACTION: *By motion moved and seconded (Barber-Martinez / Uribe / passed 5-0) to approve Option A [#1 above] by adoption of Resolution No. 2019-074 to approve the Execution of a Side Letter to the Development Agreement (Ordinance No. 2018-003) Between the City of Riverbank and Family and Friends Association, Inc. doing business as Riverbank Cannabis Collective, A California Cooperative Corporation, for A Cannabis Dispensary; and Permit the Dispensary to be in operation during the City's Cheese and Wine Event, and Christmas Parade Event as presented. Motion carried by unanimous City Council roll call vote.*

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

NAYS: None / ABSENT: None / ABSTAINED: None

Item 6.4: **Review of Electronic Signage Locations prior to the City Manager entering a Lease Agreement with Rogers Media Company for an Electronic Sign to Advertise City Events and Downtown Activity** – It is recommended that the City Council review the options for the location of the Electronic Sign prior to the City Manager entering into a Lease agreement with Rogers Media Company for a sign to be placed at a location along Highway 108 to advertise City events and downtown activity.

Due to a declared conflict with this Item, Vice Mayor Barber-Martinez recused herself and exited the Chamber at 6:59 p.m.

City Manager Sean Scully spoke in regards to the need to reconsider the location of the sign. Director of Parks and Recreation Sue Fitzpatrick presented the location options to consider. Options presented were: Option #1 – proceed with the signage location at the fountain site; Option #2 – Proceed with Del Rio site negotiations; and Option #3 – review other locations outside of the downtown Specific Plan.

City Council, Staff, and Media Company representatives discussed the City's fountain location. Public Comment: Mrs. Marilyn Mc Ritchie inquired about the use of both sides of the sign, which was affirmed.

ACTION: *By motion moved and seconded (Fosi / Uribe / passed 4-0) to approve Options #1 – proceed with the signage location at the fountain site, and Option #3 – review other locations outside of the downtown Specific Plan as presented.*
Motion carried by unanimous City Council roll call vote.
AYES: Campbell, Fosi, Uribe, and Mayor O’Brien
NAYS: None / ABSENT: None / ABSTAINED: None

Vice Mayor Barber-Martinez returned to the dais at 7:21 p.m.

Item 6.5: **A Resolution [No. 2019-075] Authorizing the Riverbank Dog Park Project and Appropriation of Funds from the General Fund and System Development Fee Program for Completion of the Project** – It is recommended that the City Council consider approving the attached resolution which would authorize moving forward with the Riverbank Dog Park at Jacob Meyers Park and appropriate funds to complete the project.

Director of Parks and Recreation Sue Fitzpatrick presented the staff report.

ACTION: *By motion moved and seconded (Fosi / Uribe / passed 5-0) to adopt Resolution No. 2019-075 Authorizing the Riverbank Dog Park Project to be located in Jacob Myers Park and Appropriation of Funds (\$16,459.00) from the General Fund and (\$13,451.00) from the System Development Fee Program for Completion of the \$30,000 Project as presented.*
Motion carried by unanimous City Council roll call vote.
AYES: Campbell, Fosi, Uribe, Barber-Martinez, and Mayor O’Brien
NAYS: None / ABSENT: None / ABSTAINED: None

7. COMMENTS/REPORTS

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

Item 7.1: Staff

- *City Manager Sean Scully reported on the outcome of enforcement on illegal fireworks and calls received during the 4th of July Holiday; reported on the success of the Recreation Department’s Sharks and Mermaids Program; and announced the August 17th Time Capsule Event and requested items for the capsule.*

Item 7.2: Council/Authority Member

- *Council/Authority Member Uribe reported on the Stanislaus Homeless Alliance Meeting, and announced the Latino Community Roundtable, with Congressman Josh Harder.*

- *Council/Authority Member Fosi commented on the City's progress; especially the fruition of a Dog Park.*
- *Council/Authority Member Campbell thanked staff for the extra work hours on the 4th of July, and commented on the weather changing and the higher risk of fires.*
- *Vice Mayor/Chair Barber-Martinez announced the National Night Out Event on August 6th; thanked the community partners for a successful Kids Bike Rodeo and Health Fair; and announced the great community input received for the Community Park and Pool renovation, and looked forward to the accomplishments of the Proposition 68 grant funding.*

Item 7.3: Mayor/Chair

Mayor/Chair O'Brien: 1) stated that a meeting is needed with the Self-Help Enterprise and Host Housing; 2) commended on the City Manager's and Police Chief's efforts on the 4th of July fireworks enforcement; and 3) stated the City needed to look into the application for COPS Grant.

8. CLOSED SESSION

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

Item 8.1: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

Item 8.2: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9: Three (3) potential cases

Mayor/Chair O'Brien announced the Closed Session Item(s) and opened the Item(s) for public comment; no one spoke. The meetings were recessed and City Council went into Closed Session at 7:40 p.m.

9. REPORT FROM CLOSED SESSION

Mayor/Chair O'Brien reconvened the meetings at 8:32 p.m.

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

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

Item 9.2: Report from Closed Session on Item 8.2: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Three (3) potential cases
Mayor O'Brien reported that direction was provided to staff.

ADJOURNMENT

There being no further business, Mayor/Chair O'Brien adjourned the meetings at 8:33 p.m.

ATTEST: *(Adopted 8/27/2019)*

APPROVED:

Marisela H. Garcia
Asst. City Manager / Recorder

Richard D. O'Brien
Mayor / Chair

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.C

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 27, 2019
Subject:	Out of State Travel Request to attend the Caselle Annual User Conference in Las Vegas, NV
From:	Sean Scully, City Manager
Submitted by:	Anna Nicholas, Accounting Manager

RECOMMENDATION

It is recommended that the City Council approve the out-of-state travel request for two Finance Department staff members to attend the 2019 Annual Caselle software conference being held October 9-10, 2019, in Las Vegas, NV.

SUMMARY

The Finance Department uses Caselle Connect software for all financial, accounting and customer service operations in the department. Due to the nature of the software continually being updated and enhanced, ongoing training is essential for optimal utilization of the software. The annual user conference provides an opportunity for users to engage in a cost-effective method of focused training on all the modules of the software, in addition to participation in user forums that provide an opportunity for users to work directly with Caselle on future product improvements. In addition to the classroom sessions, hands on training and networking the employees are able to participate in, the attendance at Caselle events has proven to be a significant opportunity to partner with Caselle staff on promoting software enhancements and suggested upgrades that better meet the City's needs in a software product.

BACKGROUND

The Finance Department transitioned to the Caselle Financial Management software in 2016. The software is inclusive of multiple modules used in the operations of all aspects of municipal finance. The depth and complexity of the modules, in addition to the periodic software enhancements and product updates, require staff to engage in ongoing training. The current rate to have a Caselle trainer onsite is \$1500 per day, per trainer. This does not include travel costs associated with the training, which is a cost paid by the requesting agency. The estimated cost for a Finance Department employee to attend the two-day conference, inclusive of travel costs is \$1500.00. This will provide the employees with two full days of classes in various modules, associated travel expenses, and the opportunity to interact face-to-face with Caselle employees and Caselle users from other public agencies.

STRATEGIC PLAN

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

Encourage Employee Development

FINANCIAL IMPACT

The approximate total cost for the attendance of two employees equates to \$3000.00
This amount has been appropriated in the adopted FY 19/20 budget.

ATTACHMENTS

There are no attachments to this report.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.D

SECTION 3: CONSENT CALENDAR

Meeting Date: August 27, 2019

Subject: A **Resolution** Approving the Senior Construction Inspector Job Classification and Salary Range; and Amending the City of Riverbank Compensation Plan to Reflect the New Salary Range and Title for the City Clerk Position and the New Salary Range for the Senior Parks Maintenance Worker/Facility Technician Position

From: Sean Scully, City Manager

Submitted by: Cheryl Stefani, Human Resources Analyst

RECOMMENDATION

It is recommended that the City Council consider approving the Senior Construction Inspector Classification and Salary Range. In addition, it is recommended the City Council consider amending the City of Riverbank Compensation Plan to reflect the new salary range and new title for the City Clerk position by removing the Sr. Management portion of the title; and amend the City of Riverbank Compensation Plan to reflect the new salary range for the Senior Parks Maintenance Worker/Facility Technician position.

SUMMARY

The Senior Construction Inspector position differentiates from the current Construction Inspector II in that it requires increased knowledge and responsibilities needed for construction inspection. The salary range adjustments for the City Clerk position and Senior Parks Maintenance Worker/Facility Technician position are to correspond with the increased skill set level required by each position.

BACKGROUND

Due to continued development and growth of the City, it has been determined the necessity to create a new Senior Construction Inspector position job classification to meet the needs of the City's progressing Development Services Department. The proposed salary range for this position is as follows:

Senior Construction Inspector					
Salary Range	Step A	Step B	Step C	Step D	Step E
155 - Monthly	\$6,524.35	\$6,850.57	\$7,193.10	\$7,552.76	\$7,930.40

The City Clerk position and the Senior Parks Maintenance Worker/Facility Technician position are both equity adjustments to bring the salary up to the skill level required by each position. The salary range proposals are as follows:

City Clerk					
Salary Range	Step A	Step B	Step C	Step D	Step E
146 - Current	\$5,965.46	\$6,263.73	\$6,576.92	\$6,905.77	\$7,251.06
156 - Proposed	\$6,589.60	\$6,919.08	\$7,265.03	\$7,628.28	\$8,009.69
Difference/Mo.	\$624.14	\$655.35	\$688.11	\$722.51	\$758.63

Senior Parks Maintenance Worker/Facility Technician					
Salary Range	Step A	Step B	Step C	Step D	Step E
56 - Current	\$3,752.95	\$3,940.60	\$4,137.63	\$4,344.51	\$4,561.74
64 - Proposed	\$4,063.90	\$4,267.10	\$4,480.46	\$4,704.48	\$4,939.70
Difference/Mo.	\$310.95	\$326.50	\$342.83	\$359.97	\$377.96

STRATEGIC PLAN

The acceptance of the Senior Construction Inspector position; and the amending of salary range and title for the City Clerk position and amending of the salary range for the Senior Parks Maintenance Worker/Facility Technician position correlate with the City's Goal to Attract, Develop, and Retain Quality Staff.

FINANCIAL IMPACT

There is no financial impact for FY 2019-20 to create the Senior Construction Inspector position. The new salary ranges for the City Clerk position and the Senior Parks Maintenance Worker/Facility Technician position were accepted in the Annual Budget. The annual differences are as follows:

Salary Range	Position	Annual Difference
155 Proposed	Senior Construction Inspector	\$10,083.01
156 Proposed	City Clerk	\$6,162.93
64 Proposed	Senior Parks Maintenance Worker/Facility Technician	\$2,332.05

ATTACHMENT

1. Resolution
2. Draft Senior Construction Inspector Job Description
3. Draft City Clerk Job Description
4. Senior Parks Maintenance Worker/Facility Technician

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, APPROVING THE SENIOR CONSTRUCTION INSPECTOR JOB CLASSIFICATION AND SALARY RANGE; AND AMENDING THE CITY OF RIVERBANK COMPENSATION PLAN TO REFLECT A NEW SALARY RANGE AND TITLE FOR THE CITY CLERK POSITION AND AMENDING THE NEW SALARY RANGE FOR THE SENIOR PARKS MAINTENANCE WORKER/FACILITY TECHNICIAN POSITION

WHEREAS, due to the growth and development in the City, combined with the increased level of knowledge and responsibilities required for construction inspection, it has been determined the necessity to create, approve, and authorize a new job classification of Senior Construction Inspector and respective salary range in order to meet the needs of the City's progressing Development Services Department; and

WHEREAS, the new job classification of Senior Construction Inspector has been created with a proposed salary range as follows;

Senior Construction Inspector					
Salary Range	Step A	Step B	Step C	Step D	Step E
155-Proposed/Mo.	\$6,524.35	\$6,850.57	\$7,193.10	\$7,552.76	\$7,930.40

WHEREAS, the City of Riverbank's Compensation Plan is amended to reflect the new salary range and title for the City Clerk position by removing the Sr. Management Analyst portion of the title; and also amend the City of Riverbank Compensation Plan for the new salary range for the Senior Parks Maintenance Worker/Facility Technician position. Both salary adjustments are equity adjustments to bring the salary up to the skill level required by each position; and

WHEREAS, the new salary range for the City Clerk position and the Senior Parks Maintenance Worker/Facility Technician position are as follows:

City Clerk					
Salary Range	Step A	Step B	Step C	Step D	Step E
146-Current/Mo.	\$5,965.46	\$6,263.73	\$6,576.92	\$6,905.77	\$7,251.06
156-Proposed/Mo.	\$6,589.60	\$6,919.08	\$7,265.03	\$7,628.28	\$8,009.69

Senior Parks Maintenance Worker/Facility Technician					
Salary Range	Step A	Step B	Step C	Step D	Step E
56-Current/Mo.	\$3,752.95	\$3,940.60	\$4,137.63	\$4,344.51	\$4,561.74
64-Proposed/Mo.	\$4,063.90	\$4,267.10	\$4,480.46	\$4,704.48	\$4,939.70

WHEREAS, the acceptance of the Senior Construction Inspector position; and the amending of salary ranges for the City Clerk position and Senior Parks Maintenance Worker/Facility Technician position correlate with the City's Goal to Attract, Develop, and Retain Quality Staff.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves and authorizes the new job classification of Senior Construction Inspector and its respective salary of Range 155; and amends the City of Riverbank Compensation Plan to reflect the new City Clerk position title and salary range of Range 156; and amends the City of Riverbank Compensation Plan to reflect the new Senior Parks Maintenance Worker/Facility Technician position and salary range of Range 64.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August, 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:

Marisela H. Garcia
Asst. City Manager/Recorder

Richard D. O'Brien
Mayor

Attachment: Job Classifications

CITY OF RIVERBANK

SENIOR CONSTRUCTION INSPECTOR

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications **may not include all** duties performed by individuals within a classification. In addition, specifications are intended to outline the **minimum** qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

DEFINITION:

Under general supervision, performs all Construction Inspector duties, including the most complex paraprofessional engineering, office and field work involving inspection, field testing and surveying; provides lead direction and work instruction to assigned construction inspection staff; acts as a technical expert and serves as lead in providing in-office customer service to the public and other departments; provides responsible staff assistance to the City Engineer or the Development Services Administration Manager; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

The **Senior Construction Inspector** is the lead class responsible for on-site field inspection work for a wide variety of public and private sector projects. The work involves a high degree of day to day contact with architects, engineers, general contractors and construction trade specialist to assure that public facilities are constructed in accordance with engineering standards, and city codes and policies. The Senior Constructor Inspector is an advanced journey-level position and requires a higher level of independence of action, judgment, and discretion in interpreting plans and specifications and enforcing local, state, and federal construction regulations. The Senior Construction Inspector will provide lead assistance and be responsible for the coordination, assignment and supervision of Construction Inspectors I-II as needed.

SUPERVISION RECEIVED/EXERCISED:

Receives general supervision from the Development Services Administration Manager. Exercise functional and technical supervision over lower level classes.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Plans, coordinates, prioritizes, monitors and participates in the work of assigned inspection staff; discusses job progress with inspectors and ensures that inspections are performed according to City standards; provides motivation and training for assigned personnel; monitors work activities to ensure safe work practices, work quality and accuracy; assists in the evaluation of job performance.
- Performs the most complex inspections of the construction, repair or alteration work on major projects; observes and measures materials used in street, parks, gutter, curb, sidewalk, parking lots, water and sewer systems, storm drain construction, underground improvements, street lighting systems, landscaping, landscaping irrigation systems, facilities and other City capital projects; performs final inspection upon completion of projects.
- Prepares daily construction reports; maintains general job records; reviews plans and specifications of assigned projects; responds to complaints related to construction activities. Acts as a Resident Engineer on federal participating projects and compiles and computes all related federal documentation.

SENIOR CONSTRUCTION INSPECTOR

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- Responsible for overseeing the City's fats, oil and grease program.
- Reviews encroachment permit applications and traffic control plans. Assists in the utility marking of USAs for construction projects.
- Prepares a variety of reports and logs; submits monthly time reports; drafts correspondence to contractors.
- Demonstrates a full understanding of applicable policies, procedures and work methods associated with assigned duties; assists as survey party member; responds to questions and concerns from the general public.
- Establishes positive working relationships with representatives of community organizations, state/local agencies and associations, City management, staff and the public.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work and operating assigned equipment. The need to lift, carry, and push tools, equipment, and supplies weighing 25 pounds or more is also required. Additionally, the incumbent in this outdoor position works in all weather conditions, including wet, hot, and cold. The nature of the work also requires the incumbent to climb ladders, use power and noise producing tools and equipment, drive motorized vehicles, work in heavy vehicle traffic conditions, and often work with constant interruptions.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills, abilities necessary for a **Senior Construction Inspector**. A typical way of obtaining the required qualifications is to possess the equivalent of five years of increasingly responsible construction inspection experience, and high school diploma or equivalent, supplemented by specialized course work in pre-engineering or construction technology.

License/Certificate:

Possession of, or ability to obtain, a valid Class C California Driver License. Certification by the American Construction Inspectors Association is highly desirable.

KNOWLEDGE/ABILITIES/SKILLS *(The following are a representative sample of the KAS's necessary to perform essential duties of the position).*

Knowledge of:

Construction materials such as concrete, asphalt, and piping; principles, practices, methods, and materials used in public works construction; basic principles of mathematics; applicable federal, state, and local laws, codes, and regulations; methods and techniques of scheduling work assignments; standard office procedures, practices, and equipment; modern office practices, methods, and equipment, including a computer and applicable software; methods and techniques for record keeping and report preparation and writing; proper English, spelling, and grammar; occupational hazards and standard safety practices.

Ability to:

Read, understand, and interpret construction plans and specifications; inspect and analyze construction procedures and interpret code violations; perform mathematical calculations quickly and accurately; interpret, explain, and apply applicable laws, codes, and regulations; read, interpret and record data accurately; organize, prioritize, and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue, and develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Operate a variety of tools used in construction inspection; operate an office computer and a variety of word processing and software applications.

CITY OF RIVERBANK

CITY CLERK / ~~SENIOR MANAGEMENT ANALYST~~

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DEFINITION:

Under direction, performs a wide variety of professional, administrative, fiscal, and analytical support including budget preparation, project management, development of legislative documents, reports, and recommendations; plans, manages, oversees and directs the operations and services of the City Clerk's Office, which includes the performance of statutory duties as an Elections Official, as an FPPC Filing Officer, as Records Manager, and as Clerk of the City Council and other City Boards; conducts research and makes recommendations; assists and coordinates assigned activities with Department Heads/staff or outside agencies/individuals; works closely with and supports the City Manager and City Council; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

The **City Clerk / ~~Senior Management Analyst~~** is the administrative management level classification which demonstrates a high-level of independent analytical, problem solving, and decision-making skills; exercises sound judgment and supervision over all functions and operations of the City Clerk's Office; has the ability to research, interpret, and administer various policies, procedures, and laws governing the duties of the City Clerk; conducts complex work and support; maintains the confidentiality of sensitive information; and exercises full responsibility of the City Clerk's Office.

SUPERVISION RECEIVED/EXERCISED:

Receives direct supervision and administrative direction from the City Manager or designee. May exercise direct supervision over assigned lower level administrative support personnel.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Assumes full responsibility for all functions and services of the City Clerk's Office pursuant to established policies, procedures, and laws governing the duties of the City Clerk, including the requirements serving as the Elections Official, FPPC Filing Officer, Records, Manager, and as Clerk of the City Council and other City Boards.
- Performs a wide variety of professional, administrative, fiscal, and analytical support, including budget preparation, project management, report writing, legislative document development, policy and procedure development, research, and presentation of findings or recommendations.
- Monitors and evaluates the efficiency and effectiveness of service delivery methods and program procedures; develops, implements, and maintains departmental goals, objectives, policies, and procedures; and makes recommendations to achieve improved organizational performance.

- Manages the implementation of the Office of the City Clerk's budget; prepares and coordinates the development of the budget; forecasts necessary funds for staffing, materials and supplies; presents and justifies programs, operations, and activity needs; monitors and approves expenditures; discusses and resolves budget issues with appropriate staff; implements adjustments as necessary.
- Attends City Council and other City Board meetings; accurately records the proceedings; monitors the operation of the media equipment; coordinates the preparation of guest speakers; and follows up on action items.
- Coordinates the logistics in preparation of City Council and/or other Board meetings; ensures all audio/visual equipment is operational and maintained; oversees the appearance and maintenance of the City Council Chambers.
- Manages the preparation, execution, and completion of all legislative documents, including contracts, agreements, bonds, and deeds; follows up as needed; facilitates the adherence to legislative policy requirements by the accurate preparation and posting of the agendas, minutes, legal notices, resolutions, and ordinances.
- Administers oaths or Affirmations; takes and certifies affidavits and depositions pertaining to city affairs; certifies the acknowledgement of an instrument; signs, certifies, attests to official City documents; and maintains custody of the official City Seal.
- Serves as the city's Elections Official planning and directing the conduct of municipal elections pursuant to federal, state, and local laws; coordinates the preparation of pertinent candidacy information and assists candidates in meeting their legal responsibilities before, during, and after an election; and serves as the liaison with the County elections official.
- Serves as the city's Fair Political Practices Commission Filing Officer performing specified duties under the Political Reform Act, including providing public access to filed statements, following up on non-filers, and reviewing filed statements for errors and omissions.
- Serves as Records Manager administering a comprehensive citywide Records Management Program; develops, directs, and oversees the organization, retention, retrieval, and disposition of various types of city records, including the electronic records storage system; ensures the preservation of archival records that have permanent historical (research), legal, or social value; develops and maintains a disaster recovery procedure of vital records; and serves as the initial contact for public records requests ensuring compliance with the Public Records Act.
- Serves as a resource for City staff, external organizations, and the general public; provides information and guidance regarding assigned programs and services; receives and reviews public complaints and initiates the process for resolution.
- Conducts and manages special projects as assigned by the City Manager; provides administrative support to the City Council or other Board members; and maintains compliance with policies relative to city Boards, Commissions, and Committees.
- Provides assistance in the coordination, implementation, and maintenance of Information Technology equipment and services; troubleshoots issues/problems; maintains program areas on the City's website; and assists in the management of IT Consultant services as needed.

- Models professional supervisory conduct; trains and develops assigned staff; recommends and implements approved performance standards; motivates and encourages team orientation; and fosters a professional atmosphere.
- Keeps abreast of current legislative actions, pertinent subjects, and policies and procedures relative to the field of the City Clerk's Office; attends and participates in professional meetings, training sessions, and conferences as needed; and maintains awareness of new trends and developments of program areas.
- Establishes and fosters positive working relationships with representatives of the community organizations, state/local agencies and associations, City management and staff, and the general public.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near and far vision in reading correspondence and statistical data and using a computer. Acute hearing is required when providing phone and personal service, and speech sufficient to communicate in group settings without the aid of a microphone. The need to lift, drag and push files, paper and documents weighing up to 25 pounds also is required.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **City Clerk**/~~Senior Management Analyst~~. A typical way of obtaining the required qualifications is to possess a Bachelor's degree in public administration, business administration, or closely related field and four years of highly responsible administrative experience.

License/Certificate:

Possession of, or the ability to obtain, a valid class C California driver's license and certification as a California Certified Municipal Clerk. Certification as a Notary Public is desirable.

KNOWLEDGE/ABILITIES/SKILLS:**Knowledge of:**

The Brown Act, Political Reform Act, Maddy Act, Public Records Act, California Elections Code and other applicable federal, state and local laws, codes and regulations; modern principles, practices and techniques of public administration, research and reporting methods, development of policies, procedures, and programs; principles and practices of budget development and implementation, records management, public relations, and customer service best practices; methods and techniques of supervision, training and motivation; principles of mathematics and statistical analysis; methods and techniques of scheduling work assignments; modern office practices, methods and equipment, including a computer hardware and applicable software; methods and techniques for record keeping and report preparation and writing; proper English, spelling and grammar; occupational hazards and standard safety practices.

Ability to:

Plan, organize, direct and perform the duties of the City Clerk's Office; develop and administer sound departmental goals, objectives, policies and methods for evaluating achievement and performance levels; analyze budgetary, administrative, operational and organizational needs and problems; provide sound policy and procedural recommendations; maintain confidential information and data; oversee and/or manage special projects and programs within department area; develop and administer a budget; conduct research, report writing, and present findings; perform mathematical calculations quickly and accurately; interpret, explain and apply applicable laws, codes and regulations; read, interpret and record data accurately; organize, prioritize and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze complex issues, and develop and implement an appropriate response; plan, organize, train, evaluate and direct work of assigned staff; work effectively with management, staff, other governmental agencies and the general public; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skill to:

Operate and troubleshoot computer hardware and a variety of applicable software applications.

CITY OF RIVERBANK

SENIOR PARK MAINTENANCE WORKER/FACILITIES TECHNICIAN

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DEFINITION:

Under general supervision, leads and participates in the operation of the park and facility maintenance program; performs the full array of duties assigned to classes in the Park Maintenance Worker & Facilities Maintenance Worker series, including skilled and semi-skilled work in the maintenance and repair of landscaped areas, limited parks construction, and public facilities; leads park & facilities maintenance crews; demonstrates a full understanding of all applicable policies, procedures, and work methods associated with assigned duties; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

The **Senior Park Maintenance Worker/Facilities Technician** is the lead class in the Park & Facilities Maintenance Worker series. The incumbent performs lead duties, including assisting in the planning, assigning, and evaluation of the work of subordinates, and providing training as required with the assistance of the Parks and Facilities Maintenance Supervisor. The Senior Park Maintenance Worker/Facilities Technician serves as acting Parks and Facilities Maintenance Supervisor when necessary. This classification differs from the next higher classification of Parks and Facilities Maintenance Supervisor in that the latter has overall supervisory responsibility for supervising park and facility maintenance crews.

SUPERVISION RECEIVED/EXERCISED:

Receives general supervision from the Parks and Facilities Maintenance Supervisor. Exercises functional, technical, and lead supervision over lower level Park & Facilities Maintenance Workers.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Leads, reviews, assigns, and performs the work of staff engaged in the maintenance and repair of parks, and related public facilities; participates or directs litter control; develops and implements crew assignments; inspects and reviews work methods, performance, and quality of work performed; answers questions; evaluates and provides input and recommendations on employee evaluations; assumes responsibility for the more difficult and complex tasks.
- Leads, reviews, assigns, and performs a variety of semi-skilled and skilled tasks involved in the maintenance, limited construction, repair, and cleaning of City building and facilities, including City Hall, Community Center, Scout Hall, Police Department, Corporate Yard, and any other required City buildings and facilities.
- Recommends and reports service levels to the Supervisor; performs field observations to ensure

compliance with department policies, practices, and City ordinances; prepares reports for the Supervisor related to division activities.

- Assigns, directs, trains, and participates in the work of crews responsible for the maintenance, repair, inspection, and operational work in Park's facilities, landscapes and recreation areas, aquatics center; prepares and submits records and reports concerning work performed; estimates time, materials, and equipment needed for various projects; provides assistance in the planning of work projects, including the purchase of supplies, materials, and equipment needed to complete projects.
- Assigns, directs, and participates in the maintenance of turf, recreation, fences, and play areas; operates, maintains, and repairs irrigation systems; changes and adjusts heads for proper irrigation; maintains controllers and timers; operates and maintains vehicles and a variety of power driven equipment such as tractors, mowers, blowers, edgers, chain saws, weed eaters, etc.; maintains and prepares athletic fields and courts; may mix and apply personal grade fertilizers, pesticides, and herbicides; maintains records of any fertilizers and chemicals applied.
- Assigns, trains, and directs and work of subordinates; supervises and participates in the cleaning and maintenance of assigned buildings.
- Oversees and performs planting of shrubs, trees, and flowers; trims hedges, shrubs, and flowers; lays sod; trims and removes trees; maintains and inspects park facilities, including parks, skate parks, landscapes, athletic fields, playgrounds, and courts; performs all necessary repairs on park facilities; picks up trash and debris from park grounds and empties trash cans; removes graffiti and weeds; repairs vandalism, signs, and fences.
- Sweeps, mops, strips and waxes floors; cleans and disinfects surfaces; opens and cleans restrooms and replenishes supplies at all City parks and buildings; empties trash containers; shampoos carpet; washes windows, cleans, dust, and polishes furniture.
- Leads and performs minor plumbing work as necessary; unplugs drains, urinals and toilets; performs routine maintenance on valves, fittings, and other fixtures; replaces light bulbs when necessary, including bulbs for fluorescent lights; may work at elevated levels to replace light bulbs or to perform minor roof maintenance.
- Performs routine facility maintenance duties such as painting, light plumbing, carpentry, electrical, and mechanical tasks; maintains Snack buildings and appliances; operates vehicles and various power equipment in the maintenance of parks and buildings.
- Inspects all City buildings and parks for safety issues, turf, irrigation, and tree problems; checks all playground equipment and surfaces.
- Orders supplies and equipment.
- Provides assistance to other Public Works divisions; cleans and removes debris from storm drains.
- Responds to questions, concerns, and emergency calls from the general public; makes recommendations and/or takes appropriate action to resolve issues and problems; responds to

inquiries about department policies, rules, regulations, and City ordinances; establishes and maintains a customer service orientation within the work unit.

- Demonstrates a full understanding of applicable policies, procedures, and work methods associated with assigned duties; evaluates assigned work activities; estimates time, materials, and equipment necessary for the successful completion of assignments; acquires necessary resources as is appropriate.
- Participates and assists in the investigation of accidents involving subordinate personnel; provides input on performance evaluations to the Parks and Facilities Maintenance Supervisor; initiates minor disciplinary procedures.
- Enforces City ordinances governing use of parks facilities; may serve as acting Parks and Facilities Maintenance Supervisor in his/her absence.
- Establishes positive working relationships with representatives of community organizations, state/local agencies, City management and staff, and the public.

PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping, and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work and operating assigned equipment. The need to lift, carry, and push tools, equipment, and supplies weighing 50 pounds or more is also required. Additionally, the incumbent in this outdoor position works in all weather conditions, including wet, hot, and cold. The incumbent may use cleaning and lubricating chemicals, pesticides, or herbicides, which may expose the employee to fumes, dust, and air contaminants. The nature of the work also requires the incumbent to climb ladders, use power and noise producing tools and equipment, drive motorized vehicles and heavy equipment, work in heavy vehicle traffic conditions, and often work with constant interruptions. The incumbent may be required to respond to after hours emergency call-outs, work evenings and weekends, and perform routine standby duties.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for a **Senior Park Maintenance Worker/Facilities Technician**. A typical way of obtaining the required qualifications is to possess the equivalent of three years of responsible experience in park maintenance with a minimum of two years at the journey level similar to that of a Park Maintenance Worker II in the City of Riverbank and a high school diploma or equivalent, supplemented by specialized training in park and horticulture maintenance.

License/Certificate:

Possession of, or ability to obtain, a valid Class C California driver's license. Possession of a California Commercial or agricultural pesticide applicator license, Certified Pool Operator, and Playground Inspection certificate are required within one year of appointment.

KNOWLEDGE/ABILITIES/SKILLS: *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

Knowledge of:

Practices, techniques, and methods of parks, landscapes, and related facilities maintenance, care, and repair; characteristics of healthy plant growth and plant diseases; practices and techniques for tree, shrub, and turf trimming and maintenance; characteristics and proper application procedures for pesticides; operational and maintenance characteristics of different types of vehicles, equipment, and tools used in park maintenance; general plumbing and painting work; mechanics of irrigation, sprinkler, and systems; pool maintenance; methods and materials used in an effective weed abatement program; methods and techniques of supervision; proper methods of traffic control and delineation; applicable federal, state, and local laws, codes, and regulations, including playground codes and park ordinances; methods and techniques of scheduling work assignments; basic principles of mathematics; record keeping; make sound decisions within established guidelines; analyze a complex issue and develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Ability to:

Lead and perform a wide variety of park, landscape, and related facilities repair and maintenance activities in an assigned district; operate a variety of hand and power tools, vehicles, and equipment used in park maintenance; prune plants for the best effect; properly evaluate the health of trees, shrubs, and plants; estimate time and materials for completion of projects; perform heavy manual labor; lead, supervise, train, motivate, and evaluate assigned staff; respond to after hours call-outs as assigned; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue and develop and implement an appropriate response; mix and apply restricted herbicides and pesticides; read blueprints and plans; interpret, explain, and apply applicable laws, codes, and regulations; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

Skills to:

Safely and effectively operate a variety of maintenance equipment, tools, and materials.

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.E

SECTION 3: CONSENT CALENDAR

Meeting Date: August 27, 2019

Subject: A **Resolution** to Approve a 3-Year Extension to the Street Sweeping Contract between the City of Riverbank and Gilton Solid Waste Management

From: Sean Scully, City Manager

Submitted by: Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION

It is recommended that the City Council approve a 3-year extension to the Street Sweeping Contract with Gilton Solid Waste Management. This extension, if granted, would allow our street sweeping services to continue under the same provisions from January 1, 2020 through December 31, 2022.

SUMMARY

Gilton Solid Waste Management has been sweeping the streets of Riverbank since January 1, 2000. The City's current Street Sweeping contract dated August 23, 2010 expired on December 31, 2016. The contract allows for 3-year extension requests. A 3-year extension request was granted to Gilton Solid Waste Management by the City Council February 28, 2017, which extended the contract through December 31, 2019. The City recently received a letter dated July 31, 2019 from Gilton Solid Waste Management requesting another 3-year extension from January 1, 2020 through December 31, 2022. The City Attorney has reviewed the contract details and has advised that the Council may extend the contract for another 3 year period if it wishes to do so. The value in granting another extension would be that the solid waste and street sweeping contracts with Gilton would be both expire in 2022 which would allow a request for proposals to be issued for both services at that time.

Gilton has requested no changes to the existing contract. The rate and charges established in the contract will continue to be adjusted yearly in July to reflect changes in the most recent twelve month period of the Consumer Price Index West B/C ending April 30 of each year. Residential areas will continue to be swept twice a month, and downtown areas are swept once a week. Gilton's sweepers continue to be in compliance with the Air Pollution Control Districts PM-10 requirements.

STRATEGIC PLAN

This Street Sweeping Agreement Extension meets the goal to Ensure Financial Stability.

FINANCIAL IMPACT

Gas Tax - \$94,008.84

ATTACHMENT

1. Letter Requesting Contract Extension
2. Resolution

**Gilton Solid Waste
Management, Inc.**

755 S. Yosemite Avenue
Oakdale, CA 95361-4039
(209) 527-3781
FAX (209) 527-0422

July 31, 2019

Sean Scully
City Manager
City of Riverbank
6707 Third Street
Riverbank, CA 95367

RE: Street Sweeping Services

Dear Mr. Scully,

Pursuant to the Agreement for Street Sweeping Services between the City of Riverbank and Gilton Solid Waste Management, Inc., (Section 2.1) we would like make application to extend the Agreement for an additional three (3) years. This extension, if granted, would allow our street sweeping services to continue under the same provisions from January 1, 2020 through December 31, 2022.

Should you have any questions regarding this request or our street sweeping operations, please do not hesitate to contact me directly. I can be reached at any of the following:

Office phone: 209-840-5634
Cell phone: 209-988-5016
Email: Richarg@gilton.com

Respectfully,



Richard Gilton
President / General Manager

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, TO APPROVE A 3-YEAR EXTENSION TO STREET SWEEPING
CONTRACT BETWEEN THE CITY OF RIVERBANK AND GILTON SOLID WASTE
MANAGEMENT**

WHEREAS, the City Council previously authorized the City Manager to Execute an Agreement with Gilton Solid Waste Management for Street Sweeping Services; and

WHEREAS, the agreement allows for 3-year extension requests, which were previously granted by City Council through February 28, 2017 and December 31, 2019; and

WHEREAS, the City of Riverbank received a letter attached hereto as **Exhibit A** dated July 31, 2019 from Gilton Solid Waste Management requesting a 3-year extension to the existing Street Sweeping Agreement; and

WHEREAS, the extension will bring the new expiration date for the Agreement to December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves the three (3) year extension to the Street Sweeping Agreement between the City of Riverbank and Gilton Solid Waste Management with a new expiration date of December 31, 2022.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August, 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:

Marisela H. Garcia
Asst. City Manager/Recorder

Richard D. O'Brien
Mayor

Attachment: Exhibit A – Gilton Solid Waste Management Letter

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.F

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 27, 2019
Subject:	A Resolution to Approve a 3-Year Extension to the Solid Waste Contract between the City of Riverbank and Gilton Solid Waste Management
From:	Sean Scully, City Manager
Submitted by:	Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION

It is recommended that the City Council approve a 3-year extension of the Solid Waste Contract between the City of Riverbank and Gilton Solid Waste Management. This extension, if granted, would allow Gilton to continue solid waste services to the residents of Riverbank under the same provisions from November 1, 2019 through December 31, 2022.

SUMMARY

Gilton Solid Waste Management has provided solid waste collection services to the City of Riverbank since 1986. On February 24, 2014, the City Council heard three different Options for solid waste services in the City of Riverbank. The City Council directed Gilton Solid Waste Management to move forward with Option #2, which continued to provide a 90 gallon trash and a 90 gallon green/organic container with collection on a weekly basis and add a Curbside Electronic Waste Program, Curbside Bulky Item Program, Illegal Dump Program and Christmas Tree Pick-up Program. The proposed rate for this service would be \$21.20 a month. While this would be an increase from the current rate of \$17.50 a month, it was the first increase in eight years.

On March 24, 2014 the City Council received a presentation from the City Attorney's office regarding Proposition 218. Proposition 218, The Right to Vote on Taxes Act, was approved by California voters in 1996. Application of Proposition 218 requires voter approval of local tax levies and the implementation of assessment and property-related fee reform. The waste collection and disposal fees charged by the City of Riverbank are considered property-related fees under Proposition 218. In order to comply with the requirements of Proposition 218, staff contracted with the firm of Bartle Wells Associates for the preparation of a Solid Waste Rate Study to evaluate the costs of providing solid waste services within the City and establish a basis for imposing the rate increases. The

study focused on the rates proposed by Option 2. Bartle Wells presented the following findings in the Solid Waste Study Report: *“Based on the findings performed by Bartle Wells Associates, a public finance consulting firm that has been providing independent, objective utility rate analysis and advice to public agencies throughout California for 50 years, Gilton’s proposed rates are in line with the cost of service and it is recommended that the City Council adopt Option 2, as it would enhance current service while keeping the costs to the consumers low.”*

At the August 26, 2014 the City Council authorized staff to begin the Proposition 218 public notification and protest process. The Proposition 218 process was followed and at the October 14, 2014 City Council Public Hearing a Resolution was adopted accepting and closing the Proposition 218 Public Notification and protest Process as it relates to the proposed rate increase for solid waste disposal services. A Resolution approving the proposed Solid Waste Rates was adopted and the Council authorized the City Manager to execute a Franchise Agreement with Gilton Solid Waste for Solid Waste Disposal Services.

On November 1, 2014, a new Franchise Agreement between the City of Riverbank and Gilton Solid Waste Management was executed. The term of the agreement was for 5 years with an expiration date of October 31, 2019. The agreement allows for the Collector to apply to the City for an extension of the Term for an additional three (3) years.

The City of Riverbank received a letter dated July 31, 2019 from Gilton Solid Waste Management requesting a 3-year extension to the existing Franchise Agreement with a new expiration date of October 31, 2022. Gilton states in the letter *“The current Agreement was developed after extended negotiations with City Staff and the City’s consultant in lieu of using a bid process. We believe that the Agreement has served the City extremely well. It includes all the necessary tools for the City to control costs and operate programs needed to meet both City and customer needs. **At the same time, it provides the means to make adjustments for the changing demands of the community to meet regulatory mandates.**”* Gilton has requested no changes to the existing contract.

CURRENT & UPCOMING REGULATORY MANDATES

AB 341: Mandatory Commercial Recycling Law

AB 341 requires all generators of 4 cubic yards or more of solid waste per week to arrange for recycling services and Multi-Family Dwellings with 5+ units.

AB 1826: Mandatory Organics Recycling Law

AB 1826 requires all generators of 4 or more cubic yards of solid waste per week to arrange for all organic waste (food waste, nonhazardous wood, food soiled paper, and green waste) recycling services. If organic waste has not been reduced by 50% by January 1, 2020, generators of 2 cubic yards of solid waste per week will need to arrange for organic waste recycling services.

SB 1383: Education and Outreach Resources

The SB 1383 draft regulations require that jurisdictions conduct education and outreach on organics recycling to all residents, businesses (including those that generate edible food that can be donated) haulers, solid waste facilities, and local food banks and other food recovery organizations. Even though the SB 1383 regulations don't go into effect until January 1, 2022, jurisdictions need to start planning now to adequately establish resources for the programs. To assist with this effort, CalRecycle will continue to publish resources to provide jurisdictions with education and outreach tools.

Due to the extent of the oversight involved, by both City staff and Gilton, in educating and monitoring residents and businesses in these mandates, the City will in the near future need to work with Gilton on an amendment to the agreement to meet these mandated requirements.

STRATEGIC PLAN

Extension of this Agreement meets the City's goal to: Ensure Financial Stability

FINANCIAL IMPACT

Waste collection and disposal fees are paid by the customers that receive service, therefore residents and commercial customers will continue to pay for services based on the existing terms of the contract. The City will continue to collect additional franchise fees on the gross revenues generated, which are placed in the General Fund.

ATTACHMENT

1. Letter Requesting Contract Extension
2. Resolution

**Gilton Solid Waste
Management, Inc.**

755 S. Yosemite Avenue
Oakdale, CA 95361-4039
(209) 527-3781
FAX (209) 527-0422

July 31, 2019

Sean Scully
City Manager
City of Riverbank
6707 3rd Street
Riverbank, CA

RE: Request for Extension to Agreement

Dear Mr. Scully,

As I am sure that you know, our company, Gilton Solid Waste Management, Inc., is the contracted provider for the collection of solid wastes in the City of Riverbank. We have served the City in that capacity since 1986. Our most current Agreement with the City was executed on November 1, 2014. The initial term of the Agreement was stipulated to be five (5) years.

Pursuant to that Agreement, our company ("Contractor") may make application to the City to extend the Agreement for another three (3) years commencing on January 1, 2020. Since we are approximately five (5) months from the end of our fifth term, we would respectfully request that the City consider extending the Agreement for another three years beginning January 1, 2020.

The current Agreement was developed after extended negotiations with City Staff and the City's consultant in lieu of using a bid process. We believe that the Agreement has served the City extremely well. It includes all the necessary tools for the City to control costs and operate programs needed to meet both City and customer needs. At the same time, it provides the means to make adjustments for the changing demands of the community to meet regulatory mandates.

Through effective management and an ongoing commitment to efficiency, we have been able to keep our service rates in Riverbank fixed with a CPI increase of no greater than 2.5%. We are prepared to continue to provide all the current services at the existing low rates should the City agree to an extension.

We believe that Gilton's commitment to customer service and our ability to respond quickly to the City's concerns and requests has helped make Riverbank a great place to live and work.

Gilton Solid Waste Management, Inc.

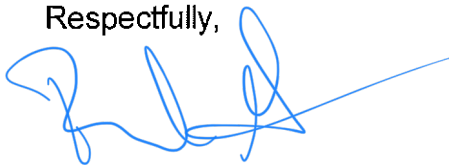
"Our Business is Just Picking Up"

Hopefully our history of consistent performance, support for the community and commitment to excellence will encourage you to consider our request for the extension. We are available at any time to meet with you or your staff regarding this issue.

You can reach me at any of the following:

Office209-840-5613
Cell209-988-5016
EmailRichardG@gilton.com

Respectfully,



Richard Gilton
President / General Manager

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, TO APPROVE A 3-YEAR EXTENSION TO SOLID WASTE
CONTRACT BETWEEN THE CITY OF RIVERBANK AND GILTON SOLID WASTE
MANAGEMENT**

WHEREAS, the City Council previously authorized the City Manager to Execute a Franchise Agreement with Gilton Solid Waste Management for Solid Waste Disposal Services; and

WHEREAS, the agreement was for a five (5) year term expiring October 31, 2019 with the option for a three (3) year renewal; and

WHEREAS, the City of Riverbank received a letter attached hereto as **Exhibit A** dated July 31, 2019 from Gilton Solid Waste Management requesting a 3-year extension to the existing Franchise Agreement; and

WHEREAS, the new expiration date for the Franchise Agreement is October 31, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves the three (3) year extension to the Solid Waste Disposal Franchise Agreement between the City of Riverbank and Gilton Solid Waste Management with a new expiration date of October 31, 2022.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August, 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:

Marisela H. Garcia
Asst. City Manager/Recorder

Richard D. O'Brien
Mayor

Attachment: Exhibit A – Gilton Solid Waste Management Letter

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.G

SECTION 3: CONSENT CALENDAR

Meeting Date: August 27, 2019

Subject: A **Resolution** to Approve and Adopt a Revision to the Bike and Pedestrian Improvements Project List Under the 2019 City of Riverbank Expenditure Plan Project List for Measure L Funds

From: Sean Scully, City Manager

Submitted By: Kathleen Cleek, Development Services Administration Manager

RECOMMENDATION

It is recommended that the City Council consider adopting the proposed changes to the Bike and Pedestrian Improvements Project List Under the 2019 City of Riverbank's Measure L Expenditure Plan Project List.

SUMMARY

On July 25, 2019 the City Council approved and adopted a 2019 City of Riverbank Expenditure Plan Project List for Measure L Funds (Project List). The Project List included Local Streets and Roads, Traffic Management and Bike and Pedestrian Improvements. Since that time concerned citizens and business owners have come forward and requested some safety measures be put in place at the crosswalk on Santa Fe Road between 3rd and 4th Street. With new businesses opening up and the change of location and remodel of Pizza Plus, there is more vehicle and pedestrian traffic in the area. Staff has assessed the area and found that with all the parked cars in the area a pedestrian is almost a quarter through the crosswalk before a driver can visually see the pedestrian. With that said, staff believes a Rapid Flashing Beacons (south and north sides of Santa Fe) will provide high visibility to motorists approaching pedestrian crosswalks. This system is pedestrian activated and fits easily onto existing signposts and can be easily installed by city crews with minimal traffic disruptions. The cost for the two Rapid Flashing Beacons and the two push button controllers is approximately \$12,000 - \$15,000.

The City is requesting \$15,000 be set aside from the Measure L Bike and Pedestrian Improvements allotment of funds to install this safety improvement. Currently \$154,000 has been set aside for the Jacob Meyers Park Entryway and

ADA Improvements. Since this project will not be under construction until the Spring of 2020, enough funds will be received to complete this project at that time.

FISCAL IMPACT THROUGH THE END OF 2019:

No changes to the fiscal impact of the Measure L Funds through the end of 2019. The City is only requesting a reallocation of \$15,000 from one project to the other.

ATTACHMENTS

1. Resolution
2. City of Riverbank Expenditure Plan Project List

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO APPROVE AND ADOPT A REVISION TO THE BIKE AND PEDESTRIAN IMPROVEMENTS PROJECT LIST UNDER THE 2019 CITY OF RIVERBANK EXPENDITURE PLAN PROJECT LIST FOR MEASURE L FUNDS

WHEREAS, on June 25, 2019 the Riverbank City Council approved and adopted Resolution 2019-058 for the City of Riverbank's Revised 2019 Expenditure Plan Project List for Measure L Funds presented by staff; and

WHEREAS, the Riverbank City Council at the August 27, 2019 City Council Meeting considered revisions to the Bike and Pedestrian Improvements Project List attached hereto as **Exhibit A** under the 2019 City of Riverbank Expenditure Plan Project List for Measure L Funds; and

WHEREAS, a project to install Rapid Flashing Beacons on Santa Fe Street between 3rd and 4th Street was added in the amount of \$15,000; and

WHEREAS, the Jacob Meyers Park Entryway and ADA Improvements was reduced through December 31, 2019 to \$139,000; and

WHEREAS, each project except for the Rapid Flashing Beacons on Santa Fe Street between 3rd and 4th Street on the revised 2019 Expenditure Plan Project List will require City Council review and approval prior to construction; and

WHEREAS, each year a comprehensive review of proposed Expenditure Plan Projects will be conducted and any changes presented to Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves and adopts the revisions to the Bike and Pedestrian Improvements Project List as presented in **Exhibit A**, under the 2019 City of Riverbank Expenditure Plan Project List for Measure L Funds.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August, 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:

Marisela H. Garcia
Asst. City Manager / Recorder

Richard D. O'Brien
Mayor

Attachment: Exhibit A – Revised Bike and Pedestrian Improvements Project List Under the 2019 City of Riverbank Expenditure Plan Project

City of Riverbank Expenditure Plan Project List (Revised 8/27/2019)

Type	Projects	Description	Budget	Start	Complete
Local Streets and Roads (50%)					
2017 Pavement Restoration Project	Slurry Various Local Roads	Slurry Local Roads identified in Pavement Management Plan	\$130,000	FY 2017	FY 2017
2018 Pavement Restoration Project	Slurry Various Local Roads	Slurry Local Roads identified in Pavement Management Plan	\$353,000	FY 2018	FY 2018
2019 Pavement Restoration Project	Slurry Various Local Roads	Slurry Local Roads identified in Pavement Management Plan	\$429,806	FY 2019	FY 2019
Overlay (Match Monies)	Eight Street Overlay	Patterson Road to Kentucky Avenue - Match Money Measure L	\$50,000	FY 2018	FY 2019
Overlay	Claus Road Overlay	Overlay Claus Road between Townsend to Claribel	\$556,500	FY 2018	FY 2019
Traffic Management (10%)					
Calender Avenue Complete Street Phase I	Calendar Avenue	Complete Street Improvements - Calendar Avenue between Topeka & Santa Fe Streets	\$310,655	FY 2017	FY 2019
Bike/Ped (5%)					
Pedestrian Crosswalk Safety Improvements	Rapid Flashing Beacons.	Santa Fe Street between 3rd & 4th Streets	\$15,000	FY 2019	FY 2019
Jacob Meyers Park Entryway	Entryway and ADA Improvements	Entryway and ADA Improvements	\$139,000	FY 2017	FY 2020

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 3.H

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 27, 2019
Subject:	A Resolution to Adopt the 2019-2020 Schedule of Fees for the City of Riverbank Park Amenity Rentals, Recreation Programs, and Facility Rentals
From:	Sean Scully, City Manager
Submitted by:	Sue Fitzpatrick, Director of Parks and Recreation

RECOMMENDATION

It is recommended that the City Council consider adopting a Resolution to approve the 2019-2020 fees for Park Amenity Rentals, Recreation Programs and Facility Rentals. The recommended fee increases, and new classes/programs offered with associated fees are highlighted in Exhibit A.

SUMMARY

The schedule of Park Amenity Rentals, Recreation Programs and Facility Rental Fees for the 2019-2020 Fiscal year is attached as Exhibit A for the City Council consideration.

BACKGROUND

The City Parks and Recreation Department periodically conducts an analysis of its Park and Recreation Programs; the costs of providing those programs; the beneficiaries of those programs, as well as the revenues and expenses incurred with those programs. One-hundred percent (100%) cost recovery is the goal for most of the programs offered. We strive toward this goal through managing expenses as well as revenue. While active cost recovery does occur through most facility, park reservations, and special events; other programs struggle to achieve cost recovery while remaining affordable for the community. The aquatics program is a key example. While the swim team and swim lessons pay for a portion of the associated costs, the aquatics program recovers only about 50% of the annual operational costs. The Teen Center also requires General Fund support. In the past, the City Council has determined that these programs provide public safety benefits and serve as an investment in the City's youth and general public welfare thus ongoing General Fund subsidies have helped fund these programs.

FINANCIAL IMPACT

The Financial Impact is reflected within the 201-2020 Budget. Many programs are now self-sufficient with 100% recovery of costs with the exception of the Teen Center, the Aquatics Program and the Christmas Parade.

The Enterprise Fund is supplemented by the General Fund to help support the Community Center and Scout Hall Building operation and maintenance as well as fee waivers that have been approved by the City Council.

The General Fund supports the operations of the Recreation and Park Program operations and maintenance.

The fee adjustments recommended at this time are predominately related to our Aquatics Program, specifically swim lessons and swim team. Swim lesson and swim team fees have not been adjusted over the past few years but minimum wage has increased every year. It is proposed to increase swim lesson fees by \$5.00 per session and swim team fee by \$10.00. These fees need to offset the costs of coaches, compensate for the increase in minimum wage, cost of chemicals, and overall pool operation. Scholarships are available for those who cannot afford to pay and meet the low- income criteria.

Prior to the renovation of the Community Center Building, the service clubs had the option of setting up tables and chairs themselves. It is proposed that City staff do the set up and take down for all events to avoid scratching the floor and increased wear and tear of the tables and chairs. This service would increase the cost for service clubs by \$100 for set up and take down.

Our park reservation fees will remain the same but a reservation system will be included for Silva Park Gazebo for the first time. This is a Landscaping and Lighting District so there is a discount for residents. Having a reservation system allows the City to be aware of large parties and the need for additional maintenance. This has been a challenge this past summer and we have received many calls requesting a reservation system.

Other fee adjustments are to streamline costs or to adjust costs to cover updated expenses.

STRATEGIC PLAN

This report has been prepared to accomplish the following Goal established the 2020-2025 Strategic Planning Session:

“Ensure Financial Stability” and “Maintain Quality of Life”

ATTACHMENTS

- 1) Exhibit A: Schedule of Fees
- 2) Resolution

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, TO ADOPT THE 2019-2020 SCHEDULE OF FEES FOR THE CITY OF
RIVERBANK PARK AMENITY RENTALS, RECREATION PROGRAMS, AND
FACILITY RENTALS**

WHEREAS, the City of Riverbank has conducted an analysis of its Parks and Recreation Programs, the costs of providing those Programs, the beneficiaries of those Programs and the revenues and expenses incurred for those programs; and

WHEREAS, the specific fees to be charged for programs is annually reviewed and adopted by City Council; and

WHEREAS, any new program fees or fee increases proposed are presented to the City Council for consideration as needed.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves and establishes the 2019-2020 Park Amenity Rentals, Recreation Programs and Facility Rental Fees attached here to as **Exhibit A**.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August, 2019; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Marisela H. Garcia
Asst. City Manager/Recorder

Richard D. O'Brien
Mayor

Attachments: Exhibit A – Fee Schedule

Exhibit A

CITY OF RIVERBANK

2019-2020 PARKS, RECREATION, AND FACILITIES FEES

PARKS - DESCRIPTIONS		
Park Rental (all parks with gazebos):	Current fee	New Fee
Resident	\$100.00	-
Nonresident	\$125.00	-
Silva Park	Current fee	New Fee
Resident		\$50.00
Non-resident		\$125.00
Park Rental (small areas at Jacob Myers Park (JMP):	Current fee	New Fee
Resident	\$50.00	-
Non-resident	\$100.00	-
Wedding Gazebo @Jacob Myers Park	\$500.00	-
Electricity (Jacob Myers/Pavilion)	\$20.00	-
Bounce House permit (except JMP)	\$25.00	-
Parking Fee (May – September)	\$7.00	-
Castleberg Park – Ball Diamonds	Current fee	New Fee
Lights (2 hour minimum)	\$20.00/hour	\$25.00/hour
Park Aide/Site Monitor	\$18.00	-
Field Use (Exception RYBSA)	\$30.00/day	\$25.00/hour
Tournament (per field- includes maintenance)	\$100.00	\$150.00
PROGRAM - DESCRIPTIONS		
Camps	Current Fee	New Fee
All Day Summer Camps (8 am to 5 pm)	\$100.00 (2 ND Child) \$90.00	-
Half Day Camps (9 am to 12 noon)	\$65.00	-
Skyhawks Sports Camps	\$119.00	-
Mini Camps (ages 3 to 5)	\$15-\$35	-
Classes	Current Fee	New Fee
Tot Time	\$80.00/session	\$90.00/session
Ballet Folklorico (70/30)	\$35.00/session	-
Art for Kids (Ages 6-9)	NEW	\$35.00/session
Junior Art Class (10-15)	NEW	\$35.00/session
Youth Basketball	NEW	\$40.00/session
Zumba Gold	\$2.00	-
Tai Chi Chuan (70/30)	\$5.00	-

PROGRAM - DESCRIPTIONS		
Classes	Current Fee	New Fee
Family Zumba (70/30)	\$3.00	-
First Friday Paint Night	NEW	\$18.00/person
Open Gym @ Cardozo	NEW	\$2.00 drop-in
Drum Circle	NEW	\$5.00/session
Aquatics	Current Fee	New Fee
Recreational Swim	\$2.00	
Swim Lessons (Resident)	\$55.00/session	\$60.00 /session
Swim Lessons (Nonresident)	\$60.00/session	\$65.00 /session
Sharks & Mermaids (Per 6 week session with scholarships available)	\$100/6-weeks	-
Private Swim Lessons	\$200.00	-
Swim Team	\$115.00	\$125.00
Swim Team (2 nd Child)	\$100.00	\$115.00
Pool Parties (Resident – with 1-60 guests)	\$100.00/hour	-
Pool Parties (Nonresident – with 1-60 guests)	\$120.00/hour	-
Pool Parties (Resident – with 61-90 guests)	\$120.00/hour	-
Pool Parties (Nonresident – with 61-90 guests)	\$140.00/hour	-
Pool Parties (Resident – with 91-120 guests)	\$140.00/hour	-
Pool Parties (Nonresident – with 91-120 guests)	\$160.00/hour	-
Pool Pass (per individual)	\$80.00	-
Pool Pass (Family of 4)	\$150.00 \$20 each added person	-
Special Events	Current Fee	New Fee
Halloween Haunted Hayride	\$12.00	-
Children (ages 3-12)	\$6.00	-
Christmas Parade Entry Fee	\$15.00	\$20.00
Christmas Craft Faire Booth Fee	\$50.00	-
FACILITY RENTALS - DESCRIPTIONS		
Community Center	CURRENT FEE	NEW FEE
Resident	\$1,300.00	-
Non-resident	\$1,600.00	-
Service Group (Grandfathered in Prior to March 2016)	\$350.00	-

FACILITY RENTALS - DESCRIPTIONS		
Community Center	CURRENT FEE	NEW FEE
Service Group (Includes set up/take down)	\$500.00	\$600.00
Custodial, Set up/Take Down	\$100.00	\$200.00
Memorial Service (3 hours maximum)	\$400.00	-
Options:		
Stage	\$100.00	\$150.00
Sound system	\$100.00	-
Set up the day before (4 hour max; prior to 10pm; NOT available Saturdays)	\$200.00	\$100.00
Meeting Fee (2 hrs.)	\$50.00	-
Scout Hall	Current Fee	New Fee
Resident	\$350.00	-
Non-resident	\$400.00	-
Service Group	\$100.00	-
Custodial only (w/waiver)	\$60.00	-
Meeting Fee (2 hrs.)	\$25.00	-
Memorial Service (3 hrs. max.)	\$200.00	-
Gym Rental	Current Fee	New Fee
Refundable Deposit	\$250.00	-
Profit Groups	\$200.00/day	-
School/Non-profit (3 hours)	\$50.00/day	-
Additional hours after 3	25.00/hour	-
Staff fee	\$18.00	-
Scoreboard	\$50.00	-
Sports Complex	Current Fee	New Fee
Deposit	\$200.00	\$250.00
Field Use Per Field (East/West)	\$15-40/hour	\$25.00/hour
Tournament	\$300-500/day	\$400.00/day
Rec Soccer (Non-profit)	\$10.00/hour	-
Staff	\$18.00/hour	-
Lights	\$30.00/hour	-
Scoreboard Rental	\$50.00/day	-
Snack Bar Rental	\$250.00/day	\$200.00/day

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.1

SECTION 3: CONSENT CALENDAR

Meeting Date:	August 27, 2019
Subject:	A Resolution Approving a Request from the Stanislaus Bicycle Club to Place a Bicycle Traffic Safety Sign as a Memorial to Doug Higgs to be placed near California Avenue and Claus Road
Submitted by:	Sean Scully, City Manager

RECOMMENDATION

It is recommended that the City Council consider approval of the proposed resolution which would allow placement of a bicycle traffic safety sign near Claus Road and California Avenue in memory of Doug Higgs.

BACKGROUND

On April 4th 2019 Doug Higgs was tragically struck by a vehicle and killed while riding his bicycle near the corner of California Ave and Claus Rd. In the months following the incident RJ Corwin, President of the Stanislaus Bike Club, approached the City of Riverbank (see attached letter) requesting that the Council consider allowing a memorial bicycle traffic safety sign to be placed within public right of way adjacent to where the accident occurred. The blue and white colored sign (attached) states "Give 3 Feet It's the Law (with a picture of a bicycle) In Memory of Doug Higgs". Mr. Corwin has advised that they have consulted the family of Mr. Higgs regarding this proposal and the family has indicated that they approve of the memorial sign.

The attached request states that the purpose of this sign is to educate drivers about the law which requires 3 feet of buffer between vehicle and bicyclist. Recently, the City of Los Angeles has initiated a program within their City that places these types of signs at locations of bicycle traffic fatalities which a primary purpose as a public education and traffic safety tool as well as a memorial for the bicyclist who has passed as a result of an accident.

The City of Riverbank does not currently have a process or policy in place for evaluating these types of requests. Most likely this is the case because these types of requests are extremely rare. Therefore, in the absence of a policy, it would be up to the City Council to determine whether or not this would be approved. There could be a concern in establishing a precedent with regard future requests of this nature but as was stated previously, this type of request is incredibly rare and normally doesn't include the public

education/traffic safety component that this proposal does. Additionally the Development Services Administration Department has reviewed the request and find it to be consistent with current traffic regulations.

Initially the Stanislaus Bike Club offered to pay for the sign and associated installation costs, since that time staff has contacted SafeTLite (a vendor staff commonly purchases traffic related items from) requesting a quote for the expense of the sign and associated hardware. SafeTLite upon hearing the request and the reason behind it has graciously offered to donate the sign and hardware to post it at no cost.

STRATEGIC PLAN

The area of the strategic plan this most closely relates to is "Improve Public Safety".

FINANCIAL IMPACT

None – Costs to be covered as previously discussed in the report.

ATTACHMENTS

1. Resolution 2019-XXXX
2. Letter from RJ Corwin of the Stanislaus Bike Club
3. Example of sign

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, APPROVING A REQUEST FROM THE STANISLAUS BICYCLE CLUB
TO PLACE A BICYCLE TRAFFIC SAFETY SIGN AS A MEMORIAL TO DOUG
HIGGSTO BE PLACED NEAR CALIFORNIA AVENUE AND CLAUS ROAD**

WHEREAS, the City of Riverbank has received a request from the Stanislaus Bicycle Club to place a bicycle traffic safety sign in memory of Doug Higgs near California and Claus Road; and

WHEREAS, Doug Higgs was tragically struck by a vehicle and killed in the accident near California Avenue and Claus Road in April of 2019; and

WHEREAS, the Stanislaus Bicycle Club requested a memorial bicycle traffic safety sign be placed at the site of the accident and offered to cover the, however, upon staff contacting a sign vendor, SafeTLite graciously offered to donate the sign and installation components; and

WHEREAS, this signage offers a public benefit to traffic safety signage that educates drivers of important traffic safety laws.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves the request from the Stanislaus Bicycle Club for the placement of a bicycle traffic safety sign as a memorial to Doug Higgs.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August 2019; motioned by _____, seconded by _____, and upon roll call was carried by the following vote of _-_:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Marisela H. Garcia
Asst. City Manager/Recorder

Richard D. O'Brien
Mayor

Attachment: Letter of Request and Sample picture of signage

Riverbank City Council Members
6707 Third Street
Suite B
Riverbank, CA 95367
May 10, 2019

Dear Council Members,

The Stanislaus Bicycle Club requests the Council to consider placement of memorial signs on Claus Road where cyclist Doug Higgs was recently hit and killed by a suspect impaired driver. As you may know, Doug was hit in a designated, marked bike lane on a wide section of Claus near California Avenue and Riverbank High School. We grieve the loss of a fellow cyclist, and we are shocked that this death occurred in an approved, marked bike lane.

You may have seen the white bicycle, or "Ghost Bike", placed on Milnes and Langworth in memory of another cyclist hit and killed by a car. Rather than this type of memorial for Doug, we request that you consider placement of the attached sign. This is a newer form of cyclist memorial that the City of Los Angeles is considering because the Ghost Bike Memorials are a more difficult structure with which to deal on a public street. Both the Ghost Bikes and the newer signs from Los Angeles are meant to remind the public of the vulnerability of cyclists and remember the rider lost. The Stanislaus Bicycle Club feels the memorial signs perform the purpose of the Ghost Bikes and educates drivers about the law regarding the required 3 foot buffer between a car and a cyclist.

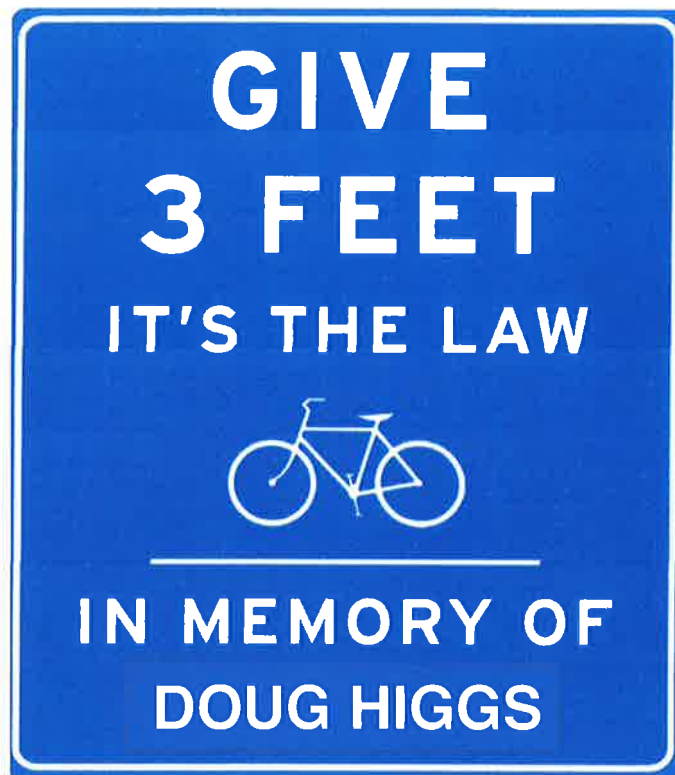
As the President of The Stanislaus Bicycle Club, I have been pledged donations for this project by our Club members, the Ride for Mom organization and friends of Doug's. The Stanislaus Bicycle Club is ready to coordinate these donations to cover all costs incurred for the design, manufacture and installation of approved memorial signs for Doug Higgs. We not only want to remember our lost cycling friend, but hope to save the life of another cyclist on our roads.

Thank you for considering our request,



R J Corwin, President
Stanislaus County Bicycle Club

Sample Sign



RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.2

SECTION 6: NEW BUSINESS

Meeting Date: August 27, 2019

Subject: A **Resolution** Authorizing Appropriation of Matching Funds for a Wastewater Regional Recycled Water Project and Wastewater Treatment Master Planning Studies Grant

From: Sean Scully, City Manager

Submitted by: Michael Riddell, Public Works Director

RECOMMENDATION

It is recommended that the City Council consider the proposed resolution appropriating matching funds from the Wastewater Operations and Maintenance budget.

BACKGROUND

Pursuant to direction by the City Council, Staff has been evaluating and developing concepts for a Regional Recycled Water project. Because of their familiarity with the City's wastewater treatment and disposal system, and experience preparing planning studies similar to the scope of this project, the City has retained Kjeldsen, Sinnock, & Neudeck, Inc. (KSN) to assist in developing the scope and alternatives for this study. Working with KSN, City staff developed concepts for the regional recycled water project initially in late 2015 and presented those concepts to Council on April 12, 2016, requesting direction regarding next steps, including pursuing grant funding for a Phase I study. Following input and direction from the Council, Staff worked with KSN to refine the planning concepts and identified likely grant sources as presented to the Council at the August 22, 2016 meeting. Based on direction from the Council at the time, Staff worked with KSN to prepare two (2) applications for grant funding from the State Water Resources Control Board through the Water Recycling Funding Program Planning Grants. At no cost to the City, KSN prepared the grant applications, which were submitted in early May 2018.

SUMMARY

Scope of Study

To maximize the finding available for this study, two grant applications were submitted, one (1) to focus on evaluating the wastewater treatment plant improvements needed to produce recycled water, and two (2) to evaluate the opportunities and requirements for recycled water use. Two Project Reports are to be prepared consistent with relevant elements of the Recommended Outline for Recycled Water Project Report, Appendix B of the Water Recycling Funding Program Guidelines of the State Water Resources Control Board. The following scopes have been submitted to the State Water Resources Control Board and have been approved with the grant funding.

Planning Study Component 1: Recycled Water Production

1. Identification of the sources and characteristics of wastewater for production of recycled water.
2. Evaluation of alternative levels of treatment.
3. Development of the unit processes, e.g., pre-filtration, filtration, disinfection, pumping, and solids treatment and handling, for the Phase I production of recycled water from identified sources.
4. Facilities planning, including improvements to Riverbank secondary treatment process, for implementation of the Phase I treatment and supply components.
5. Identification and analysis of capital and operation & maintenance cost for recycled water production alternatives.
6. Description of the recommended project
7. Production improvements construction financing plan and revenue program.

Planning Study Component 2: Recycled Water Use and Market Assessment

1. Identification of the locations and characteristics of recycled water use areas.
2. Outreach to potential recycled water users and partner agencies/jurisdictions.
3. Characterization of alternative water sources and local use trends and capacities.
4. Development of initial recycled use commitment and agreement framework and market assessment.
5. Facilities planning and alternatives for recycled water distribution and use, for implementation of the Phase I component.
6. Identification and analysis of capital and operation & maintenance cost for recycled water distribution and use.
7. Description of the recommended project.
8. Production improvements construction financing plan and revenue program.

A significant added benefit of the Component 1: Recycled Water Production study is that after completion of the study, the City will have a document providing for planning of wastewater treatment improvements to meet current and future wastewater needs of the City. This report can serve as a Wastewater Treatment Master Plan, which the City currently does not have, that will support the orderly improvement to the wastewater treatment plant and serve as the basis for updating wastewater capacity charges and system development fees for this service for new development.

Grant Application and Approval

Grant applications were submitted to the State Water Resources Control Board for the two study areas as described above on May 2, 2018. On October 1, 2018, the City was informed that the two grants had been approved. This approval includes:

1. Approval of the two inter-related scopes of study;
2. The funding amount and study budgets;
3. Approval of the City contracting with KSN for providing the study engineering;
and
4. The study schedule as presented.

At that time, the State Water Resources Control Board staff managing the application process handed the documentation to the legal department for preparation of the funding agreements for City. Since October of 2018, the City has been communicating with the State Water Resources Control Board regarding progress on development of the funding agreement. The State Water Resource Control Board has taken longer than 11 months to process. At this time, the funding agreement is expected to be provided to the City within the next four weeks, at which time it will be presented to the Council for consideration.

STRATEGIC PLAN

This project ties into four (4) of the City Council's goals:

1. Ensure Financial Stability
2. Promote Economic Development through Manufacturing
3. Promote Sustainable Land Use Planning
4. Maintain a High Quality of Life

FINANCIAL IMPACT

Grant Funding and Local Match Requirements

The Water Recycling Funding Program Planning Grants provide funding of up to 50% of eligible expenses up to a maximum of \$75,000 per grant. Since the City has applied for

and been approved for two planning grants, a total of \$150,000 of grant will be available for this study. The below table presents the approved project budgets, approved grant amount, and City cost share.

Planning Study Component	Total Approved Budget	SWRCB Grant Funding	City Contribution
Component 1: Recycled Water Production	\$159,540.00	\$75,000.00	\$84,540.00
Component 2: Recycled Water Use and Market Assessment	\$150,000.00	\$75,000.00	\$75,000.00
Totals	\$309,540.00	\$150,000.00	\$159,540.00

FINANCIAL IMPACT

When the funding agreements are received the City Council will need to consider approval of those documents. In order to execute those documents the City will need to demonstrate matching funds for the grants. As such, if the City Council is interested in moving forward with the study, staff would recommend that funds be appropriated from the operations and maintenance budget (O&M) at a level not to exceed \$159,540.00. The O&M budget in wastewater is healthy at this time with a fund balance of approximately \$2.8 million.

ATTACHMENTS

1. Resolution 2019-XXXX

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA,
AUTHORIZING APPROPRIATION OF MATCHING FUNDS FOR A WASTEWATER
REGIONAL RECYCLED WATER PROJECT AND WASTEWATER TREATMENT MASTER
PLANNING STUDIES GRANT**

WHEREAS, City staff developed concepts for the regional recycled water project initially in late 2015 and presented the concepts to City Council on April 12, 2016, requesting direction regarding the next steps, including pursuing grant funding for a Phase I study; and

WHEREAS, staff worked to prepare two (2) grant applications through the State Water Resources Control Board; and

WHEREAS, in October of 2018 the City of Riverbank was notified that the State had approved both grant applications; and

WHEREAS, the City must provide matching funds as a condition of the grant in the amount of approximately \$159,540.00; and

WHEREAS, there is a significant public benefit to planning for future upgrades to the Wastewater Treatment Plant; and

WHEREAS, staff recommends the appropriation from public funds be transferred from the wastewater operations and maintenance account.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby authorizes the appropriation of matching funds for the aforementioned two (2) wastewater grant applications in a total amount not to exceed \$159,540.00 from the Wastewater O&M fund account.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August 2019; motioned by _____, seconded by _____, and upon roll call was carried by the following vote of _-_:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Marisela H. Garcia
Asst. City Manager/Recorder

Richard D. O'Brien
Mayor

Attachment: Sample picture of sign

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.3

SECTION 6: NEW BUSINESS

Meeting Date:	August 27, 2019
Subject:	A Resolution Approving a Waiver, Partial Waiver, and/or Deferral of System Development Fees for the one Church Modular Building Project Located at 6101 Oakdale Road
From:	Sean Scully, City Manager
Submitted by:	Donna M. Kenney, Planning and Building Manager

RECOMMENDATION

It is recommended that the City Council listen to the presentation and consider the petition from One Church to waive and/or defer payment of their System Development Fees which will be assessed on the installation of a single-story 2,400 square foot modular classroom project.

SUMMARY

One Church, located at 6101 Oakdale Road (APN: 074-006-012) submitted a written request (Attachment 2) to waive payment of their System Development Fees for Water, Waste Water, and Storm Drain, which will be assessed on the installation of a single-story 2,400 square foot modular classroom building (five connected classrooms) when they are issued their building permit. Staff does not have the authority to waive these fees so the request has been brought forward to the City Council for consideration.

BACKGROUND

The City currently collects System Development Fees at building permit issuance to defray the impact of new development as authorized by Government Code §66000-66025. The City's System Development Fee program is codified in §150.30 titled "System Development Fees" which establishes the authority for imposing and charging the fees. System Development Fees are collected in order to:

- 1) To provide an adequate and constant method for the financing of the unfunded portion of need systems development costs throughout the city, reasonably related to projected community growth.

- 2) To promote the orderly and efficient expansion of public improvements to adequately meet the domestic and economic needs of the community and to minimize adverse fiscal and environmental impacts of new development.
- 3) To ensure the continuation of necessary services including, but not limited to, police and general administrative services.
- 4) To establish equitable methods for minimizing public facility and service costs to the city associated with new development.

As defined within Riverbank's municipal code, System Development Fees are ***charged to new construction, including the expansion of and/or the addition to an existing, nonresidential structure, to mitigate the unfunded portion of the determined impact of the development.***

On July 11, 2019, the City received a request from One Church to waive their System Development Fees for their office building project. This project will be assessed the following estimated System Development Fees for the project on their building permits:

System Development Fee Type	Amount
Streets/Public Works	\$3,079.28
Water	\$7,251.83
Waste Water	\$3,162.08
Storm Drain	\$7,146.09
Parks and Recreation	\$0
Police/General Government	\$1,462.34
5% Administrative Fee	\$1,163.24
Total System Development Fees	\$28,051.20
Plus Building Permit fees	\$1,049.12
Plus Stanislaus County Fees	\$3,177.00

This proposed waiver of system development fees, paid at building permit issuance, would include the Water fee, Waste Water fee, and Storm Drain fee for a total of \$17,560 (in yellow above). This waiver would apply only to Riverbank's System Development Fees and not any plan check fees, building permit fees, or inspection fees. It does not include any fees imposed by any other agency such as Stanislaus County, the fire district, or a school district. One Church has the ability to negotiate with these other agencies to waive or defer their fees.

ANALYSIS

One Church requests a fee waiver based on the following reasons:

- 1) The Church is a small nonprofit of 150 adults and 30 children. While they have collected enough to purchase and install the building, they do not have the additional funding needed to cover system development fees, plan checking fees, building permit fees, and inspection fees. They are requesting a full waiver of their

system development fees but a partial waiver and a deferral would help them if they are denied the full waiver.

- 2) They will not need to stub into the City's water or sewer pipes because a previous structure on site had water and sewer connections which were capped sometime in the past. The new modular structure will sit above those existing connections. Their site currently contains two 2-inch water meters according to Finance.
- 3) There is a storm basin on the west side of the property that currently captures their storm water for percolation. Riverbank's Public Works Inspector believes it will be adequate to service the site.

FINANCIAL IMPACT

The System Development Fee program is designed as a mechanism to collect impact fees to build infrastructure necessary to support new growth City-wide. Careful evaluation of each proposed project is necessary to understand potential funding shortfalls which might be created as a result of granting waiver requests. In the case presented above, waiving all system development fees would result in a negative financial impact of \$17,560 to the City.

STRATEGIC PLAN

This item is indirectly related to the City's Strategic Plan through fee program updates.

ATTACHMENT

Attachment 1 – Resolution No. 2019-XXX System Development Fees
Waiver/Deferral

Attachment 2 – One Church letter dated August 12, 2019

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, APPROVING A WAIVER, PARTIAL WAIVER, AND/OR DEFERRAL OF SYSTEM DEVELOPMENT FEES FOR THE ONE CHURCH MODULAR BUILDING PROJECT LOCATED AT 6101 OAKDALE ROAD

WHEREAS, it is necessary as established in the Riverbank Municipal Code for the proper and effective operation of City Government to establish, amend, or authorize fees for services in order to provide for the financial support of City Government; and

WHEREAS, from time to time, the City Council reviews these fees to ensure that they are adequately supporting the operation of City Government; and

WHEREAS, on July 11, 2019, the City received a request, attached hereto as **Exhibit A**, from One Church to waive their System Development Fees for a modular building project; and

WHEREAS, One Church has requested the City Council review and waive the System Development Fees assessed on the construction of their modular building project located at 6101 Oakdale Road; and

WHEREAS, unless waived, One Church will be assessed the following estimated System Development Fees for the modular building project at building permit issuance (non-residential projects do not pay a fee for parks and recreation):

System Development Fee Type	Amount
Streets/Public Works	\$3,079.28
Water	\$7,251.83
Waste Water	\$3,162.08
Storm Drain	\$7,146.09
Parks and Recreation	\$0
Police/General Government	\$1,462.34
5% Administrative Fee	\$1,163.24
Total System Development Fees	\$28,051.20
Plus Building Permit fees	\$1,049.12
Plus Stanislaus County Fees	\$3,177.00

WHEREAS, in accordance with the direction and approval by the City Council made at their regular meeting on August 27, 2019, the following is the amended estimated System Development fees that will be waived or deferred by the City and paid by One Church:

(Estimated) System Development Fee Type	SDF's	SDF's Waived	SDF's Deferred
Streets/Public Works	\$3,079.28		
Water	\$7,251.83	(To be determined) TBD	TBD
Waste Water	\$3,162.08	TBD	TBD
Storm Drain	\$7,146.09	TBD	TBD
Parks & Recreation	\$0		
Police/General Government	\$1,462.34		
5% Administrative Fee	\$1,163.24		
Total System Development Fees	\$28,051.20		
Total (+/-) SDF's Waived		TBD	
Total (+/-) SDF's Deferred			TBD
+ Building Permit fees	\$1,049.12		
+ Stanislaus County Fees	\$3,177.00		

WHEREAS, for this proposed project, any System Development Fees deferred shall be assessed and paid upon issuance of a Certificate of Occupancy.

WHEREAS, the aforementioned waivers and deferrals would only apply to Riverbank's System Development Fees, and does not include any permit fees, plan check fees, inspection fees, or fees imposed by any other agency such as the Fire District, School District, or Stanislaus County.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby approves the waivers and deferrals as stated above in the aforementioned amended System Development Fees table for an estimated total of (+/-) \$_____ fees waived and (+/-) \$_____ fees deferred.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August 2019; motioned by _____, seconded by _____, and upon roll call was carried by the following vote of _-_:

AYES:
NAYS:
ABSENT:
ABSTAINED:

ATTEST:

APPROVED:

Marisela H. Garcia
Asst. City Manager/Recorder

Richard D. O'Brien
Mayor

Attachment: Exhibit A – Copies of Waiver Request and Justification

August 12, 2019

To: Sean Scully, Riverbank City Manager

Sean,

We are submitting a request for building fee waivers. The following letter is to explain our request and give justification for our request. We are grateful for the City of Riverbank's consideration of this matter. (Reference Permit# BP19-0012)

One Church Riverbank is a small congregation that averages 150 adults and 30 children. We are installing the modular buildings in order to better serve families with children. We are an attendee supported organization with limited means.

We have reviewed the permit fees and believe there is good reason for some of them to be waived. Here is a list of those fees and the reason we believe they should be waived.

1. Sewer Fee - \$3,162.08

The project will not require us to connect into the city sewer system. We will be connecting into our current sewer system on the property which was accessible previously to the storage trailer which has been removed to make way for new the modular building. We are moving our existing children's ministries to the new buildings and there should not be an additional burden on the sewer system.

2. Water Fee - \$7,251.83

This project will not require us to connect to City water. We will be connecting to our current water system on the property which was accessible previously to the storage trailer which has been removed to make way for the new modular building. The new modular building and moving our children's ministry into it will not create a greater burden on the water system.

3. Storm Drain Fee - \$7,146.09

We believe this fee should be waived due to the fact that we capture our storm water on our property and filter it to a French drain system on the back of our property. The City storm drain system will not incur any greater burden due to this modular building project.

The anticipated additional burden to the City of Riverbank infrastructure is zero to minimal. If any, there may be minor additional water needs for the future external landscaping; however we will be using drought resistant plants. We are not planning on adding any additional work hours or services.

Thank you again for taking the time to review and consider our request to waive some of the permit fees. We value our relationship with the City of Riverbank and its Leaders. Please let us know if there are any other questions or information needed.

Sincerely

Tracey Traub
Campus Pastor
One Church – Riverbank Campus

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.4

SECTION 6: NEW BUSINESS

Meeting Date:	August 27, 2019
Subject:	Consideration of a Resolution Adopting the Revised General Fund Reserve Policy
From:	Sean Scully, City Manager
Submitted by:	Marisela H. Garcia, Assistant City Manager/Director of Finance

RECOMMENDATION

It is recommended that the City Council consider:

1. Resolution adopting the revised General Fund Reserve Policy, and
2. Directing staff to develop a long-term plan to achieve the proposed General Fund Reserve Target of 13%-15%.

SUMMARY

As included in the February 2019 Strategic Plan, the proposed General Fund Reserve Policy is being presented for Council consideration.

BACKGROUND

The Governmental Finance Officers Association (GFOA) Best Practices describes that “it is essential that governments maintain adequate levels of fund balance (“reserves”) to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures)”. According to the best practices recommendation in establishing a policy governing the level of unrestricted reserve in the General Fund, a number of factors should be considered, including:

- The predictability of revenues and the volatility of its expenditures (i.e., higher levels of unrestricted reserve may be needed if significant revenue sources are subject to unpredictable fluctuations or if operating expenditures are highly volatile).
- The City's perceived exposure to significant one-time or ongoing outlays, such as, natural disasters, immediate capital needs, and state budget cuts.
- The potential drain upon general fund resources from other funds, as well as the availability of resources in other funds (i.e., deficits in other funds may require that

a higher level of unrestricted fund balance be maintained in the general fund, just as, the availability of resources in other funds may reduce the amount of unrestricted fund balance needed in the general fund).

- Liquidity (i.e., the disparity between when financial resources actually become available to make payments and the average maturity of related liabilities may require that a higher level of resources be maintained).
- Commitments and assignments (i.e., maintenance of higher levels of unrestricted fund balance to compensate for any portion of unrestricted fund balance already committed or assigned by the City for a specific purpose).

HISTORICAL RESERVE THRESHOLDS

On April 10, 1995 the City Council adopted Resolution No. 95-31 (copy attached) which established a policy requiring a minimum cash Reserve of 15%. Unfortunately, we were not able to locate any information that would assist in determining how this 15% minimum was calculated.

On October 27, 2008 the City Council reviewed its General Fund Reserve Requirement. It was described to the Council that since the adoption of the revised 15% General Fund Reserve requirement in 1995, the City had not been able to meet that goal. Between the mid- to-late 1990's, it was noted that the City's Reserve ranged between 3%-6%, whereas during the early 2000's, the Reserve ranged between 6%-9%, and finally between 2004-2008, the Reserve had begun to increase between 10%-12%, primarily due to new housing and commercial development. Based on this information, the City Council adopted Resolution 2008-107 (copy attached) which amended the General Fund Reserve requirement to 10%.

The City Council considered revising the current policy in April 2015 but did not take action to move forward.

RISK ASSESSMENT

The establishment of a General Fund Reserve target is a careful balancing act. On the one hand, it is the City's obligation to ensure that it has sufficient Reserves in order to mitigate current and future risks, including emergency infrastructure improvements and downturns in the economy. On the other hand, it would not be prudent for the City to maintain such a high level of reserves that it would cause our residents to question why reserves are not being used for specific programs or increased services.

In order to begin determining an appropriate level of Reserves, the GFOA's Risk Assessment Tool was used to guide the analysis. This Risk Assessment Tool (available at www.gfoa.org/financialpolicies) looks at eight vulnerability factors that have the potential to affect all cities. These vulnerability factors include:

1. Vulnerability to Extreme Events and Public Safety Concerns: may include both natural and man-made events.

2. Revenue Source Stability
3. Expenditure Volatility
4. Leverage: includes asset maintenance and debt
5. Liquidity
6. Other Funds' Dependency
7. Growth
8. Capital Projects

For each vulnerability factor, City staff identifies the potential risks it may be subject to, it assesses the risk based on a scale ranging from Low to High, and it identifies any potential mitigation measures that the City may have the ability to implement. Finally, a score is assigned to each vulnerability factor which determines how important it is for the City to mitigate the risk of these factors through the use of reserves.

Based on this assessment, the City's highest vulnerability risks include:

- Vulnerability from Extreme Events: The City has a high vulnerability to aging infrastructure that may need immediate attention and that has no other funding source than the General Fund (i.e. storm drain, streets, building maintenance).
- Revenue Source Stability: During the economic depression, the City suffered significant reductions to property values which in turn affects both Property Tax and Property Tax in Lieu of Vehicle License Fees, which are two of the City's three major revenue sources in the General Fund. Because the General Fund relies on this unstable revenue source, the City has a high vulnerability to changes.
- Expenditure Volatility: These City's vulnerability to this factor can be medium to high due its dependency on outside factors. Pension costs (CalPERS) continue to significantly increase based on actuarial changes and changes to their policies as they continue to recover from the recession. In addition, the City's contract with the Sheriff's Department can be volatile from year to year based on changes in the employee labor contracts that are negotiated.
- Growth Risks: As the City has begun its recovery from the recession we have experienced a renewed interest from the development community. Should significant development begin to occur in the City, we will begin to see an increased demand on city services which could precede any revenue that will be obtained from those developments (i.e. property CFD assessments or property tax). The City will need to mitigate this timing difference in order to properly serve our new residents. Although development may be several years out, it would behoove the City to begin preparing for these events.
- Capital Projects: As mentioned earlier, the City has aging infrastructure that will need attention in the upcoming years.

ESTABLISHING A GENERAL FUND RESERVE TARGET

Based on the vulnerability factors, the Risk Assessment Tool has suggested that the City should consider adopting a target amount of Reserves between 25%-31%, which is 2.5 to 3 times higher than the current 10% reserve. It would not be prudent for the City to

currently consider this target. To continue refining the projected target Reserve, the following factors have been taken into consideration:

1. The impact of the size of our government;
2. The City's budgeting practices;
3. Borrowing capacity;
4. Current Commitments or Assignments of the General Fund Reserve;
5. Outsider Perceptions; and
6. Political Support;

With these factors in mind, it is the recommendation to begin building the City's General Fund Reserve to a target amount of between 13%-15%.

GENERAL FUND RESERVE POLICY AMENDMENTS

In addition to the recommended revision to the target General Fund Reserve, the proposed policy specifies the following:

1. General Fund Reserve Calculation. Currently the General Fund reserve is calculated based on a percentage of total revenues (both on-going and one time revenues). It is recommended that the calculation be based on a percentage of **discretionary revenues** only. Therefore, those revenues received for a specific purpose (such as grant funds and Transfers In of Management Fees) will not be taken into consideration as part of the calculation since these are non-discretionary funds and are not able to be allocated towards any governmental purpose.
2. Purpose for which various portions of the reserve are intended. The current practice is to use Reserve funds for "one-time expenditures" or "emergency" expenditures with no clear definition as to what constitutes an emergency. The revised policy establishes the reserve as a source of funding for (1) Economic Uncertainties in order to mitigate periodic revenue shortfalls, (2) Emergency Reserves for catastrophic losses of critical infrastructure, or state or federally-declared states of emergency, and (3) Reserves to Accommodate Capital Needs.
3. Clarifies Authority for Allocating Reserves. It is recommended that the City Council shall be the sole authority to allocate reserves if being used to mitigate economic uncertainties. The policy also requests that the City Manager be provided with the discretion to allocate reserves for emergency purposes, and to fund capital needs with subsequent formal approval from the City Council confirming the allocation.
4. Allocation of Excess Fund Balance. The proposed policy allows for the City Council to have the discretion to allocate excess reserves (which may include an end of year structural surplus or reserves above the target reserve level) for items such as offsetting projected future deficits, anticipated intergovernmental impacts, re-appropriation to subsequent years for one-time expenditures, transfers to other funds with structural deficits, or transfer to a capital program fund.
5. Replenishment of the Reserve. Should the General Fund Reserve be used for either economic uncertainty or emergency purposes, the policy will require that a

replenishment plan be established to bring the level of reserves back to the target amount.

RECOMMENDATION

Based on the vulnerability assessment and a review of the current policy, it is recommended that the City Council consider:

1. Amending the current Reserve Target of 10% to a range of 13%-15%,
2. Amending the current Reserve Policy as proposed.

FINANCIAL IMPACT

Establishing an appropriate level of reserves will provide the City with funds necessary to mitigate the impacts of changes in the economy as well as emergencies, and unforeseen expenditures.

STRATEGIC PLAN

This report has been prepared to accomplish the following strategic objective established at the February 2019 Planning Session:

“1.1 Maintain sound, responsible fiscal policies regulating debt and establishing parameter for reserves.”

ATTACHMENT

1. Resolution 95-31: Establishing a 15% Reserve
2. Resolution 2008-107: Establishing a 10% Reserve
3. Resolution
4. Draft General Fund Reserve Policy

City of Riverbank

Resolution No. 95-31

A Resolution of the City Council of the City of Riverbank Establishing a Policy Requiring 15 Percent of the General Fund Budget be Set Aside as a Minimum Cash Reserve.

Whereas, The Riverbank City Council recognizes the importance of setting a policy to maintain a minimum cash reserve balance in the General Fund; and

Whereas, At a regular City Council meeting held on March 27, 1995, the City Council deemed a prudent reserve to the General Fund would be 15 percent of the total General Fund budget.

Now, Therefore, Be It Resolved by the City Council of the City of Riverbank that a policy be established setting a 15 percent goal of the General Fund budget be set aside as a minimum reserve fund balance..

Passed and adopted this 10th day of April, 1995, by the following vote:

Ayes: Councilmembers Lakes, Whorton, Benitez, Price, and Mayor Davidson.

Noes: None.

Absent: None.

Approved:


Madeline Davidson
Mayor

Attest:


Elise A. Cunningham
City Clerk

CITY OF RIVERBANK

RESOLUTION NO. 2008-107

**A RESOLUTION OF THE CITY OF RIVERBANK CITY COUNCIL
ESTABLISHING A GENERAL FUND MINIMUM RESERVE**

WHEREAS, In April of 1995, the City Council set a goal for a 15% reserve fund balance as the minimum set-aside, and,

WHEREAS, Over the next 13 years, the City has been unable to achieve this goal until the 2007-2008 budget when the year end fund balance was 16%; and,

WHEREAS, The City is projecting a 12% or \$890,000.00 reserves for fiscal year 2008-2009; and,

WHEREAS, It would be in the City's best interest to establish a reasonable reserve in which if the fund balance drops to that level immediate actions will be taken to reduce expenditures; and,

WHEREAS, The City needs a cap on reserves but realizes that any reserve over 20% indicates the need to re-evaluate our expenditure priorities and the needs of our residents; and,

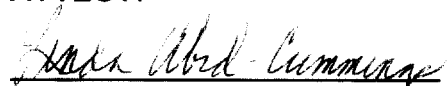
WHEREAS, That minimum should be sufficient to meet basic City services unless there are immediate and serious considerations to the health and safety of the residents of Riverbank.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby establishes a 10% General Fund minimum reserve balance and that the Fund would never drop below this level unless faced with severe and serious conditions that affect all citizens' well-being.

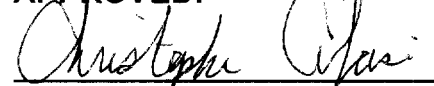
PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of October, 2008, by the following vote of 4-0:

AYES: Councilmembers: D. I. White, Madueño, Benitez, and Mayor Crifasi
NAYS: None
ABSENT: Councilmember: D. White
ABSTAIN: None

ATTEST:


Linda Abid-Cummings, CMC
City Clerk

APPROVED:


Christopher Crifasi
Mayor

CITY OF RIVERBANK

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, ADOPTING A REVISED GENERAL FUND RESERVE POLICY**

WHEREAS, prudent financial management dictates that some portion of the funds available to the City be reserved for future use; and

WHEREAS, it is essential that the City maintain adequate levels of reserve to mitigate current and future risks such as revenue shortfalls and unanticipated expenditures; and

WHEREAS, based on a vulnerability assessment of the City of Riverbank it has been determined that an appropriate reserve target be established at 15%; and

WHEREAS, the General Fund Reserve Policy, herein incorporated as **Exhibit A**, will provide guidance on the use and replenishment of the established Reserve Target.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Riverbank hereby adopts the revised General Fund Reserve Policy hereto as Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August, 2019; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Marisela H. Garcia
Asst. City Manager/Recorder

Richard D. O'Brien
Mayor

Attachments: General Fund Reserve Policy

City of Riverbank

General Fund Reserve Policy

Purpose

The City of Riverbank establishes its General Fund Reserve Policy as additional insurance against disasters, emergencies and unforeseen expenditures.

Reserve Level

The City Council hereby establishes the following minimum General Fund Reserve targets:

- The City shall strive to maintain a General Fund Reserve equal to **13%-15%** of discretionary General Fund revenues. These funds are set-aside to address potential needs in the following areas:
 - A Reserve for Economic Uncertainty (commonly referred to as a Budget Stabilization Reserve) – funds to mitigate periodic revenue shortfalls due to downturn in economic cycles, thereby avoiding the need for service-level reductions within the fiscal year.
 - Examples of “economic triggers” and one-time uses include, but are not limited to: Any settlement arising from a claim or judgment, deviation from budgeted revenue projections, any action by another government that eliminates or shifts revenues from the City, inability of the City to meet its debt service obligations in any given year, or other circumstances deemed necessary by City Council to meet the claims and obligations of the City.
 - An Emergency Reserve – funds designated to mitigate costs of unforeseeable emergencies and natural disasters.
 - Examples: catastrophic loss of critical infrastructure, and a State or Federally-declared state of emergency.
 - Reserves to Accommodate Capital Needs – funds designated to address one-time, non-recurring capital needs. Funds will be placed in the newly designated Capital Program Fund.
- The appropriate level of General Fund reserves shall be reviewed every two years.

For the purpose of this section, discretionary General Fund revenues include all taxes, assessments, fee, and miscellaneous revenues that are not restricted as to use.

Background

Prudent financial management dictates that some portion of the funds available to the City be reserved for future use.

As a general budget principle concerning the use of reserves, the City Council decides whether to appropriate funds from Reserve accounts. Even though a project or other expenditure qualifies as a proper use of Reserves, the Council may decide that it is more beneficial to use current year operating revenues or bond proceeds instead, thereby retaining the Reserve funds for future use. Reserve funds will not be spent for any function other than the specific purpose of the Reserve account from which they are drawn without specific direction in the annual budget; or by a separate City Council action.

Use of Reserve Funds

Reserve for Economic Uncertainty – Funds reserved under this category shall be used to mitigate annual revenue shortfalls (actual revenues less than projected expenditures) due to slowdown in general economic conditions as well as reductions in revenues caused by actions by State/Federal governments. Should any unanticipated reductions in revenues be deemed to be recurring, an adjustment will be made in the following budget so as to reflect revised revenue projections.

Any reserve funds expended within this category that result in year-end reserves below the established policy level shall be restored in the subsequent budget year. However, if the reserve level falls to below 13%, the Council may restore funds over a multi-year period.

Emergency Reserve – Funds reserved under this category shall be used to mitigate costs associated with unforeseen emergencies, including national disasters. Should unforeseen and unavoidable events occur that require expenditure of City resources beyond those provided for in the annual budget, the City Manager shall have the authority to approve appropriation of Emergency Reserve Funds. The City Manager shall then present to the City Council – no later than at its first regularly scheduled meeting after the occurrence of the emergency– a Resolution confirming the nature of the emergency and formally authorizing the appropriation of reserve funds.

Reserves to Accommodate Capital Needs – Funds reserved under this category will be allocated to one-time, non-recurring capital items for which no other funding source exists (i.e. grants, County/State Allocations, utility rates, etc.). Once funding for Economic Uncertainties and Emergency Reserves have been financed, excess funds may be allocated via the annual budgeting process. Funds are to be placed in a Capital Program Fund. Examples of items that may be funded under the Capital Program Fund include; City Building Replacement/Maintenance, Vehicle Replacement/Maintenance, Information Technology, Parks Replacement/Maintenance, and ADA Improvements. The City Manager shall have the authority to approve appropriations of funds from the Capital Program Fund. The City Manager shall then present to the City Council – no later than at its first regularly scheduled meeting after the need arises – a Resolution confirming the nature of the capital need and formally authorizing the appropriation of reserve funds.

Excess Fund Balance

At the end of each fiscal year, the Finance Department will report on the audited year-end budgetary fiscal results. Should actual General Fund revenues exceed expenditures and encumbrances, a year-end operating surplus shall be reported. Any year-end operating surplus which results in the General Fund balance exceeding the level required by the reserve policy shall be deemed available for allocation for the following, subject to Council approval:

- Offset projected future deficits,
- Anticipated intergovernmental fiscal impacts,
- Re-appropriation within the subsequent year's operating budget to provide for one-time, non-recurring needs,
- Transfer to other funds, as appropriate, to offset year-end deficits within those funds,
- Transfer to the Capital Program Fund (Fund TBD) for appropriation within the Capital Improvement Budget and/or Deferred Maintenance for non-recurring needs,

It is the intent of the City Council to limit use of fund balances in the General Fund to address unanticipated one-time needs. Fund Balances shall not be applied to recurring annual operating expenditures.

Compliance with Reserve Policy

Reserve Targets

The Reserve Policy is based on percentage targets; all associated dollar figures represent estimated/projected targets based on the percentage target set by the Reserve Policy.

Reporting Use of Reserve Funds

Any requests for the use of reserves will be accompanied by a current status report of the affected reserve fund and impacts on the future reserve levels. Reserve status updates will be presented as part of a required Quarterly Budget Monitoring Reports.

Deviations from the Reserve Policy

No deviations from the Reserve Policy will be allowed except as recommended by the City Manager and approved by the City Council. Proposed exceptions to the Reserve Policy will be presented first to the Director of Finance, and then to the Budget Advisory Committee. After the Budget Advisory Committee review and recommendation, the proposed exception will be presented to the City Council for action.

Updates to Reserve Policy

Any changes, additions, or deletions to the Reserve Policy will be brought forward to the Budget Advisory Committee for review followed by a presentation to the City Council for formal action. The Reserve Policy will be reviewed at least biennially and discussed if changes are necessary to ensure the policy is effective, and remains current with general accounting and financial best practice standards, as well as any regulatory changes that may occur over time.

Conclusion

Maintaining, regularly updating, and adhering to an appropriately constructed reserve policy is a good business practice recognized by the Government Finance Officers Association, and is among the factors considered by credit rating agencies and the investment community when assessing the credit-worthiness of an organization. The City recognizes that the Reserve Policy is a cornerstone of the organization's fiscal health. As such, a biennial review of the Reserve Policy will be performed and any changes to the Reserve Policy will be brought forward for City Council consideration and approval.

DRAFT

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.5

SECTION 6: NEW BUSINESS

Meeting Date:	August 27, 2019
Subject:	Workshop on SB 2 Planning Grants Program - Tiny Houses; and Consideration of a Resolution Authorizing Application for, and Receipt of, SB 2 Planning Grants Program Funds
From:	Sean Scully, City Manager
Submitted by:	Donna M. Kenney, Planning and Building Manager

RECOMMENDATION

Staff recommends that the City Council review the materials, listen to the presentation, consider the Planning Commission's comments on the topic, and approve the Resolution authorizing application for, and receipt of, SB 2 Planning Grants Program Funds.

BACKGROUND INFORMATION

The State of California ("State") is experiencing a significant shortage of housing for its residents. To address this challenge of insufficient housing, the State requires that cities and counties encourage housing developers and work with them towards increasing the number of housing units annually. As part of the Regional Housing Needs Determination of the State's Housing Element process, for the 9.75 year projection period of January 1, 2014 through September 30, 2023, the housing need is 21,330 units county-wide. In April 2019, the Modesto Bee noted that Riverbank produced 71 new housing units of low-priced, affordable housing for 2017-2019. We produced over 40 market rate homes during this same time period. Even with Riverbank as one of the leaders in housing production in the county, the overall number in new housing production county-wide is approximately 3% of the 21,330 housing unit objective, where at this juncture it should be closer to 25% of that objective.

Noting the lack of market-rate housing, affordable housing and the increase in homelessness, some cities have studied and facilitated creative solutions to address this issue in California and the nation.

The 2005-2025 City of Riverbank General Plan indicates that California State Housing laws require each community to plan for its fair share of housing affordable to the full range of income groups. The 2005-2025 General Plan Land Use Element estimates

10,700 new dwelling units could be accommodated in the City by 2025, but the addition of 2,100 units in Crossroads West and approximately 400 new homes on the east side of town shows we are far below that estimate and our contribution to the county-wide need. The City is required to submit an annual report to the Office of Planning and Research and the Department of Housing and Community Development on the status of its Housing Element goals and objectives and progress in its implementation. Considering the lack of affordable housing, increasing housing costs, and homelessness, Riverbank must determine a way to join cities state-wide in working with housing developers and social service providers to develop new solutions to these problems.

Tiny houses (Attachment 2) have increasingly come to the forefront in the discussions and creative plans of some cities to address these issues. Tiny houses are becoming popular for a variety of reasons such as size, character, temporary and transportable ability, and affordability. The most common are constructed on wheeled frames, but there are many modular versions and Amazon models that have a foundation. Thus, there are two basic types: those with a permanent foundation and those with wheels. Wheels can be either temporarily or permanently removed.

Topics of this discussion item include:

Size

With respect to the size of the tiny house, they have a wide range of sizes and are typically determined by the jurisdiction in their land-use regulations. For example, Rockledge, Florida allows tiny houses which range in size from 170 square feet to 1,100 square feet, while Portland, Oregon limits the size to 400 square feet. Spur, Texas allows them to a maximum area of 900 square feet. Santa Rosa has Junior Accessory Dwelling Units (JADUs) that are limited to 500 square feet maximum (Attachment 2). The International Residential Code defines the size of a tiny house as 400 square feet. If the City of Riverbank were to allow tiny houses, an ordinance amendment would be needed because the Municipal Code requires houses to be a minimum of 900 square feet in size. If the City were to permit tiny houses, what range of sizes might be appropriate? Wheels or foundations or a combination?

Placement

Cities and counties must also define the appropriate location for tiny houses. For example, Los Angeles, Portland, and Seattle allow them but only as accessory dwelling units. The City of Fresno allows them as well, under the Backyard Cottage category but also as accessory dwelling units. Accessory Dwelling Units are residential units, secondary to a primary residential dwelling unit and located usually in the rear yard of a lot. Other jurisdictions have been more flexible and allow for tiny houses in a wider range of zoning districts. For example, El Paso County in Colorado allows them in Agricultural, Residential and Recreational Vehicle Park Zoning Districts. The County of Sonoma permits Cottage Housing Developments (Attachment 3) and special permits for integration into mobile home parks while the City of Santa Rosa has Junior Accessory Dwelling Units ("JADUs") with a maximum size of 500 square feet, which do not require plumbing.

If the City of Riverbank were to allow tiny houses, thought must be given to the appropriate zoning districts. Single family or duplex residential (R-1 or R-2) zoning could allow one or two tiny houses in place of an accessory dwelling unit. Multifamily residential zoning (R-3) could permit a cluster of them on one lot for multigenerational/large family housing. Public/Quasi Public (P/QP) zoning could permit housing for the homeless, managed by a nonprofit.

Purpose

The County of El Paso allows people to live in a tiny house for up to 12 months, and only if the property owner's primary home is under construction. However, they are also allowed for permanent residential living provided the following is met: a unit is built on a permanent chassis with no attached motor as the means of propulsion; it is constructed to ANSI RVIA standards or certified by a professional structural engineer; or it is to be used as a dwelling unit with the exterior appearance of a single-family house. These requirements also extend to tiny houses on single lots and in recreational vehicle parks.

Tiny Homes Detroit is a program implemented in that city which provides a means for low-income individuals to become homeowners through tiny houses constructed by Cass Social Services. This model is the only rent-to-own model in the country. The houses range from 250 to 400 square feet in size and each one is architecturally different and on a foundation. Residents come from a variety of experiences (formerly homeless people, senior citizens, college students, and former employees). A similar program in Riverbank in partnership with the County or nonprofits could help veterans, families breaking the domestic violence cycle, or aged-out foster kids trying to find their place in the world.

The City of Rockledge, Florida allows the use of a tiny house for permanent, residential purposes. Their development code also allows the cluster development of tiny houses where there may be up to 12 in an area and of which a maximum of 4 can be on wheels. Santa Rosa is also allowing them for displaced fire victims while their homes are being rebuilt.

Process and Fees

How a tiny house is processed and what fees it will require could make or break a program. Currently the City has several review processes it could use or modify to accommodate tiny houses. An accessory dwelling unit ("ADU") receives staff review pursuant to adopted standards and must apply for a building permit. A mobile home, modular, or traditional house on a single lot also receives staff review and must apply for a building permit. A multifamily project larger than a single fourplex must have Architecture and Site Plan Review ("ASPR") by the Planning Commission. To bring a project for ASPR requires deposits and fees totaling approximately \$1,600. City impact fees on a single dwelling or accessory dwelling unit are approximately \$27,500 plus school, fire, county, and city building permit and utility connection fees. No \$10,000-\$20,000 tiny homes will be constructed if their fees total over \$40,000. Santa Rosa provides fee reductions based on the size and location (attached or detached) of the tiny house (Attachment 4).

On August 5, 2019, the American Planning Association released a report entitled Residential Impact Fees in California – Current Practices and Policy Considerations to Improve Implementation of Fees Governed by the Mitigation Fee Act, which surveyed 40 jurisdictions, provides an in-depth case study of 10 localities, and reports on interviews of almost 30 fee experts in an effort to compile Best Practices. Current fee practices are reviewed around fee transparency and to improve predictability, typical fee rate structures and proposals that would adjust fee structures are examined and weighed to better promote housing supply and affordability, the tools that localities use to design fee programs and analyze their potential impacts are outlined, and alternative options available to fund local infrastructure and outline the trade-offs of different approaches are considered in this report. If tiny houses are permitted in Riverbank, this study (among others) could provide a basis for determining their fees.

SB2 Planning Grant

In 2017, Governor Brown signed a 15-bill housing package aimed at addressing the state's housing shortage and high housing costs. The Building Homes and Jobs Act (SB 2, 2017) established a \$75 recording fee on real estate documents to increase the affordable housing supply in California. As part of SB 2 funding, local governments have an opportunity to receive funding and technical assistance from the State to prepare, adopt, and implement plans and process improvements that streamline housing approvals and accelerate housing production.

The State of California released a Notice of Funding Availability (Attachment 5) with a deadline of November 30, 2019 for funding requests. The City of Riverbank, if it desires to move in the direction of allowing tiny houses, may qualify for a technical planning grant available from the state. The SB 2 grant would give Riverbank the opportunity to apply for monies in one of the state's Priority Policy Areas such as the Accessory Dwelling Units or Other Innovative Building Strategies category. Such funding could be used to research and amend the zoning code to allow tiny houses in the City, to adopt tiny house and accessory dwelling unit design standards and/or construction plans, to review and adjust the impact fees associated with constructing and permitting tiny houses and accessory dwelling units (again, the current fees are greater than the cost of many units), and to determine how tiny houses could help Riverbank's residents (including the homeless, low income, veterans, and aged-out foster children) obtain no cost or low cost housing. This grant would also allow the City to partner with other agencies such as the County or nonprofits to address the state-wide need for housing.

GENERAL PLAN

Goals and policies of the General Plan that are relevant to this discussion are as follows:

- *Policy LAND-2.4* – The City will encourage re-use of vacant or underutilized land in the Infill Opportunity Area through policies that seek to encourage more intense infill development.

- *Policy LAND-3.3* – The City will encourage “compact development,” which places origination and destination points closer together (residence, stores, schools, places of work, etc.), allowing for alternatives to vehicular travel.
- *Policy LAND-3.5* – The City will encourage development and redevelopment of downtown as a mixed-use area, high-activity area. Development and retention of retail and visitor-oriented uses, business and personal services, government and professional offices, communications facilities, civic uses, and high-density residential uses will be encouraged.
- Housing Element Goal 1 – Identify adequate sites to provide for a sufficient number of dwelling units to meet the City’s regional housing needs.

Policy 1.1 – Ensure land use and zoning procedures accommodate affordable housing.

- Housing Element Goal 2 – Encourage and assist in the development of adequate housing to meet the needs of extremely low-, low-, and very low-income households.

Program 2.1a – Seek assistance from nonprofit developers, including Self-Help Enterprises and Habitat for Humanity to develop homes for lower-income families. The City will meet with nonprofit developers to discuss available sites for affordable housing, potential funding sources, and actions the City can take to assist housing providers in obtaining funding.

Program 2.1b – Continue to assist developers of extremely low-, low-, and very low-income housing in the grant preparation process to help fund these developments. Funding will be prioritized for the development of housing affordable to extremely low-income households. The City assists developers by expediting review and approval of development applications to meet funding deadlines and providing information needed to support funding requests.

Program 2.1c – Encourage developers to include second (accessory) dwelling units in new subdivisions as well as a variety of higher density options. The City encourages developers to include second (accessory) dwelling units by permitting such units without requiring additional lot area and allowing up to 50% lot coverage. The City permits such units by right in single-family subdivisions according to the requirements of State law.

Program 2.1f – Assist in the development of housing for farmworkers. Actions will include assistance with site identification and support of applications for funding. The City will identify a partner and development opportunity by June 2010 and apply for grant funding through HCD. [Note – the City did not meet this program goal/date.]

Program 3.1d – Amend the Zoning Ordinance to facilitate the development of housing for special needs groups. Amendments will address the following:

- § Parking Requirements – The City will approve reduced parking requirements for developments containing senior, handicapped, single-adult, and/or small family housing in which two parking spaces per unit are not needed to meet resident and guest parking.

PLANNING COMMISSION

On Tuesday, August 20, 2019, the Planning Commission held a conversation with staff and the public to begin determining the following:

1. Should tiny houses be considered a housing option in Riverbank?
The Planning Commission felt that tiny houses could be the answer to different housing issues in Riverbank: farmworker housing, homeless housing, veteran housing, accessory dwelling units, aged-out foster children, and multigenerational housing compounds, were discussed. They did not want to limit the scope of research into tiny house ordinances and offered their support across the board.
2. If so, how large should a range of tiny houses be?
Again, the Planning Commission did not wish to limit the range of tiny house options. They want research done to determine what will work best for Riverbank.
3. In which zones could tiny houses be constructed (R-1, R-3, etc)?
The Planning Commission considered the zones and felt there could be different options for each residential zone.
4. What would be the purpose or function of tiny houses in Riverbank?
The Planning Commission could see opportunities for both permanent (accessory dwelling units, veteran housing) as well as temporary (homelessness, transitional) tiny houses.
5. By which process should tiny houses be reviewed (staff or Planning Commission)?
It was discussed that currently accessory dwelling units are reviewed and approved at the staff level, so tiny houses as that type of use could follow suit. The Planning Commission thought clustered housing for the homeless, perhaps with nonprofit management, should receive a higher level of review through the Architecture and Site Plan Review process, but with a lower application fee.
6. Should City staff move forward to apply for a planning grant to receive funding and technical assistance to implement a tiny house program(s) and fee structure?
The Planning Commission unanimously agreed that staff should seek technical planning funds to determine which type(s) of tiny houses are needed and will work

in the City and conduct an analysis to determine fair and appropriate fees for their construction.

ENVIRONMENTAL REVIEW

This item is exempt from environmental review because it is not a project within the meaning of Section 15378 of the State CEQA Guidelines.

FINANCIAL IMPACT

The financial impact is unknown at this time.

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 discussion by the City Council on Tiny Houses is consistent with the goals and strategies of:

1.3 – Continue to seek local, regional, and federal grant opportunities to support City projects, programs, and initiatives.

4.3 – Promote regional interaction and coordination with surrounding communities and service providers including schools, economic development interests, transportation, and non-profit agencies.

6.1. A – Consider exploring dual-use housing for farmworkers during the growing season and the homeless off-season.

ATTACHMENTS

1. City Council Resolution No. 2019-XXX
2. Tiny House Photos
3. Santa Rosa ADUs and JADUs
4. Sonoma County Cottage Housing Development
5. Santa Rosa ADU Fees
6. Notice of Funding Availability

CITY OF RIVERBANK

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the City Council of Riverbank desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to \$123 million dollars under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

NOW, THEREFORE, The City Council of the City of Riverbank resolves as follows:

SECTION 1. The City Council is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application in the amount of \$XXX.

SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the City Manager is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$XXX, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

SECTION 3. The City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City Council hereby agrees to use funds for eligible uses in the manner presented in the application as approved by the

Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

SECTION 4. The City Manager is authorized to execute the City of Riverbank Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the City as required by the Department for receipt of the PGP Grant.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 27th day of August, 2019; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following vote of ____:

AYES:

NAYS:

ABSENT:

ABSTAINED:

ATTEST:

APPROVED:

Marisela H. Garcia
Asst. City Manager/Recorder

Richard D. O'Brien
Mayor



Tiny Houses



Tiny Houses

Santa Rosa ADUs and JADUs

What is an ADU?

An Accessory Dwelling Unit (ADU) is an attached or detached residential dwelling, located on the same parcel as an existing single-family dwelling, that provides complete independent living facilities, including sleeping, cooking, bathing, and sanitation. An ADU can be located on any property where the zoning district allows single-family residential by right, and on any parcel that already contains only one single-family residence.

What is a JADU?

A Junior ADU (or JADU) is a new category of dwelling unit created by the State of California and adopted by the City of Santa Rosa. There are several distinctions between a standard ADU and a JADU detailed in the table below. The main difference is that a JADU is not required to have a dedicated bathroom.

Requirements	ADU	JADU
Maximum Unit Size	Yes. Generally up to 1,200 square feet or 50% of living area.	Yes. 500-squarefoot maximum.
Kitchen	Yes.	Yes.
Bathroom	Yes.	No. Common sanitation allowed.
Separate Entrance	Depends.	Yes.
Parking	Depends. Parking may be eliminated and cannot be required under specified conditions.	No. Parking cannot be required.
Owner Occupancy	Depends. Owner occupancy <i>may</i> be required	Yes. Owner occupancy is required.
Ministerial Approval Process	Yes.	Yes.
Prohibition on Sale of ADU	Yes.	Yes.

The following are the materials required for submittal of a building permit for both an ADU and JADU:

- Site plan
- Floor plan
- Foundation plan
- Interior cross sections
- Construction details
- Elevations for new structures
- Photographs of site for new structures
- Materials and color board for new structures
- Deed Restriction or affordability contract as applicable (see the owner occupancy information below)
- Historic Resource Survey as applicable (see the historic preservation district information below)

Neither an ADU nor a JADU not be rented for periods of less than 30 days.

The following outlines the parking requirements for both ADUs and JADUs:

Unit Type	Number of Parking Spaces Required
ADU – New Detached Unit	1 additional parking space is required <i>With the following exceptions - no additional parking is required if one or more of the following exist:</i> • The ADU is 750 square feet or less; or • The property is located in a historic preservation district; or • The property is within 1/2 mile of a transit stop; or • The property is within one block of a car-share vehicle.
ADU – Internal Conversion	No additional parking required
JADU	No additional parking required

Sonoma County Cottage Housing Development

Cottage housing developments provide for a type of housing referred to as the “missing middle”—housing types that offer smaller units in buildings of a similar scale as a single family-home. The County’s new code encourages the development of these smaller units with shared parking and common open areas within existing low- and medium-density urban residential neighborhoods. The County allows two types of cottage housing developments—detached and attached.

Applicability

Cottage housing developments are allowed in the Low Density Residential (R1) and Medium-Density Residential (R2) zones on parcels located in Urban Service Areas. Tiny homes may be utilized as cottage housing developments when building codes are met and the homes are placed on foundations.

Within the areas affected by the 2017 Sonoma Complex Fires, cottage housing developments are limited as follows:

Glen Ellen: One cottage housing development allowed per 400 foot radius

Larkfield-Wikiup/Mark West area: Prohibited within the burn area at this time

Permit Requirements

All cottage housing developments are subject to design review unless there are no external changes (conversion of an existing residence). A use permit is required for any cottage housing development with more than three cottages or units, or that does not meet the adopted development standards.

Parcel Requirements

The minimum parcel size for cottage housing developments (attached and detached) is 8,000 square feet. Sites utilized for cottage housing developments shall be located within designated Urban Service Areas and shall be served by public sewer.

Development Standards

Parking

One reserved space shall be provided per unit and one guest parking space shall be provided for every three cottages or portion thereof. Parking must be provided within a common parking area.

Density

Once the minimum parcel size has been met, the allowed density shall be one cottage per 2,500 square feet of lot area for attached and detached cottage housing developments.

Cottage Size

The total building square footage for a cluster of three cottages is 2,700 square feet unless a use permit has been granted and a larger size allowed after an analysis of neighborhood compatibility and design review.

Open Space

Open space of at least 200 square feet per unit required; 60 square feet may be private, and the remainder must be provided as common open space.

Porches

Front porches facing the open space are strongly encouraged.

Occupancy

No transient occupancy (stays of less than 31 days, time shares, vacation rentals) allowed.

Santa Rosa - Accessory Dwelling Units

Zoning Code Revisions

On December 12, 2017 and October 2, 2018, the City Council adopted ordinances amending the Accessory Dwelling Unit (ADU) section of the Santa Rosa Zoning Code in compliance with State law and in support of the City's Housing Action Plan.

The ordinances were incorporated into [Zoning Code Section 20-42.130 \(Accessory Dwelling Units\)](#).

Fee Reductions

Development Impact Fees

Certain development impact fees for ADUs have been reduced. The amount to be paid for each of the following fees is identified in the chart below:

- Capital Facilities fees
- Parks fees

Unit Size (Square Feet)		Percentage of Impact Fees Assessed (the % of the fee to be paid by the applicant)
Larger Than	Up To	
Internal Conversion		0%
-	750	0%
751	950	25%
951	1,200	50%

Utility Connections and Fees

Pursuant to Zoning Code Section 20-42.130(D)(3)(b), no new or separate utility connection, or related connection fee or capacity charge, will be required for the following ADUs:

- Internal conversions of existing space within a single-family residence or an accessory structure; or
- New ADUs (detached or attached) that are 750 square-feet or smaller.

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

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2771 / FAX (916) 263-2763
www.hcd.ca.gov



March 28, 2019

MEMORANDUM FOR: All Potential Applicants

**FROM: Zachary Olmstead, Deputy Director
Division of Housing Policy Development**

**SUBJECT: NOTICE OF FUNDING AVAILABILITY -
SB 2 PLANNING GRANTS PROGRAM**

The Department of Housing and Community Development (Department) is pleased to announce the release of this Notice of Funding Availability (NOFA) for approximately \$123 million under the Senate Bill 2 (SB 2, 2017) Planning Grants Program (PGP). SB 2 established a permanent source of funding intended to increase the affordable housing stock in California. The legislation directs the Department to use 50 percent of the first year's revenue to establish a program that provides financial and technical assistance to local governments to update planning documents and land-use ordinances. The PGP is intended for the preparation, adoption, and implementation of plans that streamline housing approvals and accelerate housing production.

In order to be eligible for grant funding, an applicant must submit a complete, signed original application and an electronic copy on CD or USB flash drive. OTC applications will be accepted for an eight-month period ending on **November 30, 2019**. The Department will only accept applications through a postal carrier service that provides date stamp verification confirming delivery to the Department's office, such as the U.S. Postal Service, UPS, FedEx, or other carrier services. No facsimiles, late applications, incomplete applications, application revisions, electronic submittals, or walk-in application packages will be accepted. All applications must be submitted to the Department at the following address:

**Department of Housing and Community Development
Division of Housing Policy Development
2020 West El Camino Ave, Suite 500
Sacramento, CA 95833**

PGP applications and forms are available on the Department's [website](#). Please refer to the [Planning Grants Program Guidelines](#) for detailed information on eligible activities, applicants, and awards. If you have questions regarding this NOFA, please email the Department at sb2planninggrant@hcd.ca.gov.

Attachment

RIVERBANK CITY COUNCIL AGENDA ITEM NO. 6.6

SECTION 6: NEW BUSINESS

Meeting Date:	August 27, 2019
Subject:	Designation of a Voting Delegate and Alternate(s) to Attend the 2019 League of California Cities Annual Conference
From:	Sean Scully, City Manager
Submitted by:	Annabelle Aguilar, CMC City Clerk

RECOMMENDATION

It is recommended that City Council designate Members of the Council as the Voting Delegate and one or two alternates to attend the 2019 League of California Cities Annual Conference on October 16-18 at the Long Beach Convention Center to participate in the Annual Business Meeting for the consideration of resolutions that establish League policy. To report the designations to the League, City Council is to ratify the designations by roll call vote.

SUMMARY

Annually, the League of California Cities requests that the City Council take action in order to participate in the Annual Business Meeting by designating a Voting Delegate, and to appoint one or two alternates. Participation in the meeting ensures that Riverbank Officials have an opportunity to initiate and influence policy decisions by voting on resolutions that establish League policy. The resolutions for the City Council to consider will be presented at a following Council meeting to discuss and determine the City's position to each resolution, and to have the designated Voting Delegate or alternate represent the City's position accordingly.

The current League Executive Committee representatives are Councilmember Campbell as the primary member and Mayor O'Brien as the alternate. The designated Voting Delegate and alternate(s) must be registered for the conference. Council's selection of the Voting Delegate and alternate(s) will be reported to the League.

FINANCIAL IMPACT

Conference registration can be made for the full three days or only one day (Friday to attend the Annual Business Meeting to vote). Registration cost is from \$550 - \$600.00 (full session) or \$325 (Friday only), plus travel and accommodations.

ATTACHMENTS

There are no attachments to this report.